

Weston Conservation Commission - Public Meeting Minutes

January 8, 2019

Approved: January 29, 2019

Members Present: Laurie Bent (Chair), Alison Barlow, Joseph Berman, Ellen Freeman Roth,
and Rees Tulloss
Members Absent: Cynthia Chapra and Josh Feinblum
Conservation Staff: Michele Grzenda
Others Present: See Sign-in Sheet

7:00 p.m. Request for Determination of Applicability: 444 Wellesley Street; B. Polimer, Facilities Dept.

The Applicant has filed this Request for Determination of Applicability (RDA) for repair of a drainage headwall next to the high school. A portion of the work is proposed in the 100-foot buffer zone to a wetland. The school will hire an outside contractor to construct a small headwall which will support the foundation drain pipe where it daylight into the steam embankment. All work will be done during dry conditions. The commission asked that straw wattle be placed around the perimeter of any disturbed soil after installation of the repairs; motion by Rees Tulloss to issue a Negative Determination of Applicability; seconded by Joseph Berman; 4:0:0.

7:06 p.m. Approval of 12/18/18 Con Com minutes

Motion by Joseph Berman to approve; seconded by Rees Tulloss; vote 4:0:0.

7:10 p.m. Discussion – Case Estates Walkway and Legacy Trail; S. Tyler (Howard Stein Hudson, Engineers)

Steve Tyler from Howard Stein Hudson (HSH) presented the Town's proposed construction of a 5-foot wide sidewalk along Ash St. (running north from Weston Reservoir to the Case Estates) and a pedestrian path crossing the Case Estates between Ash St. and Wellesley St., connecting to the existing sidewalk on Wellesley Street. Paths will continue onto the Case Estates parcels north of Wellesley St. and will connect to Case Campus. The Project Site is bound by three rights-of-way: Wellesley Street, Newton Street, and Ash Street. Wellesley Street, to the north of the Project Site, has a sidewalk on the northwest side of the street. Newton Street and Ash Street have no sidewalks. Ash Street leads directly to the Weston Reservoir walking trail. The proposed project will provide a walkway through the 62.0± acre Case Estates parcel and will provide a sidewalk from the Case Estates walkway to the entrance of the Weston Reservoir walking trail off Ash Street. The Ash Street section can generally be defined as the undeveloped edge of the Ash Street roadway abutting a forested area. The Case Estates property is generally comprised of fields which are mowed once a year. The Legacy trail will begin across the street from the Community Center, head south through a wooded area along an existing path, and then continue south along a field edge. The terminus of the Legacy Trail will be at a view point within the field. A grassy path will continue west beyond the Legacy Trail terminus and will allow visitors to continue on the WFTA/WCC trail system towards Chestnut Street and Highland Forest.

Mr. Tyler indicated that the project has been designed to minimize impacts to trees along Ash Street. The sidewalk will narrow from 60" to 52" in small sections where certain trees proposed to be protected are growing in close proximity. Except for a small portion of new sidewalk near the Weston Reservoir north parking area, the sidewalk will be constructed on the westerly side of Ash Street until it reaches the Case Estates Land. At that location, the sidewalk will cross onto Parcel 9 of the Case Estates property and will run parallel to the roadway for approximately 270 feet. From there, the sidewalk will head in a northwesterly direction across an existing swale and through the central portion of Parcel 9. In order to cross the swale, Steve Fogg, town engineer, suggested the town place an appropriately sized drainage pipe through a 7-foot section of the swale, thereby allowing that section to be filled. The walkway will then continue in a northwesterly direction and will enter Parcel 2 near the westerly property boundary. From there, the walkway will continue north until it ties into an existing farm access road. A new crosswalk will be constructed across Wellesley Street. The town is requesting to create a 18-foot wide stone wall opening opposite the farm access road on the east side of Wellesley Street in order to gain access to the portion of the Case Estates to the west of Wellesley Street. The opening must be large enough to allow mowing equipment and safety vehicles to access the site. Discussion ensued regarding the type of barrier needed to allow pedestrian access but discourage motor vehicles from accessing the area on both sides of Wellesley Street. Staff and HSH will continue to work on a design for that.

Laurie Bent suggested that the sharp turns along the trail location be softened. The Agent indicated that the consultant will be staking the centerline of the walkway through the Case Estates for final review by the Commission and staff. Questions about slope and contour elevations were raised. The Legacy Trail is proposed to have a 12 % grade in one

location due to the steepness of the natural terrain. The Town will be requesting a waiver from the Architectural Access Board (AAB). Fill of up to 2 feet will be needed in some locations to create an appropriate surface. The fill will be feathered into the existing land to limit the steep slope on either side of the walkway. Side slopes should not be greater than 3:1 in fields where trailside mowing may be necessary, but a 2:1 slope may be appropriate in the woods to minimize impacts to nearby trees. Michael Harrity suggested that the width of the Legacy Trail walkway at the hairpin turn leading to the slope down to the Community Center be wider than 5 feet to allow for a better turning radius for bikes/strollers/wheelchairs. Since a steep slope exists just downgradient of the hairpin turn, some type of barrier is needed for safety reasons. In general, the Commission is comfortable with the location of the proposed walkway system within the Case Estates.

The Commission discussed long-term maintenance needs and questioned who would be responsible for maintenance. Questions were raised about how to minimize overgrowth from grass and also minimize future erosion on the portion of the walkway that will be crusher run or stone dust. The Agent acknowledged that maintenance costs will be needed but that a responsible party has not been identified. It's likely that the Conservation Commission will need to request funds in future budgets to maintain this pathway.

Discussion regarding the Legacy Trail respite area and trailhead near the Community Center and Alphabet lane ensued. The town would like to re-work the first respite area to pull it further from the property line with the abutter. During the site walk, the Commission suggested moving the trail and respite area north/northwest in order to give a better buffer between the walkway and the abutter. It was suggested that a compass rose and donation pavers be incorporated into the Respite area near the former summer house. The Commission agreed that Conservation Staff, Mr. Harrity, and HSH could refine these details.

Discussion of surface ensued. Mr. Tyler reviewed a table that HSH had prepared which compared surface types and long-term maintenance costs. Laurie Bent suggested the discussion focus first on the proposed surface for the Legacy Trail. Ms. Bent opined that asphalt was preferable for the Legacy Trail due to the steep slopes and the goal to make this pathway as accessible as possible. Joe Berman expressed his opinion that a stone dust path has a better aesthetic look but also agreed that choosing a surface that will best be suited for all uses is important. Paul Penfield, resident, recommended hot mix (i.e., paving) due to the ease of maintenance and longevity of the product. Residents Rob Mosher and Nick Danforth recommended stone dust due to aesthetic reasons and the concern that moss can grow on asphalt paths in the woods which makes the surface slippery when wet. Mr. Tyler added another option: asphalt chip-seal, which this could be applied on top of the asphalt. It acts as a seal coat which includes crush fines to create a bit more grip on the surface, and to give the pathway a more rustic appearance. Motion by Laurie Bent to install an asphalt walkway with chip seal on the Legacy Trail; seconded by Joseph Berman; 5:0:0.

Discussion regarding the proposed surface of the remainder of the Case Estates Walkways ensued. Amy Anderson requested that the walkway be made of crushed stone between Ash Street and Wellesley Street; Concerns over future maintenance costs of a crushed stone path and the difficulty of plowing such a path was discussed. The Commission reached a consensus that a crushed stone path through the fields would be more aesthetically pleasing but suggested that a base which could support an asphalt path be installed in case a future conversion to asphalt is considered. Motion by Joe Berman to support the installation of a stabilized crushed stone walkway along the remainder of the Case Estates walkways; seconded by Rees Tulloss; Vote 5:0:0.

Motion by Joseph Berman to support the Traffic and Sidewalk Committee's CPC application for construction of the Ash Street sidewalk and Case Estates Walkway/connector path; seconded by Rees Tulloss; vote 5:0:0.

9:05 p.m. Notice of Intent: Ash Street and Case Estates Walkway; Town of Weston (S. Fogg present); S. Tyler, Howard Stein Hudson

The Applicant has filed this NOI for the construction of a sidewalk along Ash St. (from Weston Reservoir to parcel 032_023_001) and a pedestrian path crossing the Case Estates (parcel 032_023_001) between Ash St. and Wellesley St., connecting to the existing sidewalk on Wellesley Street. Portions of the proposed activities will be conducted within the 100' wetland buffer and the 25-foot no disturb zone. Temporary impacts to the 25-foot no disturb zone and 100-foot buffer are the result of grading associated with portions of the walkway on Ash Street and through the Case Estates. Approximately 1,989 square feet of alteration within the NDZ is proposed. The proposed activities in this area occur over previously developed land. The Project has been designed to avoid alterations to wetland resources areas to the

maximum extent practicable. The Project activities are located outside of the Bordering Vegetated Wetlands (BVW) located on site.

A clear limit of work line has been provided on the included Plans. Appropriate sedimentation and erosion control measures and other BMPs will be employed by the site contractor to avoid impacts to wetland resource areas during construction. Erosion control measures in the form of Compost filter tube will be added on both side of the trails within the 25-ft no disturb zones of wetlands and on down-gradient slopes. Additionally, snow fence will be used for areas within the 25-ft no touch zone. Motion by Joseph Berman to close the hearing and issue an Order of Conditions approving the project; seconded by Ellen Freeman Roth; vote 5:0:0.

9:30 p.m. Request for Partial Certificate of Compliance – 7 Ware Street (337-1185)

Jason Lavoie, Jillson Company reviewed the approved construction of a single family house which the Conservation Commission approved in 2016. It was permitted as a redevelopment in riverfront area project. During construction, additional riverfront area was altered and additional lawn was constructed. In April of 2018 the Commission was informed of this increase of disturbance and an Enforcement Order was issued. Karen Sebastian, Landscape Architect prepared a Restoration Landscaping Plan which included the installation of numerous native plants and a conservation seed mix. The Restoration areas have been planted, but the conservation seed mix in some areas is sparse. Mr. Wilk, the owner, acknowledged this and is planning on re-seeding the areas this spring. In addition, there are three other areas within Riverfront Area which have been recently disturbed (an area down-gradient of recharge basin #2 where a contractor had to re-install the Stormwater outfall, the area downgradient of the generators, and a small area near the driveway)

The Agent suggested that the Full Certificate of Compliance should not be issued until after the Commission receives confirmation from a landscape architect that after the 2019 summer season over 75% of the surface area of the Restoration Areas have been restored with native vegetation and that the other areas described above have been stabilized.

Motion by Joseph Berman to issue a Partial Certificate of Compliance referencing the outstanding items above; seconded by Rees Tulloss; vote 5:0:0.

Mr. Wilk then requested to install a fence within Riverfront Area and 3-feet inside one of the restoration areas. Discussion ensued. The Commission agreed that the Mr. Wilk may install a fence along the approved lawn line; but should he wish to move the fence within the Restoration Area, a Request for Determination of Applicability must be filed. In addition the fence location shall be shown on the As-built plan. Mr. Wilk will consider his options.

9:55 p.m. Update on Conservation Land Encroachment – 121 River Road

The Commission reviewed a draft memo by Emily Schadler and agreed to allow the encroacher to have an extension until June 1, 2019.

10:00 p.m. Admin. Matters (these matters may happen any time during the evening)

1. Signing of bills and documents
 - o Request for Certificate of Compliance – 75 Scotch Pine Road (DEP #337-1252)
 - o Request for Certificate of Compliance – 44 Oak Street (337-1219)
 - o Request for Certificate of Compliance – 637 South Ave (337-834)
 - o Request for Certificate of Compliance – 7 Ware Street (337-1185)
 - o Request for Certificate of Compliance – 845 Boston Post road
 - o Re-Sign Certificate of Compliance – 445 Concord Road (337-637)
2. The Agent handed out a chart produced by DPW showing the proposed wetland impacts of various Warren Ave Sidewalk Options. Members of the Commission will attend the Traffic and Sidewalk Committee meeting on 1/16/19.
3. The Applicant of 441 Glen Road (337-1196) is proposing to relocate the existing driveway. Said work will require a request an amendment to the existing OOC. Although a portion of the relocated driveway will occur in previously disturbed NDZ, a much larger portion of altered NDZ and bank of an intermittent stream will be restored. The Agent anticipates this being filed next month.
4. Rivers School Boardwalk – request to construct during non-frozen conditions – The Applicant intends to begin construction of the boardwalk this winter. The permit requires the applicant build the boardwalk in dry/frozen conditions. Due the mild temperatures, the ground has not frozen yet but the Applicant requests to start

construction. The Commission agreed to let the Applicant proceed so long as the Applicant keeps to the permitted footprint and ensures that no adverse impacts to the wetland occur as a result of the non-frozen conditions.

10:13 p.m. Executive Session: Exemption 6: To consider the purchase or exchange of real property of 500 Wellesley Street

Laurie Bent requested the Commission enter executive session under #6 - To consider the purchase or exchange of real property. The Commission will not return to public session. A roll call vote was taken and it was unanimous.

Meeting closed at 10:35 p.m.