

Weston Conservation Commission - Public Meeting Minutes

January 29, 2019

Approved: February 26, 2019

Members Present: Laurie Bent (Chair), Alison Barlow (arrived at 8:05 pm), Joseph Berman, Cynthia Chapra and Rees Tulloss  
Members Absent: Ellen Freeman Roth and Josh Feinblum  
Conservation Staff: Michele Grzenda  
Others Present: See Sign-in Sheet

7:30 p.m. Informal Discussion – possible addition – 1 Wits End

The new owner wishes to construct a small expansion to two corners of an existing house. The work will entail removing a section of deck which is currently in this location and installing a new sonotube. The owner also wishes to extend the deck slightly over an existing patio. All work will be on existing lawn/patio and is at least 50 feet from the wetland edge. The Commission approved this work as a minor activity as exempt in 310 CMR 10.02.

7:40 p.m. Notice of Intent: 31 Holly Circle; T. McDonough (owner); M. Pimentel (JC Engineering)

The Applicant has filed this NOI for the reconstruction of a single family house at 31 Holly Circle. There is an existing 4-bedroom dwelling on site as well as a paved driveway, stone walls, fence, and yard. The topography of the site is sloped towards the north, away from Holly Circle. There are two wetland resource areas located on site and one Bordering Vegetative Wetlands (BVW) located off-site, approximately 50 feet north of the subject property. The overall project involves the demolition of an existing dwelling and the construction of a new single-family dwelling, driveway, Title 5 septic system, drainage facilities and associated utilities and grading. Due to multiple wetland resource areas located on and around the subject property, the majority of the project is located within 100 feet of a BVW. The only portion of work that is located within 25 feet of a BVW is the removal of part of the existing structure & driveway and replacing them with native shrubs. The nearby wetlands will be protected during construction with the use of a straw bale barrier and silt fence to be placed between the limit of the proposed work and the BVW. The project will result in approximately 3,142 s.f. of restored NDZ. The commission asked that prior to the start of work, the applicant shall submit a buffer zone restoration plan showing the quantity and quality of native shrubs and shrubs to be planted for review and approval by the Conservation Agent. Plantings within the restoration areas shall be installed by hand. Boulders shall be placed along the edge of the restored NDZ, 25feet from the wetland edge, and shall be shown on the as-built plan.

A resident expressed concern regarding the amount of construction and tree cutting occurring in this neighborhood over the years and made a request that the Contractor pay close attention to the plan and stay within the approved limit of work. The Commission asked that as little alteration as possible occur in the NDZ during the demolition. Motion by Joseph Berman to close the hearing and issue an Order of Conditions approving the project: seconded by Rees Tulloss; vote 4:0:0.

8:00 p.m. Notice of Intent: Concord Road Spur Parking for Rail Trail; Town of Weston

The Applicant has filed this NOI for the proposed addition of parking along two existing access roads from Concord Road (Concord Road Spur) to the existing Mass Central Rail Trail. The new parking areas will provide seven parking spaces (including two accessible spaces) on the southern spur, and four spaces on the northern spur, for a total of eleven spaces. The majority of the spaces are parallel parking, with the exception of one accessible space on the southern spur located near the rail trail. The Project also includes areas on each end of the two access roadways to allow vehicles to turn around. Approximately 450 linear feet of existing access road will be modified, including 210 feet on the northern spur and 240 feet on the southern spur. The proposed work requires a small amount of new impervious area in order to create the parking spaces. In addition, the Applicant wishes to install 3 benches within the 100-foot buffer zone.

The Project work within jurisdictional wetland resource areas is limited to the 100-foot Buffer Zone to BVW. No work is proposed within the Weston 25-foot No Disturb Zone. The Project includes several mitigation measures to offset the impacts including erosion and sedimentation controls, long-term vegetative stabilization, and a stormwater management system. Cambridge Water Department submitted a letter requesting that the town consider additional stormwater improvements along the southern spur where stormwater from existing roads and the pavement from 4 new parking spaces will discharge to an existing set of catch basins. Due to funding and timing constraints, the Town is not proposing to improve those existing catch basins at this time.

Motion by Rees Tulloss to close the hearing and issue an Order of Conditions approving the project; seconded by Cynthia Chapra; vote 4:0:0.

8:30 p.m. Notice of Intent: South Side Drainage Project; S. Fogg, Town of Weston; L. Butler, Wright-Pierce Engineering (WP)

The proposed project is the second phase in a multi-phase plan intended to alleviate stormwater drainage problems in a neighborhood encompassing the area from Pond Brook Circle to Shady Hill Road. A Comprehensive Drainage Study was performed for the Town in 2012 to summarize the drainage analysis conducted on the subject neighborhood, identify areas for potential improvements, and present recommended improvement options to alleviate chronic drainage problems that have plagued this area of Weston for many years. The improvements recommended in that study were proposed to be conducted in three phases, working from downstream to upstream through the watershed. Design and construction for Phase 1 was completed in 2017. The focus of work for this project (Phase 2 of the Southside Drainage Project) includes three components: (1) installation of an outlet control structure (OCS) at the pond located behind 19 Pond Brook Circle and installation of a 3' x 6' concrete box culvert to connect the OSC to the infrastructure installed in Phase 1 of the project; (2) installation of a 30" storm drain conveying flow around the house located at 474 Glen Road to discharge into the pond; and (3) replacement of an existing 24" culvert with a 42" Reinforced Concrete Pipe (RCP) at 466 Glen Road, removal of accumulated sediment within a portion of the stream channel, and restoration of the stream banks at 466 Glen Road. Portions of the work will occur within Wetland Resource Areas and the 100-foot buffer zone.

**Pond Outlet Control Work at 19 Pond Brook Circle.** The proposed project involves removal of the existing spillway, installation of a new outlet control structure (OCS), installation of a new box culvert to complete the connection from the pond to the previously installed box culvert in Pond Brook Circle. Work will include the following: removing some trees; building a fence and wood retaining wall within the 25- NDZ; removing existing spillway structure and drainage infrastructure; installing a new outlet control structure; installing a 3'x6' box culvert connection; reshaping bank and yard; and stabilizing area with riprap, landscape plantings or loam and seed to restore lawn area. Resource area impacts include 40 linear feet of Bank (permanent); 500 s.f. of Land Under Water (temporary); and 2,070 s.f. of NDZ alteration (permanent).

**Stormdrain improvements at 474 Glen Road.** The proposed project involves installation of a 30" storm drain conveying flow around private properties to discharge into the pond. Work will include the following: removing some trees and landscape plants; installing new 30" storm drain and drain manhole structures; connecting roof leaders; disconnecting existing 12" storm drain; reshaping area around storm drain inlet; and stabilizing area with landscape plantings or loam and seed to restore lawn. Resource area impacts include: 20 linear feet of Bank (temporary); 250 s.f. of BVW (permanent); 200 s.f. of Land Under Water (temporary); and 1,455 s.f. of NDZ alteration (temporary and permanent). The intent is to install the storm drain pipe outlet below the pond's normal highwater elevation. The hope is under summer conditions (low water levels), this area will be dry. If water still remains in the vicinity, a coffer dam will be used to prevent water from entering the work area and a by-pass pump will be on hand if needed. The commission asks that care should be taken to minimize disturbance of the natural mature vegetation. In particular, there is a large maple tree along the northeasterly limit of work that should be preserved. Wright-Pierce will revise the plans to reflect the protection of the large maple tree.

**Stormdrain and Stream Restoration at 466 Glen Road.** The proposed project involves replacement of an existing 24" culvert with a 42" RCP culvert, removal of accumulated sediment within portion of the stream channel and restoration of stream banks. The existing 60" RCP under the driveway at 466 Glen Road will remain; however, the accumulated sediment will be removed in order to restore the hydraulic connectivity in this area. Approximately 370 linear feet of Bank associated with an intermittent stream will be temporarily altered in order to help re-define the flow channel. the northern side of the stream bank is mostly lawn and is slumping. The proposal is to install some boulders along segments of the stream banks. Work will include the following: meeting on-site to discuss project work and impacts; removing accumulated sediment from driveway culvert and stream; replacing 24" culvert with embedded 42" culvert; reconstructing stone walls; stabilizing compromised segments of stream bank; and stabilizing area with riprap, landscape plantings or loam and seed to restore lawn. Resource area impacts include: 370 linear feet of Bank (temporary); 1750 s.f. of BVW (temporary); 40 s.f. of Land Under Water (permanent); and 11,025 s.f. of NDZ alteration (temporary). Several stone check dams, and other erosion control devices need to be installed to minimize downstream impacts. The Commission expressed concerns over the lack of specific detail in terms of how the stream will be altered and what the stream will look like after it is restored.

Ms. Butler indicated that soil erosion will be controlled with the use of the following products: Stabilized Construction Entrance, Timber Mats, Silt Fence or Silt Sock, Silt Bags in existing inlets, Erosion Control Blankets, and Stone Check Dams. Dewatering products to be used include cofferdams, sediment basins, and turbidity curtains.

Due to the sensitive nature and amount of resource area alteration, the Commission asked that a restoration plan be prepared to showing the following: (1) equipment access locations, type of equipment to be used, and stockpiling locations that will minimize resource area impact; (2) specify where stone check dams, and other erosion control devices will be needed in order to minimize downstream erosion and sedimentation, and identify types and quantities of any native plantings proposed. The driveway should be utilized as much as possible in order to limit impacts on the NDZ and Buffer Zone. The Commission asked that a Wildlife Habitat Evaluation be submitted due to the large amount of Bank alteration proposed.

DEP issued the following comments: "It does not appear that the project cannot be approved as proposed. The proponent must provide a written explanation how the project meets the performance standards for Bank, BVW and LUW, along with an alternatives analysis for the BVW alterations. In addition, the proponent should also explain how the increase in the culvert size (24" to 42") will not result in upstream and downstream wetland impacts, including flooding and draining of the wetlands; how the project meets the Stream Crossing Standards (under 310 CMR 10.54(4)(a)6) or if this is being proposed as a limited project under 310 CMR 10.53(8) how its meeting the criteria listed in that subsection; and what is the purpose for the proposed dredging of the stream and to what depth will the stream will be dredged. If work is proposed on private property, those landowners must also sign the NOI."

Gary Kruger, Pond Brook Circle, asked if these updated plans could be put on the website. Other residents asked questions regarding construction sequencing and the overall construction occurring on Glen Road. Dan Boyd asked if the storm drain inlet at 474 Glen Road could be shifted west. The Agent indicated that shifting the inlet would result in greater wetland impacts. The public raised questions regarding the overall Glen Road drainage.

The Commission and Agent required the following:

- Wildlife Habitat Evaluation be submitted since greater than 50-linear feet of Bank would be altered
- A detailed stream restoration plan and narrative be submitted for review
- 25-NDZ Waiver
- Responses to DEP's Comments

Motion by Alison Barlow to continue the hearing until 8:20 p.m. on 2/12/19; seconded by Joseph Berman; vote 5:0:0.

9:40 p.m. Request for Minor Plan Change: 44 Oak Street (337-1282)

The Applicant requested permission to keep a patio which is larger than what was permitted. The work occurred in Riverfront Area. In January 2017, the WCC issued an Order of Conditions (OOC) for the reconstruction of a new home. During the hearing process, the Commission requested a smaller patio than what was originally proposed be constructed. At the 1/10/17 hearing the Applicant agreed to build a smaller patio. The amount of Riverfront Area alteration was reduced by 1176 square feet due to a reduction in the size of the patio. The total area of proposed Riverfront Alteration within the lot is 3,084 square feet. However, when the patio was built in 2018, the Applicant stated they were out of the country and that the builder took it upon himself to build a bigger patio and fire pit area. The as-built shows the patio and fire pit are 1,283 s.f. (385 s.f. bigger than permitted).

The Commission re-iterated the importance of notifying them of any changes. Since this particular change in Riverfront Area is relatively minor and will not adversely impact wetland resource areas protectable under the Massachusetts Wetlands Protection Act (310 CMR 10.00), the Commission voted unanimously to approve this work as a minor plan change.

10:00 p.m. Admin. Matters

1. Approval of 1/8/19 Conservation Commission minutes – motion by Rees Tulloss to approve; seconded by Cynthia Chapra; vote 5:0:0.
2. Approval of 1/8/19 Executive Session Conservation Commission minutes - Motion by Rees Tulloss to approve; seconded by Joseph Berman; vote 5:0:0.
3. Signing of bills and documents
  - o Partial Certificate of Compliance – 7 Ware Street (337-1185)

- Certificate of Compliance - 508 Boston Post Road (337-1328)
  - Extension to OOC: 337-1122
4. Motion by Rees Tulloss to permit a scout nature walk on April 28, 2019 at Jericho Town Forest; seconded by Cynthia Chapra; vote 4:0:0.
  5. Motion by Joseph Berman to sign the Purchase and Sale Agreement for the purchase of approx.. 13.05 acres of land at 500 Wellesley Street (Wellington Farms); seconded by Alison Barlow; vote 5:0:0.

Meeting adjourned at 10:20 p.m.