

Weston Conservation Commission - Public Meeting Minutes
February 25, 2020
Approved: March 17, 2020

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

7:30 p.m. Admin. Matters

1. Approval of Minutes:
 - Motion by Cynthia Chapra to approve the 1/21/20 minutes; seconded by Rebecca Loveys; vote 4:0:1
 - Motion by Cynthia Chapra to approve the 1/07/20 minutes; seconded by Rebecca Loveys; vote 4:0:1
 - Motion by Cynthia Chapra to approve the 2/4/20 minutes; seconded by Rebecca Loveys; vote 4:0:1
2. Proposed Work at Rivers School (B. McGovern; Rivers School)
 - Tennis court re-surfacing - The River's School is proposing work associated with resurfacing the six existing tennis courts, located on the Town line, on the south side of Nonesuch Pond. A section of the tennis court area is located within the 25-foot No Disturb Zone (NDZ) and the 100-foot buffer zone to a bordering vegetated wetland. The tennis court resurfacing will occur within the limits of the existing pavement. The proposed work also includes replacement of the chain link fence fabric along the perimeter of the courts and new net posts located within the paved court area. All access to the courts will occur from the Natick side (away from the wetland). Straw wattle will be installed along the down-gradient side of the tennis courts to ensure the nearby wetlands are not impacted. Motion by Rees Tulloss to issue an admirative approval with the following conditions: (1) the applicant shall contact the Agent for a pre-construction site inspection prior to work to inspect erosion controls; (2) erosion controls shall remain in place until the ground is stable; (3) River's school shall contact the Conservation Agent for a site visit once the site is stable. The motion was seconded by Alison Barlow; vote 5:0:0. Construction is scheduled for the Summer of 2020.
 - Waste water treatment project -The River's School is proposing work associated with making a sewer connection to the Natick sewer system in order to decommission and remove the onsite wastewater treatment plant. Making this connection requires that the school's sewage be pumped from a manhole east of the existing wastewater treatment plant to a new sewer manhole in Hovey Lane in Natick. A segment of the proposed work is located with the 200-foot Riverfront Area of the Boggle Brook located to the south of the wastewater treatment plant. Work located within the 200-foot Riverfront Area includes the installation of a 4-foot diameter force main flushing manhole, installation of an 8-foot diameter submersible pump station, approximately 70 linear feet of electrical conduit, approximately 30 linear feet of 8-inch gravity sewer, and approximately 130 linear feet of 2" force main. The School proposes to install sedimentation and erosion control measures along the limit of work and restore the area at the completion of work. It was the Commission's opinion that this work falls under 310 CMR 10.58(56) as an exempt activity related to septic/sewer work. Motion by Rees Tulloss to issue an admirative approval with the following conditions: (1) the applicant shall contact the Agent for a pre-construction site inspection prior to work to inspect erosion controls; (2)

erosion controls shall remain in place until the ground is stable; (3) River's school shall contact the Conservation Agent for a site visit once the site is stable. The motion was seconded by Alison Barlow; vote 5:0:0. Construction is scheduled for the Summer of 2020.

7:40 p.m. Notice of Intent – 23 Old Road; N. Seddon (owner); J. Bransfield (Bransfield Tree Co.)

The owner requested permission, after-the-fact, to conduct invasive species removal (Glossy Buckthorn, Japanese Knotweed, Oriental Bittersweet and Multiflora Rose) and to perform future invasive species management and subsequent replanting of native species. The activity has and is occurring in a portion of the 25-foot No Disturb Zone (NDZ), Riverfront Area and buffer zone to Bordering Vegetated Wetland (BVW). Site work, including mowing invasive vegetation, flush cutting of stumps and applying solarized plastic sheeting, began in July 2019. This sheeting is intended to stay in place for at least 1 year and 2 years for areas with knotweed. Invasive mortality will be assessed in May and September of each year until control is achieved. Once the invasive species are eradicated, a 6-8-inch layer of leaf mulch will be applied and native plantings installed. Motion by Cynthia Chapra to close the hearing an issue an Order of Conditions approving the project; seconded by Rebecca Loveys; vote 5:5:0.

8:00 p.m. Notice of Intent – 56 Nonesuch Road; S. Leonard; Richard Kirby, LEC Environmental Consultants

The owner has filed this NOI for the construction of a 20-foot long seasonal dock on Nonesuch Pond for the purpose of providing recreational access to the pond. A 4 to 6-foot-wide path extends from the upper portion of the property down to the bank of the pond ending between LEC wetland flags 16 and 17. The dock will be anchored along a 4-foot-wide unvegetated section of shoreline located at the end of this path. The seasonal dock will be comprised of galvanized steel sections with wood or composite decking set atop a float. The dock will measure 4 feet wide and extend roughly to 20 feet into the pond. The 20-foot length includes an 8-foot by 8-foot platform at the terminus. Questions were raised regarding how the dock would be anchored to the land. The owner will provide additional information to the Commission after talking with the dock contractor. Work shall not impair the physical stability of the bank.

Motion by Rees Tulloss to close the hearing an issue an Order of Conditions approving the project; seconded by Cynthia Chapra vote 5:0:0. Special Conditions shall include:

- No work shall take place until the administrative appeal periods from the order have elapsed, or if an appeal has been filed, until all proceedings before the Department have been completed.
- Work shall not impair the physical stability of the bank.
- Work in the BVW shall not destroy or otherwise impair any portion of the BVW.
- Equipment and dock storage shall not occur in vegetated wetlands.
- Applicant shall obtain a Chapter 91 Waterways License. This project may be eligible for a "Simplified" (BRP WW06) application review.
- Motorized vessels (if allowed on this pond) shall be moored stern seaward at the float to prevent propeller dredging, turbidity, and alteration to vegetation.

8:20 p.m. Request for Partial Certificates of Compliances for 8 Claridge Road: Vote Anticipated; Rick Salvo, Engineer; Connie Gutierrez, 8 Claridge Drive

The owner has requested a Certificate of Compliance for the following three permits which have clouds on her title:

- DEP #337-118 - This NOI was for four lots with approximately 1000 LF roadway with street drainage to a detention basin that discharges to vegetated wetland.
- DEP #337-120 - This NOI was for the installation of 4" diameter sanitary sewer force main through bordering vegetated wetland with temporary alteration of approximately 90 LF. This force main

services the house sited on lot 4 of Claridge Road and this NOI covers wetland alteration occurring on Lot 4 only.

- DEP #337 – 163 - Claridge Drive Association submitted an Abbreviated NOI for alteration of the approved subdivision plan to relocate the roadway approximately 16 feet to the West of what had been previously approved.

Discussion ensued. Motion by Cynthia Chapra to issue full Certificates of Compliance for the three OOCs discussed; seconded by Rebecca Loveys; vote 5:0:0.

8:30 Informal Discussion 12 Westerly Road DEP #377-1295; M. Brassard; Jillson Company

Mr. Brassard updated the WCC on the status of a town storm drain discovered on 12 Westerly Road which bisects the backyard. The owner (Vintage Homes, Inc.) was aware of the drain pipe during the 2018 permitting for the house but its exact location and its relative importance (for street drainage) was unclear. During the development of the backyard, the location of the drainage pipe and its association with conveying street drainage was verified. In addition, it was verified that this drain pipe created a hydrologic connection between the wetland along the easterly property line and the northwesterly property line. Neither the town nor the developer wishes to keep and maintain a town drainage pipe which traverses the middle of a private yard, with no easement. As such, the developer has been working with DPW, Conservation Staff, and Jillson Company to come up with a solution. The most viable solution entails reconstructing the drain pipe and outfall which receives the street drainage. This pipe will allow the stormwater to discharge to the wetland on the east side of the property. However, in order to still connect the east wetland with the west wetland, a new drainage swale will be constructed behind the backyard. The WCC understands that there needs to be a permanent solution. Although creating a new outfall in the existing DPW easement and then a drainage swale in the back to connect the east and west wetland will create some temporary impacts to the buffer zone and possibly the wetland resource area itself, it was the WCC's opinion that the end result will create additional wetland resource areas, daylight a stream which appears to have been historically piped and therefore can be permitted. Next agreed upon steps include: (1) Jillson Company will conduct additional survey work and collect more spot grades, (2) A site visit will be scheduled with the Commission and DPW staff and Jillson Company to determine the proposed location for the new drainage swale which will result in the least amount of tree damage; (3) The developer will work with DPW and Town Counsel to provide new drainage easements, (4) Jillson Company will work with DPW and Conservation staff on design and permitting parameters; and (5) Jillson Company will file a new NOI with the Con Com for review and approval. Staff have scheduled a meeting with Jillson Company on March 3rd to continue the work on this matter.

9:00 p.m. Request to replace lighting – Stonegate of Weston; The Dartmouth Group (absent); Dan (Emray Excavating) Stonegate of Weston Condominiums is embarking on a streetlight removal /replacement project along the walkway of the development. The project entails (1) removal of 34 gas powered lamp posts around their property (done by National Grid); (2) installation of 36 six-foot 4x4 granite posts with toppers around the complex with coach style lanterns; and the (3) installation of three new electrical services is required due to length of run. Required Work involves excavating an 18-inch deep trench to lay electrical wire and connecting to the lamps that are comprised of 4"x4" granite posts dug into the ground. The posts will not need to be cemented into the ground. Two perennial streams and associated wetlands exist on the east side and west side of the property. As such, some of this work falls within Riverfront Area and/or 100-foot buffer zone. The electrical wire will be installed by either a one-foot bucket or a trenching device between the existing roadway and sidewalk. Prior to start of work, the contractor will install erosion control in the form of 9-inch straw wattle along the edge of the sidewalk in areas where the trenching will occur within Riverfront area and/or Buffer Zone. The erosion control will stay in place until the earth is once again stable. The plan is to be as non-evasive as possible, digging and back filling on the same day leaving no open trenches, no stored material. Mr. McGowan from the Dartmouth Group provided a letter which describes this proposed work and feels this project should be exempt from filing under the MA Wetlands Protection Act – Chapter 131, Section 40 since the project

involves “replacing but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, telephone...”. Construction is scheduled for the Summer of 2020. Discussion ensued. Motion by Alison Barlow to administratively approve the work with the following conditions: (1) the contractor shall contact the Agent for a site inspection prior to work to inspect the 9” straw wattles (erosion controls); (2) erosion controls shall remain in place until the ground is stable; (3) the Dartmouth Group shall contact the Conservation Agent for a site visit once the site is stable. The motion was seconded by Alison Barlow; vote 5:0:0.

9:30 p.m. Admin. Matters

1. Notice of violation – 3 Shaylor Lane (337-1342) – While repairing the septic system wall, the contractor encroached into the NDZ. Some impact to the ground occurred but no significant vegetation was impacted. The owner immediately contacted the Conservation Office and installed erosion controls along the limit of disturbance. The Commission voted to issue a Notice of Violation requiring the following: the applicant shall restore the NDZ by raking out (by hand) any ruts, planting 4 native shrubs by hand this spring, placing a natural leaf mulch on any disturbed ground in the NDZ and allowing the NDZ to grow naturally in the future.
2. Request to install a small trench along the portion of the access road to 210 South Ave. In order to rectify a runoff problem which is eroding a recently installed stone path, Jillson Co. recommends that Beginnings school install a small infiltration trench, approximately 20-feet long. Motion by Rees Tulloss to administratively approve the trench with the following conditions: (1) the applicant shall submit a sketch which shows the (1) length and measurement of the trench and straw wattles (erosion controls); (2) Contact the Agent for a pre-construction site inspection prior to work to inspect erosion controls; (2) erosion controls shall remain in place until the ground is stable; (3) the owner shall contact the Conservation Agent for a site visit once the site is stable. The motion was seconded by Cynthia Chapra; vote 5:0:0.
3. Signing of bills and documents - Cert. of cert 229 south Ave. (337-1288)
4. Next Con Com Meeting will be March 17, 2020

Meeting adjourned at 9:50 p.m.