

Weston Conservation Commission - Public Meeting Minutes
March 26, 2019
Approved: April 9, 2019

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

7:30 p.m. Discussion: 751 Boston Post Road – The Commission members reviewed a draft memo prepared by Laurie Bent containing comments to be sent to the Board of Selectmen regarding the Mass Housing Comprehensive Permit Site Application; motion by Joseph Berman to approve the memo; seconded by Rees Tulloss; vote 5:0:0.

7:35 p.m. Request for Minor Plan Change: 83 Newton Street; Integrated Real Estates; DEP # 337-1335
The Applicant requests that the Conservation Commission approve a revised plan for the OOC issued for the construction of a single family home at 83 Newton Street. Specifically, during the Zoning Board of Appeals (ZBA) hearings, the Applicant worked with the Abutters to accommodate a number of concerns. The changes made include (1) Redesign of the driveway including pervious pavers at the circular portion which will limit the amount of asphalt utilized on the site; (2) Removal of some damaged trees and invasive species and planting of new native plants; (3) Installation of boulders approximately 30' apart on center to demarcate the 25' buffer zone; (4) Repairing the existing driveway, (5) Installing underground utilities and adjusting the width of the driveway to meet fire department requirements, and (6) Rounding off the erosion control line in the upper right hand (northwest?) corner of the property. The remaining triangle beyond the erosion control barriers will be left untouched in the final landscaping. Since the existing driveway will be reconstructed as part of the project, the Agent asked that erosion controls (12-inch straw wattles) be installed at either side of the driveway to ensure that disturbance is minimized beyond the driveway edge.

K. Schreiber, Landscape Architect, reviewed the planting proposed in the No-Disturb-Zone (NDZ). Discussion ensued. Prior to the Conservation Agent signing off on the building permit, the Applicant shall submit a revised restoration plan for review and approval by the Conservation Agent. The plan shall show the approximate location of the boulders required to demarcate the NDZ. The Commission asked that the boulders be placed no more than 20 feet apart. The plantings within the NDZ shall be monitored for two growing seasons to ensure proper survival and to ensure that the area is allowed to grow in a natural state. Motion by Rees Tulloss to administratively approve the revised plan as a minor plan change; seconded by Cynthia Chapra; vote: 4:0:1.

7:55 p.m. Request for Determination of Applicability: 7 Ware Street; H. Wilk (owner)
The owner has filed this RDA requesting permission to install a fence in a restored portion of Riverfront Area. In 2014, the Weston Conservation Commission (WCC) reviewed a very challenging Wetland/Riverfront Area project. The original project permitted the owner to connect two existing structures. Since the owner was requesting to conduct more work than would normally be allowed under the general provisions for work in Riverfront Area, The applicant was required to restore certain portions of the Riverfront Area that had previously been altered. One of the perpetual conditions in the Order Of Conditions (OOC) stated: "The Conservation Commission prohibits further alteration within the Riverfront Restoration areas with the exception of removal of invasive species. This condition shall be included as a continuing condition in the Certificate of Compliance as required in 310 CMR 10.58(5)(h)." During the construction phase, the Applicant conducted more work than was permitted, an enforcement order was issued, and additional areas were restored in order to bring the project back into compliance.

It was the Commission's opinion that since there is a perpetual condition which prohibits further alteration of Restored Riverfront Area, the Commission cannot allow the fence in this location. The Commission agreed to allow the owner to place the fence on the lawn edge and then connect the fence to the existing boundary fence approximately 40 feet to the northwest, through a small section of the natural Riverfront Area (but outside the restoration areas) with the following conditions: (1) prior to installation, the Agent shall be contacted to confirm the location of the proposed fence; once the Agent approves the location, the owner may install the fence; (2) the fence posts shall be installed by hand; (3) no vegetation shall be cut as part of the fence installation; and (4) once installation has occurred, the Owner shall contact the Agent to review the work to ensure that the fence was installed in the correct location.

Motion by Rees Tulloss to issue a Positive Determination of Applicability as follows: "1. The area described on the referenced plan(s) is an area subject to protection under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent." The Commission discouraged the owner from filing the NOI as any fence in the Riverfront Restoration Area would be in violation of the perpetual condition. The motion was seconded by Joseph Berman; vote 5:0:0.

8:25 p.m. Request to Amend the Order of Condition: 21 Center Street; S. Bradley, The Center Street Trust; R. Harrold and N. Sangiolo, Beals and Thomas, Inc. (DEP# 337-1275)

The Applicant has filed a Request to Amend the Order of Conditions for the parking lot reconstruction project behind Brothers Marketplace at 21 Center Street. The rear parking lot at the Site was historically constructed over organic soils, which, has resulted in significant and on-going settlement of the pavement and drainage structures. In 2018, the Commission approved an Amended OOC for the installation of geo-piers and reinforced concrete pavement over the sinking portion of the parking lot. However, prior to construction the Applicant re-evaluated the Project based on construction complexity, schedule and cost and decided not to proceed as previously approved. In the interim, the Applicant has developed a new design that reduces overall complexity and cost, and provides increased on-site flood storage capacity, increased stormwater water quality treatment, reduced on-site impervious area; and reduced potential for future parking lot flooding.

The re-designed project includes the construction of a new concrete parking deck that will be elevated above the 500-year flood zone, in lieu of the previously approved pier-supported parking area. The proposed parking deck includes a combination of pre-cast and/or cast-in-place structural elements, consisting of a concrete deck supported by pre-stressed concrete beams and pier caps over steel or timber piles that will be driven up to 40 feet to refusal. The remainder of the parking lot will be re-paved with bituminous concrete pavement as previously approved and will abut the concrete parking deck. The Project will improve the resiliency of the Site and reduce the potential for future flooding relative to the 500-year flood elevation, yet will increase the on-site flood storage capacity by over 2,000 cubic yards compared to the previously-approved design. The elevated deck design provides significant flood storage capacity below the deck, in addition to surface capacity throughout the remainder of the parking lot.

The Project will maintain the same number of parking spaces while also achieving an impervious area reduction of 1,850± square feet, through a more efficient parking and drive aisle layout. The Project will significantly improve stormwater management at the Site through the reduction in impervious area combined with the installation of four new drainage structures, including two deep-sump hooded catch basins and two hydrodynamic separators with inlet grates. The proposed stormwater management system will provide enhanced water quality treatment compared to existing conditions.

The Applicant proposes to commence construction in June and complete the work by late August 2019, when surface water and groundwater elevations are at their lowest levels. The project as proposed will meet all performance standards of the Massachusetts Wetlands Protection Act and the Stormwater Management Standards for a redevelopment project.

Motion by Cynthia Chapra to close the hearing and issue an Amended Order of Conditions approving the project; seconded by Joseph Berman; vote 5:0:0. Special conditions to include: (1) due to the proximity to wetland resource areas, the Commission asked that steel beams be used (rather than treated timber pilings); if the applicant wishes to use something else, additional information shall be submitted to the commission for review and approval; (2) the work shall be done in summer months; (3) no salt shall be used on the parking deck and back of parking area; (4) "No snow dumping" signs shall be placed along the southern portion of the parking deck; and (5) a detailed de-watering/water management plan shall be reviewed by the Conservation Agent and Stormwater Engineer prior to start of work.

9:15 p.m. Request for Determination of Applicability: Rail Trail Plantings; S. Lensing, MA Department of Conservation and Recreation (DCR); P. Penfield and M. Horowitz, Rail Trail Advisory Committee
DCR, in partnership with the Rail Trail Advisory Committee, proposes to install additional vegetation along the Mass Central Rail Trail to improve the experience of trail users. Some of these plantings will occur within the 100-ft Buffer Zone to Wetland Resource Areas. The proposed plants to be used are all native. All plantings are located outside of wetland resource areas and the NDZ. Motion by Rees Tulloss to issue a negative Determination of Applicability; seconded by Joseph Berman; vote 5:0:0.

9:30 p.m. Informational Meeting: 751-761 Boston Post Road, M. Romanowicz, Mill Creek Residential
Mark Romanowicz presented the preliminary plans to build a 180 Unit Multifamily development. This is an informational session only. The development team submitted the project eligibility to the Mass Housing Board on 3/1/19. The total land area is 61.79 acres. The preliminary plan is to construct 180 apartments and will situate the development in the southern third of the property. Positioning the development in this location protects the existing wooded and wetland areas in the central and northern portions of the site and preserves as open space the 8.9-acre parcel identified as Weston Assessor's parcel 24/25. This upland parcel is highly valuable as open space because it is contiguous to Conservation Land and the Rail Trail. It was identified as a conservation priority in the 2017 Open Space and Recreation Plan. Further, parcel 24/25 can only be reached by a wetland crossing that would impact the upper reaches of the Cherry Brook, a tributary of the Cambridge Water Supply. The wetland crossing required to reach parcel 24/25 would result in substantial impacts to several resource areas.

The development team has indicated their interest in providing trail easements to permanently allow public access through the property. The current plan is to develop 12.7 acres. 79% of the land would be retained as open space. The Conservation Commission appreciates the Development team's efforts to protect these vital open space values. Since work is proposed within 100 feet of BVW, the Developer is aware that the project must be reviewed by the Weston Conservation Commission.

9:50 p.m. Admin. Matters

1. Approval of 3/12/19 Con Com minutes; motion by Joseph Berman to approve; seconded by Rees Tulloss vote 5:0:0.
2. Signing of bills and documents.
3. Motion by Cynthia Chapra to sign the Municipal Vulnerability Program Grant Letter of Support; seconded by Joseph Berman; vote 5:0:0.
4. Motion by Rees Tulloss to send Waltham Fields Community Farm a letter re-affirming the WCC's interest in allowing them to Farm Wellington Farm should the Commission purchase the land; seconded by Joseph Berman; vote 5:0:0.
5. 10 Woodward Lane Enforcement Order - the WCC reviewed the restoration plan from Dave Burke, dated 3/21/19 regarding the restoration of 650 s.f. of conservation land which was altered during the construction of the septic system at 10 Woodward Lane. The Commission voted to approve the remediation work as described in the plan.

Meeting adjourned at 10:15 p.m.