

Weston Conservation Commission - Public Meeting Minutes  
April 9, 2019  
*Approved: April 30, 2019*

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

7:30 p.m. Request for Commission's Opinion: 4 Woodward Lane; J. Moll

The Owner proposes to bring in loam to fill in a small portion of land (15x20 feet) to a height of approx. 3 feet above the current elevation. Currently the area slopes down towards a wetland. Work will occur approximately 50 feet from the wetland edge. The Owner is seeking an opinion from the Commission as to whether a plot plan showing topography will be required for review and approval. It was the Commission's opinion that the work will require the filing of a Notice of Intent with a plan showing existing and proposed contours, as well as the kind of retaining wall necessary to prevent erosion towards the wetland.

7:45 p.m. Discussion: 518 South Ave. – The Commission members reviewed a draft memo prepared by Laurie Bent and the Agent containing comments to be sent to the Board of Selectmen regarding the Mass Housing Comprehensive Permit Site Application; motion by Rees Tulloss to approve the memo; seconded by Alison Barlow; vote 4:0:0.

7:50 p.m. Notice of Intent: Valley Pond Chemical Treatment; 490 Conant Road; Valley Pond Corp; N. Valenti (SWCA)

Laurie Bent indicated that she is a member of the Valley Pond Swim Club but feels she can act objectively on this matter. SWCA Environmental Consultants, on behalf of Valley Pond Corp., proposes to conduct vegetation/algae management within the Valley Pond swimming area at 450 Conant Road. Valley Pond is located along the northern border of Weston and partially extends into the Town of Lincoln. The purpose of this project is to manage seasonal algae blooms (including potentially toxic algae species recorded in 2018) within the Swim Pond on the Valley Pond property. The swim pond has been permitted for algae management in the past (DEP File No. 337-0352) and the applicant is now seeking a new five-year Order of Conditions as a Limited Project. This NOI submission was also filed with the Town of Lincoln.

The proposed pond management program includes chemical control of algae with Hydrothol 191 (Salt of Endothol) or Captain XTR (a copper-based algaecide) and nutrient management with PhosClear (aluminum sulfate). This pond management program will be contingent on regular monitoring to determine the need for and timing of treatments. The management program also includes continuous water quality sampling to determine if the proposed algae management program is successfully improving water quality within the pond. Both algaecides proposed for use are certified for aquatic use and will be applied with caution to avoid harming non-targeted species. All areas will be accessed by a small jon boat (launched from an existing dock) and on foot. There will be no soil disturbance as a result of this work. The proposed project work is being conducted in accordance with the Massachusetts Wetland Regulations. Erosion controls will not be necessary, as soil disturbance will not occur.

An abutter asked questions about the spray application. SWCA confirmed that the spraying would be conducted using a backpack sprayer and the spraying will only occur when weather conditions allow (i.e., no wind). Motion by Rees Tulloss to close the hearing and issue a 3-year Order of Conditions approving the project; seconded by Cynthia Chapra; vote 4:0:0.

Motion by Cynthia Chapra to issue a Certificate of Compliance on the expired OOC for the former chemical treatment project (337-352); seconded by Rees Tulloss; vote 4:0:0.

8:15 p.m. Notice of Intent: 45 Sudbury Road; T. Powell and D. Powell (owners)

The owners propose to construct a pool, pool patio, and small barn at 45 Sudbury Rd. A portion of the work will occur within the 100-foot buffer zone to Wetland Resource Areas. Approximately 5,000 s.f. of the 100-foot buffer zone will be cleared; erosion control in the form of a 12-inch straw wattle is proposed at the NDZ line. In addition, there are three hazard trees that the owner wishes to cut within the NDZ. Since the initial filing, the applicant has adjusted the plan and has moved the pool and pool patio further away from the wetland edge. The patio will be located approximately 30 feet from the wetland edge at its closest point. Commission members visited the site earlier in the day and determined that Wetland Flag #7 should be relocated approximately 6 feet to the northwest. An orange stick-in flag was placed in the new location. The Commission members and Agent tape measured from this location and placed new stakes and stick-in flags to reflect the real NDZ. The commission also noted leaf dumping has been occurring in the NDZ near Wetland Flag 6. The owner indicated that the leaves were placed there to smother invasive vegetation. The Commission encouraged the landowner to consider some type of future invasive species removal/buffer zone restoration in his area and encouraged Mr. Powell to discuss any further work in the buffer zone with the Agent. The Commission requested that no further dumping of leaves or other yard waste occur in the NDZ.

Because the land will be cleared to within 25 feet of the northern portion of the pond, the Commission required that some sort of monumentation be installed along the NDZ boundary. The owner will consider either iron rods or boulders. The Commission suggested that if iron rods are used, they should stick out of the ground at least 12-inches and be spaced every 20 feet. Alternatively, the owner could use 2-foot diameter boulders, spaced no more than 20 feet apart or the swimming pool fence could be placed as an appropriate marker of the NDZ.

Motion by Rees Tulloss to close the hearing and issue an Order of Conditions approving the project with the following special conditions: Prior to the issuance of a building permit, the Applicant shall submit a revised plan that shows the following: (1) corrected wetland and 25-foot No Disturb Zone line; (2) approximate location of the placement of monumentation along the NDZ line and description of what said monumentation will be; and (3) location of pool fence (which is not to be placed within the NDZ). The motion was seconded by Alison Barlow; vote 4:0:0. The commission approved the cutting of the three marked trees in the NDZ so long as there is no ground disturbance in the NDZ.

8:45 p.m. Request for Minor Plan Change – Conant Road Underpass; MA Department of Conservation and Recreation (DEP File #337-1330); M. Soltys, Nitsch Engineering

The Applicant proposes to make a modification to the approved plan for the Conant Road underpass to rectify a flooding problem. Last fall, the Agent noted concerns with stormwater runoff collecting on the newly paved section of the Mass Central Rail Trail (MCRT). It was observed that the runoff was ponding and icing at/near the proposed Conant Road Underpass project limits and was creating a potential safety issue for trail users. As requested by Paul Jahnige, DCR Project Manager, Nitsch Engineering has designed a drainage system consisting of a grass swale, flared end sections, and 8" PVC pipe to collect runoff from north of the trail on the east side of Conant Road. The collected runoff will be discharged to an outlet on the west side of Conant Road, south of the MCRT and located approximately 20 feet up-gradient from the delineated wetlands. To install the new pipe and outlet, the project limits will be extended approximately 20 feet to the west beyond what was previously presented at the Notice of Intent hearing on October 9, 2018. The disturbed areas will be restored back to their existing conditions.

Questions were raised regarding the maintenance of the drainage pipe and how to reduce the likelihood of the pipe being clogged by leaves. The Commission requested that a grate be installed at the pipe opening and that a clean out manhole be installed where the pipe takes a 90 degree turn. Motion by Cynthia Chapra to approve the revised plan; seconded by Alison Barlow; vote 4:0:0.

9:10 p.m. Admin. Matters

1. The Commission met with Rebecca Loveys who expressed interest in joining the Conservation Commission.
2. Approval of 3/26/19 Con Com minutes – Motion by Alison Barlow to approve as amended; seconded by Rees Tulloss; vote 4:0:0.
3. Signing of bills and documents
  - o Extension – Rivers School Pond Management (337-159)
  - o Cert. of Compliance- Valley Pond (337-352)
4. Motion by Alison Barlow to approve the 2018 Deer Management Summary Memo; seconded by Rees Tulloss; vote 4:0:0.
5. Motion by Alison Barlow to support Traffic and Sidewalk Committee’s CPA request for funds to construct the Case Estates Walkway on Parcels 2 and 0 and to design the Ash Street Walkway; seconded by Rees Tulloss; vote 4:0:0.
6. Discussion of chapter G.L. Ch. 44, section 53G - As allowed under this law, the Commission may hire the services of a peer reviewer, paid for by the Applicant, to expedite the review process. There are times when the Agent would like to begin this hiring process prior to the hearing. Motion by Rees Tulloss to authorize the Agent to hire a peer reviewer per Section 53G when she deems it is necessary; seconded by Alison Barlow; vote 4:0:0.
7. The Agent updated the Commission on trees down at the Case Estates – 4 large spruce trees uprooted along the field edge in Parcel 2. Option 1- cut up, chip as much as possible; logs stay log length and neatly piles in wooded area for \$7600; Option 2 – Remove all trees and branches from site; this requires larger equipment which may damage field: \$9800. Commission agreed to go with Option 1.
8. The Agent updated the Commission on the Maple Allee (505 Glen Road) Last year, Hartney Greymont (HG) agreed to participate in a volunteer project which involved spreading mulch along Maple Allee Rows. HG has been in the process of bringing in piles of woodchips. This winter, three large maples fell into the field and 3 conifer trees also came down. In addition, HG believes that 4 declining maples should also be removed. The Commission has received one quote from HG for removal of the declining trees and is still waiting on the second quote from Stumpy’s. Some members of the Tree Advisory Group (TAG) have expressed concern over the number of maple trees proposed to be removed. However, due to lack of funds, it seems unlikely that the Commission can afford to remove the declining, standing trees this fiscal year. TAG members also expressed concern over the wood chip piles near the maple and wonder if that may be impacting the trees. HG has confirmed that they plan to spread the mulch soon. Rees Tulloss offered to contact the TAG to discuss the Commission’s status of this project.
9. Request for Minor Plan Change - Woodland School – the Commission reviewed the memo prepared by Jerry McCarty, Facilities Department, dated 4/5/19. Specifically, Mr. McCarty proposes the following corrective actions to address some erosion issues (1) install porous pavement in a few areas around the playground where heavy traffic precludes any vegetation from growing (2) install a leaching catch basin to collect stormwater which currently flows over the playground and washes away the playground fiber mulch. Some of the work is within the 100-foot buffer zone but is within the existing limit of work for the Determination of Applicability issued in 2018. Therefore, the commission approved this as a minor plan change.

Meeting adjourned at 10:00 p.m.