

Weston Conservation Commission (WCC) - Public Meeting Minutes
March 9, 2021
Approved: March 23, 2021

Members Participating Joseph Berman (Chair), Alison Barlow, Ellen Freeman Roth, Josh Feinblum; Rebecca Loveys, Rees Tulloss

Members Absent: Cynthia Chapra

Conservation Staff: Michele Grzenda, Sandra Gonneville

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order concerning imposition on strict limitations on the number of people that may gather in one place, this Conservation Commission meeting was conducted via remote participation using Zoom.com. The Town provided access to such meeting via a link to call in. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public could adequately access the proceedings.

All Meeting Materials can be found here: [3-9-21WCCmeetinginfo](#)

7:30 p.m. Admin. Matters (these matters may happen any time during the evening)

1. Opportunity for Public Comment
2. Approval 2/23/21 Con Com minutes – motion by Josh Feinblum to approve; seconded by Rees Tulloss; roll call vote: 5:0:1
 - o Land Management Updates – the Commission received a complaint regarding Waste Concerns at Cat Rock Park
3. Discussion of hiring process for Conservation Administrator Position – Mr. Gaumond (Town manager) and Lisa Yanakakis (Ass. Town Manager/HR Director) were present for this discussion. The Chair updated the Commission that he and HR Director had interviewed a number of candidates and that three of those candidates were being called for a second interview. Mr. Berman explained that Public Meeting Law Exception # 8 allows a hiring committee of a public body or preliminary screening committee to interview and recommend final candidates to the Commission. Mr. Berman has asked Mr. Feinblum and Ms. Barlow to join him on the preliminary screening committee, indicating that these three members do not constitute a quorum. The HR Director believes that the Town Council's interpretation of the Public Meeting Law indicates that this is not advisable as it could be a violation of the Open Meeting Law. There was discussion as to whether this is subject to open meeting law. Motion by Josh Feinblum to form an initial screening committee to do the next round of interviews to bring a final group of candidates; as an alternative, an open meeting or a smaller group of commission members can be invited; seconded by Ellen Freeman Roth; roll call vote: each member responded Aye. Lisa will coordinate with Mr. Berman for second interviews. The commission may call a special meeting for final candidate meeting.

7:55 p.m. Request for Determination of Applicability (RDA); 55 Scotch Pine Road; H. Wilk
Kevin O'Leary (Jillison Company) presented on behalf of the Applicant. Harvey Wilk was present. The Applicant filed this RDA for the construction of a pool within the 100-foot wetland buffer zone at 55 Scotch Pine Road. At its closest point, work will occur approximately 70 linear feet from the BVW. No work is proposed within 25-Foot No Disturb Zone. A "minor" amount of underbrush removal and regrading is proposed to the northwest of the proposed pool. A total of approximately 3,654 SF of land disturbance is proposed within the 100-foot Buffer Zone a majority of this being located within existing lawn area. An erosion control barrier consisting of 12-inch straw wattle with silt fence is proposed at the

limit of work. Additionally, the applicant has proposed a stabilized construction entrance be placed from the existing gravel driveway to the work area in the backyard.

Mr. Tulloss attended the site visits. He indicated that the “natural area” is devoid of vegetation and he did not feel it was really a natural area, in actuality it was worse than lawn being only topsoil/mulch. Motion by Rees Tulloss to issue a Negative Determination of Applicability #3; seconded by Ellen Freeman Roth; roll call vote: each member responded Aye. The Determination of Applicability should be forwarded to Kevin O’Leary.

8:05 p.m. Request for Determination of Applicability (RDA); 133 Boston Post Road; Boston Properties; Martin Healy and Rick DeAngelis, Boston Properties

Amanda Houle (Tighe & Bond) presented this project on behalf of the applicant. Martin Healy (Boston Properties) and Fredrick DeAngelis (Boston Properties) were also present. The Applicant filed this RDA for the redesign and relocation of a wastewater treatment plant and its components. A portion of the work lies within the 100-foot buffer zone of wetland resource areas. Amanda Houle, Tighe and Bond presented the project. The proposed project consists of the removal and demolition of portions of the existing WWTP soil absorption system (SAS) located within a disposal area directly south of the WWTP building; the portions of the existing system located within Zone A will be abandoned in place. The two primary fields will be abandoned and removed, including all piping, fittings, monitoring wells, and the stone required for the construction of the new fields. After the existing fields are removed, the site will be re-graded, including a small portion of grading (approximately 3,500 square feet) within the 100-foot Buffer Zone to the large abandoned quarry pond. Once re-graded, two new fields will be constructed within the preexisting disposal area. These two fields have been designed to be entirely outside of the Zone A limits and the 100-foot Buffer Zone to the large abandoned quarry pond, and all areas that are outside of the new proposed fields will be abandoned in place. All on-site stockpiling will occur entirely outside of the Buffer Zone. The proposed work will result in approximately 3,500 square feet of temporary impacts to the 100-foot Buffer during the re-grading portion of the proposed project. No portion of the new proposed fields will be within the 100-foot Buffer Zone to the large abandoned quarry pond. The proposed work will not change the general characteristics of the area, as the entire project is contained within previously disturbed areas. Erosion control measures are proposed around the perimeter of the project area. Following the completion of construction activities, all ground surfaces will be stabilized with vegetative cover.

All of the proposed work will occur within previously disturbed areas with no anticipated impacts to the surrounding wetland resources. When asked why the SAS was being relocated Ms. Houle indicated that it was related to the renewal of the MADEP Groundwater Discharge Permit. A representative from Boston Properties further explained that the MADEP can impose new standards, any time this type of permit is renewed and, in this case, they required that the SAS be relocated to outside the Zone A – Surface Water Supply Protection Area. There would however be a temporary stockpile area within the Zone A during construction. And access for equipment to do this work would require one 3” white pine and a 10” oak be removed but these trees were all outside the buffer zone.

The Conservation Agent stated that the City of Cambridge Water Department has reviewed this project and notified the Conservation office that they are supportive of this project.

Motion by Ellen Freeman Roth to issue a Negative Determination of Applicability #3; seconded by Josh Feinblum; roll call vote: each member responded Aye. The Determination of Applicability should be forwarded to Amanda Houle.

8:27 p.m. Notice of Intent: 40 Sherburn Circle (DEP# 337-14**); J. Boschetti

Mary Trudeau (Wetland Consultant) presented the project. The Applicant filed this Notice of Intent for bank restoration, plantings, and installation of a fence at 40 Sherburn Circle. The work lies within

Wetland Resource Areas and buffer zones. The property is developed as a single-family home with a landscaped yard. The property is bisected by a Bogle Brook, a perennial waterway, running north to south, at the eastern end of the lot. The edge of the existing landscaped lawn runs up to the Bank, with shrub banks of landscaping materials maintained at the north and south ends of the lawn. There is no Bordering Vegetated Wetland resource area along the brook, in the areas included in this filing. Portions of the site contain Bordering Land Subject to Flooding Resource areas, associated with the Bogle Brook. All of the work proposed is within Riverfront Area; Bordering Land Subject to Flooding; and jurisdictional buffer zone areas. Portions of the work are proposed within the Bank of the brook.

The Order of Conditions that permitted the construction of the existing home included restoration of jurisdictional buffer zone and resource areas on the site. As part of this original Order, Bank stabilization work, including the installation of coir logs staked along a portion of the western bank of the waterway was completed.

Fence Installation - The homeowner is now proposing the installation of a three and a half foot high, aluminum picket fence to enclose a portion of the existing lawn area. A section of the fence is proposed to be set no closer than 10 feet from the Bank of the brook, as well as within the Bordering Land Subject to Flooding resource area on the property. Fence installation will be done with a gas-powered hand augur, or hand dug post holes. Spoils from the post holes will be contained and disposed of in non-jurisdictional portions of the site. As mitigation for this work, the proponent proposes to repair the failing sections of the coir log defining portions of the stream bank, and incorporate a restoration of native, woody vegetation along the Brook.

Bank Restoration - While portions of the historic bank stabilization work were reasonably successful, the lack of a stabilizing root mat, within and adjacent to the coir logs, has adversely impacted the long-term success of the work. In portions of the bank, the coir log has pulled away from the lawn edge, creating gaps and areas of soil loss. These gaps are eroded during flood events, exacerbating the sediment loss along the edge of the lawn. To improve the efficacy of the existing coir roll, the application includes the use of “tublings” (small, rooted plants) to anchor the coir log. The tublings will grow into the coir logs, and the adjacent earthen bank, creating a stabilizing root mat. This root mat is necessary to prevent the continuation of the ongoing sediment loss from the edge of the waterway. The application includes restoration of approximately 150 linear feet of Bank. Ms. Trudeau proposes a hybrid willow species as it is relatively short in stature for aesthetic reasons and it is quick growing. In addition, the applicant wishes to use existing rocks in the stream to help hold the coir logs in place. This would augment efforts to keep coir log in place.

The installation of the proposed fence will create an approximately 10-foot-wide planting area between the back side of the fence and the Bank of the brook. This area is currently a mowed lawn. The application includes the transformation of this area from lawn, to a more naturalized plant community that will not require mowing. The homeowner would like to install a variety of native woody and herbaceous plants above the Bank. The applicant envisions the planting bed being a “no maintenance needed” zone creating a protective barrier to portions of the buffer zone/Riverfront Area.

The fence installation and resource area improvements are considered “minor activities” under 310 CMR 10.02(b) and (d). Neither activity requires the removal of native vegetation from a resource area, nor do they increase the current degraded area on the site.

The work is proposed within the 0-100 foot Riverfront Area. The applicant has demonstrated compliance with 310 CMR 10.58 (5).

Ellen Freeman Roth stated that she considers this work an improvement to the current conditions and that the proposal would provide more mitigation. There was discussion about how the resident may use natural materials such as rocks to stabilize the bank. It was decided that the resident could use native stone already onsite to keep the cori log in place.

The Conservation Agent confirmed that the proposed fence would be dug by hand or installed using a portable hand-held gas auger. The Conservation Agent also stated that the restoration plantings would need to be monitored for 2-3 growing seasons and the restoration and monitoring should be overseen by a wetland restoration professional.

Motion by Josh Feinblum to close hearing and issue and Order of Conditions; seconded by Rees Tulloss; roll call vote: each member responded Aye. The Order of Conditions is to be forwarded to Julianne Boschetti.

8:50 p.m. Cont. NOI: 518 South Ave; Hanover Weston (DEP File# 337-1983)

The Applicant of Hanover Weston has requested a continuance to allow time for additional test pit work and addressing the Commission's consultant's review letter. As such, the hearing originally scheduled this evening will be continued to March 23, 2021 at 8:30 p.m. Jonathon Buchman was present and agreed to this continuance. Motion by Rees Tulloss to continue the hearing to 8:30 p.m. on March 23, 2021; seconded by Josh Feinblum; roll call vote: Each member responded Aye.

8:55 p.m. Request by WFTA to install bog Bridges in Highland Forest; Josh Packman, Resident, Ann Weidie.

Kristin Barbieri from WFTA was present to request approval of a project to install up to six (6) 10' x 2' wooden bog bridges in Highland Forest, in the approximate location of Trail Junction C, south towards Junction 5. Work will be carried out over one weekend by a group of volunteers and will not require the closure of the trail as the bog bridges will be on only one side of the trail, allowing trail users to pass on the other. This section of trail (located behind 285 Wellesley Street) often remains wet and muddy well after other areas in the Highland Forest have dried out. Leaders of the project will be Weston resident Jeff Packman, and WFTA trustees Kristin Barbieri and Ann Wiedie. Ms. Barlow asked if abutters needed to be notified of this work. The agent responded that this work was covered by a generic Order of Conditions so no notice would be required. Motion by Rees Tulloss to approve the proposed work; seconded by Ellen Freeman Roth; roll call vote: each member responded Aye.

Con Com Correspondence

- o Vegetation Control Service Inc. dated 2/19/21 re: DPWs 2021 Yearly Operational Plan for Vegetation Control along sidewalks – the 45-day review period ends on April 9, 2021.

Next Conservation Commission Meeting: March 23, 2021

Barbara Fullerton attended a Groton garden club about non-chemical use to control herbicides; she hopes the town DPW will move towards this approach when managing invasive plants along sidewalks

Meeting adjourned at 9:19 p.m.