

Weston Conservation Commission (WCC) - Public Meeting Minutes
March 14th, 2023
Approved: March 28th, 2022

Members Participating: Joe Berman (Chair), Rees Tullos, Glenn Butcher, Alison Barlow

Members Absent: Josh Feinblum, Ellen Freeman Roth

Conservation Staff: Jordan McCarron, Joshua Baker

Notes: Pursuant to *An Act Relative to Extending Certain State of Emergency Accommodations*, signed by Governor Baker on July 16th, 2022, which extends the expiration of the remote meeting provisions pertaining to the Open Meeting Law to March 31, 2023, this extension allows public bodies to continue holding meetings remotely without a quorum of the public body physically present at a meeting location, and to provide "adequate, alternative" access to remote meetings. No in-person attendance of members of the public was available.

Joe Berman, Chair, opened the meeting at 7:30 PM with an opportunity for public comment.

Hearing none, the following hearings and meetings were taken up in order:

Weston Water Tank Replacement Project- Article 97 Discussion

Amy Coppers, Wright-Pierce, gave an overview of the water tank project and the need for additional land at each of the three tank sites as well as the Article 97 dispossession and MEPA process that would be triggered by the project. Additionally, she reviewed the requirements for selecting suitable replacement land to fulfill the requirements of Article 97, which includes a "no net loss" policy, requiring that new land of equal or greater value be secured to replace any dispossessed Article 97 land.

The Commission inquired what would happen to the existing land currently in use once the new land for the tanks was acquired. Ms. Coppers explained that while there hasn't been a definitive answer at this time, the general consensus is to keep the existing land in Article 97 for water management for future upgrades to the proposed new tanks. Once the new tanks are installed and made active, the existing tanks would be removed and those parcels allowed to re-naturalize and/or planted to provide screening for the new tanks.

Ms. Coppers then presented mapping done by Wright-Peirce to locate existing Town-owned parcels not currently protected under Article 97 that might be suitable as replacement land. Ms. Coppers focused her presentation on two parcels—Parcel #9 at the Case Estates and the Green Power Field/Community Garden site on Merriam Street. Both areas are currently under the jurisdiction of the Select Board.

The Commission inquired about the relative value of the current activities at the Community Garden/Green Power site. Ms. Coppers explained that the Article 97 "swap" process does place a value on recreational and agricultural activities, among other natural resource values. The process also looks at fair market value.

Michael Harrity, resident and former select board member, gave additional information on Parcel #9 at the Case Estates. Parcel #9 is approximately 10 acres and abuts a large amount of acreage already protected under Article 97. Mr. Harrity reviewed the history of the Case Estates' acquisition by the Town, the location of an "Activity Use Limitation (AUL)" area from contaminated soil on Parcel #9, conceptual subdivision plans for Parcel #9, and the approximate market value of Parcel #9. He explained there is already a legal requirement for a walking path across the parcel regardless of its future use. Jordan McCarron, Conservation Administrator, reminded the Commission that Parcel #9 was prioritized for protection during the OSRP strategic planning process under goal 2(E) due to its conservation and scenic value. There was general

agreement across the Commission members regarding the benefits of choosing Parcel #9 to fulfill the land replacement requirements.

Request for Determination of Applicability: 502 Glen Rd RDA 2023-005; E. Callow

Al Gala, Gala Simon Associates, provided an overview of the project. The applicant proposes to replace the existing cesspool (154-feet from Bogle Brook) with a new Title V septic system located only partially in the 200-foot riverfront area (178-feet from Bogle Brook at its closest point). All proposed excavation will occur on existing lawn and landscaped land which will be restored in-kind after installation. No significant change to the site topography is proposed. The existing cesspool will be pumped, crushed, and backfilled with clean sand. Erosion control barriers in the form of 12” filter socks are proposed to protect the resource areas.

The Commission did not have any outstanding questions and recognized that the project received approval from the Board of Health on 1/25/2023; however, the project had yet to receive permitting for the town’s stormwater bylaws. Mr. Gala and the Commission agreed to continue the hearing until March 28th, 2023 at 7:30 pm, after approval or signaled imminent approval from the Town’s Stormwater Engineer was received.

A motion to continue the Request for Determination hearing for 502 Glen Road, DOA 2023-005, to March 28th, 2023 at 7:30 pm was made by Alison Barlow; seconded by Glenn Butcher. Roll call vote 4-0.

Cont. Notice of Intent: 2 Sudbury Road; DEP 337-1461; J. Grimm

Brian Nelson, MetroWest Engineering, provided an update on the project since their last hearing on February 14th, 2023. The applicants have closed their hearing with the Planning Board and a Certificate of Action from the Planning Board is expected to be issued on 3/15/2023. There were no substantive changes to any work proposed within the Commission’s jurisdiction. Mr. Nelson confirmed that all construction in the jurisdiction of the Commission will take place on existing turf lawn or developed areas.

The Commission inquired about any ongoing communications with the Campion center, but Mr. Nelson informed the Commission that while MetroWest did reach out, there was little to no reciprocation and it was assumed any concerns had been satisfactorily settled.

A motion to close the Notice of Intent hearing for 2 Sudbury Road, DEP 337-1461, and issue an Order of Conditions was made by Rees Tullos; seconded by Glenn Butcher. Roll call vote 4-0.

The following Administration Matters were discussed throughout the meeting.

Approval of 2/28/2023 Conservation Commission meeting minutes:

A motion was made to approve the minutes of the 2/28/2023 Conservation Commission meeting by Rees Tullos; seconded by Alison Barlow. Roll call vote 4-0.

Jordan McCarron provided the following Land Management updates:

- Conservation staff were contacted by a member of the Miller family regarding the Town-owned Miller’s Field on the north side of North Ave. The family member raised concerns about the current scenic condition of the field and conservation staff agreed to meet with the family member in April to determine what improvements might be made at the property. The Commission expressed enthusiasm for making a connection with the Miller Family and for improving the historic and aesthetic value of that property.
- The March Stewardship Saturday is scheduled for March 18th for bog bridge repairs and foot bridge construction at the Chestnut Street Conservation Land, weather permitting.

- The pond leveler device at College Pond has been determined to be clogged, leading to unprecedented flooding of the spillway and trail in that area; Beaver Solutions will return in April to make necessary repairs.

Update: Wetlands Protection Bylaw

- Joe Berman gave an overview of his presentation regarding the Wetlands Protection Bylaw to the Select Board on 3/14. The Commission gave generally positive feedback and discussed ways to simplify the presentation and the message. The Bylaw Working Group agreed to meet and make improvements to the presentation before the Commission's next public presentation on March 28th, 2023.

Other Matters:

- The Celebrate Weston event will take place on Saturday the 20th of May; the Commission suggested Mr. McCarron reserve a table.

The meeting adjourned at 9:04 pm.