

Weston Conservation Commission (WCC) - Public Meeting Minutes

May 9th, 2023

Approved: June 6th, 2023

Members Participating: Joe Berman (Chair), Rees Tullos, Glenn Butcher, Alison Barlow, Sean Rush, Josh Feinblum

Members Absent: Ellen Freeman Roth

Conservation Staff: Jordan McCarron

Notes: Pursuant to An Act Relative to Extending Certain State of Emergency Accommodations, signed by Governor Baker on July 16th, 2022 and extended again by Governor Healy on March 29th, 2023, which extends the expiration of the remote meeting provisions pertaining to the Open Meeting Law to March 31, 2025, public bodies may 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. As such, no in-person attendance of members of the public is available but every effort will be made to ensure that the public can adequately access the proceedings in real time including a dial-in option.

Joe Berman, Chair, opened the meeting at 7:45 PM with an opportunity for public comment.

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

Cont. Notice of Intent: 4 Briar Lane, 337-1462; H. Lu

A motion to continue the Notice of Intent hearing for 4 Briar Lane, DEP# 337-1462, at the request of the applicant, to June 20th, 2023, at 7:45 pm was made by Alison Barlow; seconded by Glenn Butcher. Roll call vote 6-0.

Notice of Intent: Massachusetts Central Rail Trail, DEP# 337-1468; Mass. DCR

Gerald Autler, Mass Department of Conservation and Recreation (DCR), provided an overview of the project, which involves extending the Mass Central Rail Trail (MCRT) from its current terminus in Weston east across the "Truss Bridge" to Jones Road in Waltham. The ultimate goal of the MCRT rail trail project is to connect Boston with Northampton via a shared-use off-road path along the old Central Rail Trail corridor. As part of the project, the DCR proposes to restore and preserve a historical "tell-tale" adjacent to the "Truss Bridge" as well as install a wayside seating area.

Dan Wells, LEC Environmental, provided an overview of the resource areas, which includes Riverfront Area associated with Stony Brook and associated Bordering Vegetated Wetland (BVW). Jamie O'Connell, Cambridge Water Department (CWD), has been notified of the project and has requested to receive notification once construction starts so that CWD can monitor Stony Brook more closely during that time.

Mr. Autler informed the Commission that there would be no snow treatment on site and that the truss bridge is structurally sound and would not require any work beyond minor repairs. He requested a draft Order of Conditions in advance of closing the hearing so that the DCR's legal department could review for compliance with state law. Engineers from Stantech, the DCR's design consultant, agreed to touch base with the Town of Weston Engineering Department to inquire whether a local stormwater permit was necessary.

A motion to continue the Notice of Intent hearing for the Massachusetts Central Rail Trail, DEP# 337-1468, to June 6th, 2023 at 7:45 pm, was made by Rees Tulloss; seconded by Sean Rush. Roll call vote 6-0.

The following Administration Matters were discussed throughout the meeting:

Approval of 4/25/2023 Conservation Commission meeting minutes:

A motion to approve the minutes of the 4/25/2023 Conservation Commission meeting was made by Josh Feinblum; seconded by Glenn Butcher. Roll call vote 5-0-1.

Approval of Partial Certificate of Compliance, Pierce Pond/100 Westcliff Road, DEP# 337-989:

A motion to issue a Partial Certificate of Compliance for Pierce Pond/100 Westcliff Road, DEP#337-989, clearing the original applicant, William Williams II, and his former address at 100 Westcliff Road, from the Order of Conditions was made by Josh Feinblum; seconded by Glenn Butcher. Roll call vote 6-0.

Issuance of Corrected Order of Conditions, Pierce Pond, DEP# 337-989:

A motion to issue a Corrected Order of Conditions for Pierce Pond, DEP# 337-989, citing William Numa at Pierce Pond as the corrected applicant and address, was made by Josh Feinblum; seconded by Glenn Butcher. Roll call vote 6-0.

Issuance of Corrected Extension, Pierce Pond, DEP# 337-989:

A motion to issue a Corrected Extension for Pierce Pond, DEP# 337-989, to 9/16/2025, citing William Numa at Pierce Pond as the corrected applicant and address, was made by Josh Feinblum; seconded by Glenn Butcher. Roll call vote 6-0.

Approval of Certificate of Compliance, 157 Country Drive, DEP# 337-1455:

A motion to issue a Certificate of Compliance for 157 Country Drive, DEP# 337-1455, was made by Rees Tullos; seconded by Glenn Butcher. Roll call vote 6-0.

Notice of Violation, 266 North Avenue:

Jordan McCarron provided an overview of the issue. A Notice of Violation was issued to Mario Pavli at 266 North Ave on 5/1/23 for grading, excavation and soil stockpiling within the Buffer Zone and Riverfront Area, including the 25-foot No Disturb Zone (NDZ). Mr. Pavli has retained Goddard Consulting to assist him with an “after-the-fact” Notice of Intent. The deadline given to submit a Notice of Intent in the Notice of Violation was set at 5/17/23 for a 6/6/23 hearing. Goddard Consulting has requested a 45-day extension on this deadline to allow for survey work.

Mitch Maslanka, Goddard Consulting, provided an overview of the intended work, which includes expanding an existing deck, extending the existing driveway, and associated landscaping. Mr. Maslanka and the Commission discussed the need to remove stockpiled soils and restore any damage done within the 25’ No Disturb Zone in advance of a Notice of Intent filing. It was agreed among the Conservation Commission that this work could be allowed through an Enforcement Order that would require restoration within the 25’ NDZ, stabilization of the rest of the site, as well as the filing of an NOI for all proposed work.

Mr. Maslanka agreed to the following steps and sequence:

1. Goddard Consulting would coordinate a site visit with the Commission as well as flag the approximate location of the 25’ NDZ.
2. Goddard Consulting would then develop a restoration plan based on this site visit to be presented to the Commission on 5/23/23.
3. Jordan McCarron, Conservation Administrator, would issue an Enforcement Order detailing the requirements of the restoration plan and requiring a Notice of Intent be filed by date certain. The Enforcement Order would then be ratified by the Commission at its 5/23/23 meeting.

Approval for Sun Screen Dispensers at Trailheads:

The Conservation Commission authorized Jordan McCarron to approve the installation of sunscreen dispensers, provided by the Board of Health, at Burchard Park/College Land, Jericho Forest/Dickson Riding Rings, Cat Rock/Drabbington Way, and the Weston Reservoir/Ash Street. The sunscreen dispensers are to be attached to kiosks only (not free standing).

Jordan McCarron, Conservation Administrator, provided the following Land Management Updates:

- The Garlic Mustard Invasive Plant Training Video has released on Weston Media's website and the Asiatic Bittersweet video had just been recorded at Jennings Field/Hubbards Woods.
- Two more work sessions scheduled with the Cambridge School of Weston working on the 80-acre field implementing Weston's new Meadow Management practices.
- Beaver Solutions rebuilt the beaver deceiver device at the College Pond and the water levels have been reduced back to manageable levels prior to the winter flooding.
- Celebrate Weston for May 20th needs a few more Commissioners to help staff a table.

The meeting adjourned at 9:25 pm.