

Weston Conservation Commission (WCC) - Public Meeting Minutes
May 23rd, 2023
Approved: June 6th, 2023

Members Participating: Joe Berman (Chair), Rees Tullos, Glenn Butcher, Ellen Freeman Roth,

Members Absent: Josh Feinblum, Alison Barlow, Sean Rush

Conservation Staff: Jordan McCarron, Joshua Baker

Notes: Under current state law public bodies may continue holding hybrid and fully remote meetings, without a quorum of the public body physically present, as long as adequate, alternative access is provided. 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 7:30 pm with an opportunity for public comment. Hearing none, the following hearings and meetings were taken up in order.

Notice of Intent: 6 & 10 Bass Pond Lane, DEP 337-1467; C. Endicott

Emily Vulgamore, Solitude Lake Management, provided an overview of the project. Due to the presence of harmful and nuisance algae, the applicant and owners of the pond bordering 6 & 10 Bass Pond Lane intend to implement a multi-year herbicide treatment plan in the hopes of reducing the algae present and improve water quality while slowing pond eutrophication. Ms. Vulgamore further expressed the risk of allowing the algae to remain untreated and the potential for the growth of cyanobacteria, which can pose a health risk as the bacteria can potentially produce toxic aerosols. Ms. Vulgamore informed the Commission that the chemicals are very well targeted and would not pose any threat to wildlife or non-targeted species and so there would be no need to time the applications based on the development level of spring amphibians or other season-specific wildlife.

Carola Endicott, 10 Bass Pond Lane, informed the Commission that they do not use any chemical fertilizer on their lawn, and that they would relay to the owners of 6 Bass Pond Lane to do the same, in an effort to reduce any potential nutrient runoff that could cause further eutrophication in the pond.

Joe Berman, Commission Chair, and Jordan McCarron, Conservation Administrator, briefly discussed how to write the Order of Conditions since the project involves two separate properties and two applicants. It was agreed that Mr. McCarron would reach out to the Town Counsel for advice.

A motion to close the Notice of Intent hearing and issue an Order of Conditions for 6&10 Bass Pond Lane, DEP# 337-1467, was made by Rees Tullos; seconded by Glenn Butcher. Roll call vote 3-0-1.

Ratification of Enforcement Order: 266 North Avenue; L. Liu and X. Ke

Jordan McCarron, Conservation Administrator, provided an overview of the process thus far. The Applicants have been issued an Enforcement Order for vegetation clearing, excavation, soil stockpiling, and grading activities within close proximity to both Stony Brook and Bordering Vegetated Wetland. This work was conducted without review or approval within a protected resource area subject to jurisdictional review by the Weston Conservation Commission under the Massachusetts Wetlands Protection Act (WPA), MGL Chapter 131, Section 40 and it's implementing regulations, 310 CMR 10.00.

Mitch Maslanka, Goddard Consulting, gave an overview of the restoration plan. The nine-step process includes pulling back any fill located in the 25' No Disturb Zone (NDZ), establishing a new erosion control barrier at the 25' mark, laying down jute stabilization mats on steep slopes, hydroseeding with native seed

mix or with turf mix and then over-seeding the native seed mix by hand, and then adding five hop-hornbeam shrubs. The overarching goal is to get the 25' NDZ and surrounding areas restored and then for the Applicant to come forward with a Notice of Intent for a planned driveway and associated landscaping. The deadline for the Notice of Intent to be filed is 6/28/2023. Joe Berman, Commission Chair, requested that the restoration plan be sent to Jordan McCarron, Conservation Administrator, and appended to the Enforcement Order.

Rees Tullos, Commissioner, suggested that silt fencing be added to the erosion control barriers around the 25' NDZ where the slope is steep. Mr. Maslanka agreed, stating they would selectively install silt fencing at areas of interest. Further, Mr. Maslanka suggested that Mr. McCarron could visit the site after the fill is pulled back and the Erosion Control Barrier has been established, and then again after the hydroseeding..

A motion to ratify the Enforcement Order issued to Lin Liu and Xue Ke, 266 North Avenue, was made by Ellen Freeman Roth; seconded by Glenn Butcher. Roll call vote 4-0.

Notice of Intent: 27 Golden Ball Road, DEP# 337-1469; A. Leblanc

Aiden Schlotman, Stamski and McNary, provided an overview of the project, which involves the replacement of a failed septic system and the addition and removal of portions of a retaining wall to support the new septic system.

The Commission expressed concern over the retaining wall that held the weight of the back slope, citing it as potentially unsound or crumbling. It was determined that the wall was out of the scope of the Commission, and they were unable to require any specific actions to be done to the wall.

The project received a permit from the Board of Health but was still pending review and approval by the Town's stormwater engineer at the time of this hearing.

As such, a motion to continue the Notice of Intent hearing for 27 Golden Ball Road, DEP# 337-1469, to June 6th, 2023, at 8:30 pm, by request of the applicant, was made by Glenn Butcher; seconded by Ellen Freeman Roth. Roll call vote 4-0.

The following Administration Matters were discussed throughout the meeting:

Approval of Certificate of Compliance, 69 Scotch Pine Road, DEP# 337-1405:

A motion to issue a Certificate of Compliance for 69 Scotch Pine Road, DEP# 337-1405, was made by Rees Tullos; seconded by Glenn Butcher. Roll call vote 4-0.

Approval of a Bench in recognition of Nancy Bates:

A motion to approve the installation of a bench at the Forbes Land in recognition of Nancy Bates and Biz Paynter by the Weston Garden Club, the exact location to be determined in the field by the Conservation Administrator and representative(s) of the Garden Club, was made by Glenn Butcher; seconded by Ellen Freeman Roth. Roll call vote 4-0.

Land Management Updates:

Jordan McCarron, Conservation Administrator, provided the following updates:

- Weston Hight School Intern, Will Shimada-Brand, is interning at the Conservation Offices for two weeks in partial fulfillment of his graduation requirements.

- The 5/20 Stewardship Saturday was rescheduled to the 26th for Japanese Knotweed removal at the Woodland School, five different methods will be used to test effectiveness, including a new self-girdling technique utilized welded-wire hardware cloth.
- Final invasive plant training series scheduled for 5/30, focusing on woody invasive species.
- The grant for the Case Estates Wildflower Project has been submitted. A solarizing tarp with signage was placed on the area at the Case Estates intended to be planted.

Other Matters:

- Joe Berman, Commission Chair, suggested that Conservation FY23 budget should be discussed on 6/6 or 6/20 and that Jordan McCarron, Conservation Administrator, should send the Commission the approved budget for Fiscal Year 2024.
- The site visits for the Water Tank site reviews are coming up, with two the week of the 5/29.
- The Conservation Commission's summer and winter meeting dates for 2023 are being drafted.
- The approval process for the new Bylaw by the Attorney General's office should take 90 days; in the meantime, the Town's lawyers at K.P. Law are working on a set of draft regulations with the expectation to have regulations drafted and ready for public review in the fall.

The meeting adjourned at 8:58 pm.