

Weston Conservation Commission (WCC) - Public Meeting Minutes

July 27, 2021

Approved: August 10, 2021

Members Participating: Joseph Berman (Chair), Becca Loveys, Ellen Freeman Roth, Josh Feinblum, Alison Barlow, Cynthia Chapra

Members Absent: Rees Tullos,

Conservation Staff: Jordan McCarron, Sandra Gonneville

Notes: Pursuant to Chapter 20 of the Acts of 2021, which includes an extension of Governor Baker's March 12, 2020 Order Suspending Certain provisions of the Open Meeting Law, G.L. c. 30A, §18, this meeting was held via an online meeting platform (Zoom). No in-person attendance of members of the public was available.

Joe Berman, Chair, opened the meeting at 7:30 p.m. with an opportunity for public comment. Hearing none, the Commission commenced with the following hearings and meetings:

Request for Notice of Intent, 31 Green Lane, 337-1413, John McGeough

The Applicant has filed this request for a Notice of Intent for demolition of an existing house and construction of a new single-family house at 31 Green Lane. A portion of the work falls within the 100-foot Wetland Buffer Zone and an Outstanding Resource Water (Cambridge Water Supply Tributary).

The project site has an existing single-family home with an attached two car garage under the house and a single curb cut driveway. The existing septic system and known utility services run along the front portion of the lot from Green Lane. The existing vegetation on site is mainly wooded with some lawn surrounding the existing home and in the side yard. There are a few landscaped areas around the home and the walkway coming from the driveway. The front corner of the lot contains wetland vegetation.

There is a Bordering Vegetated Wetland (BVW) on site located in the south west corner of the lot adjacent to Cart Path Road and Green Lane. Most of the runoff generated on site flows to this wetland. The regulated areas on site include the BVW, the 25' No Disturb Zone, the Mass DEP 100' Buffer Zone, the Mass DEP 200' Title 5 Setback, and The Town of Weston's Wetlands and Flood Plain Protection District. No work is proposed within the 25' NDZ.

The proposed development includes the construction of a new single-family house with an attached garage that includes a green roof, expansion of the existing driveway and a pool and pool house in the rear yard with associated infrastructure and site work. The water and electric service will be connected to the rear of the house and come from Cart Path Road while the gas service will come from Green Lane. To mitigate the impacts a stormwater collection and management system will be constructed. Runoff generated from the house and drive court will be collected and directed to an infiltration basin located below the drive court.

The use of 12" FilterMitt placed along the limit of work line has been proposed for sedimentation and erosion control on site and silt sacks installed in the roadway catch basins on Green Lane. The Agent suggests that silt fence be added to the erosion control barrier on the downstream side of the project to add an extra layer of protection to the wetland. The applicant should identify trees measuring at least 4 inches in diameter (when measured 4 feet off the ground) proposed to be removed from within the 100-foot buffer zone area.

On July 26th the Cambridge Water Department forwarded a comment letter that identified concerns about the design of the proposed new home. In order to address concerns raised by the Cambridge Water

Department and the Commission, the Applicant proposed to revise plans to reduced impervious material in the parking court, reduced impervious material in the walk-out patio, put together a detailed O & M plan that includes the pool draining (chemicals and cartridge), and address and comments Mr. Sweeney may have in regards to the storm water management program.

A motion to continue the Notice of Intent hearing for 31 Green Lane, DEP File 337-14XX, in order to address outstanding issues, to the August 10th hearing at 7:30 pm was made by Cynthia Chapra; seconded by Rebecca Loveys. Roll call vote: 6-0.

Appeal of Community Garden Policies for Gas Grill Use: Marie and Edison Forbes

Community Gardeners Marie and Edson Forbes have requested time before the Commission to discuss their use of a gas grill at the Community Gardens on Merriam Street.

The Community Garden Policy states: "2.j) Hazardous materials may not be stored at the garden." In a June 1, 2021 email from Debbie Howell, Marie and Edson Forbes were asked to remove the propane grill immediately. On June 10, Conservation Department staff met with the Forbes and they agreed to remove the grill no later than June 21. On June 22, staff revisited and the grill was still present. The Forbes are appealing the decision that the propane gas grill be removed from the Community Gardens.

At the July 27 meeting, the Commission temporarily approved use of a gas grill at the Community Gardens, contingent on maintaining a "Class B" fire extinguisher on site at all times as well as any specific guidance from the Fire Department. The Commission requested input from the Community Gardens coordinator Freddie Wiss and any other gardeners be solicited so that it may be considered. This item was continued to the August 10th meeting at 7:45 pm.

Cont. NOI: 5 Warren Place; (DEP# 337-1411); Sayem Kahn.

The Applicant has filed this Notice of Intent for the construction of an addition to an existing single-family home. A portion of the work falls within the 100-foot Wetland Buffer Zone, 200-foot Riverfront Area and floodplain.

A motion to continue the Notice of Intent hearing for 5 Warren Place, 337-1411, at the request of the applicant to the August 10th hearing at 8 pm., was made by Josh Feinblum; seconded by Ellen Freeman Roth. Roll call vote 6-0.

Update from Weston-Wayland Rotary Club on the Weston Sears Driveway Field

The Weston-Wayland Rotary Club provided an update on their Operations & Maintenance Plan for the Sears Driveway Field. The Rotary Club made good progress in June and July to remove invasives (garlic mustard, multiflora rose and oriental bittersweet) along the eastern border of Sears Field. A large pile of dead plants is now in the woods. Weston DPW has agreed to relocate the pile to the town compost dump in the Fall when they are less busy. The Rotary is now requesting approval of an herbicide to be included in this year's work on the field (rather than wait until next year). The Rotary Club is in the process of obtaining an estimate from Vegetation Control Service, the same contractor working at the Case Estates Hillcrest North meadow. By consensus, the Conservation Commission approved this request and requested that the Rotary Club report back in a month.

Eagle Scout Project Presentation

Neil and Yash Agarwal are proposing to construct a series of boardwalks at the Hubbard Woods Conservation Area- a Weston Forest & Trails Association property- within 100' of a Bordering Vegetated Wetland. The work is covered by the WFTA/WCC trail maintenance OOC (337-1015); however, work under this OOC requires notification to the Commission. Neil and Yash also discussed the possibility of removing any invasive plants from the area where they would be installing the boardwalk. The Commission

was agreeable to this as long as the Scouts received guidance from the Agent or WFTA on proper removal of any invasive plants and the removal was mechanical. A motion to approve the construction of two boardwalks at the Hubbard Woods Conservation Area- a Weston Forest & Trails Association property- within 100' of a Bordering Vegetated Wetland, was made by Ellen Freeman Roth; motion seconded by Alison Barlow. Roll call vote 6-0,

Discussion on Wetlands Bylaw Working Group

The Conservation Commission discussed the creation of a Wetlands Bylaw Working Group for the purpose of studying the feasibility and need for a local wetlands bylaw in Weston. The Agent had prepared a memo to be sent to Town Manager Leon Gaumond, pending approval by the Commission on 7/27, to establish an ad-hoc wetlands bylaw working group, subject to open meeting law and membership from relevant boards/committees and staff. The Commission discussed this approach versus forming a subcommittee or informal working group first to identify the goals of a local wetlands bylaw. The consensus was that an informal work group consisting of Allison Barlow, Rebecca Loveys, and Josh Feinblum would work to identify the Commission's priorities for a wetland bylaw and they would report back to the full Commission some time in September.

The following administrative matters were then addressed in order:

Approval of Con Com minutes: 7/13/2021

Josh Feinblum motioned to approve minutes from 7/13/2021; seconded by Ellen Freeman Roth. Roll call vote 6-0.

Request for Certificate of Compliance - 210 Summer Street, (337-1296)

This Order of Conditions was issued for a portion of repaved driveway within outer Riparian Zone. The OOC required ceasing of leaf dumping within Riverfront Area. The Agent conducted a site visit with the general contractor on 6/17/21 and confirmed all conditions have been met. A motion to issue a Certificate of Compliance for 210 Summer Street, DEP FILE 337-1299, was made by Ellen Freeman Roth; seconded by Josh Feinblum. Roll call vote 6-0.

Request for Certificate of Compliance – Pine Brook Golf Course (337-1364)

This Order of Conditions was for the demolition of an old wastewater treatment plant, construction of new leaching field and installation of new 4" sewer force main, minor landscaping within Riverfront Area and 100' Buffer Zone. The Agent conducted site visit with Rob Gemma from MetroWest Engineering on 7/20/21 and confirmed all conditions have been met. A motion to issue a Certificate of Compliance was made by Josh Feinblum; seconded by Ellen Freeman Roth. Roll call vote 6-0.

Request for Certificate of Compliance – 535 North Avenue (377-0957)

This Order of Conditions was issued for the construction of single-family house and drainage; this project was featured on a season of "This Old House". The Agent conducted a site visit with Rob Gemma from MetroWest Engineering on 7/20/21.

In the request for Certificate of Compliance, Mr. Gemma pointed out that one notable deviation from both the approved plans and the 2009 As-Built plan observed at the site inspection was that the rain garden in the back yard had been filled and is no longer functioning. It is his professional opinion that, the elimination of the rain garden will have no impact on stormwater at the property and will not result in a degradation of resource protection. Stormwater from the driveway and the roof of the dwelling is directed first to a sub-surface infiltration system located under the driveway. The overflow from the -infiltration system is then discharged through an overflow pipe to a rip-rap settling basin. Any overflow from the settling basin would then flow into the backyard rain garden. Overflow discharge from the infiltration system is, however, so minimal that any flow that does reach the settling basin simply percolates into the ground within the

settlement basin and no storm water reaches the rain garden. Without a consistent supply of stormwater, the rain garden could not be sustained, and thus was eliminated.

During the inspection the Agent did not observe any indication of flow into or out of the area where the rain garden was constructed or across the lawn. Mr. Gemma noted that it was his recollection that the rain garden was originally included in the design plans at the request of the creators of the "This Old House" television program, as this project was the centerpiece of that show for one season. The hydrologic analysis performed at the time, however, indicated that the rain garden was not a required component to manage stormwater at the site.

Despite this deviation from the approved plan and 2009 As-Built, the Agent agrees that the site is in substantial compliance with the OOC and all conditions have been met. A motion to issue a Certificate of Compliance was made by Ellen Freeman Roth; seconded by Josh Feinblum. Roll call vote 6-0.

A motion to approve the minutes from 6-29-21 was made by Ellen Freeman Roth; seconded by Josh Feinblum. Roll call vote 4-0.

The meeting was adjourned at 9:30 pm.