

Weston Conservation Commission (WCC) - Public Meeting Minutes
October 3rd, 2023
Approved: October 17th, 2023

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

Members Absent: Ellen Freeman Roth, Sean Rush, Rob Mosher

Conservation Staff: 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 was available but every effort was made to ensure that the public could 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. Julie Hyde, Weston Resident, commented her satisfaction with all the work both Landssake and the Conservation Staff have done around town this past year.

Hearing no further comments, the following hearings and meetings were taken up in order.

Presentation: Blueberry Agroforestry Proposal for Sears Land

Turner Frankosky presented the project, which consists of developing an experimental blueberry-agroforestry plot at the Sears Land as a capstone project for a certificate course through Yale University. The plot will be located near a plot used as an apiary for The Boston Honey Company for ease of pollination, and have a 90-meter perimeter.

The key objective of the project will be to showcase how small food systems can have a positive impact on conservation land. The positive impacts expected include providing an alternative source of organic food, creating new groundcover while a local American Chestnut canopy reforestation project works on the upper stratum, and creating a food system that can harmonize with the forest ecology. Invasive vegetation will be removed to allow the planting and growing of the blueberries, which as a result will strengthen native plant diversity and increase pollinator health.

Soil tests were already conducted on the plot and were deemed able to support blueberry health. The expected ratio of plants will mostly include lowbush blueberry but blueberry cultivars will also be present. Mulberry will be planted as well to provide a living fence around the perimeter of the plot. Some netting will be used to protect the blueberries from deer, but will be as minimized as possible. The trial period of the experiment will see the planting of 17 plants from 2024 to 2026, with 30 plants by phase 3 of the experiment in 2028. According to this plan, the first plants will be in the ground by spring of 2024. Land's Sake is comfortable sharing water supply and irrigation with Mr. Frankosky.

The Commission inquired about signage and the size of any potential signage. Mr. Frankosky replied that they are hoping to do something similar to the Weston Orchard by installing a sign on two posts, but otherwise the location and exact size were still being determined. Glenn Butcher, Commissioner, suggested the final approval of the project could also be contingent on the approval of the signage. Rees Tulloss, Commissioner, offered an old kiosk to use, which Mr. Frankosky accepted.

The Commission suggested that Mr. Frankosky and Jordan McCarron, Conservation Administrator, draft a license agreement to then present the final to the Commission for final approval.

Notice of Intent: 183 Conant Road, DEP 337-1476; 183 Conant Road, LLC

Chris Gilbert, Farland Corp, provided an overview of the project which consists of the demolition and construction of a single-family home, associated driveway and patio. The entire lot is inside of the 100-foot Buffer Zone projected by an on-site Bordering Vegetation Wetland (BVW). The existing home is a three-bedroom house with an existing driveway and walkway, and currently the lawn extends up to and into the wetland area, with a total of 835 square feet of disturbed wetland.

The new 3-bedroom house will be located closer to the wetland due to setback and site constraints. The new structure will have a walk out basement to reduce grading requirements; however, the current design does include grading into the 25-foot no disturb zone (NDZ). The proposed patio and retaining wall will also extend into the 25-foot NDZ. In an effort to mitigate for the encroachment, the project is proposing to restore the disturbed wetland area and to connect all roof drains to subsurface recharge systems. The erosion control barrier will be placed up to ten feet from the wetlands to allow for grading.

Rees Tulloss, Commissioner, noted that there were no flags present during the site visit. Mr. Gilbert answered that they will be rehangng all the missing flags. Mr. Tulloss inquired if there will be any drains for the recharge basins; Mr. Gilbert indicated that there are no overflows and water will back up to the downspouts.

Joe Berman, Commission Chair, asked if there was any way that the work could be moved out of the 25-foot NDZ. The grading work seemed integral, but Berman wondered if it was possible to configure the new structure or place the new structure in such a way that the patio and retaining wall are out of the NDZ. Mr. Gilbert suggested that they ask for a variance with the Zoning Board to move closer to zoning setbacks and away from the wetlands. Glenn Butcher, Commissioner, noted that the proposed garage is currently on a setback line; Mr. Gilbert will relay that to the architect. Mr. Butcher then inquired about the disturbed wetland and noted that during the site visit it looked as if the disturbed area was regenerating on its own already. Mr. Gilbert answered that the survey was performed a year or so ago and so it is completely possible that the area is growing in. It was noted that the project still needs to be reviewed for its septic and stormwater permits.

Rich Gula, 190 Conant Road, inquired about the proposed square footage of the new structure. Mr. Berman reminded that the question at hand isn't generally within the jurisdiction of the Commission. Mr. Gilbert answered that the new house is slightly larger than the original. Mr. Gula noted that the current structure has a very active sump pump and advised adding a sump pump to the plan. Mr. Gilbert acknowledged the comment and Mr. Berman suggested that the details of the sump pump can be addressed during stormwater review.

A motion to continue the Notice of Intent hearing for 183 Conant Road, DEP 337-1476, to November 7th, 2023 at 7:45 pm at the request of the applicant was made by Glenn Butcher; seconded by Rees Tulloss. Roll call vote 4-0 in favor.

8:00 pm Cont. Notice of Intent: 12 Robin Road, DEP 337-1474; K. Zhao

Vito Colonna provided an update of the project. The current plans now show the house and all of its appurtenances being constructed outside of the jurisdiction of the Wetlands Protection Act (WPA) with the exception for the removal of three trees deemed hazardous to the new structure. The trees are around 12-18 inches in diameter at breast height and consist of two oaks and one pine. The stormwater review for the new plan is not yet complete and the septic design is not likely to change, but the Board of Health will still receive the new plan.

Rees Tulloss, Commissioner, inquired about the pool and if a fence will be constructed for it. Jerry Zhao, owner, said that there would be a fence but it would remain outside of the Buffer Zone.

With the current plans now outside of the jurisdiction of the WPA, an Order of Conditions is no longer pertinent to the presented plans, and so Joshua Baker, Conservation Assistant, advised issuing a Notice of Non-Significance, which formally states that the plans presented under the Notice of Intent is not under the jurisdiction of the WPA or the Conservation Commission. Mr. Baker reminded all parties that the proposed plan will be recorded on the Notice of Non-Significance and so that if there are any changes to the plan that put the project back into the jurisdiction of the WPA, a new Notice of Intent will need to be filed.

A motion to close the Notice of Intent hearing for 12 Robin Road, DEP 337-1474, and issue a Notice of Non-Significance, was made by Glenn Butcher; seconded by Rees Tulloss. Roll call vote 4-0 in favor.

The following administrative matters were discussed throughout the meeting:

Approval of the 9/19/2023 Conservation Commission Meeting Minutes:

A motion to approve the 9/19/23 Conservation Commission meeting minutes was made by Glenn Butcher; seconded by Rees Tulloss. Roll call vote 4-0 in favor.

Request for Certificate of Compliance; 200 Lexington Street, DEP 337-1421:

A motion to issue a Certificate of Compliance for 200 Lexington Street, DEP 337-1421, was made by Glenn Butcher; seconded by Rees Tulloss. Roll call vote 4-0 in favor.

Closure of Notice of Violation; 10 Woodward Lane:

A motion to close the Notice of Violation and issue a letter of return to compliance to 10 Woodward Lane, DEP 337-1338, was made by Glenn Butcher; seconded by Rees Tulloss. Roll call vote 4-0 in favor.

Approval of an Honorary Plaque at Highland Town Forest:

A motion to approve an honorary plaque at Highland Town Forest in honor of Meg Kelley, to be located at the suggestion of the Conservation Administrator, was made by Glenn Butcher; seconded by Rees Tulloss. Roll call vote 4-0 in favor.

Rees Tulloss, Commissioner, provided the following land management updates:

- College Pond Trail Work went well on 9/23, hunters participated and received their permits. More trail rerouting than expected was done due to great work by the volunteers.
- 9/28 Regis Founders Day saw both the Cross-Country team and Lacrosse team join in on various projects.
- The next Stewardship Saturday will commence on 10/21.

Other Matters

- Joshua Baker, Conservation Assistant, sought the Commission's advice on proceeding with the removal of 10 trees in the outer Buffer Zone of a BVW at 18 Wildflower lane. It was advised by the Commission that Jordan McCarron, Conservation Administrator, will be able to administratively approve the removal under section 4 of the Weston Tree Removal Policy, but also expressed interest in seeing the site prior to approval.

The meeting adjourned at 8:42 pm.