

Weston Conservation Commission (WCC) - Public Meeting Minutes  
*October 12th, 2021*  
*Approved: October 26<sup>th</sup>, 2021*

Members Participating: Joe Berman (Chair), Rees Tullos, Ellen Freeman Roth, Josh Feinblum, Cynthia Chapra, Alison Barlow

Members Absent: Josh Feinblum, Ellen Freeman Roth

Conservation Staff: Jordan McCarron

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 opened the meeting at 7:30 p.m. with an opportunity for public comment.

Hearing none, the following administrative matters were addressed:

A motion to approve the minutes from 9-28-21 was made by Cynthia Chapra; seconded by Joe Berman. Roll call vote 2-0-2.

Alison Barlow joined the meeting at 7:40 p.m. and was not present to vote on the 9-28-21 minutes.

A motion to issue a Certificate of Compliance for 7 French Road, DEP File 337-1247, was made by Rees Tullos; seconded by Cynthia Chapra. Roll call vote 5-0.

Jordan McCarron provided an overview of the Stewardship Saturday program to be held on Saturday, October 16<sup>th</sup>; the planned project involves invasive plant removal along a portion of the stone wall border at Green Power Field along with glass and debris cleanup on one of the trails west of Merriam Street at College Pond Conservation Land.

Mr. McCarron and Ms. Barlow provided an update on the Water Storage Tank Working Group that they participate in. Currently, the Town is in the initial design phase of a plan to replace and upgrade three water storage tanks in Weston at Paines Hill, Doublet Hill and Cat Rock. All three locations will likely require the dispossession of Article 97 Conservation Land, requiring careful review and an exhaustive alternatives analysis done by the Town. Taking Article 97 land out of conservation status requires replacement land of equal or greater value and approval on the local and state level. Ms. Barlow and Mr. McCarron will continue to keep the Commission updated on this project and process.

The Commission then commenced with the following scheduled hearings and meetings, in order:

Notice of Intent: Shadyhill and Ledgewood Drainage Project, (DEP# 337-1425); Weston Department of Public Works

Steve Fogg, Weston Town Engineer, provided an overview of the project, which involves the repair and replacement of the existing storm drainage system on and around Shady Hill and Ledgewood Roads.

Charles Caron, Caron Environmental Consulting, LLC, provided an overview of the resource areas and wetland impacts associated with the project. The wetland delineation was conducted by Mr. Caron on

December 7, 2020. The edges of the Bordering Vegetated Wetland (BVW) areas have been labeled as the A, C, D and F series wetlands. The wetlands are wooded with the uplands being a mix of wooded and residentially developed areas. The edge of an Isolated Vegetated Wetland was labeled as the B series wetland and is located in the rear and side yards of 4 and 10 Ledgewood Road and 37 Shady Hill Road. Just southeast of 13 Ledgewood Road there are two channels which were created by a dual pipe outfall. These two channels combine just down-gradient into a single intermittent stream channel; the top of Bank of this intermittent stream was labeled as the E series.

Work is proposed to occur within Bordering Vegetated Wetland, 100-foot Buffer Zone, Bank, and the 25-No Disturb Zone; restoration is proposed for all impacted areas. The project qualifies as a Limited Project under 310 CMR 10.53(3)(k).

In addition to an Order of Conditions from the Commission, Mr. Caron explained that the project will need a 401 Water Quality Certification through Mass DEP, a local Stormwater Management Permit, and approvals through the Army Core of Engineers and the Massachusetts Environmental Policy Act (MEPA).

Larry Rusiecki, Wright-Pierce, then provided an overview of the project design. Work is proposed along Ledgewood and Shady Hill Roads, and on adjacent lots within existing easements. In addition to the standard street drainage components, there is a system of pipes, catch basins, drain manholes, and an outfall located off the road. The off-road portions of the drainage system are located in drainage easements held by the Town of Weston. Both Ledgewood Road and Shady Hill Road are paved public roads with the surrounding neighborhood being fully residentially developed with houses on lots of various sizes. These are extensive lawns and/or landscaped areas associated with most of the houses. There are small patches of woods and wetlands between the developed areas. Conditions along the off-road components of the stormwater system are highly variable and include paved driveways, lawns, landscaped areas, open woods and vegetated wetlands.

The town has investigated the pipe system and has found many pipes to be in very poor condition, with some completely blocked by roots. In addition, most of the drainage structures are in poor condition and are not functioning properly. The conditions in the neighborhood are being further exacerbated by the recent increases in yearly rainfall and storm intensities. With climate change this trend is predicted to continue or worsen. Accordingly, to manage the effects of climate change the drainage system needs to be reconstructed. All system components have been designed to the NE Regional Climate Center's extreme precipitation tables for this portion of the State. The piping and structure are almost all going to be reconstructed in similar locations as the existing components, with only some minor variations. Catch basin inlets are being set at approximately the same elevations to maintain any wetland conditions, while preventing increases in water levels following storms or snowmelt. Due to the very flat slope of the drainage system, and to accommodate increasing storm intensity, the pipe sizes are being increased.

Mr. Fogg added that existing conditions have worsened over time, more notably in recent years, due to the failing drainage infrastructure.

Mr. McCarron explained that he and his staff have submitted comments and questions to the design team and expect revised plans that provide more detail on things like construction access, tree mitigation, construction details, and restoration.

Ms. Barlow commented on a specific proposed catch basin behind 32 Shadyhill Rd and requested that it be elevated and partially enclosed to prevent clogging.

Both Rees Tullos and Ms. Barlow pointed out that the project needs to be done carefully to minimize impact on abutting residences; at the same time, this may be an opportunity to educate those residents that have

wet and erosive lawn areas within these drainage easements and encourage them to replant plant native vegetation instead of lawn grass.

Resident Jeff Berman, 40 Shadyhill Rd, requested that the Town conduct a more exhaustive alternatives analysis to ensure that the full project is necessary. Mr. Berman also requested more information from the Project Team regarding project timeline and notification to abutters.

Mr. Rusiecki explained that the project is scheduled to occur from May-October 2022 and that each project location will take approximately one week to complete.

A motion to continue the Notice of Intent hearing for the Shadyhill/Ledgewood Drainage Improvement Project, DEP 337-1425, at the request of the applicant, to the October 26th, 2021 meeting at 8:45 pm was made by Rees Tullos; seconded by Alison Barlow. Roll call vote 5-0.

Cont. Request for Determination of Applicability: 1 Warren Place; P. Caro

Mr. Berman opened this meeting on behalf of the applicant, Peter Caro, and stated for the record that although he had missed the first meeting for this project on 9-14-21, he had read the minutes in compliance with the Mullen Rule.

Mr. McCarron gave a brief overview of the project, which involves the construction of a pervious brick patio within existing lawn. A portion of the work falls within the 100-foot Buffer Zone to a Bordering Vegetated Wetland and 200' Riverfront Area. At the first meeting on 9-14-21, the Commission had asked Mr. Caro to submit calculations that showed compliance with the Wetlands Protection Act and Riverfront Area performance standards.

Mr. Caro then presented his updated plans, which include approximately 500 sq. ft. of native plantings to replace lawn within the inner Riparian Zone in compliance with 310 CMR 10.58(5)(g).

Mr. Tullos confirmed that the patio elevation had not changed since Mr. Caro's first appearance before the Commission.

A motion to issue a Negative 2 Determination of Applicability for 1 Warren Place, RDA File #2021-014, was made by Rees Tullos; seconded by Cynthia Chapra. Roll call vote 5-0.

Cont. Request for Determination of Applicability: 560 North Avenue (RDA 2021-015); H. Tiedemann

The applicant was not in attendance for this meeting and the Commission took no further action on this request.

Cont. Notice of Intent: Pedestrian Bridge over the Charles River, (DEP# 337-1422); Massachusetts Dept. of Conservation and Recreation (DCR)

A motion to continue the Notice of Intent hearing for the Pedestrian Bridge over the Charles River, DEP File 337-1422, at the request of the applicant, to October 26th, 2021 at 9:00 p.m., was made by Rees Tullos; seconded by Alison Barlow. Roll call vote 5-0.

The meeting was adjourned at 9:02 p.m.