

DATE APPROVED:

CONSERVATION COMMISSION MINUTES FOR MARCH 10, 2020 PAGE #20-6

MEMBERS PRESENT:

Chairman, Ted von Rosenvinge, Vice-Chairman, Sarah Schlechter, Mike Reiner, Ed Schwarz and James Smith

Also: Dave Pattee, Conservation Planner and Phil Spires, Esq., Town Attorney

Chairman von Rosenvinge opened the Special Meeting of the Conservation Commission at 7:32 p.m.

DISCUSSION/DECISION: SUPPLEMENTAL SUBSURFACE INVESTIGATION SITE STABILIZATION INSPECTION REPORT AND REMEDIAL ACTION PLAN, 41 NORFIELD WOODS ROAD (ROBERT J. CARR, P.E. AND ATTORNEY EDWARD LERNER REPRESENTING NAUSHIN SARFRAZ)

Robert Carr, P.E came forward and addressed the revised remediation plan, noting that the treated wood debris will be chipped and covered under the environmental plan and they have broadened the term of suspicious materials and changed the wording so it is not limited to the items listed. The Commission also asked that at the end of the project regrading, in his completion report that there be a statement or certification that the site is clean and meets State standards and he will provide that. Discussion on the revisions ensued. Mr. Schwarz wanted clarification that only the contaminated material that they see on the surface and in the process of re-grading will be removed and Mr. von Roenberg and Mr. Carr stated that was correct. Discussion continued.

Sal Triano, P.E. came forward to address the grading plan. He indicated the slope on the map and showed where they will cut material from the top and fill in the steeper slopes towards the bottom to reach the final slope of 3 to 1. Then topsoil will be added and the area will be seeded. Discussion continued.

Discussion then turned to the septic system and the testing of the seepage and Mr. Carr read all the materials that were tested for. He noted that the actual tank was not tested because it was broken and not safe to access and discussion continued.

Mr. von Rosenvinge then brought discussion back to the notes on the plan, specifically Notes 2 and 7 and asked what the purpose of these notes are and Mr. Triano explained that it covers the unknown factors when the work is actually being done. Following discussion, Mr. Triano deleted Notes 2 and 7.

After further discussion, Ms. Schlechter made a motion to enter Executive Session and Mr. von Roenvinge seconded. All in favor, Executive Session was entered at 8:46 p.m. with Dave Pattee, Attorney Pires and Ms. Lustberg in attendance as well.

Regular session was resumed at 9:45 p.m.

Following some additional discussion on the timing of the septic system repair and deadline to have work completed by, the following motion was made:

MOTION TO APPROVE

Mr. von Rosenvinge made a motion to approve the remediation plan as shown on plans prepared by Crossland Engineering, PLLC, dated 9/23/2019, final revision 2/3/2020, subject to the following conditions:

1. Sarfraz represented at the 3/10/20 meeting that the remedial work will be performed in a continuous operation and completed by September 15, 2020. The Commission's approval is contingent that all remedial work is completed by this date.
2. Sarfraz represented at the 3/10/20 meeting that they have approval from the Westport/Weston Health District to replace the septic system with a new one and that system will be installed prior to remedial action plan activities for the slope.
3. The new system shall be protected from the remedial action plan activities as directed by their consultant engineer Crossland Engineering (CE).
4. The Sarfraz environmental consultant Zuvic Carr (ZC) has concluded and represented to the Commission that the water seep at the toe of the existing slope is emanating from the current, leaking septic system. The Commission requires that after installation of the new system this representation be confirmed by ZC, i.e., observe that the seep has stopped and report the results of their visit/study to the Town. If conditions indicate that the source was not the septic system, additional investigation will be required by Sarfraz to locate and remediate the source.
5. The ZC environmental field inspector (EFI) shall be onsite full time during the implementation of the remedial action plan and will report directly to the ZC Environmental Engineer in Charge (EEIC) Robert Carr, LEP, PE. Given Mr. Carr's familiarity with the site, the Commission considers this imperative.
6. Any fill that is removed from the site shall be disposed in a legal manner and such disposal locations shall be monitored by the EEIC and identified in the final closure report prepared by ZC (see item 10 below).
7. ZC's environmental field inspector (EFI) shall be fully qualified and experienced to make the field judgements identified in the ZC Slope Regrading Workplan (SREW) submitted to the Commission and shall immediately alert the EEIC of any conditions that vary from those anticipated. The EFI shall be fully briefed by the EEIC in advance of the work such that the EFI has a full understanding of the history of the site, site testing results to date and the contaminants and constituents of concern.
8. Should field observations or analytical testing results reveal a new environmental condition of concern, the EEIC shall have the responsibility to direct additional testing, removal and proper disposal of suspicious material regardless of what was anticipated by the Crossland Engineering (CE) in the preparation of their grading plans. Should this require the importation of new, clean fill to attain the required grades shown on the CE plans, documentation of clean fill shall be provided in advance by the EEIC and submitted to the Town for review.
9. The language in the SREW shall be modified as follows: The second sentence under "Objective" starting with "All uncovered bulky wood debris..." will be removed.
10. An Environmental Regrading Completion Report (RCR) shall be prepared by the above named EEIC. The referenced certification in the RCR shall also certify (in addition to the stated certification in Item 7 of the SRWP) that the conditions of the remaining fill are substantially consistent with both the test results and the representations made to the Town of Weston Conservation Commission in connection with this Remedial Action Plan.

11. CE Plan Notes 2 and 7 on Section Option A and Notes 2 and 7 on Sections Option B shall be deleted as these are assumptions made by the engineer and are not requirements or limitations that are acceptable to the Commission.
12. CE will also prepare a final P.E. stamped as-built plan with survey with certification that the work was performed in accordance with the approved plans.
13. Work in the Sarfraz plans are proposed over the property line including removal of fill and placement of silt fence. The property owners will need to be contacted by the Sarfraz's for consent to work on their property; the Commission's approval does not provide authorization to go on neighbor's property.

Ms. Schlechter seconded. Discussion ensued.

Following discussion the motion was voted on and carried (3 [vonRoseninge, Schlechter, Reiner] -2 [Schwarz, Smith]).

MOTION TO ADJOURN

Ms. Schlechter made a motion to adjourn and Mr. Smith seconded. All in favor, the meeting adjourned at 10:15 p.m.

Respectfully submitted,

Delana Lustberg
Recording Secretary