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FINAL
WEYMOUTH CONSERVATION COMMISSION
RECORD OF MINUTES AND PROCEEDINGS

Tuesday, January 26, 2021

Remotely Present: Scott Dowd, Commissioner and Clerk
Frank Singleton, Commissioner and Vice-Clerk
George Loring, Commissioner
John Reilly, Vice Chairman

Also Present: Mary Ellen Schloss, Conservation Administrator
Andrew Hultin, Assistant Conservation Administrator
Eric Schneider, Host, Planning Dept.
Ann Flynn Dickinson, Recording Secretary

Vice Chair Reilly called the Commission meeting to order at 7:00 p.m. with a moment of silence to remember Tom Tanner, Chairman of the Conservation Commission, who passed away January 26, 2021.

State of Emergency Message and meeting information:

Governor Charles Baker has declared a State of Emergency in Massachusetts to support the state's response to COVID-19 (novel coronavirus). Per the directive of Mayor Hedlund and the Town of Weymouth's "Emergency Declaration and Town-Wide Guidance in Response to COVID-19 of March 13, 2020", the Conservation Commission will meet remotely for the health and safety of the board members and the public during the Massachusetts State of Emergency.

The Conservation Commission will be using Webex software to conduct meetings on-line for the immediate future. The Meeting # (access code): 132 670 2254 and Meeting password: CC0126 will be used for the January 26, 2020 meeting.

The online link and dial-in instructions were provided 48 hours in advance of the meeting.

Minutes – November 17, 2020

On a motion made by Cmmr. Dowd, seconded by Cmmr. Loring the Commission voted 4-0 to approve the November 17th minutes as written.

**102 Flint Locke Drive – Request for Determination, Public Hearing,
Jonathan Stratford;**

Map 11, Block 121, Lot 103

Proposed fill and grading within drainage easement and wetland buffer

Ms. Schloss stated the Commission received a request for continuance to the March 23 meeting. To work through design with the engineer and how they would like to move forward.

On a motion made by Cmmr. Loring and seconded by Cmmr. Dowd meeting has been continued to March 23rd.

4-0-0 unanimous roll call vote.

1047 Washington Street/ "0" Washington Street – Notice of Intent, Public Hearing
Joe Gratta, Atlantic Mechanical
DEP File #81-1262
Map 30, Block 402, Lots 4 & 5
Expand an existing commercial building, stone parking lot (after-the-fact)

On a motion made by Cmmr. Loring and seconded by Cmmr. Dowd voted 4-0 to open the public hearing.

Ms. Schloss said she did get the notification receipts and the legal notice has been printed.

Mr. Andrew Chagnon, PE, of The Vertex Companies, took this time to present and narrate a slide show. He is representing the owner of this property. A brief presentation was shown with existing conditions and proposed conditions.

Cmmr. Dowd questioned the west side of the building and what does circulation mean?

Mr. Chagnon responded that it has to do with large trucks turning for pickup and drop offs to the loading docks.

Cmmr. Dowd asked if the area to the right of the trucks is wooded?

Mr. Chagnon responded no. That area is not wooded it is where storage containers are currently. The containers will be removed and the area will be wide open.

Cmmr. Dowd suggested minimizing the incursion to the no disturb area and moving the building further to the east.

Mr. Chagnon replied that they are as far in that direction with the building as allowed.

Cmmr. Dowd asked if the fenced area could be smaller? Just to be consistent we have declined others with less encroachment than this.

Mr. Chagnon said he will go back to his client to ask him. They had a Wetland Scientist who offered an opinion letter on it stated it is likely not vernal pool due to size and amount of water. There were contradictory opinions on this matter, and they are taking steps to make improvements with storm water controls that did not exist and planting of previously disturbed areas instead of fighting that. Showing good faith effort on the client's part.

Ms. Schloss stated in the first 100 ft. from the vernal pool resource area there was some disturbance there with regards to the construction fence and a tree removal. There was work done between the 100-200 ft buffer area and trees removed last winter. That is when this came to my attention. The activity

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within the 100ft area there will be restoration where there was impact. She just wanted to make that clear for the difference between the 100ft and the 100-200ft vernal pool area.

Mr. Hultin wanted to confirm that the area that is normally no disturb area is the first 100 ft and then the outer area where it is allowable.

Cmmr. Dowd asked whether the trucks would be accessing the 100 ft area and also what is the historical disturbance within the 100 ft?

Mr. Chagnon replied that except for a small triangle of area within the 100-foot vernal pool resource area, all the new activity is within the 200ft. There are previously paved historic disturbed areas within the 100 ft which were there before bylaws, state laws on vernal pools.

Vice Chair Reilly wanted to confirm that the area Cmmr. Dowd was talking about had always been that way.

Mr. Chagnon replied yes but he did not know off the top of his head how long it has been like that. He said he could find out if they wanted him to.

Ms. Schloss reviewed the comments from DPW/Weymouth Engineering. Comments recommended stabilizing the gravel parking lot and conducting test pits in the vicinity of the infiltration area. If we move forward with an Order of Conditions those should be incorporated.

Ms. Schloss also asked if the warehouse building is just a warehouse, will there be metal cutting or is it just for storage? Is there a floor drain?

Mr. Chagnon replied that electricity will be in there. There will be no floor drains his understanding is that this is really for ancillary storage. The containers that are on site are piled two high and they prefer not to have that storage outside, but inside the building.

Vice Chair Reilly invited the public to comment since it is a public meeting and to unmute themselves.

There were no comments/questions from the public.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring the Commission voted to close the public meeting.

4-0-0 unanimous roll call vote

Ms. Schloss recommended that we want to see the following in an Order of Conditions:

- Provide results of soil test pits in the infiltration area prior to construction,*
- The gravel parking lot stabilized,*
- Stabilization of the slope around the parking lot. Soften slopes, to no more than a 3 to 1 slope; can be steeper to save trees using a tree well.*

There was a request to remove one large pine tree that would have to come down because it is in the vicinity of where the fence would go. Preference is to save that tree.

Mr. Chagnon states that tree falls just on the edge of the building, it is outside your jurisdiction and he understands you want to save the tree and would be happy to add an additional pine tree to that triangle area within the 100-foot vernal pool area, if commission felt appropriate. He will be putting 6-8ft trees to be placed and will run the approval of them by the commission before planting.

Ms. Schloss states the 6-8ft specimens would be good. Moving on with the Order of Conditions:

- *snow storage to be located in the gravel area as a continuing condition.*
- *Restoration work to be conducted according to the plan and hand removal of debris on slope and fill around trees.*
- *Review by conservation staff before and after restoration/cleanup work.*
- *In regard to the trees, get a guarantee from a reputable Landscape company for one year. In wetlands there is a monitoring period we want at least a 1 (one) year period.*

Ms. Schloss added that:

- *Typically, with a Certificate of Compliance (COC) we look for as-built plan that will include location of infiltration system and location of trees planted,*
- *Sketch of the BMPs for maintenance,*
- *Snow storage area.*
- *Compliance statement in DEP General Condition 19-C.*
- *Continuing conditions for the area beyond filter strip. Area to remain in natural state -- no debris no snow storage.*

A motion made by Cmmr. Loring was taken back after Cmmr. Dowd wanted to know how they were going to address the reduction of the fenced area.

Mr. Chagnon responded by going back to the slide to show that the triangle outlined area was recently disturbed area and they are planting the tree there.

On a motion made by Cmmr. Loring to issue Order of Conditions (OOC) all special conditions mentioned here tonight seconded by Cmmr. Singleton.

4-0-0 unanimous roll call vote

96 Old Colony Drive – Notice of Intent, Public Hearing
DEP File #81-1264
Map 36, Block 421, Lot 37
Proposed addition and deck for single-family home

Vice Chair Reilly opened the Public Meeting.

Terry McGovern is representing for his client the McCann's.

He presented a slide with the proposal for their raised ranch which has an existing deck on the back of the house. They propose to enclose as a 15 x 15 family room and slide the deck over with a set of stairs

going down to the yard with storage underneath on a foundation. This is all within the existing lawn area.

Ms. Schloss stated legal notice was published for this and did receive abutter notification receipts. A site visit was conducted by herself and Mr. Hultin to review the wetland line. Detailed notes were given in a memo to the conservation commission. The proposal did cite this as riverfront there is a stream in the back. In a recent Order of Resource Area Delineation for the abutting property, this stream was not determined to be a perennial river. It is not shown on the USGS map as a perennial stream and USGS StreamStats program show it is a less than 1/2 square mile watershed and comfortable to call it an intermittent stream and not riverfront. Infiltration for roof runoff it is a flat area with no runoff. Do a stone pad something small to promote infiltration into the grass.

Mr. McGovern replied that they plan on doing a small rain garden which should be appropriate for the location.

Ms. Schloss agrees that some small measure is appropriate. The stockpiling will be inside the erosion control line and needs to be adjusted a little bit for stockpiling. They do not need an as built plan since it is right off existing house. They will need to come in for the certificate of compliance as this is a notice of intent and would be comfortable with a note from the engineer or land surveyor stating that it is compliant with the plan.

No comments from the Public

On a motion made by Cmmr. Loring, seconded by Cmmr. Dowd voted 4-0 to close the public hearing.

On a motion made by Cmmr. Loring to issue an Order of Conditions with any special conditions we discussed here tonight.

4-0-0 unanimously roll call vote.

59 Lakeview Road, Violation Hearing, continued

Andrew Gauthier

Map 30, Block 386, Lot 1

Unauthorized cutting of shoreline vegetation, installation of dock and ramp

Ms. Schloss visited the site, there were requests to remove the following:

- The shed that was constructed without a permit,*
- The dock,*
- The pile of debris and loose construction materials around the site. All items were done. There was a little bit of wood that was cut and left in the water, but it is frozen not much we can do about it now. Ms. Schloss feels comfortable closing this out giving him a letter stating that the items that we requested to be addressed were addressed. The property is being sold and someone coming in to redevelop it and filing a Notice of Intent for construction of a single-family house here.*

On a motion by Cmmr. Singleton to close it out the violation hearing and issue that letter as requested, seconded by Cmmr. Loring.

4-0-0 unanimously roll call vote.

1427-1449 Main Street – Request for Determination, Public Hearing
Map 57, Block 624, Lots 12, 13, 29-32
Senior Residence Facility (165 units)

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring the Commission voted 4-0 to open the public hearing.

Ms. Schloss introduced Chris Lucas from Lucas Environmental to present. He is a Professional Wetland Scientist and Certified wetland scientist.. He offered his condolences on the loss of Mr. Tanner.

Mr. Lucas was on the call and presented a slide and also introduced the applicant D.J. McKinnon of Atlantic Development, and Mr. Randy Miron from Bohler Engineering to assist with the presentation.

After going over the slide outlining the property, they state they are here tonight with their finding that the area is not jurisdictional, hoping the Commission will determine the same. This project will contain 165 units senior living, 94 Independent, 45 assisted living, and 26 memory care units. Bohler is designing the stormwater management system in compliance with the State as well as the Town of Weymouth stormwater regulations. They have a proprietary water quality unit. Large underground infiltration system and a small underground infiltration to capture roof run off and put into the stormwater system. Several catch basins. A detailed operation maintenance plan along with a long-term pollution plan in place both included in the report. All our work is outside the 50ft buffer.

Ms. Schloss agrees this is not jurisdictional under the State Wetlands Protection Act. With regard to the local Ordinance and regulations we do have jurisdiction. This is a small, isolated area of about 500 sq. ft. with a lot of invasive species in there not of high value. Discussion of the board over that area is needed since it is on the adjacent Jiffy Lube property. We have in the past determined that a small depression of this size was not jurisdictional under the ordinance due to its small value. Flooding is not a big concern, but the Commission may want to look at it more closely for that determination and looks to the Board for input before making any decision.

Vice Chair Reilly questioned if this wetland area is not part of this project, why is it up for discussion?

Ms. Schloss states that it is in the buffer zone of that depression.

Mr. Lucas revisited the slide to show the 25 ft and 50 ft buffer zone.

Vice Chair Reilly asked if there is a road going through there?

Mr. Lucas states yes, it is existing and redeveloped previously disturbed areas along that area with the rest of the site.

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Ms. Schloss asked if a determination were made now on this project, in the future if Jiffy lube were to be re-developed, we would lose our ability to exert jurisdiction at that time. This does have an impact on the adjacent property. She recommended in her memo to the Board that the Commission declare it is not our jurisdiction under the Wetlands Act but continue to regulate it under the Wetlands Ordinance. This gives us time to look at it more closely should a proposal come up.

Mr. Lucas wanted to clarify with Ms. Schloss that regardless of the jurisdiction, you still feel that the negative determination would be appropriate for the work itself?

Ms. Schloss responded with a yes, we did not get into that and this is a totally appropriate question. If it is a buffer under the Local Ordinance only, we would rule on that and issue a negative 3 determination that work can proceed in the buffer as planned. She wanted to confirm with Chris Lucas that the limit of work is at the pavement.

Minor brush clearing outside the 50 ft buffer. Randy Bohler did confirm this. They will stay outside the 50 ft with minor brush control.

Ms. Schloss asked if there would be any erosion controls at that point to prevent any disturbance in that adjacent area?

Mr. Miron said we are not showing any erosion controls because it is at a high point, but if the commission feels they are warranted we will add them.

Ms. Schloss reiterated that as long as there is not encroachment into the neighboring property or that wooded area. We may include that in my comments, but that would be it on the project.

With no public comments

On a motion made by Cmmr. Dowd, seconded by Cmmr. Loring the Commission voted 4-0 to close the public hearing.

On a motion made by Cmmr. Loring to issue a Negative 3 Determination along with any special conditions.

Ms. Schloss corrected the vote category 1 negative determination area not subject to protection under the Wetlands Protection Act. Negative 3 essentially it is not subject to the state wetlands act, but it is to the Ordinance, if folks agree with her on that.

Vice Chair Reilly states if we can write it that way, that is how we will vote.

*On a motion as restated
4-0-0 unanimous roll call vote.*

Meredith Way Subdivision – Request for Final Certificate of Compliance
DEP File #81-1025
Map 21, Block 285; Map 25, Block 284
21-lot subdivision

Ms. Corsano is presenting on behalf of Bristol Brothers Development. The Commission issued an order of conditions back in 2008 and just now seeking the Final Certificate of Compliance. An as built survey was performed and a site walk through with Ms. Schlossl, Mr. Hultin, Crocker Design Group and the applicant.

Ms. Schloss says she has not gone back out to the site but has gone over the photos that were sent. There are some items relative to invasive species management and relative to the stormwater basin. Punch list items that can be done now, some that can be done in the spring, and some for the Home Owners' Association (HOA) in the fall.
Vice Chair Reilly asked if the conditions have been complied with?

Ms. Schloss replied yes. There is an area of encroachment (behind Lots 9 and 10) being watched. The living fence where invasive species are being managed is being watched. We have been told that seeding will be done by J.F. Price this spring. Once we issue the FCOC, I want some assurances and I see that Steve McCarthy is on the call and would like him to explain what they plan to do with regards to the work in the spring.

Mr. McCarthy states that in the encroachment area there will be conservation seed in the spring with a shrub component and they'll do the same behind the living fence next to the vernal pool, clean up the gravel that was there. The Home Owners Association (HOA) agreed to monitor the invasive species and we are contracted with them on the operations and maintenance plan.

Ms. Schloss states in discussions with another round of treatment for the invasive knotweed in the summer or fall, we want to minimize the chemicals. Is that something that the HOA has taken responsibility for?

Mr. McCarthy replied that they will monitor it and they will go in one last time now that they know the secret remedy.

Ms. Schloss stated to the Vice Chairman that this is something that they could work out with a letter that goes with the Final Certificate of Completion (FCOC) and she received an email from them stating that the items will be done.

Given all that has been done since 2008 on this project, these things can be done as they are minor as on-going maintenance.

Vice Chair Reilly asked can we issue a Final Certificate with a proviso with all these minor items will be taken care of by a certain date or does that go against the idea of a Final Certificate.

Ms. Schloss replied that in the past we have voted to issue a FCOC contingent on the applicant doing X, Y or Z. One of her questions was whether the applicant could wait until the spring work was done before issuing the FCOC. Is this document need prior to that, this is a question for Mr. McCarthy.

Mr. Crocker responded that the document itself is important because its really the final piece in order to hand over her the site and on-going maintenance to the Home Owners' Association (HOA) The Home Owners Association (HOA) is teed up and ready to go and contracted on the O&M and this is important to get this document and get it recorded so that transfer can happen. If the commission would consider it like in the past and issue the certificate with a letter accompanying it listing the commitment item's we have agreed to would be a good way to handle it if the commission would so consider.

Vice Chair Reilly stated it sounds fair to him.

Cmmr. Loring said he feels it sounds fair and square.

Vice Chair Reilly then asked Cmmr. Dowd his thoughts and he agreed.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring to issue the Final Certificate of Compliance (FCOC) with the letter that they discussed.

4-0-0- unanimous roll call vote

Metrovision, LLC – Notice of Intent, Public Hearing
Route 3 Right of Way, Opposite 609 and 611 Pleasant Street
DEP File #81-1265
Proposed tree cutting to provide view of billboard on Route 3

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton the Commission voted 4-0 to open the public hearing.

Ms. Schloss introduced John Zimmer who is presenting for Metrovision. She stated she did receive abutter notification receipts and the legal notice was published.

Mr. Zimmer with South River Environmental, we are here for notice of intent vegetation-management within the MASSDOT right of way associated with Route 3 between the north bound lane. There is an existing billboard being lowered approximately 25 ft from concerns from residents west of Route 3 due to the visual impact to those residents. In doing so, we need to remove some of the existing vegetation, some of the tops of the trees to complete that work. Most of the trees have been marked in the area where the maintenance would occur. Work would be done by staged equipment on Pleasant Street. We will not go into the buffer zone or wetland. About 30 trees need to be limbed or topped for the visibility from the highway.

A planting strategy of trees and shrubs is being discussed to preserve wildlife habitat in the resource area. Remove some of the sediment which is located within the intermittent stream. One of the concerns Ms. Schloss raised was the amount of sediment into the stream from the core property itself. Mr. Bristol would be amenable to put a treatment in to minimize the amount of sediment into that stream for approval from the Commission and DOT. This would be done prior to any work being conducted.

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Vice Chair Reilly was out there last week and asked if they put the slide presentation up for this meeting and to put it on now.

Cmmr. Singleton while waiting wanted to raise a point of procedure that the administrator wrote about a lack of response to her questions. There are a lot of unknowns still here. I want to make it clear that there are major issues here that could impact our decision.

Mr. Zimmer stated those concerns were answered during the site walk. However, they would be put in writing if they requested.

Mr. McClary outlined the area where the tree removal would happen. Photos were shown where the 20 ft lowering would occur from the highway viewpoint.

Vice Chair Reilly asked if the trees are trimmed or partially cut how would that impact the sign for the residents on the other side of the highway.

Mr. McClary reminded the Commission that once the winter is over and the trees fill out again you will not be able to see the sign if it is lowered and the trees are not cut. He states that this was the request of the residents to lower it to this height.

Ms. Schloss wanted to reiterate that info was received and sent out by email, including the PowerPoint presentation that was just shown with the tree inventory a total of 31 trees. This was sent out to the Commissioners in the last few days and want to completely understand everything that was tagged and painted. We do have some questions. One large white pine was painted but not tagged, it is adjacent to tree number 278. Confirm if that tree were to come down? There are 4 large pines, 3 had no paint and no tag.

Mr. McClary displayed an email from Carl Brodeur the Arborist who was also on the call.

Mr. Brodeur said the trees that are in the wetland area, need to be removed. If they were cut down low, they would die anyway leaving stalks. If cut lower it may promote suckering and more growth. Any of the trees on the cutting inventory had silver tags on them. He walked the site with DOT during the last week to go over all of this. The area was originally marked out in 2019 with the wetland area and the buffer zone. He will do another walk through if needed. They did prune a lot of trees last December and opened it up to see the sign.

Mr. Zimmer added one of the things they discussed was losing some of those trees is not a bad thing because over time they will provide additional wildlife habitat. There is a benefit to leaving some stems by cutting the trees higher up.

Ms. Schloss asked if the suckering would happen if we cut them lower. If we leave them taller, we have more a snag, if cut lower it may provide more vegetative growth. She asked Mr. Zimmer to go over the process and clarify the cutting, pruning, why one is better on some and not other.

Mr. Zimmer and Mr. Brodeur went over again the process of pruning. Cutting or removal and what would be beneficial to this site and specific species.

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Ms. Schloss and John Zimmer conversed at length on the types of species there, the remediation for some of them, the long-term effects over 20-30 years.

Mr. McClary states they are willing to do whatever they need to do within reason.

Vice Chair Reilly asked the applicant to elaborate on plans for sediment control in the stream.

Mr. Zimmer states Mr. Bristol is open to accommodating this request. They could possibly treat the water before it goes into the culvert and discharges out.

Ms. Schloss said there is a lot of flow and a forebay at the outlet probably is not going to provide much treatment. Maybe a grit chamber up-stream would be better, but she welcomes the opportunity to talk to the Bristol's as this is an on-going issue. Not sure how to work this into the order of conditions, it would be nice to think we can address that with the owners.

Mr. Zimmer recommended maybe a condition could be built in and implemented when the cutting season is done maybe right after since no more disturbance; could set a date for the water quality improvements.

Ms. Schloss said it depends, if it is a larger system not sure of what date that could happen. We can word something that states we received a commitment with water quality to be worked out. Another question she has is whether the mitigation plan needs to be worked out with MASSDOT as well.

Mr. McClary says that the wetland issues are controlled by the Town of Weymouth. MassDOT will say they will not touch anything until they get Conservation approval. The remediation monies will come from the applicant or from the remediation monies they pay to MassDOT.

Ms. Schloss asked if that serves as a performance guarantee for the Commission as well to know that money will be set aside for improvement. Does anyone understand that process?

Mr. McClary stated, whatever your Order of Conditions will be, will be attached to the State permit, and we have to perform to that level. Just because it is on their property, we have assurance through their authority that it will get done.

Ms. Schloss is there a need for a performance guarantee. Will the state be holding those funds for the plantings?

Mr. McClary replied no. There will not give performance guarantees. It is based on a system of evaluation. Until the applicant provides a certified check to the state, they will not get their permit. It is a performance guarantee before setting a foot on their property.

Ms. Schloss funds would be set aside for that work?

Vice Chair Reilly asked if they would pay the funds to us instead of the state?

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Mr. McClary said you can request that of the state. They are going to request the money be given to them and then they will give a letter to you that a portion of the money in the spring plantings once completed we will release these funds to whatever companies are decided to do the work. This is to complete our remediation.

Mr. Luongo said it is a choice between the lesser of two evils, in terms of the visual impact to neighbors at the current billboard height vs. the tree cutting needed to lower the billboard. Urge the commission that if they are going to look favorably on this that they give the discretion to Ms. Schloss the details of tree cutting, mitigation and filtration system coming out of the quarry so it can be done administratively.

Cmmr. Singleton states he agrees with Mr. Luongo because, based on what was submitted tonight, there is a lot of stuff that needs to be delegated.

Public Comments:

John Delaney 147 Belmont Street *when applicants plant trees outside the buffer zone will they plant trees on the Bristol's property to shield the quarry and could we see a planting plan.*

Vice Chair Reilly responded that we could get the applicant to respond to that, but it is outside the Commission jurisdiction.

Mr. McClary states to the extent that the trees are on the Bristol's property, we can attempt to do that. Tonight, I cannot answer anything outside the buffer zone.

Mr. Delaney asked what about removing the vegetation since it is a block as far as pollution and dust. Once the trees are down it will make it worse. He wanted to make the public aware there will be severe exposure on the quarry side and the pollution will affect everybody regardless of where they live. Understand the full ramification of removal of these trees before taking a stand.

Vice Chair Reilly reminded him that anything on the south side of the billboard is not in the jurisdiction of this Commission we are concerned with the wetlands on the North side.

Bob Delaney 27 Belmont Street *earlier Mr. McClary was referring to performance issues with regards to the state and monies. Would it be possible to transfer those monies to the town of Weymouth. He recommended as part of the terms and conditions if this board and this commission so find it favorable to act to include a performance bond to insure, that the town is protected monetarily that all line items are adhered to. Companies normally post a performance bond and once the work is completed that was agreed upon this would guarantee such. He also suggests that Ms. Schloss received documents in the last hour that may or may not have been put forth to commission members if these were pertinent maybe this meeting should be continued until residents understand more clearly.*

Amy Kabilian 7 Kipling Road *she is one of the affected residents and a leader of the group to get the billboard lowered. We are often referred to as the Drive in Theatre neighborhood. We need these trees to be cut and get this billboard lowered. It will help the overall look and feel the light is very bright. We signed an agreement with Cove to get this done over a year ago. The neighborhood remediation agreement where they asked Cove to plant on her side of the highway as a visual barrier and they agreed*

to see what they could do. We do not want the billboard light we have other issues with the smell of the asphalt plant.

Ed Palmer 93 Century Road *we would like to be talking about planting trees instead of cutting trees. If the Commission acts favorably on this action it is part of the remediation agreement with Cove from over a year ago to lower the billboard 20-25 ft with light blocking technologies, additional plantings this would remediate the issues.*

Tricia Pries 15 Woodbine Road *sediment coming into the stream from the quarry and Mr. Bristol and it should be handled as a separate violation and should not be included in any point of negotiations. Why is conservation getting involved now on the billboard the cart is before the horse, again! It seems this is intentional skirting of conservation and hear Mr. Luongo said it is the lesser of the two evils. That is horrific how did the town get into this situation with two neighborhoods getting pitted against each other. Glad there is recognition to hear there is a planning strategy and as you lower the tree canopy it changes the habitat, and can it be recreated and there is no definitive statement leading her to believe that this can be done. We are getting hooked into a never-ending schedule of meetings about this billboard. Remove the billboard it never should have been there. This is a blatant disrespect for the town and for the efforts of everyone on this committee.*

Ms. Schloss asked if we still had the ability to talk with the applicants and reps and then close afterwards. She does not want to violate if we need to ask any further information.

Details on an order of conditions:

- *Get a mitigation plan for commission review and approval.*
- *Decide on the timing for receipt of the mitigation plan*
- *Draft plan in place to review and work with MASDOT landscaper and our comments being incorporated into the final plan and we would want to maximize the native shrubs small trees invasive management plan as discussed,*
- *Removal of sediment,*
- *Cut and remove invasives,*
- *Protection measures during the work, work to be overseen by a licensed arborist,*
- *trees to be cut marked with survey flagging, review with conservation prior to cutting.*
- *Wood not left in the wetlands we want room for planting. Logs for habitat if approved by conservation,*
- *No equipment, or vehicles within the Bordering Vegetated Wetland (BVW)*
- *When is the work being done, winter, spring? Do not cut anything with active bird nests.*
- *Regarding the sediment removal, not sure how exactly we tie it in. Would be nice to have some improvements there.*
- *Performance guarantee commission should discuss amongst itself.*
- *Make sure trees are not cut and we do not get restoration with an insurance bond or some cash guarantee.*

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring the Commission voted 4-0 to close the public hearing.

Vice Chairman Reilly wants to move to approve the project contingent upon getting information and let Ms. Schloss have final determination.

Rob Luongo suggested all the items Ms. Schloss mention all those items can be talked about with Mr. McClary some of this stuff might be performance guarantees, some of this is covered under the billboard relocation agreement amendment. You do not get the permit unless you get money up front. All this can be worked out giving you the discretion to work out the final details.

*On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted to issue an Order of Conditions with any special conditions discussed here tonight.
4-0-0 unanimously roll call vote.*

Other Business

Regarding request for letter of support for CPC Application for Land Acquisition, Ms. Schloss turned it over to Mr. Hultin to present.

Mr. Hultin stated that Matt Tallon of the Idlewell Neighborhood Association is preparing a CPC Application to acquire some land in the Cadman area along Fore River. It is approximately 6.6 acres. He has submitted to Planning Department and he asked if the commission would go along with it.

On a motion made by Cmmr. Singleton to support the request, seconded by Cmmr. Loring and opened discussion on the motion.

Mr. Luongo responded that he had not seen the letter from Matt Tallon.. Mr. Hultin stated that it was a request for a general letter of support on behalf of the Commission that they are in support of the application. Mr. Hultin is to notify the petitioner.
4-0-0 unanimously roll call voted.

Re-organization of the Board

John Reilly said that he is comfortable stepping into the Chairman role until the reorganization in June, unless anyone else is interested. None of the Cmmrs. voiced interest. This leaves a Vice Chairman opening. Chairman Reilly asked if anyone was interested. Cmmr Singleton stated that he would be interested.

On a motion made by Chairman Reilly, Cmmr. Loring nominated Frank Singleton to Vice Chairman.
3-0 unanimously voted roll call.

Ms. Schloss stated there will be a site visit on Thursday the 28th at 1:00 with the DEP on the superseding order of conditions for the Lovell Field Bridge. She requested that anyone wanting to attend should email to her. The visit will take approximately one hour.

CPC Update

There was no CPC meeting, so there is no update.

Herring Run Update

Cmmr. Loring stated the run is clean, it looks good, just waiting for the Herring and Smelt.

Conservation Report

Ms. Schloss stated she emailed everyone late in the day. Please review and call her with anything that you wish to discuss. We are dealing with couple of issues with tree removal at the 52 Brewster Road project. This summer there was redevelopment of a house. Debris was dumped in the back and they were asked to remove it, including an old dock. The new owner cut down a large tree that is now sitting in the wetlands. Mr. Loring and/or Mr. Singleton may have to go there and look at it with her. It needs to be taken out, opposed to leaving it there. Arborvitae that the builder put in the back is all dead. The soil there is bad, but the new owner did plant some trees on the side. Ms. Schloss will be looking for feedback on what you may want to do to remedy.

180 Essex Street proposed tree removal which is very close to the wetlands and she may need input on what to do there as well.

Whitman's Pond vegetation Management project will be starting. It is contracted with ESS with a kick-off meeting on this Friday. Just a small internal group DPW, Conservation, Mayor's Office, and applicant. She will be reaching out to Cmmr. Loring regarding Herring and water issues since it will be focused on dredging and herbicides. If anything comes out of this, the proposals will come to Conservation.

Hazard mitigation plan: the town need to do their update. The project will be kicking-off the first week of February which will involve climate preparedness and vulnerability work.

Cmmr. Dowd asked if they could go back to the dredging and the herbicides, where those will happen.

Ms. Schloss said primarily in the South Cove and there is potential for some by the boat ramp. The herbicide needs to identify where and what products would be suitable on the main basin, by the boat ramp and maybe on the West Cove. Ms. Schloss will provide an update next month.

Vice Chairman Singleton asked Ms. Schloss to give an update on the Sediment Nutrient Uptake Pond (SNUP) on Libbey Parkway. The system in there is not working. Is it causing problems with fish laying eggs? Will it be ready for a short presentation looking at plan with engineering?

Ms. Schloss responded yes, the dam may need to come down and she will report back on that. Engineering would like to look at the functionality of it all, before tearing it down.

There are a bunch more submittals coming in on some large projects. One thing she has asked Mr. Luongo about was water use concerns. A lot of stress under existing conditions, with the Herring in the fall sometimes not having enough water. We need to ensure there is sufficient water in rivers, streams and ponds for the future.

Weymouth Conservation Commission
Meeting Minutes
January 26, 2021

Adjournment

On a motion made by Cmmr. Loring, seconded by Chairman Reilly voted 4-0 to adjourn at 9:45 pm.



John Reilly, Chairman Date