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FINAL

WEYMOUTH CONSERVATION COMMISSION MEETING
TUESDAY, DECEMBER 14TH, 2021 2022 JUL 20 AM 10:26
MCCULLOCH BUILDING, 182 GREEN STREET
MARY MCELROY ROOM
7:00 P.M.

Alternative Virtual Access Available Via Webex

Present: John Reilly, Chairman
Frank Singleton, Commission and Vice Clerk
Scott Dowd, Commissioner and Clerk
George Loring, Commissioner
Al Donovan, Commissioner

Remotely: Mary Ellen Schloss, Conservation Administrator

Also Present: Andrew Hultin, Assistant Conservation Administrator
Ann Flynn Dickinson, Recording Secretary

1. Minutes – July 27, August 24 and August 25

Cmmr. Loring requested to amend the minutes on August 24, 2021 on Item 10 to fill in Cmmr. Donovan and Cmmr. Loring, motioned and seconded for Item 10.

Motion was made by Cmmr. Loring and seconded by Cmmr. Dowd to accept the minutes as amended.

5-0 Unanimous rollcall vote

**2. Charlotte Street & 0 Finnell Drive – Notice of Intent, Public Hearing
Bristol Brothers Development Corp, James Bristol
DEP File #81-1272
Map 36, Block 452, Lot 9 & Block 423, Lot 4
New Driveway to access Finnell Drive property**

Applicant has requested a continuance to another date to be determined

Motion was made by Cmmr. Donovan and seconded by Cmmr. Dowd to continue to a later date to be determined.

5-0 Unanimous rollcall vote

3. **104 King's Cove Beach Rd – Notice of Intent, Public Hearing, Continued**
DEP File #81-1278; Map 4, Block 55, Lot 38
Gilvan Mirnada
After-the-fact filing for concrete pad and fence

Applicant has requested a continuance of the public hearing until January 25, 2022. With no discussion or testimony on this case:

A Motion was made by Cmmr. Loring and seconded by Cmmr. Dowd to continue to the January 25, 2022 meeting.

5-0 Unanimous rollcall vote

4. **69 Norton Street – Notice of Intent, Public Hearing, Continued**
DEP File #81-1281
Jimmy Kelly, Bert's Boatyard
Map 10, Block 128, Lot 4
Construct/replace existing shoreline revetment

Applicant has requested a continuance of the public hearing until January 25, 2022. With no discussion or testimony on this case:

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to continue to the January 25, 2022 meeting.

5-0 Unanimous rollcall vote

5. **44 Wharf Street – Minor Modification**
DEP File #81-1257, Map 19, Block 172, Lot 25
Michael Kiley
Install holding tank for sewage flow

The applicant Michael Kiley was here to present. He would like to add two sewage holding tanks to the project. They will hold about 1 full day of storage capacity each.

Mr. Hultin stated the tanks would be located within the existing limit of work. Conservation staff also recommend that the applicant not be required to remove large granite stones from the adjacent stream, as required in the Order of Conditions. Ms. Schloss stated it was included in the Order of Conditions (OOC), but there are concerns that removing the stones could cause damage and erosion to the stream bank.

A Motion was made by Commr. Loring and seconded by Cmmr. Donovan to allow this modification.

5-0 Unanimous rollcall vote

6. 106 Circuit Ave – Final Certificate of Compliance
DEP File #81-138
Robert E. Winer, Esq
Map 33, Block 429, Lot 25
Slope stabilization

Robert Winer, Esq. was here to present for the applicant. They want to sell and close this on Thursday, during the title examination they found an outstanding Order of Conditions (OOC) from 1979. The work included backfill and construction of a 12 foot terrace to shore up a slope. A site visit was conducted on December 7th and it appears that the work has been done in compliance with the OOC.

Mr. Hultin stated the original plan was difficult to read but we were able to determine what the plan entailed. After 40 years, the slope is very steep with a lot of vegetation material placed on that slope and it is tough to say with certainty that the work is complete. Conservation staff recommended that loose plastic debris be removed from the slope prior to issuance of a certificate of compliance. The applicant will provide photos that the debris has been removed. The new homeowner needs to be aware that the slope is under conservation jurisdiction.

Ms. Schloss recommends the issuance of the Final Certificate of Compliance once proof has been provided of the debris removal.

A Motion was made by Cmmr. Donovan and Cmmr. Loring to issue the Certificate of Compliance after photo proof has been received.

5-0 Unanimous rollcall vote

7. 59 Lakeview Drive – Notice of Intent, Public Hearing, Continued
DEP File #81-1277, Map 30, Block 386, Lot 1
Tayson Ng
Demo and rebuild of single-family home

A continuance has been requested to continue this until the January 25, 2022 meeting.

A Motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to continue this until the January meeting.

5-0 Unanimous rollcall vote

8. 210 Commercial Street – Request for Determination, Public Hearing
Dylan Patnaude
Map 16, Block 199, Lot 8
Proposed fence & paving

A motion was made by Cmmr. Loring and seconded by Cmmr. Dowd to open the public hearing

5-0 Unanimous rollcall vote

Dylan Patnaude was here to present. He is proposing site improvements in the rear of 210 Commercial Street including a chain link fence, reconfigured paving area, gravel and plantings.

Mr. Hultin stated he did a site visit with Mr. Dylan Patnaude and Cmmr. Singleton last Thursday. Mr. Hultin showed photos of where the minor changes would happen which is on riverfront area. A revised site plan was displayed to best describe the area to be replaced.

Mr. Hultin's recommendations are:

- Issue conditions as part of a determination
- Crushed stone should be a minimum depth of four inches and no closer than 3 feet to the retaining wall.
- Vegetative buffer along the retaining wall
- Broken asphalt and other debris to be removed

A Determination would have to be a Negative 2 determination with the noted conditions. A Motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to close the public hearing

5-0 Unanimous rollcall vote

A Motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to issue the Negative 2 Determination with any special conditions mentioned tonight.

5-0 Unanimous rollcall vote

9. Massapoag Subdivision – Notice of Intent, Public Hearing
James Bristol, Weathervane Massapoag LLC
DEP File # 81-1286
(Map 44, Block 504, Lot 8 & Block 505 Lots 1 & 2)
Seven Lot Subdivision

Mr. Gabe Crocker was present to represent the applicant, Jim Bristol. This is a request to build 7 new single-family homes as part of a new subdivision located as an extension to Massapoag Street. This project had appeared before the commission as an ORAD in 2019. This project is a buffer zone project with bordering vegetated wetlands surrounding the site. The roadway is outside the buffer zone and has already been completed. A site visit was done on Dec 13th with the applicant and commission members. Two infiltration basins area proposed to take site runoff including the road. The project will stay out of the 25-foot buffer with an average of 53 feet of buffer for the whole site. The applicant has received comments from engineering and conservation, they will be working to address those comments and resubmitting updated plans.

Mr. Hultin recommended the following:

- Preserve the 25 foot No Disturb area
- long term protection of the limit of disturbance using boulders or post and rail fence
- quantify number of trees to be taken down
- Photos were displayed of the debris to be removed
- Existing septic needs to be removed
- Outline what landscaping is proposed to look like, should use native species

Ms. Schloss states that Engineering comments that need to be addressed are on page 7 of the Comment Letter (See attached). This is a critical area, the wetland is tributary to an Outstanding Resource Water, should be noted in the stormwater report. Would like to understand the number of trees to be removed.

A Motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to continue this item until the meeting in January.

5-0 Unanimous rollcall vote

10. Other Business

An Eagle Scout named Dominic reached out to do a stream crossing in Cavern Rock Park with pressure treated timber nothing is dug or permanent the bridge just sits across on timber footings. One sapling needs to be cut and proposing a general clean up of the park.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Donovan to approve this project as requested by Dominic.

5-0 unanimous rollcall vote

11. CPC Update

Cmmr. Loring reports there was no meeting so there is no update

12. Herring Run Update

Cmmr. Loring gave an update that the Iron Hill project meeting was held on December 9.

13. Conservation Report

Mr. Hultin updated the Commission on the noteworthy items:

Incinerator Demolition- pre-con meeting will be sometime in the coming week

109 Regatta Road slope failure – received final plans that have been approved by the Engineering Division and our consultant and we are ready to issue the emergency certification once contractor is on board.

Pleasant Street billboard project- sediment removal mitigation work being done later this week

MassDOT Neck Street drainage project got a new trash rack

Compliance and enforcement at 73 Puritan Road—Got restoration report and were on site, plantings look great, fencing being installed and we are working on signs. Want Conservation staff to do the ongoing monitoring. Ms. Schloss would be open to having staff go out twice a year and if anything is concerning, the Commission could require the consultant to be brought on board at the applicant's expense.

Tree removal 22 Lester Lane two red maple trees are set for removal. We only approved two out of four that were requested, one of which came down on its own.

Iron Hill Park had second meeting on December 9 and we received good feedback on the three different designs.

Whitman's Pond Vegetation Management Plan received comments and will finalize the plan by the end of the year and probably anticipate a Notice of Intent (NOI) of management strategies will be submitted in February.

Planning Dept. review in 1441 Commercial Street, Jackson Square Redevelopment of site with a four-story residential building within river front and will be filing with us.

Proposed fence at 53 Jessica Lane within 25 feet of wetland, in a partially disturbed area.

Under the Wetlands Protection Act this would be an exempt activity that would not require a filing, but under local no disturb regulation, the Commission might require a filing. Owner says he is not intending to remove any trees; he just wants to make the delineation of the property more clear. The question is should a filing be required?

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to require a filing.

5-0 Unanimous rollcall vote

Gas Line Greenvale Ave. has re-notified us of their intent to replace 535 feet of pipeline of cast iron with plastic. Horizontal drilling maybe required under the stream. We can clarify at next meeting.

14. Adjourn

A Motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to adjourn at 8:10 pm

15. Next regularly scheduled meeting – Tuesday, January 25, 2022



Scott Dowd, Clerk

Weymouth Conservation Commission
Meeting Minutes
December 14, 2021

Respectfully submitted by,

Ann Flynn Dickinson
Recording Secretary

