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**WEYMOUTH CONSERVATION COMMISSION MEETING**

**TUESDAY, FEBRUARY 28<sup>TH</sup>, 2023 APR 28 AM 10:49**

**McCulloch Building 182 Green Street**

**Mary McElroy Room**

**7:00 P.M.**

**Present:** Frank Singleton, Commissioner and Vice Chairman  
George Loring, Commissioner  
Scott Dowd, Commissioner  
Al Donovan, Commissioner

**Not Present:** John Reilly, Chairman

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

Vice Chair Singleton called the meeting to order at 7:00 p.m.

**1. Minutes –No Minutes**

**2. 29 Woodside Path – Enforcement Discussion**

**William New**

**Map 34, Block 434, Lot 27**

**Unauthorized vegetation removal within buffer**

Mr. Hultin displayed photos for the audience to follow. He reminded the Commission this was a long-standing violation that they are looking to conclude. The issue began with vegetation cutting in the buffer zone to Whitmans Pond back in 2001. A Notice of Violation (NOV) was issued and an Enforcement Order (EO) this past August. A plan to restore the area would include the following:

- Pull back the fence by approximately 5 feet from edge of pond
- Remove the cut vegetation from the Wetland edge
- Plant a line with approximately 10 shrubs and allow area to revert back to buffer
- Remove 2 hazard trees on the site that were damaged in storms

Property owner asked to keep the apple trees to remain. The homeowners agreed with the above plan.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to accept the proposed plan for restoration.

4-0 Unanimous roll call vote

**3. 824 Washington Street – After – the – fact Notice of Intent, Public Hearing  
Robert St. John, 824 Washington St., LP C/O Messina Enterprises  
DEP File #81-1302  
Map 30, Block 379, Lot 9  
Stabilization and repair of failed culvert**

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to open the Public Hearing.

4-0 Unanimous roll call vote

Mt. Hultin explained that most of the work was already complete under an emergency order after part of the parking lot started to sink due to the failed culvert. Mr. Hultin displayed the final plans for audience to view.

Present were Rob St. John, who represents the applicant, and GM2, their Engineers. They have held weekly meetings with the Town throughout the project. They hope to pull up stakes by the end of this week. Then move forward with the Order of Conditions to finish up the site.

Eric Carlson, Chief Engineer with GM2 explained they started the work back in September and followed what the Town requested in two phases:

- Phase 1 - Enabling and site stabilization
- Phase 2 – Rehabilitation and reconstruction

He walked through the plans, highlighting completed and upcoming construction, for the Commission and the audience.

Mr. Hultin showed some photos and recommended to issue an Order of Conditions (OOC). Remaining work includes

- Newly created slopes will be stabilized in any area with a 3 to 1 slope
- Any disturbed areas not contained by riprap shall be seeded with conservation mix
- Planting of two red cedars and chokeberries at top of slope
- Fence must to go back up
- Trash on-site must be removed

Concern was raised about potential sediment buildup at the exit of the culver. The Commission reserved the right to require any immediate and long-term maintenance of the system that may arise in the future.

Comments from the Public:

**Philip Lofgren, Herring Warden Weymouth,**

Phil would like the Commission to walk to area to make sure that this project has not added to silting in that area. He also expressed concern that the herring spawning area would be impacted if construction was occurring during the run. The contractor said that work was almost done and work would be completed by the arrival of herring.

With no further comments from the Public,

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to close the Public Hearing.

4-0 Unanimous roll call vote.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue an Order of Conditions with all the special conditions mentioned during the hearing.

4-0 Unanimous roll call vote.

**4. 69 Norton St – Request for Final Certificate of Compliance**

**James Kelly, Bert's Boatyard**

**DEP File #81--1281**

**Map 10, Block 128, Lot 4**

Mr. Hultin recaps that the Commission permitted this project about a year ago. The project was completed this summer. The seawall was rebuilt to the specifications of the license approved plan and everything looks good. We recommend issuing a Final Certificate of Compliance.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue a Final Certificate of Compliance.

4-0 Unanimous roll call vote.

**5. Fort Point Seawall Repair – Request for Final Certificate of Compliance**

**Town of Weymouth Department of Public Works**

**DEP File #81-1088**

**Map 2, Block 12, Lot 10**

**Seawall repair**

Mr. Hultin showed plans for the Commission and audience to view. He went into detail about replacement of the seawall. The town needed a short-term solution for a failing revetment, adding 800 feet of estone revetment to existing seawall. The town engineer provided a letter stating the work was done to plan. The larger seawall project will be coming before the Commission later in the summer. He recommends issuing the Final Certificate of Compliance.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue the Final Certificate of Compliance.

4-0 Unanimous roll call vote

**6. 32 Beecher Street – Performance Bond Release  
Ryder Development Corporation  
DEP File #81-1250  
Map 30, Block 387, Lot 24**

Mr. Hultin reminded the Commission that OOC was issued for this project in 2020 this was a for the construction of a new home. A Final Certificate of Compliance was issued, but a performance bond was held to ensure the two-year monitoring of restoration area was complete. A report was prepared by Brad Holmes showing that some plants did not survive but the area did achieve a 75% survival rate. Conservation sign posts were required and posted. Mr. Hultin recommends releasing the Performance Bond.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to release the Performance Bond.

4-0 Unanimous roll call vote.

**7. 137 & 141 Wessagusset Rd – Minor Modification to Order of Conditions  
Ronald Cavallo  
DEP File #81-1255 & 1256  
Map 4, Block 36, Lots 3 & 4  
Removal of rain garden from approved plan**

Mr. Hultin reports this project was permitted back in 2019. The original plan called for two small rain gardens at the rear of these properties. The rain gardens were part of the plan to mitigate potential flooding. The Applicant changed his mind and does not think the rain gardens would help with flooding, and could also be breeding grounds for mosquitos and a hazard to children.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to allow the applicant to remove the rain gardens.

4-0 Unanimous roll call vote.

**8. Other Business**

- **Ethics Training** – Mr. Hultin stated that all Commissioners must complete the ethics training and provide proof of completion.

**9. CPC Update**

Cmmr. Loring reported he was not able to attend the meeting so he has no report.

## **10. Herring Run Update**

Cmmr. Loring reports that the old building at Iron Hill is down as planned. There is ongoing maintenance of the run by the Wardens.

**Phil Lofgren**, confirms the building was removed. He expressed concern about soil condition as he believes that town departments had been storing and working on hydraulic equipment in the building. He requested plugging a remaining drain hole to ensure no soil or potential unknown contaminants flow into the adjacent herring run.

Mr. Hultin states the Town took it down as part of improvements to the park. He will request the drain hole be plugged.

**Linda DiAngelo, Back River Watershed Association** supported plugging the hole.

## **11. Conservation Report**

### **Ongoing Construction (Partial list)**

- 824 Washington Street culvert repair – the repair is largely complete, working on slope stabilization.
- Hanover Project – the team has complied with the minor modification. They delineated their new limit of work and provided a revised planting plan as requested.
- 137 & 141 Wessagussett Rd – previously discussed

### **Compliance and Enforcement and Complaints**

- 541 Front Street- Mr. Hultin spoke with property owner and informed him of the issue and provided guidance on how to proceed, including appearing before the commission. Progress expected to begin in March
- 115 High Street, ongoing complaints from adjacent property owner about possible wetlands filling. Letter sent to property owner.
- 137 & 141 Wessagussett Road- workers on site had deposited dirt and debris beyond the limit of work and into the adjacent phragmites marsh. A notice of violation was sent to the property owner and the dirt was promptly removed.

### **Other projects**

- SNUP Dam Removal – The team has agreed on a plan for SNUP removal. One element is bringing down the bank of the river to pre-SNUP elevations. This will allow for connectivity to the floodplain. The team is currently working on the permit-level design and hydrological studies. Next phase is funded, but alternate funding needed for final design and permitting.
- Whitman's Pond Vegetation Management- OOC was appealed to DEP. We had a site visit on February 16, 2023. The Town is waiting on DEP's decision.
- Osprey Overlook – The Commission has connected with a volunteer conducting significant beach clean-up projects across the Boston Harbor area removing marine debris from marshes. He plans to clear 1-2 tons of material and we are getting a dumpster on site for him.
- Lovell Pedestrian Bridge- test borings dug on both sides of river by proposed bridge location, site is stabilized.
- Fore River Trail – the Town signed a contract with Woodard & Curran for feasibility and design for a trail from Commercial Street through saltmarsh and connecting into the Idlewell neighborhood.
- Eversource vegetation management – maintenance work in Braintree received some negative public input in recent weeks. There is work proposed in Weymouth, but the scope is less than Braintree. Heightened awareness.

#### **Planning Department Reviews**

- No new Planning Dept. Reviews – Still waiting on 158 Park Ave West. Next planning review might be the Union Brew House with a redevelopment of that site.

#### **Next Meeting**

- March 28, 2023. New filings may include:
  - 158 Park Ave West
  - 64 Gilmore Rd

#### **12. Adjourn**

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to adjourn the meeting at 8:15 p.m.

#### **13. Next regularly scheduled meeting – Tuesday, March 28, 2023**

Weymouth Conservation Commission  
Meeting  
February 28, 2023

Weymouth Conservation Commission Minutes February 28, 2023

  
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Scott Dowd, Clerk

Respectfully submitted by,

Ann Flynn Dickinson  
Recording Secretary