

WEYMOUTH CONSERVATION COMMISSION MEETING
TUESDAY, September 27th, 2022 2023 FEB -6 PM 2: 50
McCulloch Building 182 Green Street
Mary McElroy Room
7:00 P.M.

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

Not Present: John Reilly, Chairman
Ann Flynn Dickinson, Recording Secretary

Also Present: Mary Ellen Schloss, Conservation Administrator
Andrew Hultin, Assistant Conservation Administrator

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

1. Minutes – July 26th

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Dowd to approve the minutes as written.

4-0 Unanimous rollcall vote

**2. 1197 Washington Street – Request for Final Certificate of Compliance
Crocker Design Group
DEP File #81-22
Map 35, Block 447, Lot 3
Close out old Order of Conditions for work at Weymouth Elks property**

Ms. Maggie Laracy from Crocker Design is here to present.

Ms. Laracy went through where they started with the 1975 Order of Conditions which gave approval to fill wetlands in the south end of the site. It required a drainage ditch to convey flow between the two wetlands on either side of the parking lot. A plan on file from 1978 showed filling of a portion of that ditch. In 1993, the BZA granted approval for the Elks Lodge to add 75 parking spaces and that is when the drainage pipe that is there today was installed.

Mr. Hultin stated that this is just an old Order of Conditions that needs to be closed out. There are some missing pieces relative to the culverting of that ditch in the early 90's, but Staff recommends a issuance of Final Certification of Compliance. There are no continuing or outstanding conditions at this time.

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

4-0 Unanimous rollcall vote

3. Greenvale Ave Gas Main – Request for Final Certificate of Compliance
Boston Gas Company
DEP File #81-1260
Greenvale Ave Right-of-Way
Gas Main Installation

Kelan Koncewicz from VHB is here to present for the applicant Boston Gas Company. He brought the Commission up to date on the work that has been completed. They have no concerns and the work has been completed.

Ms. Schloss states she has been out to the site and the roadway has been repaved curb to curb, erosion controls are gone, everything is stable, she was able to be present during the Hydraulic Directional Drill to observe and there were no problems. The staff is recommending the issuance of the Final Certificate of Compliance.

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

4-0 Unanimous rollcall vote

4. 824 Washington Street – Supplemental Enforcement Order
FX Messina
Map 30, Block 379, Lot 9
Stabilization of collapsed culvert

Greg Fleming from Marione, Shaunessy & Udy
Joe Harnan with FX Messina
Eric Carlson, Chief Engineer with GM2 Associates
Erik Rollserr Design Engineer with GM2 Associates
All here representing FX Messina

Ms. Schloss brought the commission up to speed starting with the meeting they had last month where the Commission voted an initial enforcement order and Emergency Certification to repair the collapsed culvert in what was supposed to be a two-step process

1. Temporary stabilization
2. Then file a Notice of Intent for the permanent repair

Then the expert contractor and engineering firm were brought on and thought it should be a one-step process instead of two, in that the permanent repair should immediately follow the stabilization. She described in detail what that would entail.

Ms. Schloss is presenting a draft supplemental Enforcement Order for the Commission's review and approval. She handed out the draft of the language to all that are here representing the applicant.

Mr. Carlson spoke to the Commission about stabilizing the work area and the plan to do so in detail as follows:

- Depower the transformer
- Construction area is all fenced
- Install erosion controls
- Install water controls and bypass systems to create a dry work area
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- Remove sediments from the pipe failure area
- Install a temporary pipe inside the failure area
- Fill the voids and backfill so can work in the failure area

Mr. Carlson stated that they are hoping to complete the stabilization in mid-October. The current plan is to construct a cast-in-place box culvert to replace the failed pipe. They hope to complete the repair by the end of the calendar year.

Ms. Schloss states there are weekly progress meetings set up that the staff will attend to follow the work and keep updating the Commission. She then walked through the Supplemental Enforcement Order that the Commission has a copy of. The Supplemental EO would allow the permanent repair to be conducted as part of the Enforcement Order, rather than waiting for a Notice of Intent and Order of Conditions before conducting the permanent repair.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue the Secondary Supplemental Enforcement Order with the modification discussed here tonight

4-0 Unanimous rollcall vote

5. 86 Prospect Hill Dr – Request for Determination, Public Hearing
James and Jane Kirk
Map 3, Block 4, Lots 28
Proposed deck

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to open the public hearing

Mr. & Mrs. Kirk were here to present. They are requesting to build a deck on the back of their house. It will be 12 x 16 ft with a 3 x 16 stairway to the side of it. Photographs and the proposed plans were shown to the audience.

Mr. Hultin stated the coastal bank itself is a resource area. There is a 100 ft buffer zone to a coastal bank, 27 ft away, so they are just outside of our 25 ft no-disturb buffer. Our main concern is excavation of footings and making sure no materials make it to the coastal bank. The Staff recommends a Negative 3 Determination.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Dowd to issue a Negative 3 Determination with standard conditions.

4-0 Unanimous rollcall vote

6. 52 Lintric Drive – Request for Determination, Public Hearing
Mark Kieran
Map 50, Block 572, Lot 26
Proposed above-ground pool

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

Applicants are not available at this time. Item will be moved to the end of the Agenda

The item was taken out of order and was heard following the 792 Middle Street case (item #9). At that time, a Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to open the Public Hearing

Mr. Mark Kieran was here to present. The above ground pool is 15 x 30 ft. It does abut the wetlands. He has plenty of room on one side he has 32 ft and the other he has 30 ft.

Mr. Hultin states it is an above ground pool in an existing lawn area that is fenced in. The wetland is just beyond the fence. We would do our Standard Conditions for above ground pool, they will be using a cartridge filter as not to produce backwash. We recommend issuance of a Negative 3 Determination with those standard conditions for pools.

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

4-0 Unanimous rollcall vote

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue a Negative 3 Determination with Standard Conditions for above ground pool.

4-0 Unanimous rollcall vote

7. 22 Paris Street – Request for Determination, Public Hearing
Emad Muntasser, Quitri III LLC
Map 30, Block 382, Lot 21

Proposed Deck

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

Manuel Perez was here to present as the applicant's Project Manager.
The applicant is proposing 6 x 16 ft deck about 38 ft off of the bank at Whitman's Pond.

Ms. Schloss reiterated that they are building the deck which is closer than the 50 ft. and that is why they are before the Commission. Since this property is being sold she is very concerned that the future owners have knowledge of the buffer zone.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Dowd to issue Negative 3 Determination with addition of adding three to four conservation posts.

4-0 Unanimous rollcall vote

8. 73 Northern Ave – Notice of Intent, Public Hearing
John & Linda Gagnon
DEP File #81-1294
Map 40, Block 487, Lot 1
Proposed addition to a single-family home

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

Brad Holmes with Environmental Consulting and Restoration, together with Mr. & Mrs. Gagnon were here to present.

They provided a plot plan for the audience review. Mr. Holmes outlined in the plan where they are bordering on vegetative wetlands and the Mill River. There is a step by step process for erosion controls and plantings.

Mr. Hultin commented this is an addition within riverfront area and within 100 ft of bordering vegetated wetlands. The project is largely on an existing deck area with lawn and gravel combination under it. We do want

- Erosion controls between the limit of work and the wetland
- Standard Conditions to control excavated materials
- Conditions for proposed mitigation
- Mitigation area is currently a landscaped area with existing plants that are not necessarily native. Will want to work in consultation with Brad, the Environmental Scientist, to decide what plants need to be moved and what can be retained as part of the mitigation area.
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- Receive an as-built plan to show the proposed work and the restoration area
- Two years of monitoring for the mitigation area

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

4-0 Unanimous rollcall vote

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue an Order of Conditions, with Standard Conditions plus the conditions outlined here tonight.

4-0 Unanimous rollcall vote

9. 792 Middle Street – Notice of Intent, Public Hearing

Nick Zoppo

DEP File #PENDING

Map 33, Block 430, Lot 4

Proposed retaining wall and site grading

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

Brad Holmes, Environmental Consulting and Restoration was here together with the applicant Nick Zoppo to present. They are proposing a retaining wall and landscape improvements on the property in the backyard. This is single family residence. Plans were shown to the audience. Brad went over in detail with the plan showing where the retaining wall and grading will be. They will repave the existing driveway too.

Ms. Schloss provided pictures for the audience and discussed the elevation with the retaining wall. It is within the 25 ft. buffer and would require the Commission's approval on that. There was also a tree removal plan sent. There is a patch of knotweed on the lawn and is within the vicinity of proposed retaining wall and want measures taken to prevent its spread.

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

4-0 Unanimous rollcall vote

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to issue a standard order of Conditions along with the special conditions mentioned here tonight, once a DEP File # is issued.

4-0 Unanimous rollcall vote

BACK TO #6

10. Compliance & Enforcement Updates

- **29 Woodside Path** – Enforcement Order before us back in August. Staff was out there last week. They provided photos for the audience. The first part of the Enforcement Order:

- Remove pile of wood
- Hire a Wetland Specialist
- Plan for restoration by November 1st for spring planting
- The 25 ft buffer needs to be delineated
- Fence needs to be moved

A little progress has been made

- **Weymouth Club, 75 Finnell Drive**

They will be before us at the next meeting for a Partial Certificate of Compliance (COC) For the parking lot expansion, wetland fill and replication area.

They are working to stabilize the slope adjacent to the parking lot, jersey barriers need to be placed to prevent snowplowing into the wetlands.

11. Other Business

Small grant being administered by the Hingham Land Conservation Trust and they have informed surrounding towns that they are eligible to apply for grants of up to \$5000. The projects that are targeted are all Conservation and can be used anywhere in Town. The two projects we are considering are:

- The development of a management plan for Osprey Overlook Park
- Funding that would help us understand the presence of Brook Trout in the Old Swamp River

The Conservation Commission discussed the options and voiced a preference for the Old Swamp River project.

12. CPC Update

Cmmr. Loring reported he did not attend the meeting and there was nothing that Conservation would be interested in.

13. Herring Run Update

Cmmr. Loring reported that Phil let some water out since we got more rain. Juveniles were leaving the Pond. We will let it out a little at a time and let some fish out.

14. Conservation Report

- Washington Street Pump Water Supply Issues – water restrictions were imposed early September.
- Water levels in South Cove –received calls of concern with the levels of the Pond

New Active Construction

- 824 Washington Street Culvert Repair – we are up to speed on that
- 101 Shawmut Street – we permitted the last meeting – work began
- Bert's Boatyard construction of coastal revetment completed

On-Going Construction

- **Pleasant Quarry roadway work** – minor modification for the culvert to encase in concrete – work is completed and restoration done. Getting ready to pave and put signal lights in
- **Incinerator starting to come down.** The stack is still up- waiting for word when it finally comes down
- **44 Wharf Street:** spoke to them about the requirement to remove sediments in the stream across the street. We will coordinate when there is a period of low water and walk them thru the process.
- **1183 Main Street/S. Barzola Construction** - this project began as an enforcement order and then they came in and did a Notice of Intent (NOI) . They did the restoration work last fall and have since constructed the forebays and infiltration systems. Will finish paving this week and will be looking for Final Certification of Compliance (COC).
- **655 Washington Street – Boston Motel** they were doing invasive plant management. They were spraying the knotweed in preparation for restoration. We will be checking in
- **1135 Washington Street** – erosion controls – there were some adjustments made and they are currently doing the work
- **Massapoag Subdivision** – they have three building permits issued for this subdivision and are actively building in there. Legal documents from the HOA received and need review
- **29 Woodside Path** – we updated earlier
- **Weymouth Club** – updated earlier
- **Concerns from residents about impacts of ATVs used in the salt marsh** – we will do a walk thru the marsh
- **19 Lambert Ave-**complaints about a trailer right on the pond in an empty lot. Staff will follow up if they are just parking the RV there or if it is being lived in.

Other Projects

- **SNUP Dam removal** – moving along – out to bid for the next phase of the project
- **Wessagussett Walk** – we have been holding bi-weekly meetings and it's in the final stages of the plans. They will be requesting minor modifications. Final design is closing in
- **Jackson Square redevelopment** – there was some Geotech boring next to the Herring Run. Engineering and Conservation reached out to GeoTech and requested stoppage.

Planning Department Reviews

- **38 Driftway** is a reconstruction of a single family home across from a coastal bank. It will be coming before us probably in the next meeting.
- **Park Ave West** – a small triangle of land on river front area, activity and use limitations, prior contamination
- **Route 18** – there is wetland mitigation within the Southfield Redevelopment Authority. This is a mitigation project for the Route 18 widening project. Management plan is being finalized
- **Whitman's Pond Management Plan** – we signed a contract with TRC for lake management. They are drafting a plan to implement. Notice of Intent (NOI) to be filed in November meeting.

New Filings may include at the next meeting in October:

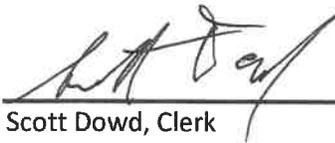
- 38 Driftway
- 5 lakeview tree removal
- Weymouth Club partial Certification of Compliance
- A Notice of Intent (NOI) for dredging the Back River

15. Adjourn

A Motion was made by Cmmr. and seconded by Cmmr. to adjourn the meeting at 9 p.m.

16. Next regularly scheduled meeting –Tuesday, October 25, 2022

Weymouth Conservation Commission Minutes September 27, 2022


Scott Dowd, Clerk

11/15/22

Respectfully submitted by,

Ann Flynn Dickinson
Recording Secretary