

**WEYMOUTH CONSERVATION COMMISSION  
RECORD OF MINUTES AND PROCEEDINGS**

**Tuesday, December 17, 2019, 7:00pm, McElroy Room,  
McCulloch Bldg., 182 Green Street, Weymouth**

**Present:** Tom Tanner, Chairman  
Scott Dowd, Commissioner and Clerk (arrived at 7:17)  
Frank Singleton, Commissioner  
George Loring, Commissioner

**Not Present:** John Reilly, Vice Chairman

**Also Present:** Mary Ellen Schloss, Conservation Administrator

Chairman Tanner called the Commission meeting to order at 7:00pm.

**Approval of Minutes**

The minutes for November 19, 2019 were reviewed.

*On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 3-0 to approve the minutes as written*

**593 Commercial Street – Request for Final Certificate of Compliance**

**Off Cape PPT**

**Map 13, Block 177, Lot 42**

**DEP File #81-1180**

***Construction of a new single-family house***

Ms. Schloss said this house has been constructed, but there are a couple of issues remaining:

- Area between the fence and erosion controls is not fully stabilized
- The rain garden grass has not really popped yet

A discussion was held regarding some form of security against the remaining work; it was agreed a Promissory Note would be sufficient.

*On a motion made by Cmmr. Singleton, seconded by Cmmr. Dowd, the Commission voted 3-0 to issue the Final Certificate of Compliance conditional upon a Promissory Note being received.*

*Taken out of order:*

**Community Preservation Commission (CPC) Update**

Cmmr. Loring said there was no meeting held.

### **Back River Trail Park Connection at Great Esker Park - Discussion**

The town has been awarded a Recreational Trails grant from the Department of Conservation and Recreation (DCR) for improvements at Great Esker Park. The grant will create an on-street connection between Abigail Adams State Park and Great Esker Park, will create a 10-space parking area at the Great Esker Park entrance on Bridge Street, and will provide improved and updated signage and new benches at several locations throughout the park. The parking area is outside Conservation jurisdiction, but the benches and some of the signs will be installed within Conservation jurisdiction. As a condition of the grant, all required footings will be constructed via helical piles, rather than dug footings, to limit earth disturbance.

The Grantor, DCR, is requiring the Town to demonstrate that the Conservation Commission has approved all work proposed within Conservation jurisdiction.

Ms. Schloss recommended that the Commission allow the project to proceed without a formal filing given the limited nature of the work (helical piles for signs or benches) and the fact that the Town will be overseeing the work.

*On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 3-0 to allow the project to proceed as discussed, without a formal conservation filing.*

*Cmmr. Dowd arrived.*

### **175 Westminster Road – Notice of Intent, Public Hearing**

**Jim Chen**

**Map 30, Block 350, Lot 1**

**DEP File # 81-1251**

***Addition and deck to single-family house***

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

Appearing before the Commission was Jim Chen, Architect, along with the homeowners. Abutter notifications were submitted.

Mr. Chen explained the second-story addition will be 16'x 21' and will be at the rear of the property. He said they are before the board because some of the work is in the buffer zone, and there is a potential vernal pool approximately 67' from the edge of the property.

Ms. Schloss explained that the DEP File # for this project is still outstanding. It was explained to the applicant that the Order of Conditions can't be issued until the DEP file # is received.

Ms. Schloss suggested a robust planting plan near the top of the slope. After discussion, it was determined that a post and rail fence would still be needed. Ms. Schloss asked how the back yard would be accessed.

Chairman Tanner suggested that the Administrator be contacted regarding selection of plantings, and if access is needed on the 5-ft. side of the house.

Ms. Schloss told Mr. Chen an erosion control plan will need to be presented at the next meeting.

*Public comments:*

There were no public comments.

*On a motion made by Cmmr. Dowd, seconded by Cmmr. Loring, the Commission voted 4-0 to continue the hearing to the January 28<sup>th</sup> meeting.*

**Continued discussion - proposed changes to the Weymouth Wetlands Protection Ordinance**

Ms. Schloss said she spoke with peers at a recent meeting and they recommended:

- Public service exception for sewer
- An increase in peer review fees
- An increase 21B enforcement fees

**Open Space and Recreation Plan (OSRP) 2019 Update – Vote of Support**

All members of the board expressed support for the updated OSRP.

Ms. Schloss reminded members that there will be a public meeting on Dec. 18, 2019.

*On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 4-0 to send a letter of support for the 2019 Open Space and Recreation Plan.*

**Update on proposed changes to Mass. Wetlands Protection Regulations**

Ms. Schloss summarized the proposed changes:

- Submittal to DEP of Order/decisions needs to be by Certified mail
- Receiving an abutter notification does not confer standing for an appeal
- The wetland plant list will be updated

**Other Business/Conservation Report**

720-734 Pleasant Street, a Ryder Development project. Ms. Schloss said that:

- The house at 720 Pleasant Street has been pulled closer to the street
- DEP has requested a revised plan for their review
- There is less wetland resource impact than originally proposed
- As this project is being appealed, an Amended Order of Conditions was suggested, rather than a minor modification

Ryder 40B project: the state has asked for more information on developer Ken Ryder. Ms. Schloss said she has 40 pages of information for the DEP.

World Fish Migration Day, May 16, 2020

Cmmr. Dowd said the United Nations Conservation Commission is looking for people to submit a summary of migratory fish activity around that day. Cmmr. Dowd said he would submit an email regarding herring run clean-up. Cmmr. Tanner suggested it also be submitted as an article in the newspaper.

Sediment Nutrient Uptake Pond (SNUP) Dam

Cmmr. Singleton asked about the SNUP dam.

Ms. Schloss said the SNUP was constructed as a water quality improvement for Whitman's Pond but the associated dam is an impediment to fish passage.

Ms. Schloss said there has been concern expressed about impacts to river herring and the brook trout. She said if the dam was taken down an alternative improvement would need to be provided. She questioned whether the SNUP could be converted into a functioning wetland system.

Cmmr. Dowd suggested it coincide with a future World Fish Migration Day.

Compressor station is underway.

Arbor Hill Conservation Restriction: The version signed by the owner and the Conservation Commission was not vetted by the MA Division of Conservation Services and corrections and re-execution will likely be needed.

**Compliance/Enforcements**

- Utility Poles-Maintenance Notification: R1/R2 lines are being decommissioned. The project includes land in and near Torrey Bird Sanctuary and Conservation Restriction Land.
- Recent wetland discharge violation associated with Rte. 18 widening.

Respectfully submitted by,

Patricia Fitzgerald  
Recording Secretary

**Adjournment:**

*On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 4-0 to adjourn at 8:05pm.*

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Thomas Tanner, Chairman

Date