

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

**Wednesday, July 18, 2018, 6:00 p.m.
McElroy Room, McCulloch Building
182 Green Street, Weymouth, MA**

Present: Tom Tanner, Chairman
Scott Dowd, Commissioner and Clerk
George Loring, Commissioner
John Reilly, Vice Chairman (arrived at 6:15)
Frank Singleton, Commissioner

Also Present: Mary Ellen Schloss, Conservation Administrator

Chairman Tanner called the July 18, 2018 Commission meeting to order at 6:00 pm.

Approval of Minutes:

The minutes of June 20, 2018 were reviewed.

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 4-0-0 to approve the minutes from June 20, 2018 as written.

599 Commercial St. – Request for Certificate of Compliance

Svetoslav Vito Neshev

Map 13, Block 177, Lot 43

DEP File #81-1181

Single-family house

Appearing before the Commission was owner, Vito Neshev.

Ms. Schloss reported that the pitch on the driveway was such that the rain garden wasn't capturing the water from the driveway, as it was intended. Changes to the rain garden grading were discussed to help the garden receive more rain.

Chairman Tanner suggested that if more asphalt work is ever done, they make the same grading adjustment to the pavement at that time.

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 4-0-0 to approve the Final Certificate of Compliance

North Weymouth Beach Connection Project – Notice of Intent, Public Hearing - Continued
Town of Weymouth
Map 2, Block 12, Lot 10 & Map 4, Block 21, Lot 3
DEP File #81-1213
Rock revetment and pedestrian walkway to connect Wessagussett and Lane beaches

Ms. Schloss stated that a request for a continuance to August 22, 2018 was received.

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 4-0-0 to continue this hearing to August 22, 2018

Colony Station – Notice of Intent, Public Hearing - Continued
Chris DiMambro, LT & E Properties, LLC
1400-1430 Main Street
Map 57, Block 626, Lots 11, 12, 10, 3, 9
DEP File #81-1216
5-story, mixed-use building & site improvements

Appearing before the Commission were Jeff Tocchio, attorney representing LT&E, Gabe Crocker, CHA Consulting, Chris DiMambro, LT&E, and Sean Papich, Papich Landscape Architecture.

Signed copies of CHA's July 13th "commitment letter" were handed out. Ms. Schloss stated that the letter, which is referred to in the draft Order of Conditions, addresses final Conservation and Engineering comments.

Ms. Schloss confirmed the order would allow an extension period of 3 years following issuance of the Partial Certificate of Compliance (COC).

Cmmr. Reilly arrived at 6:15pm.

Chairman Tanner doesn't think a Performance Guarantee is necessary for temporary wetland impact; all members agreed.

Bob Luongo, Planning Dept. Director, said the Operation and Maintenance Plan will be in perpetuity.

Mr. Tocchio asked if the Order of Conditions could specify that multiple COC's may be issued; Ms. Schloss confirmed that will be the case.

There were no Public Comments.

Cmmr. Loring asked the applicant to please notify Ms. Schloss if there are *any* problems, no matter how minor they may be.

On a motion made by Cmmr. Loring, seconded by Cmmr. Reilly, the Commission voted 5-0-0 to close the public hearing.

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to issue an Order of Conditions with conditions mentioned.

Commercial St. Bridge over Herring Run Brook – Notice of Intent, Public Hearing
Town of Weymouth DPW
DEP File #81-1220
Rehabilitate Bridge W-32-003, Commercial St. between Water St. and Broad St.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 5-0-0 to open the public hearing.

Appearing before the Commission were Adam Zysk, PE, Dewberry, and Chip Fontaine, Town Engineer.

Mr. Zysk said both sides of the road and the south sidewalk will be done, but they will have to wait for Verizon to install its new conduits (time not known) before they can do the north side of sidewalk.

Abutter notifications have been sent out by Dewberry; Ms. Schloss reminded them that those are due back to the office.

George Loring said this is a great project and the only thing required would be a Time of Year (TOY) restriction of April 15th to June 15th, or spring in-migration.

Mr. Zysk said drawings, for the safety inspection, would need to be submitted to MassDOT.

Chip Fontaine said work on the sewer main passes under this bridge. He said DPW would like to get the sewer work done now (so they don't need to go back another time) and explained more about the sewer project:

- Wants to incorporate sewer service to 1415 Commercial Street
- Wants to videotape the main next week to determine whether to replace the clay main with a PVC main
- Main under Herring Run is 50 years old
- New 6" PVC service pipe to dry cleaners
- Will do connection or stub to 1415 Commercial Street; work will include abandonment and decommissioning of the cesspool.
- Allow sewer to be replaced in the OOC
- Ideally would do sewer replacement with PVC
- Mr. Luongo said that Community Development Block Grant funds might be used

Ms. Schloss reviewed comments from the town and Dewberry's July 17th response memo. Mr. Zysk responded:

- Everything on the plan is in Bordering Land Subject to Flooding

- Shielding will be provided to catch bridge demolition debris
- Dewatering will be needed only for sewer-lateral work; this will be filtered
- Lighting will be fairly low intensity; it won't cast any light into the pool but may cast some light upriver

There were no Public Comments.

Additional OOC conditions were discussed and will include:

- Any remaining Division of Marine Fisheries (DMF) comments can be incorporated
- Sewer replacement from manhole to manhole will be recommended

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to close the public hearing

On a motion made by Cmmr. Loring, seconded by Cmmr. Reilly, the Commission voted 5-0-0 to issue an Order of Conditions with conditions mentioned

MassDOT Drainage Repair – Notice of Intent, Public Hearing - Continued

666 Bridge Street and 267 Neck Street

Map 5, Block 13, Lots 7, 13 & 46

DEP File #81-1215

Drainage system maintenance/replacement

On a motion made by Cmmr. Dowd, seconded by Cmmr. Loring, the Commission voted 5-0-0 to continue the public hearing until Aug. 22, 2018

Union Street/Liberty Street Sewer Improvements – Notice of Intent, Public Hearing

Town of Weymouth DPW

DEP File #81-1221

Sewer improvement project, Liberty & Union Streets, from Mansfield St. to Buchanan Ln.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 5-0-0 to open the public hearing.

Alex Richards of Environmental Partners Group, representing the town, appeared before the Commission. Abutter cards were submitted.

Mr. Richards explained this project is to increase the existing 3800' of sewer to improve sewer flow for Union Point. Pipe size will be increased from 8" PVC to 15" PVC.

Mr. Richards reviewed Environmental Partners' response to Con Comm comments:

- Trench dams will be added every 300 feet, with additional dams added as requested. A standard detail will be provided.

- They can provide 110% capacity of secondary containment for sewer bypass pumps (required when pump is located in buffer zone)
- Sewer by-pass pumps would operate only during approved day hours; when they stop for the day they will reconnect to manholes (won't have pumps running at night)

Mr. Richards responded to further concerns of the board:

- They expect to replace 60' of pipe per day
- No noise will be made before 7am or, typically, after 3:30
- Project to start in September, hopes to have pipe in by December (being laid in same location as existing main); paving to be done in the spring
- Residential access is to be maintained at all times
- Flexible sewer by-pass pipe
- No water main work to be done in this area

There were no Public Comments.

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to close the public hearing

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to issue an Order of Conditions with special conditions discussed

71 King Avenue – Request for Determination of Applicability, Public Hearing

Ashley Leer

Map 24, Block 284, Lot 3

Filling, grading, drainage, tree removal

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 5-0-0 to open the public hearing.

Appearing before the Commission was Justin Bailey, owner. He explained the project is to grade the yard to prevent water in their basement.

Encroachment will be within the 25' buffer zone but will match the preexisting lawn configuration.

Public Comments

Paula Constantino, 61 King Ave., said she wants to be sure her property won't be affected by additional water.

Conditions were discussed and it was agreed that the grading needs to be properly done so it doesn't affect the abutters and water may not be shed towards neighboring property.

Ms. Schloss said the three damaged trees may be removed and Mr. Bailey is aware he needs to repair his sidewalk.

There were no Public Comments.

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to close the public hearing

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to issue a Determination of Applicability with special conditions discussed

0 Perkins Road – Notice of Intent, Public Hearing

Ryder Development

Map 34, Block 437, Lot 7

DEP File #81-1217

Single-family house with retaining walls, grading, tree removal

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 5-0-0 to open the public hearing.

Appearing before the board were Ken Ryder, owner, and Al Trakimas, SITEC engineer. Abutter cards were submitted.

Mr. Trakimas explained the project:

- Will be a sewer force main
- There is an existing water main but they are proposing a drinking water well with estimated flow of 330 gallons per day (gpd). Not sure if the well will go in (existing main is 2" and water pressure is not great)
- Six trees greater than 6"dbh within the Buffer Zone (BZ), plus more outside the BZ, need to be removed.
- Infiltration system for roof runoff will be added to the plan
- Will terrace house into back of the hill
- If have a well, it would be a deep well with a holding tank

Chairman Tanner said he would rather see them connect to the water main on Patterson Street; Mr. Ryder said he will talk to DPW and wants to explore pressure.

Cmmr. Reilly asked from where the well water would be coming; Mr. Ryder responded that they are deep bedrock wells and wouldn't draw from Whitman's Pond.

Cmmr. Loring said he wants adequate erosion to protect the pond.

Written Public Comment

*Ewa Widawski, 6 Perkins Road. Area is very small, a lot of trees need to come down, concerned about impact to wildlife and her and her neighbors regarding debris and noise.

*17 Beach Avenue is concerned about a precarious tree straddling their, and Mr. Ryder's, property; Ms. Schloss is okay with that tree being removed.

Mr. Ryder stated that the wall will be concrete block and will have weep holes.

Chairman Tanner said to remove the 24" pine tree, and leave the 22" oak, if they can. He said his biggest concern is the water.

Cmmr. Reilly said he is concerned about the erosion on this very steep lot, during construction as well as afterwards; he wants a long-term plan for erosion. Mr. Ryder agreed to conduct plantings to provide long-term erosion prevention.

Ms. Schloss said they need to address planting, and a planting plan (for erosion control on the steep slopes-both sides) will be required.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to close the public hearing

On a motion made by Cmmr. Singleton, seconded by Cmmr. Dowd, the Commission voted 5-0-0 to issue an Order of Conditions with special conditions mentioned

White St., Builder's Lot 1 – Notice of Intent, Public Hearing

Jason Kennedy

Map 54, Block 597, Lot 158

DEP File #81-1218

Single-family house, grading, tree removal

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 5-0-0 to open the public hearing.

Andrew Spath, representing Jason Kennedy, came before the board. Mr. Spath will tell Mr. Kennedy abutter receipts still need to be submitted.

All proposed construction impacts are outside the 50' wetland buffer.

Mr. Spath stated that there would not be deep excavation, they will leave what trees they can, and the boulder wall will be backed by with smaller stones.

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to close the public hearing

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to issue a Standard Order of Conditions

126 Bridge St. - Notice of Intent, Public Hearing

Dave Bishop

Map 6, Block 62, Lot 10

DEP File #81-1219

Sewer connection, coastal bank stabilization with rock revetment

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 5-0-0 to open the public hearing.

Chi Man, Engineer, appeared before the Commission; Mr. Bishop was in the audience. Abutter information was received.

Ms. Schloss distributed a revised site plan and response-to-comments letter from Hardy & Man Design Group; these were received July 18th (the day of the meeting).

Ms. Schloss explained that on one side of the property is land owned by the town that has a severely eroded coastal bank. She stated that the revetment must be designed and constructed so that it does not deflect wave energy onto the eroding coastal bank.

Mr. Man told the Commission:

- They will abandon the septic system and will connect to existing sewer stub on the coastal bank
- Will not change grades on the coastal bank
- Site will be buttoned up at the end of the day and each tidal cycle

Ms. Schloss explained the following:

- Wants to see construction sequence and erosion control measures
- Wants to see how machines will access the beach
- Machines off beach at next tide
- Don't lose any volume on the beach
- Staking of beach for construction access
- Oversight by engineers at points during the construction so can write certification letter; Owner, David Bishop, is okay having engineering oversight
- Address encroachment onto town property (can put as recommendation that it be addressed).

Condition: work around tides; no work under water

On a motion made by Cmmr. Loring, seconded by Cmmr. Dowd, the Commission voted 5-0-0 to close the public hearing

On a motion made by Cmmr. Dowd, seconded by Cmmr. Loring, the Commission voted 5-0-0 to issue an Order of Conditions with conditions mentioned.

52 Davids Island Road - Notice of Intent, Public Hearing

Tim & Kathleen Powers

Map 5, Block 13, Lot 27

DEP File #81-1222

Construct 2-story addition with basement

On a motion made by Cmmr. Singleton, seconded by Cmmr. Reilly, the Commission voted 5-0-0 to open the public hearing.

Coming before the commission was owner Tim Powers. He said:

- They are expanding the house; 3-season porch to be removed and replaced with basement and 2-story structure
- Patio, if built, would be porous blocks
- No trees to be removed

Ms. Schloss stated that mitigation planting at the top of the coastal bank should be included in the OOC, as presented in the applicant's submittal. She also stated:

- No as-built plan will be needed
- Certification letter will be needed
- COC needed for rock revetment constructed at this property under DEP 81-1095

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to close the public hearing

On a motion made by Cmmr. Loring, seconded by Cmmr. Dowd, the Commission voted 5-0-0 to issue an Order of Conditions with conditions mentioned

Other Business - none

CPC Update: Cmmr. Loring stated no meeting was held.

Conservation Report - none

Ms. Schloss provided the commissioners with documents to sign.

Adjournment:

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to adjourn at 8:55 pm

Respectfully submitted by,

Patricia Fitzgerald
Recording Secretary

Approved by:



Scott Dowd, Clerk

08/22/18

Date