

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

**Wednesday, September 12, 2018, 7:00 p.m.
McCulloch Building, McElroy Room 182 Green St.
Council Chambers 2nd Floor, Weymouth, MA**

Present: Tom Tanner, Chairman
Scott Dowd, Commissioner and Clerk
George Loring, Commissioner
John Reilly, Vice Chairman
Frank Singleton, Commissioner

Also Present: Mary Ellen Schloss, Conservation Administrator

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

Approval of Minutes:

The minutes of August 22, 2018 were reviewed.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0 to approve the minutes from August 22, 2018 as written.

**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

Plans are being revised to address MEPA and Coastal Zone Management comments, then they need to be reviewed by state agencies before coming back to Conservation.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0 to continue this hearing to November 14, 2018.

**Union Point (Off Farm St. and Union St.) – Notice of Intent, Public Hearing
LStar Southfield, LLC**

Map 55, Block 598, Lot 3; Map 58, Block 598, Lot 4, 27, 35, 36

DEP File #81-1226

Install utilities; includes wetland crossing

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

Chris Novak, VHB; Gene Crouch, Sr. Environmental Scientist, VHB and Keith Curran of LStar, came before the Board. Mr. Crouch explained that they are before the Commission as some of the project area is under Weymouth Conservation jurisdiction.

Mr. Crouch explained some aspects of the project:

- Bringing in water and temporary electric service from Union Street (at Farm St.,) through the East Mat to service the proposed Prodrive facility
- Electric lines are going on existing utility poles
- Small wetland within access road
- 1,474 square feet of Bordering Vegetated Wetland is being temporarily impacted
- Weymouth Fire Dept. has requested a loop of the water line from Union Street

Chairman Tanner asked what measures are in place to prevent extension of the water line into other parts of Union Point; Mr. Novak said the line will be valved and controlled by Weymouth DPW.

The issue of the existing culvert (which the water line will cross) was raised (in terms of replacement); Mr. Novak said that determination will be made when the culvert is opened. He stated that there is debris that needs to be removed in the culvert area and rip-rap may need to be added at the culvert inverts. They plan to put the water line underneath the culvert.

Chairman Tanner stated he wanted DPW to participate in the culvert inspection; Keith Curran of LStar said DPW will be contacted to look at the culvert.

Ms. Schloss said that culvert inspection, and possible replacement, will be added to the conditions.

Cmmr. Reilly asked who will be installing the gas line (as gas employees are on lock out); Mr. Curran said that hasn't been determined yet.

Ms. Schloss asked whether there would be any impacts to floodplain, and noted that floodplain has not been mapped for this property. The applicant replied that there would be changes to existing grades.

Cmmr. Singleton asked if there are any rare species in the project area; Mr. Crouch responded upland sandpiper (which hasn't been seen), grasshopper sparrow and box turtle. He added they will only be working on the pavement.

Cmmr. Singleton asked if the water source will be permanent or temporary; Mr. Novak said that Farm St. water will be permanent and a hydrant will be added.

Public Comments

Resident Van Heffernan of 14 Pasteur Street, asked if power lines could be put under ground; Mr. Novak said he will get an answer from the utility company.

Alex Purcell, 16 Farm Street, asked about the time frame for this project; Mr. Curran said, depending on the weather, they would like to begin this fall, and it would take a couple of weeks.

Chairman Tanner asked about road disturbance, as Farm St. is only 8' wide and access would need to be available for residents and emergency vehicles. It was discussed that the Order should contain conditions relative to staging of equipment and maintenance of access for residents and emergency vehicles. It was recommended that abutters be given a week's notice prior to the start of construction.

Bob Luongo, Weymouth Planning Director, suggested that if LStar wants to provide any mitigation they could pave Farm Street. He also expressed that Mayor Hedlund and Councilor Smart want all utilities underground, adding that once that happens perhaps the electric service for the FAA Doppler facility can also be placed underground. He suggested that a Performance Bond be considered to ensure that all the work is done. It was agreed that instead of a Performance Bond, the Order could require that the electric line added for this project be removed once a permanent source of electricity is available.

Mr. Curran said he will ask LStar if they can pave Farm St.

Ed Graham, (513 Union Street), told the Commission his house was dry when he bought (no year given, but Weymouth Property Viewer has 1985) but now, with building in the area, water has appeared.

Chairman Tanner suggested gravel on both sides of paving.

Ms. Schloss stated she doesn't want any invasives (e.g., Japanese knotweed) spread as a result of construction and requested that an invasive species management protocol be followed during construction, as discussed in the NOI. Mr. Crouch suggested a condition be added that soil in the vicinity of the invasive plant infestations not be removed from site.

Denise Graham, (513 Union Street), asked if any trees were coming down; Mr. Novak said no.

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

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

27 Tilden Road – Request for Partial Certificate of Compliance

Map 51, Block 539, Lot 16

DEP File # 81-53

Single-family house

Ms. Schloss explained this item isn't ready to be heard as there is an encroachment issue (by the former owner) onto Conservation land.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0 to table this hearing until further notice

West Lake Drive – Request for Final Certificate of Compliance (FCOC)
Town of Weymouth – DPW
Map 25, Block 331, Lots 8 & 9; Block 330, Lot 1
DEP File # 81-1066
Wetland mitigation for Town sewer project

Mel Higgins of Weston & Sampson came before the Board.

Mr. Higgins said that this was a Town project for mitigation of wetland impacts from a Town sewer project. The Order required creation of a 15,000 sq. ft. wetland replication area that required two years of monitoring. The project could have closed three years ago but Army Corps of Engineers required additional monitoring. A survey shows 2,000 sq. ft. more of wetland were replicated than required.

Ms. Schloss said the site looks good and recommended approval of the FCOC.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Dowd, the Commission voted 5-0 to issue the Final Certificate of Compliance

60 Hill Street - Request for Certificate of Compliance (COC)
Richard Dragone
Map 19, Block 261, Lot 15
DEP File # 81-1185
After-the-fact retaining wall

Ms. Schloss said the site looks good and recommended approval of the COC.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Dowd, the Commission voted 5-0 to issue the Certificate of Compliance

20 Humphrey St. – Request for Partial Certificate of Compliance
Ryder Development Corp.
Map 22, Block 292, Lot 34
DEP File # 81-1187
Multi-family residential project, drainage, slope restoration

Engineer, Al Trakimas of SITEC, came before the Board. An as-built plan was submitted.

Ms. Schloss said a 2-year monitoring period on slope restoration is required before the Final COC can be issued. Other items still needed include:

- Invasives to be monitored, maintained, and removed, during monitoring period
- Operation & Compliance statement
- Proof of recording of drainage easement
- Contract for stormwater maintenance items
- Installation of post-and-rail fence (can be done during monitoring period)

Mr. Trakimas said those items will be taken care of and the contractor will remove the erosion controls.

Ms. Schloss said she is comfortable issuing the PCOC.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Loring, the Commission voted 5-0 to issue the Partial Certificate of Compliance, upon receipt, or completion, of outstanding items

Jacobs Lane – Request for Partial Certificates of Compliance
Bristol Brothers Development Corp.
Map 27, Block 352, Lots 54 & 66
DEP File # 81-1123 & 81-1127
Single-family homes

Steve McCarthy of Bristol Brothers Development appeared before the Commission. The request is for Builder's lots 5 and 6 which are the only two lots in the subdivision that were required to file with Conservation.

Ms. Schloss said the erosion controls need to remain in place until the grass comes up and reminded Mr. McCarthy that a Final COC is needed to close out the Order issued for the roadway and utilities. Mr. McCarthy stated that a Final COC for that project will be requested in the spring.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0 to issue the Partial Certificate of Compliance, but that it be held until grass comes up and erosion control are removed

7 Raycroft Ave. – Request for Determination of Applicability
Laurie Zupkofska
Map 28, Block 359, Lot 37
Construct a 16' x 16' sunroom

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

Owner, Laurie Zupkofska, came before the Board. She explained the sunroom will be built on Sonatubes.

Ms. Schloss said the sunroom will be constructed within about 35' of an intermittent stream, dirt will be removed and disturbed areas will be restored.

There were no Public Comments.

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

On a motion made by Cmmr. Loring, seconded by Cmmr. Dowd, the Commission voted 5-0 to issue a Negative 3 Determination

475 Columbian Street – Violation Hearing

Richard Campot, Executor

Map 40, Block 482, Lot 16

Unauthorized fill in wetlands

Joseph Polsinello, of Inland Professional Corp., along with Richard Campot, the executor for the property, came before the board. Mr. Polsinello said he has been working with the probate attorney, Mr. Herbst of Braintree, and he has inspected the site. He said the Health Dept. has been out to the property to check for oil or hazardous material concerns.

Chairman Tanner said no work can be done on the property and is recommending immediate stabilization.

Mr. Polsinello said the area will be stabilized, they will pull back the recently dumped landscape waste from toe of slope, and install jute netting on the reworked slope. He said he will contact Ms. Schloss Sept. 20th or Sept. 21st.

Mr. Campot said he is working with his attorney to see if they can get the person who created the issue to assume responsibility. Chairman Tanner suggested they begin working to resolve this problem and the Board can resume the issue at the Oct. 10th meeting.

Ms. Schloss instructed them to contact her before they begin any stabilization work.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0 to issue an Enforcement Order requiring immediate stabilization as the first step in addressing this violation

38 Greenwood Ave. – Request for Partial Certificate of Compliance

Donald Mullaney, Aldon Electric

Map 25, Block 335, Lot 5

DEP File # 81-1156

Storage building, drainage modifications, restoration plantings

Greg Tansey, P.E., came before the Commission, representing Aldon Electric owner, Donald Mullaney.

He said there are a few plants from the storage building project that might need to be replaced. He said when they apply for the Final Certificate of Compliance for 81-1225, they will also apply for the FCOC on 81-1156.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0 to issue the Partial Certificate of Compliance

38 Greenwood Ave. – Notice of Intent (NOI), Public Hearing

Donald Mullaney, Aldon Electric

Map 25, Block 335, Lot 5

DEP File # 81-1225

Pave existing gravel lot and construct stormwater system

Greg Tansey, P.E., came before the Commission, representing Aldon Electric owner, Donald Mullaney. Abutter cards were submitted.

All the work for this NOI will be in the rear of the main building, within 50 ft. of the wetlands. They propose to pave a gravel parking area and construct a stormwater management system.

Mr. Tansey said they are proposing mitigation and treatment of stormwater with two catch basins which will collect run-off from the wetland to keep it away from the front of the storage building. He said they are also proposing:

- Deep sump catch basin
- Catch basin insert
- Runoff will be recharged
- They hope to achieve 44% pretreatment prior to infiltration
- Insert will provide 80% total suspended solids (TSS) removal
- Employees (electricians) will empty inserts into dumpster
- Concrete pad being provided for dumpster
- Mature trees will be saved
- Pavement will have green space buffer
- Parking area will abut to existing pavement

Public comments

Ann Nichols, 24 Greenwood Ave., said she has been at her address for 37 years and has had an infestation of rats (since construction of the storage building) and doesn't want to see anymore.

Chairman Tanner told her building construction would not create a rat problem but maybe something else was disturbed.

Ms. Schloss said:

- Infiltration will need two test pits to document infiltration rates

- DPW Stormwater handbook calls for very frequent parking lot sweeping (e.g. bi-weekly) if catch basin inserts are used
- She is concerned about creating a new point-source discharge so close (5 feet) to the wetland. Why not disperse outflow over a larger area, e.g. via a level spreader?

Cmmr. Loring asked about snow storage and melt; Mr. Tansey said snow storage will be off the pavement and there won't be any salting or sanding. He agreed to provide a revised stormwater design showing a level spreader to discharge outflow from the system. This can be located on the building side of the existing chain link fence.

Ms. Schloss said the level spreader design can be submitted with the test pit information.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Loring, the Commission voted 5-0 to continue this hearing to October 10, 2018

190 Lake Shore Dr. - Notice of Intent, Public Hearing

J. Arpano

Map 30, Block 341, Lot 13

DEP File #81-1229

After-the-fact deck and addition

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

Greg Tansey, P.E., came before the Commission, representing Mr. Arpano. Abutter cards were submitted.

Mr. Tansey said this house was rebuilt after a fire, but the deck was not. A year ago the project was finished but Mr. Arpano was unaware the permit had expired. Mr. Arpano is proposing a deck with a 4-season addition on the same footprint as the previous deck. Degraded Riverfront area will decrease by 174 sq. ft. and impervious area will increase 276 sq. feet.

There were no Public Comments.

Ms. Schloss said the structure will be within 25 ft. of Whitman's Pond so a waiver will be required.

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

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0 to grant the waiver

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

143 Wessagussett Rd. - Notice of Intent, Public Hearing

Pardeep Gidda

Map 4, Block 36, Lot 5

DEP File #81-1228

Demo SF home; rebuild elevated structure on pilings

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

Jed Hannon, P.E., representing the owner, Pardeep Gidda, came before the Board. Mr. Hannon explained this pre-existing, non-conforming structure will be demolished and the new structure will be rebuilt above the FEMA flood zone.

Mr. Hannon provided further information:

- 18 piles of 12" wood circular pine will be used (not on same footprint)
- Grade beams at elevation 19
- It will be wide open underneath the house with ¾" stone
- No change to parking area
- Erosion controls will be placed along perimeter of property

Ms. Schloss said an Elevation Certificate and as-built plan will be required with the COC request, and a waiver is necessary for any construction in a flood plain.

There were no Public Comments.

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

On a motion made by Cmmr. Singleton, seconded by Cmmr. Reilly, the Commission voted 5-0 to issue a waiver for construction in a flood plain

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

55 Fort Point Road - Notice of Intent, Public Hearing

Christopher Newman

Map 2, Block 9, Lot 7

DEP File #81-1227

Demo SF home; rebuild elevated structure on pilings

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

Engineer, Shawn Hardy, and builder, Steve Trudeau, came before the Board. Abutter notifications were submitted.

Mr. Hardy said that this proposal is for demolishing a single-family house and rebuilding a pier-supported, 2 ½ level structure which will be squared on the lot. There will be new gas service to raise it out of flood elevation. The new building will be supported by wood or steel beams. There will no impervious surface underneath.

There were no Public Comments.

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

On a motion made by Cmmr. Loring, seconded by Cmmr. Reilly, the Commission voted 5-0 to approve a waiver for construction in a flood plain

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

Other Business

220 White Street, DEP File # 81-1218:

Owners would like to construct a garage and reduce the size of the driveway, resulting in less impervious surface.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0 to approve a minor modification

2019 Meeting Schedule

After some discussion all agreed to meet on Tuesday nights, starting in 2019, as it is getting difficult to obtain a meeting room on Wednesday night.

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

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 to adjourn at 10:00 pm

Respectfully submitted by,

Patricia Fitzgerald
Recording Secretary

Approved by:



Scott Dowd, Clerk

October 10

Date