

**MINUTES OF THE
CONSERVATION COMMISSION
MEETING OF
SEPTEMBER 11, 2013**

Present: Steve DeGabriele, Chairman
George Loring, Commissioner
Anthony Merlino, Commissioner
Tom Tanner, Vice-Chairman

Absent: Scott Dowd, Commissioner, Clerk

Also Present: Mary Ellen Schloss, Administrator
Lee Hultin, Recording Secretary

Commissioner DeGabriele called the September 11, 2013 meeting to order at 7:00 pm at the Town Hall, Council Chambers, 75 Middle Street, Weymouth, Ma.

APPROVAL OF PRIOR MINUTES

Cmmr. Loring made a motion to approve the minutes of July 24, 2013 as amended and was seconded by Cmmr. Merlino.
VOTED UNANIMOUSLY

**22 Ketcham Lane – Request for Determination of Applicability – Hearing
Stephen Dodd
Map 47, Block 539, Lot 60
*Gazebo and Patio***

Cmmr. Loring made a motion to open the public hearing on 22 Ketcham Lane at 7:05 pm and was seconded by Cmmr. Tanner.

Appearing before the Commission was Stephen Dodd. Mr. Dodd stated that he has lived there for 29 years. He is looking to add a gazebo roof over a patio. He is very aware of the wetlands and has always respected that. The plans were drawn up by an architect and will have minimal effect on the wetlands.

It was asked if the gate to the pool area has an automatic close on it and it was stated yes.

DeGabriele asked was this patio just installed? The applicant replied yes. Cmmr. DeGabriele stated that it was installed in the no disturb zone and they didn't come before the Commission for approval. Mary Ellen stated that this was due to misinformation from the building department and the building and conservation departments are coordinating their efforts more effectively.

When originally installed it was just a patio and you don't need a building permit but with a roof you do, and then the applicant found out he needed to come before conservation due to the wetlands.

The public was given the opportunity to speak and there was no public comment.

Mary Ellen received the abutter notification information. She doesn't see any real impact on the wetlands.

Cmmr. Loring made a motion to close the public hearing at 7:15 and Cmmr. Merlino seconded.
VOTED UNANIMOUSLY

Cmmr. Loring made a motion to issue a negative three determination on 22 Ketcham Lane and was seconded by Cmmr. Tanner seconded.
VOTED UNANIMOUSLY

Cmmr. Tanner stated that he was very impressed with the condition of his yard. It is very well taken care of.

Lots 5 & 6 Jacobs Lane – Notice of Intent – Continued Hearing
DEP File #81-1123 (Lot 5), DEP File #81-1127 (Lot 6) *Two single family homes*

Carl Erickson and Jim Bristol, Sr. appeared before the Commission.

Cmmr. Tanner made a motion to open both these public hearings on Lot #5 and Lot #6 at 7:16 pm and was seconded by Cmmr. Loring
VOTED UNANIMOUSLY

Mr. Erickson reviewed the revised plans with the Commission and answered any questions they had.

The drainage remains the same. If approved he would like to close the three Orders of Conditions on the original project.

Cmmr. Tanner asked if the two decks were open and it was stated yes.

Cmmr. DeGabriele asked what type of planting will there be to stabilize the slopes. It was stated that they will plant grass. He would like them to place boulders and put signs on the trees to show where the no-disturb area begins.

Mary Ellen Schloss asked if they intend to hand over the road to the town? It was stated yes. There is an expired Order of Conditions on this road and Mary Ellen would like some type of verification from the engineer that everything on the road had been done with the exception of the top coat. It was stated that the top coat will not be done until the homes are all built. Mary Ellen Schloss will contact DPW to have them look at the easement and the pipe and get their comments.

Mary Ellen Schloss would like to see the following in the order of conditions:

- Crushed stone under the deck
- Erosion control blanket on the west side.
- Stairs coming off the deck.
- Catch basins protected.
- The trees in lot 6 that will be removed need to be marked in the field.
- No disturb markers
- When removing the Knotweed they need to make sure it doesn't spread.

Cmmr. Tanner stated that he would like them to consider a staircase off both the decks. He also asked them to make sure the easement was put in the deeds.

The public was given the opportunity to speak and there was no public comment.

Cmmr. Loring made a motion to close the public hearing on lot 5 & 6 Jacobs Lane at 7:42 pm and was seconded by Cmmr. Tanner.

VOTED UNANIMOUSLY

Cmmr. Loring made a motion to approve the Order of Conditions with the special conditions stated this evening and was seconded by Cmmr. Tanner

VOTED UNANIMOUSLY

The Commission agreed that they would review language for the Order of Conditions at the next meeting.

Weymouth Salvage – Continued Violation Hearing George Eacobacci

Cmmr. DeGabriele stated that they visited the site and the larger stones seem to be working. There was a lot of water in the basin a few days ago but the applicant stated it is dry today which is good. It seems the water was overflowing along the erosion controls along the detention area.

Cmmr. DeGabriele stated that it appears he has fulfilled all the conditions of the Enforcement Order and just needs to fine tune it.

Mary Ellen will review the conditions and, if appropriate, will draft a letter of approval for the next meeting.

Mass DOT Route 3 Resurfacing – Request for Determination of Applicability – Hearing

Cmmr. Loring made a motion to open the public hearing on Mass DOT Route 3 Resurfacing at 7:50 pm and was seconded by Cmmr. Merlino.

VOTED UNANIMOUSLY

Mary Ellen Schloss stated that this is a Mass DOT project and they are appearing before the commission under the Wetlands Protection Act only and not the Weymouth Wetlands Ordinance. This is a public meeting and not a public hearing therefore a butter notification was not required.

Appearing before the Commission was Mark Caricchi, District Project Engineer for District 6 and Linda Smith, Environmental Analyst for District 6.

This is an RDA for work similar to the RDA filed and approved for work from Hingham to Middle Street (pavement milling and overlay, drainage improvements, etc). The RDA will continue the work northerly to the Braintree town line.

Compost filter tubes will be added to areas of environmental concern that were agreed to with Conservation.

The project boundaries in Weymouth begin at mile marker 38.2 and follows Route 3 northerly for one mile to the Braintree line. The project continues into Braintree to the Ramp of Route 93.

Cmmr. Tanner asked what time will this take place? It was stated that it depends on traffic volumes. The hours in the contract are 8 pm – 5 am. He asked if both sides of Route 3 will be worked on at the same time and it was stated that they are not sure but would confirm.

Cmmr. Merlino asked how long would this take and it was stated it would not start until the Spring of 2014 and will be two seasons at maximum.

Mary Ellen Schloss stated that she has given Mass DOT her comments on the location of the erosion controls already.

Cmmr. Loring made a motion to issue a Negative Three Determination and was seconded by Cmmr. Tanner.

VOTED UNANIMOUSLY

67 Rear Norton Street – Certificate of Compliance
DEP File #81-984

The applicant was not in attendance. Mary Ellen stated that everything is in order.

Cmmr. Tanner made a motion to approve the Certificate of Compliance on 67 Rear Norton Street and was seconded by Cmmr. Loring

VOTED UNANIMOUSLY

401 Neck Street – Notice of Intent – Hearing
Paul Mullin
Map 5, Block 13, Lot 15
DEP File # Not available
Driveway Extension

This is an NOI for work to upgrade an existing stone boat ramp adjacent to the Back River and to expand the ramp onto the grassed area. The purpose is to allow the applicant to unload and store his fishing boat on his property.

Cmmr. Loring made a motion to open the public hearing on 401 Neck Street at 8:05 pm and was seconded by Cmmr. Tanner.
VOTED UNANIMOUSLY

Paul Mullin appeared before the Commission and stated there is an existing shell driveway and he would like to extend it to the dock and garden so he can take his boat out of the water. He is a fisherman and fishes 12 months out of the year but his son needs to take his boat out during the winter. The other boat he owns will be stored at his sister's house on Moreland Road.

Cmmr. Tanner asked where he gets the shells and he stated at a landscape place and it is all prewashed shells. They dig down 12 inches and put crushed stone and then the shells and then they are compacted down.

Mary Ellen Schloss stated that she received the abutter notification information.

Ms. Schloss asked that the shells stop at the high water mark as they are not as stable as the existing gravel already there.

The public was given the opportunity to speak and there was no public comment.

Cmmr. Loring made a motion to continue to the next Conservation Meeting as they have not received the DEP File number yet and was seconded by Cmmr. Tanner.
VOTED UNANIMOUSLY

1366 Pleasant Street – Notice of Intent – Continued Hearing
DEP File #81-1126 26' x 32' Townhouses

Cmmr. Tanner made a motion to reopen the public hearing on 1366 Pleasant Street at 8:22 pm and was seconded by Cmmr. Merlino.
VOTED UNANIMOUSLY

Terry McGovern, Morse Engineering and Chris Bethoney were both present before the Commission.

Terry McGovern reviewed the plans with the Commission and answered any questions they had.

This is a continued NOI hearing for a two-family structure within the Riverfront Area for the Herring Run. The site discharges to a Critical Area. The Riverfront rules require an improvement over existing conditions. There was discussion on the discharge of stormwater.

Cmmr. DeGabriele said he visited the site and it appears the water will go to the catch basin on Iron Hill Street. The applicant stated that the grading will change and the water will be channeled toward Pleasant Street.

Cmmr. DeGabriele is concerned with the runoff from the 4 parking spaces and likes the idea of a trench. Is there anything more that can be done to get as much water as possible into the trench? Mr. McGovern stated he could install a slotted drain.

The trench will capture between a 2-10 year storm and he is only required to meet a 2 year storm. The goal is to catch the first flush.

Cmmr. Merlino asked where the snow will go and it was stated it can be stored on the property because the wall is only 2 feet high.

Cmmr. Tanner asked how will the slotted grate that the cars are driving over be installed? It was stated the trench is 3 feet wide and 3 feet deep and will cross the driveway. Cmmr. Tanner would prefer a stone driveway so there is no runoff with a steel railroad rail at the end of the driveway and the stone dropped down ½ or an inch so the stones won't run out of the driveway.

Mr. McGovern stated he could also use pavers so there is infiltration in between them.

Cmmr. DeGabriele stated he favors the trench approach while Cmmr. Tanner prefers pavers. The applicant would like a paved driveway to maintain long term as these two units will be condominium units that he will sell.

Cmmr. Tanner agreed to accept the trench approach and a paved driveway.

Mary Ellen Schloss asked if there will be poles put out for the snow season to prevent stockpiling of snow on the trench. It was stated it will be in the condominium association maintenance plan.

Both catch basins will have erosion control silt covers.

Cmmr. Loring asked if any trees are coming down and it was stated yes, but they are saplings and invasive species. Cmmr. Loring stated that the night heron utilize the trees in the area during the run.

Cmmr. Loring would like to see a time of year restriction to coincide with the spawning of the Herring from April 15 – June 15th. Chris Bethoney stated he would like to start this in the fall of 2013 and expects it to be done prior to April 2014.

The public was given the opportunity to speak and there were no public comments.

Cmmr. Loring made a motion to close the public hearing on 1366 Pleasant Street at 9:15 pm and was seconded by Cmmr. Tanner
VOTED UNANIMOUSLY

Mary Ellen Schloss stated she would like to visit the site during a rainstorm. She will draft an Order of Conditions to include:

- Erosion controls at the construction entrance
- Time of year restrictions
- Catch basin cleaning through DPW prior to setting the silt sacks

Cmmr. Loring made a motion to issue a standard Order of Conditions with the conditions discussed this evening and was seconded by Cmmr. Tanner.

VOTED UNANIMOUSLY

CPC UPDATE

Cmmr. Loring stated that the Community Preservation Committee discussed Whitman's Pond Management Plan. They are willing to help out but would like to see money going towards tangible things instead of studies.

Cmmr. DeGabriele said the next step in the Whitman's Pond Plan would be to set some goals and have some long term funding to move it forward.

Mary Ellen stated that they really need a consultant to help with this as they do not have the expertise.

CPC is going to close out the contract for the park in the Herring Run as this is completed.

There is a walk-through of the Fogg Library tomorrow night at 6:00 pm.

Kibby Property has a walking path design and they are waiting for the plans. This is an extension of the Abigail Adams Park and the town is working with the DCR.

Legion and Pingree Fields have a contractor in place to begin the work and they talked a little about the Back River Trial.

OTHER BUSINESS

See Conservation Report

Mary Ellen Schloss stated that 35 Regatta Road is looking for another four feet of work area, closer to the coastal bank. It is a very tight site and they need to get their equipment in there but there isn't enough room.

Chairman DeGabriele stated that he needs to be convinced why they cannot do it within the space allowed.

Cmmr. Tanner recommended that the Administrator and Chairman DeGabriele meet with the applicant to review why he needs this additional space. All members agreed with this suggestion.

Weymouth Commons Cleanup: Mary Ellen Schloss handed out a letter from Mark Manganello with an update on the oil spill cleanup and Wetland Restoration to the Commission.

Mary Ellen Schloss stated she received an appeal on the ORAD for 84-94 Broad Reach (DEP File #81-1125).

Autumn Lane (DEP File #81-1112) did not provide a completed slope restoration plan and Mary Ellen Schloss will send it back to them.

ADJOURNMENT

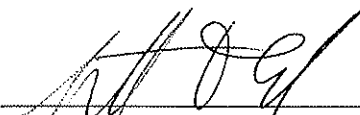
Next meeting is scheduled for September 25, 2013 at Town Hall.

Cmmr. Loring made a motion to adjourn at 10:00 pm and was seconded by Cmmr. Tanner.
VOTED UNANIMOUSLY

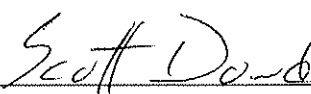
Respectfully submitted by,

Lee Hultin
Recording Secretary

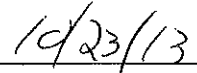
Approved by:



Scott Dowd, Conservation Clerk



Date



Date