

WEYMOUTH CONSERVATION COMMISSION  
RECORD OF MINUTES AND PROCEEDINGS

2021 SEP 30 AM 11:33

Tuesday, May 4, 2021

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

Also Present: Mary Ellen Schloss, Conservation Administrator  
Andrew Hultin, Assistant Conservation Administrator  
Ann Flynn Dickinson, Recording Secretary

*Vice Chair Reilly called the Commission meeting to order at 7:00 p.m. This meeting is a continuation of the Commission's scheduled meeting of April 27<sup>th</sup>.*

*State of Emergency Message and meeting information:*

*Governor Charles Baker has declared a State of Emergency in Massachusetts to support the state's response to COVID-19 (novel coronavirus). Per the directive of Mayor Hedlund and the Town of Weymouth's "Emergency Declaration and Town-Wide Guidance in Response to COVID-19 of March 13, 2020", the Conservation Commission will meet remotely for the health and safety of the board members and the public during the Massachusetts State of Emergency.*

*The Conservation Commission will be using Webex software to conduct meetings on-line for the immediate future. The Meeting # (access code): \_\_\_\_\_ and Meeting password: \_\_\_\_\_  
The online link and dial-in instructions were provided 48 hours in advance of the meeting.*

- 1. Charlotte Street & O Finnell Drive – Notice of Intent, Public Hearing  
Bristol Brothers Development Corp, James Bristol  
DEP File # Pending [subsequently assigned #81-1272]  
Map 35, Block 452, Lot 9 & Block 423, Lot 4  
New Access Driveway**

**NOTE: The applicant has requested that the meeting be continued to May 25. There will be no testimony or deliberation**

Motion was made by Cmmr. Loring and seconded by Cmmr./Clerk Dowd  
To open the public hearing  
5-0-0 Unanimous rollcall vote.

**2. 1183 Main Street – Notice of Intent, Public Hearing**  
**DEP File # Pending [subsequently assigned #81-1275]**  
**S Barzola Construction Corp.**  
**Map 53, Block 554, Lot 19**  
**Proposed parking lot and drainage improvements**

Motion was made by Cmmr. Loring and seconded by Cmmr./Clerk Dowd to open the public hearing

5-0-0 Unanimous rollcall vote

Mr. Shawn Hardy, Engineer with Hardy Design Group, was on the call to present for the applicant together with Ken Thompson, the wetland scientist (from the firm 5 Wetlands).

They presented with a slide an overview of the plan to infiltrate roof flow up to the size of a 100 year storm. They will also install a rain garden along the property side with the wetlands. There will be four parking spaces in the rear to meet the zoning requirements and parking out front to get some vehicles in to maximize the space, but space is restricted. Today an official letter was received from Tom Barry, Building Inspector that the commercial vehicles that were being parked out there can no longer be parked there and this would be parking for employees.

Mr. Luongo commented that if the applicant is in violation of any Town Ordinances that the Conservation Commission can not issue an Order of Conditions (OOC) tonight? There has to be a commitment that the applicant is not going to be storing any commercial equipment or any other machinery on the site. If they do not agree, they will be in violation and an Order of Conditions (OOC) can not be issued tonight. Total number of parking spaces must be outlined for the site.

Ms. Schloss states they need to see some revisions to the plan before voting, commenting that:

- test pit needed for the infiltration system
- Does the driveway loop around the building allow them to reduce the amount of pavement adjacent to the wetland?,
- Need more information on soil profile for the rain garden
- Would like to expand the width of the rain garden (increase the distance to the wetland)
- No commercial vehicles can be stored there, so they won't need as much room

Chair Reilly states the area the Commission is most concerned with is the area in the back near the wetlands not the front. Chair Reilly asked Ms. Schloss if 4, 9 x 18 spaces would fit back there without pulling back the parking area.

Mr. Hardy agreed to come back to the Commission with revised plans that will meet those recommendations for the June 22<sup>nd</sup> meeting.

Chair Reilly recommends continuing the public hearing to June 22<sup>nd</sup>.

Motion was made by Cmmr. Dowd and seconded by Cmmr. Donovan to continue the public hearing to June 22<sup>nd</sup>.

5-0-0 Unanimous rollcall vote.

- 3. Washington Street/White Oaks Lane – Notice of Intent, Public Hearing**  
**DEP File # 81-1271**  
**Hanover R.S. Limited Partnership**  
**1325 Washington St. "0" Washington St., 28 White Oaks Lane**  
**Map 35, Block 448, Lots 7, 8, 9, 25.**  
**Mixed-use project w/270 residential units and 4,200 sq ft commercial/retail space**

Motion was made by Cmmr. Loring and seconded by Cmmr. Dowd to open the public hearing  
5-0-0 Unanimous rollcall vote

Ms. Schloss states that the legal notice has been published and abutters were notified.

Mr. Steve Dazzo with The Hanover Company who is also the applicant. He went over a slide presentation and introduced his project team:

Gabe Crocker - Civil Engineer  
Mike Howard - Wetland Scientist  
Frank Marinelli - Permitting Counsel  
Tom Godfrey – Permitting Consultant

They went over the following in detail:

Introduction  
Project Overview  
Site Context and Existing Conditions  
Resource Area and Buffer  
Site Design  
    Layout Plan  
    Grading and Drainage  
    Utilities  
    Erosion Control  
    Wetland Mitigation  
Green Initiatives  
Milestones and Next Steps

Ms. Schloss summarized her comments:

- Show resource areas more clearly on the plans, providing a separate resource area plan
- There is a local-only resource area at the center of the site. It has already been cleared and filled by the Bristol Brothers, without authorization. It was formerly a wooded area. Does the stormwater analysis account for the previously wooded condition?
- Regarding flooding impacts, we have received comments in the past with concerns of flooding on the other side of Washington Street, particularly the Plymouth River Condos which is downgradient of the discharge.
- We want to be involved with the review of the Stormwater Pollution Prevention Plan

- Water usage is a concern and we appreciate the applicant's use of low flow fixtures and drought-tolerant plantings.

Motion was made by Cmmr. Loring and seconded by Cmmr. Dowd to authorize Ms. Schloss to enter into a peer review.

4-0-0 Unanimous rollcall vote, Cmmr. Singleton was having audio difficulty and could not vote

Mr. Crocker provided feedback on comments that were made by Ms. Schloss:

- An exhibit was put together for buffer zone and highlighting resource areas
- They also provided a table with facts. A lot of that stuff was not on the NOI forms because it is a state form and not a local one
- What did we utilize for a precondition in the isolated area that was filled? They did a storm water analysis and assumed that area was in pre-development, wooded conditions, to be conservative on that end
- We have identified in green on the exhibit the proposed limit of clearing which is identified as a tree line
- Vernal pool jurisdiction: The historic disturbances on the quarry hole are much closer on both sides than what they are proposing. On the side with the emergency access off of the back, it is 40 ft away. We will end up 74 ft to the retaining wall and 84 ft to the parking lot. Since they are restoring and enhancing the area that was previously disturbed is a waiver necessary?
- With respect to Wetland E they are definitely more than 25 ft everywhere. The wall that is closest to the site is only 2ft tall.
- We are in agreement with the peer review
- 25 ft vs. 50 ft, we believe the 25 ft is what applies to this project which is predominantly residential with accessory commercial space in the front corner for mostly residents. Does the 50 ft. apply, since their perspective the 25 ft would comply everywhere
- Stormwater impacts we are all on the same page
- Sediment and erosion controls, this project does disturb more than an acre and will be subject to a permit and storm water pollution prevention plan to be developed prior to construction

Chair Reilly asked for a concrete number of trees that will be removed and a plan to move excavated dirt off site.

Mr. Crocker replied the primary goal is to process and reutilize on site. Excess would be hauled off site.

Ms. Schloss states the Commission is going to want to talk about the mitigation plan.

Open to Public Comments:

Patricia Pries of 15 Woodbine Road says she is excited to report that they have found herring spawning between northbound and southbound lanes of Rte 3. There needs to be protected space for the Herring. The ecology and recharge of the water change. We ask that they

recognize our surface water supply. Every time we ask how much capacity we have left, no one can answer that question. Please, this is an assault on the Herring Run.

No other comments

Cmmr. Loring is leery about the woodland restoration area. Disturbing this area to make it more wetland will be a deterrent to wildlife, not a help, and parking near the vernal pool is upsetting.

Cmmr. Dowd echoes these concerns.

Cmmr. Singleton having communication issues. He has concerns with the front of the property and wondered what Mass. Highway is going to do about the lack of parking across the road.

Chair Reilly states that it is to be addressed by the MASSDOT. It is out of our jurisdiction.

Cmmr. Donovan questioned whether wetlands restoration has long term maintenance, it is important.

Ms. Schloss responded that she had walked the area with the applicant during the winter and discussed different ideas. We do have flexibility here since the wetlands are local jurisdiction. No DEP performance standards. These wetlands are not providing flood storage capacity to this same catchment area. If we are improving, maybe revegetate the area and not work on the bank. The culvert we are not convinced we need to do anything to that area. Let's protect Wetland E, not carve out its bank.

Clair Coughlin, 6 Argyle Court stated that the wetlands are right behind her house. Her main concern is the wildlife.

Mr. Dazzo responded, she abuts Wetland A.

With no other comments.

Ms. Schloss recommends that it be continued to the June 22nd meeting and the goal within that time period would be to have a peer review consultant thoroughly review the plans, provide a comment letter, with time to respond to the comments before that time frame.

Motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to continue this matter until June 22nd.

5-0-0 unanimous rollcall vote

Chair Reilly states the public meeting will remain open until the next meeting.

#### **4. Other Business**

Ms. Schloss does not have anything for Other Business.

#### **5. CPC Update**

Cmmr. Loring reports there were no applications, no meeting, and no report

**6. Herring Run Update**

Cmmr. Loring reports that the Herring Run have been running about three weeks now so far, there have been over 100,000 fish into the pond and it looks awesome.

**7. Conservation Report**

Ms. Schloss reports she did email to the commission. New active construction includes the MASSDOT drainage repair next to Bridge Street, where she was on site today flagging some of the trees to be removed. The project will start at the end of June, Norfolk County Mosquito Control will begin doing their work to do the ditch for tidal flow in and out.

Other on-going construction 1400 Main Colony Station, there will be a meeting out there tomorrow with the Environmental folks, they will be coming to us soon for a Certificate of Compliance (COC) as well as the 1500 Main Street project.

The Gradient Apartments at Arbor Hill are still doing their three year monitoring of that vernal pool. Mr. Hultin and herself were there last week and will be looking at that pool again in May and June. The pool has been certified so that is great news. Ms. Schloss complimented Mr. Hultin on a fantastic job going on his own initiative by going to look at several vernal pools in the Town of Weymouth Parkland and has submitted them to Natural Heritage for Certification and that is huge.

Compliance, enforcements and complaints goes back to April 10th and 11th where she thanked George and Phil Lofgren They had seen a hydroseed spill in the roadway at Jackson Square. The DPW got right out there with vacuum trucks to suck out the catch basins and sweep the streets. She thanked the DPW.

There was an Earthday event with Fish and Game, the Commissioner was on-site, the Mayor was there, Chair Reilly and Cmmr. Loring were thanked for being there and also the DPW and the Watershed Association as it was a great event.

The Grant Application for the removal of the dam and infrastructure on the Old Swamp River, which Mr. Hultin is taking the lead on, related to the now defunct sediment nutrient update pond (SNUP). We are submitting a grant application to the Division of Ecological Restoration and got good feedback on letters of support. Other grant applications we are putting together are Coastal Resiliency Grant and Seaport Economic Council for the Wessagussett Walk Project.

Wessagussett Historic Commission is installing three interpretive panels at the Wessagussett Woodlot which is Conservation Land off of Sea Street near the water. There will be a concrete footing there for the First Weymouth Settlement. Mr. Hultin has been very involved with this.

Mr. Hultin has been very busy with eight Vernal Pools. Five in Bradford Torrey Sanctuary, two in Cavern Rock Park, and one in the Forest Street Conservation area.

We had a sit down with the Mayor, DPW Staff and Planning Director to discuss the impacts of our water supply and concerns about increased water withdrawal and their impacts on the aquatic resources and Herring Run. Also had a conversation with the Director of the Division of Ecological Restoration, Beth Lambert and we have floated our proposal from Scott Dowd on his vision of restoring the Herring Run to Great Pond we might be able to leverage that and gain interest in expanding the Herring Run and the Spawning Ground that way with help from the State in getting Weymouth an alternate water supply.

We may just need additional supplemental water to help get the Herring up to Great Pond.

Ms. Schloss will be sending some comments as there is a plan for department review on the Massapoag Subdivision, applicant Bristol Brothers was looking for a variance in order to do a planned unit development which would give them one additional lot in that sub-division in exchange for providing about 3.2 acres of land for conservation which would require additional information.

No Public Meeting for the Hazard Mitigation Plan or the Wetlands Vegetation Management Plan but should be coming up soon.

Ms. Schloss did receive an environmental notification form (ENF) for the 655 Washington Street project because of the traffic generation.

Gas Line work notification that 3250 linear feet of steel gas line is being replaced by plastic pipe along Main Street where there is some buffer zone area.

Pending submittal deadline is Friday for the next meeting. We will be seeing the Notice of Intent (NOI) for demolition of the incinerator near Osprey Overlook Park. We received survey information relative to the relocation of an existing AT&T wireless antenna within Town Land but outside of our jurisdiction which we are requesting additional information on elevation.

Mr. Luongo believes this to be a temporary relocation and the Mayor is committed to taking down the incinerator and smoke stack and the pole will be relocated to public or private land and not remain in this spot.

Chair Reilly reminded everyone to get our signatures certified this thursday or friday between 1 and 4. If that date/time does not work you can reschedule with Mr. Hultin or go to Town Hall and have Kathy Duree notarize.

Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to adjourn the meeting at 9:00 pm.

5-0-0 unanimous rollcall vote

**8. Next Scheduled Meeting - June 22, 2021**



---

Scott Dowd, Clerk

Weymouth Conservation Commission Minutes May 4, 2021

Respectfully submitted by,

Ann Flynn Dickinson  
Recording Secretary