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

FINAL, APPROVED VERSION

Tuesday, May 26, 2020, 7:00pm, Remote Meeting (via Webex)

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

Also Present: Mary Ellen Schloss, Conservation Administrator
Patricia Fitzgerald, Recording Clerk
Eric Schneider, Host
Monica Kennedy, Host

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

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 (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 held the meeting using Webexsoftware.

The online link and dial-in instructions were provided 48 hours in advance of the meeting.

1093 Main Street –Notice of Intent, Public Hearing, Continued

John O'Brien

Map 49, Block 554, Lot 8; DEP File #81-1252

Demolish dwelling, build 4-unit residential building

Attending the on-line meeting was Deb Keller, PE, Merrill Engineers, and owner, John O'Brien. Ms. Keller said they went before the Board of Zoning Appeals and, as a result, are switching the dumpster location to the right-hand side, which is shown on the revised plan. The rest will pretty much stay the same.

Public comments: none

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

5-0-0 unanimous rollcall vote

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted to issue a standard Order of Conditions with knotweed control and other issues discussed.

5-0-0 unanimous rollcall vote

41 Tayla Drive - Request for Final Certificate of Compliance (COC)

David Flanagan

Map 50, Block 561, Lot 25; DEP File #81-1049

Basketball court, retaining wall

Ms. Schloss said all work is done and she is in favor of issuing the Final COC.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted to approve the Final Certificate of Compliance.

5-0-0 unanimous rollcall vote

Gradient Apartments at Arbor Hill – Bond Reduction Request, Discussion

Arbor Weymouth Residential Holdings, LLC

Burkhall St. Alexan Court, Arbor Hill Drive; DEP File # 81-1046

Request to reduce amount of performance bond during the 3-year post-construction monitoring period

Attending the on-line meeting was Jake Upton, Arbor Weymouth Residential Holdings, LLC. Ms. Schloss said Mr. Upton is requesting a reduction in the bond for Arbor Hill, from the current amount of \$425,000, to \$52,500. All work is done except for the 3-year monitoring period on the pocket wetland which will cost \$52,467.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted to reduce the current bond amount of \$425,000 down to \$52,500 with an effective date of 4/23/2020.

5-0-0 unanimous rollcall vote

111 Iron Hill Street – Request for Determination of Applicability, Public Hearing

Thomas Allen

Map 27, Block 308, Lot 19

Second-floor balcony

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

5-0-0 unanimous rollcall vote

Mr. Allen attended the on-line meeting. He is requesting an 8x8 second floor balcony with supporting posts Ms. Schloss said it will be an open deck without stairs, and there will be no change to drainage. She stated that the retaining wall here is in very poor shape and she wanted to ensure that construction of the deck and posts would not interfere with the ability of machinery to access the wall for future repairs.

Cmmr. Loring said the porch supports do not seem too close to the retaining wall.

Ms. Schloss told Mr. Allen that post holes need to be manually dug; there will be no machinery allowed.

Public comments: none

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

5-0-0 unanimous rollcall vote

On a motion made by Cmmr. Singleton, seconded by Cmmr. Reilly, the Commission voted to approve the Negative 3 Determination with conditions mentioned.

5-0-0 unanimous rollcall vote

Washington St./White Oaks Lane – Abbreviated Notice of Resource Area Delineation (ANRAD), Public Hearing

Applicant: 1317 Washington RE Holdings, LLC

Map 35, Block 448, Lots 7, 8, 9 and 25; DEP File #81-1253

Delineation of wetland resource areas

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

5-0-0 unanimous rollcall vote

Attending the on-line meeting were Gabe Crocker, Crocker Design, James Bristol, Bristol Bros., John Zimmer, Wetland Scientist, and Tom Godfrey, representing the applicant.

Mr. Bristol explained that this property, part of his family's quarry property, has been recently rezoned. He said there was ledge there that they wanted to try to quarry. He said they have never had a blasting permit held up in Conservation. Work had already begun (trees cut, and potential blasting area prepped) when Ms. Schloss told them to flag the wetlands before proceeding with blasting. He said about 15 years ago the town thought there may be a potential well on the property, so he built the road, which is shown on the plan.

Mr. Zimmer presented the ANRAD plan for the property. He did the wetland delineation and said there is no current development before the Commission, just the resource area delineation submittal. He explained the wetland resources, and said he needs to go back out to check on the cleared and graded area. He explained that the ANRAD plan was revised to include comments from the site walk with the Administrator, including an additional local-only wetland area and an adjustment to one flag. Topography and existing quarry roads were added, at the Conservation Administrator's request.

Ms. Schloss said the revised plan was received the day of the meeting. She noted that when she visited the site with Mr. Zimmer, they observed amphibian breeding in both quarry holes - wood frogs and salamanders (obligate vernal pool species). She wants to see (locally jurisdictional) vernal pools shown on the plan. She also said that there may be a culvert that connects the stream (from the major wetland system) to the wetland on the other side of Washington Street. If so, that should also be noted on the plan.

Public comments: none

It was agreed to continue the hearing.

On a motion made by Cmmr Loring, seconded by Cmmr. Reilly, the Commission voted to continue the hearing to June 23, 2020.

5-0-0 unanimous rollcall vote

0 Summer Street –Local-only Notice of Intent, Public Hearing

Mento Construction

Map 32, Block 358, Lot 7; 2020-LOOC-01

Construction of single-family dwelling on undeveloped lot

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

5-0-0 unanimous rollcall vote

Joining the on-line meeting was Ken Thompson, Biologist, representing the applicant.

Mr. Thompson said the proposal is for property adjacent to Weymouth/Braintree Recreation Area. He said there are two locally-jurisdictional wetlands on the site and the applicant is requesting a 34'x28' single-family home with a driveway, and a 25 ft. buffer that spans across the whole property. Also, on the street, there are two water hydrants and a drain system. They are requesting access to the house between the wetlands. He added there are invasive species, and a few native species, on the site.

Mr. Thompson explained that mitigation would be twice the size of the removed wetland, they will remove invasives, put in posts and signage along the 25-buffer, Japanese knotweed will be removed and disposed, they agreed to a construction entrance, all construction parking will be on site, and roof runoff will be put into the ground.

Ms. Schloss said a monitoring period will be needed for vegetation management and the Commission can discuss a performance bond.

Cmmr. Tanner asked if the DPW has looked at the plan; Ms. Schloss said she spoke to Kenan Connell, DPW Director, who said this is a critical spot and thinks DPW should look at it.

Chairman Tanner said he did not see why the new water line has to go through the wetlands and suggested installation of a manhole.

Public comments:

Madeline Scannell, 377 Summer Street, said she is afraid that more activity will worsen wetland flooding when it rains.

Chairman Tanner asked about the driveway turnaround and why it can't be moved farther from the wetland/closer to the street; Mr. Thompson said he would ask the engineer.

It was agreed to continue the hearing.

On a motion made by Cmmr Loring, seconded by Cmmr. Reilly, the Commission voted to continue the hearing to June 23, 2020.

5-0-0 unanimous rollcall vote

52 Brewster Road – Violation Hearing

Brian Nigro, former owner

Map 10, Block 82, Lot 15

Filling/dumping in wetlands and buffer zone and encroachment onto town conservation land

Ms. Schloss said the new owner, Ken McAuliffe, is trying to address these issues. She said he has removed additional debris from the slope, and has installed bushes to delineate the property line to prevent further encroachment onto Conservation land. Ms. Schloss noted that the Commissioners conducted a joint site visit on 5/21/2020 and requested that wood debris (former dock) at the toe of slope be removed if possible.

It was agreed to continue the hearing.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Reilly, the Commission voted to continue the hearing to June 23, 2020.

5-0-0 unanimous rollcall vote

137 and 141 Wessagussett Road – Emergency Certification

John Alfano, owner

Map 4, Block 36, Lots 3 and 4

Demolition of unsafe structures

Ms. Schloss said the Board of Health has been trying to get these houses demolished, as there are severe safety concerns. She said that if approvals are in place, , work may begin June 2nd. She said this demolition is being ordered by the town. The Commission agreed to issue an Emergency Certificate for one of the houses in January, but the other house also needs an Emergency Certification.

On a motion made by Cmmr. Dowd, seconded by Cmmr. Reilly, the Commission voted to issue an Emergency Certification for demo of both houses (Frank Singleton was temporary disconnected). 4-0-0 unanimous rollcall vote

Funding of Installation of cameras - Discussion

Ms. Schloss said there are herring poaching concerns and she would like to install locking, battery-operated tree cameras at a cost of \$200-\$300 each. She is looking to purchase one, which can be paid for from the Conservation Donations account.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Dowd, the Commission voted to issue an Emergency Certification. 5-0-0 unanimous rollcall vote

Discussion of Procedures during the COVID-19 State of Emergency

Everyone said the new way of getting documents signed is working well.

CPC Update

Mr. Loring had nothing to report.

Herring Run update

Cmmr. Loring said, by his count, 300,000 herring have come up the ladder.

Other Business/Conservation Report, given by Ms. Schloss:

Break at the River Street sewerage pump station; there was two hours of full flow into the Back River (approximately 10,000 gallons) over the Memorial Day weekend.

Cmmr. Dowd asked what the tides were doing at the time of the break; Ms. Schloss said it could be looked up and she would get back to the Commissioners.

South Shore Climate Network: will be having Zoom meetings May 28th and June 4th regarding legal issues concerning climate resilience.

Next Meeting: June 23rd

Adjournment:

On a motion made by Cmmr. Reilly, seconded by Cmmr. Dowd, the Commission voted to adjourn at 8:45pm.

5-0-0 unanimous rollcall vote

Tom Tanner, Chairman

Date

Respectfully submitted by,

Patricia Fitzgerald, Recording Secretary

