

WEYMOUTH CONSERVATION COMMISSION
RECORD OF MINUTES AND PROCEEDINGS

SEP 30 AM 11:33

Wednesday, June 23, 2021

Present: Frank Singleton, Acting Chairman/Commissioner and Vice-Chairman
Scott Dowd, Commissioner and Clerk
George Loring, Commissioner
Al Donovan, Commissioner

Not Present: John Reilly, Chairman

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

Acting Chairman Singleton called the Commission meeting to order at 7:00 p.m. This meeting is a continuation of the Commission's scheduled meeting of June 22nd.

- 16. 50 Lakeshore Drive – Request for Final Certificate of Compliance**
Kristen Oleson
Map 26, Block 342, Lot 13; DEP File #81-262
Retaining walls, concrete patio, deck

Ms. Schloss presented that this was an Order of Conditions (OOC) from back in the 1980's. They never received a final Certificate of Compliance (COC).

Pictures were shown of deck, fence, lawn and Whitman's pond

The retaining wall which is located by the house is in terrible shape from back in the 80's the house is being sold this week and the new owner maybe coming in for a new Order of Conditions (OOC). This is only to close out the old order.

Recommend an issuance of a Final Certificate of Compliance, just closing out an old order.

The Applicant was not present.

Motion was made Cmmr. Loring and seconded by Cmmr. Donovan to issue Final Certificate of Compliance.

4-0-0 Unanimous rollcall vote.

17. 191 Circuit Ave. – Request for Determination, Public Hearing
Robert D’Andrea
Map 33, Block 378, Lot 35
Two-car Garage with Apartment above

Motion was made by Cmmr. Loring and seconded by Al Donovan to open the public hearing
4-0-0 Unanimous rollcall vote

Mr. D’Andrea corrected the record to explain it is an in-law not an apartment.

Plans were displayed for reference.

They are adding the addition to the right of the property; the wetlands are on the left. His wife passed away and he needs to get it done he is moving up to the in-law and children moving into main house.

Ms. Schloss displayed photos and explained it is a dead-end street. There is a public water supply well within 400 ft. at the end of the road. Work is occurring mostly on a paved driveway there is a pool in the back.

We looked at erosion controls did not look like anything was needed to the side or the rear. We want to protect the areas of wetlands across the other side of the street with the trucks going in and out.

Mr. D’Andrea proposed removing or storing the soil during construction. He decided materials that are not going to be used will be discarded and taken off site. Storage will be in the excavated footprint of the garage while construction is on-going. Nothing will be outside.

Ms. Schloss recommends a negative 3 determination with no impact to the wetlands with Standard Conditions, including notification when work begins.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to close the public hearing.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue a Negative 3 Determination with erosion controls and stockpiling, together with standard conditions including notification when work begins.

4-0-0 Unanimous rollcall vote

18. 1183 Main street - Notice of Intent, Public Hearing, continued
DEP File #81-1275
S. Barzola Construction Corp.
Map 53, Block 554, Lot 19
Proposed parking lot and drainage improvements

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to reopen public hearing.

Shawn Hardy, the Engineer for the applicant was presenting the revised plan for the Dahlquists (the applicants).

Comments were received from the last hearing specifying the number of parking spaces and the Commission’s request to try to expand rain garden. Test pits were conducted and the ground water is about 72” below the surface, so we changed as he pointed to the slide shown.

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They have delineated a total of 5 parking spaces to the rear of the property and increased the size of the rain garden to a 10ft width with a 3 ft buffer between the edge of the paving and the rain garden.

Through conversations with Ms. Schloss there was a question whether there needed to be mulch, and there will be mulch around the trees.

Acting Chair Singleton confirmed they are going to use a wet mix.

There will be a berm around that parking area so there is an opening at each end and water will discharge to a forebay before entering the rain garden.

Ms. Schloss feels that her comments have been addressed. There should be two erosion control lines: one on either side of the proposed rain garden. We don't want any materials from the parking lot to get into the restoration work. The area where the rain garden is going is gravel and that gravel will be pulled back and excavated for the soil profile that's required.

Ms. Schloss is satisfied with this design. It is a compromise between the parties since this was a difficult situation. She recommended the following conditions:

- Reference the plans from today
- Mention the additional erosion control line
- Reference Operation and maintenance (O & M) plan contained in the Notice of Intent (NOI).
- Inspecting and removing trash monthly
- Removing dead vegetation pruning annually in the spring and fall
- Long term this will grow in and become part of that wetland buffer as opposed to a typical rain garden. The main maintenance schedule should be included in the O & M plan
- Discuss when this would be ripe for a Certificate of Compliance, a typical maintenance calls for a 2 year review? Raingardens we ask for 1 year. We should have a review after one year to replace any plants that need to be replaced.

Cmmr. Donovan asked for a timeline when this was going to occur?

Mr. Hardy responded that the Building Dept. is holding them back on some other things could you please let it be known that we have come to an agreement.

Ms. Schloss states that she would be comfortable enough to sign off on their Certificate of Occupancy as soon we see the planting done right before the end of the summer, by the end of the growing season. Ms. Schloss recommends issuing an Order of Conditions (OOC) as discussed.

No other comments

Motion was made by Cmmr. Loring, seconded by Cmmr. Donovan, to close the public hearing.
4-0-0 Unanimous rollcall vote

Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to issue an Order of Conditions with any special conditions mentioned by Ms. Schloss.

4-0-0 Unanimous rollcall vote

- 19. 1239 Washington Street – Notice of Intent**
DEP File #81 – (file # is pending) [subsequently issued file #81-1276]
American Alarm & Communications, Inc.
Map 35, Block 446, Lot 21
Commercial building and parking lot improvements

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to open the public hearing. Ms. Schloss confirmed legal notices were published and abutter receipts have been received.

Shawn Hardy who is the Engineer for the applicant is here to present.

This is an existing commercial bldg. existing on the corner Washington Street and Woodrock Road. It is approximately 32,000 sq. ft., with an existing building that was built in approx. 1967. The proposal includes interior and exterior improvements, together with modifying the landscaping and parking layout. The result will be approximately a 2,400 sq. ft. reduction in impervious area which qualifies it as a redevelopment under storm water standards. He then went on in detail of the proposal, showing the plans shown to the Commission.

Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to close the public hearing.

Ms. Schloss recommends the following:

- Issue standard Order of Conditions for commercial projects and adapt those and trim them down to what is needed
- Add the special condition that landscape architect will provide a plan for review showing landscaped areas to be designed to accept pavement and roof runoff. Include cuts in curbing to direct water to depressed landscaped area adjacent to Woodrock Road

Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue Standard Order of Conditions (OOC) plus special conditions.

4-0-0 Unanimous rollcall vote

20. OTHER BUSINESS

Request for minor modification of existing Order of Conditions (OOC)
8 Perkins Road
DEP File #81-1246
Construction of fence

Ms. Schloss wanted the Commission's feedback since the applicant is looking to construct a fence and wants to make sure he can do so under his Order of Conditions (OOC).

Shawn Hastings owner of 8 Perkins Road was in person to present.

He displayed photos of the property showing the area where the privacy fence would be constructed. It is at the end of the property where the Town Surveyor has outlined his land at the end of the street.

Ms. Schloss recommends the approval of the minor modification with a letter stating such.

Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to allow the minor modification.
4-0-0 Unanimous rollcall vote

Enforcement Issues:

73 Puritan Road. Ms. Schloss wants to discuss 73 Puritan Road salt marsh behind it which contributes to the Back River. Resident brought in fill to raise low spots where tidal water was ponding in the yard. There is a significant encroachment onto town land and part of fill area is on town property. There were photos shown of the property. The owner states there is more tidal water coming onto their property and they are prone to flooding.

A Cease and Desist and Notice of Violation is coming. They will need a Surveyor and an Environmental Wetlands Professional to come up with a plan and resident agreed to do so.

Ms. Schloss will use the next meeting's Agenda under Other Business for a status report to ensure that the professionals have been engaged to develop a restoration plan.

180 Idlewell Blvd. Notice of Violation was sent in early June for a No Disturb area in which a patio was constructed. Ms. Schloss was out there last October and did measurements showing it was in the No Disturb Area and needed to be pulled back, but no resolution was ever met and the patio was finalized. Ms. Schloss recommended the following:

- Hire professionals to help with the plan
- Have them appear at the next meeting in July

Bike Racks:

Part of the complete streets program, currently there is a bike rack proposed at Whitman's Pond. Recommend to change the pad design and reduce the number.

The Herring Run Middle Pool on Water Street was a proposed 17 x 16 concrete pad very inappropriate for a small park.

Mr. Hultin recommends no pad and Commission agreed with placement near the sidewalk.

Cmmr. Singleton is concerned about our water supply and fisheries. We are at capacity and it is a very serious issue and asked if we could get the DPW to report on this topic.

Ms. Schloss responded that this has been an issue for a while and have previously met with Mayor Hedlund and Bob Luongo. The measurements for water restrictions only go by water levels in Great Pond. She recommended a letter be written by the Commission since the permit is up for renewal in 2021.

21. CPC Update

Cmmr. Loring presented to inform it was a Zoom meeting. They discussed putting money towards foreclosure properties to pay legal fees. He also questions if the Whitman's Pond Management Group still going onward?

Ms. Schloss responded that contract was suppose to end June 30th and it just stalled out.

Cmmr. Loring continued that the Pedestrian Bridge is moving forward with the Chapter 91.

Ms. Schloss states that the superseding conditions ordered by the DEP said that the Chapter 91 License has to be applied for. With a culvert at one end and a Herring ladder at the other it does not really make sense, but that is what we have to do. The project will not go forward until those permits are issued.

Cmmr. Loring also stated that a lot of the projects around town are completed except for signage and that is in the works.

22. Herring Run Update

Cmmr. Loring updated the Commission. Herring immigration is finished and the out-migration is ongoing. Most are already down but there are still a few hanging around. The visual count was about 235,000, which is down but it is down all across the Eastern Sea Board. The juveniles have started going out which is a good thing. The sluice gate at the Herring Run Park needs repair but it is open. We found the piece that was missing. It is under warranty, and up to the manufacturer to replace it and get it working again.

23. Conservation Report

Ms. Schloss updated that Iron Hill Park there was a consultant selected to prepare conceptual design, Horsley, Whitten Group. We met with Mass DOT today and their contractor Aqua Line for the drainage repairs on Neck Street next to U-Haul will start up at the end of July.

Ms. Schloss wanted to confirm which way the Conservation Commission wanted to receive their copies, via paper or email.

The Commission agreed the Agenda and memo they would like to receive hard copies for.

24. Adjournment

Motion was made by Cmmr. Dowd and seconded by Cmmr. Loring to adjourn at 9:00 p.m.
4-0-0 Unanimous rollcall vote

25. Next Scheduled Meeting – July 27, 2021

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Respectfully Submitted by,

Ann Flynn Dickinson
Recording Secretary

Approved by

A handwritten signature in dark ink, appearing to read "Scott Dowd", is written over a horizontal line.

Scott Dowd, Clerk