

WEYMOUTH CONSERVATION COMMISSION
RECORD OF MINUTES AND PROCEEDINGS

2021 DEC 29 PM 2:20

Whipple Senior Center
182 Green Street
Weymouth, MA
Tuesday, July 27, 2021

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

Also Present: Mary Ellen Schloss, Conservation Administrator
Andrew Hultin, Assistant Conservation Administrator

Not Present: Ann Flynn Dickinson, Recording Secretary

Chair Reilly called the Commission meeting to order at 7:00 p.m.

1. Minutes April 27 , 2021

On a motion made by Cmmr. Singleton and seconded by Cmmr. Loring to accept the minutes as written.

Unanimous 5-0 rollcall vote

- 2. Charlotte Street & 0 Fennell Drive – Notice of Intent, Public Hearing
Bristol Brothers Development Corp. James Bristol
DEP File # 81-1272
Map 36, Block 452, Lot 9 & Block 423, Lot 4
New Access Driveway**

A request was submitted to continue to the August 24, 2021 meeting.

On a motion made by Cmmr. Loring and seconded by Cmmr. Donovan to continue to the August 24, 2021 meeting.

Unanimous 5-0 rollcall vote

- 3. Washington Street/White Oaks Lane – Notice of Intent, Public Hearing, cont'd
DEP File #81-1271**

Hanover R.S. Limited Partnership

1325 Washington Street, "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

Per Chair Reilly, this item will be taken out of order due to the Commission's peer reviewer being stuck in traffic.

4. **59 Lake View Drive – Notice of Intent, Public Hearing**
DEP File #81-1277
Tayson Ng
Map 30, Block 386, Lot 1
Demo and rebuild existing single-family home

On a motion made by Cmmr. Loring and seconded by Cmmr. Singleton to open the public hearing

Unanimous 5-0 rollcall vote

Mr. Ng and Mr. Brad Holmes from Environmental Consulting and Restoration were there to present for the Notice of Intent on a single-family home reconstruction project on this lot. A site visit was completed last week. The house is in very bad shape and they are looking to rebuild with the same footprint with minimal increase, just squaring off the structure at the front entrance. Whitman pond is off to the East and the Mill River on the West with a 100 ft buffer zone to the pond, and 200 ft Riverfront area associated with the River. It is currently within the FEMA A Zone (without BFE) at the edge of the pond, but the 2020 preliminary FIRM maps show the entire structure within the A zone. Maps are preliminary at this time. An application needs to be filed with the Planning Board due to the non-conforming nature of the lot. The applicant is also proposing mitigation plantings in the area where they are removing lawn and re-vegetating it with a buffer strip of native vegetation. This is to comply with the Riverfront Standards.

Ms. Schloss stated she did receive the abutter notification and the legal notice was printed. She has also been looking into the flood zone issue with the MA DEP. The Wetlands Protection Act regulations refer to flood profile data. We could reach out to FEMA to receive a base flood elevation and continue communication with them over the next few weeks. This also needs to go before the Planning Board and she suggests continuing the meeting to September 28, 2021

On a motion made by Cmmr. Loring and seconded by Cmmr. Donovan to continue to the September 28, 2021 meeting

Unanimous 5-0 rollcall vote

Back to Item #3

3. **Washington Street/White Oaks Lane – Notice of Intent, Public Hearing, cont'd**
DEP File #81-1271
Hanover R.S. Limited Partnership
1325 Washington St., "O" Washington Street, 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
Unanimous 5-0 rollcall vote

Frank Marinelli, Counsel for the Hanover Company
Gabe Crocker, Project Engineer

Elisha Musgraves, Peer Review for the Town were all here to present
Mr. Marinelli states they have received a certificate from MEPA which is in the record on June 9, 2021. They received approval of the Zoning Board on June 16, 2021 as a project that meets the Commercial Corridor Overlay District requirements. The Peer review meeting was very productive and revised plans were submitted.

Mr. Gabe Crocker of Crocker Design Group updated the Commission on how they were going to address the previous comments and deal with revisions.

- One of the primary revisions was the design of a three-sided box culvert system that reconnects the intermittent stream coming down the site to the wetland across Washington Street.
- Reconfigured the main drain system in the front of the building to boost recharge in that area
- Added a second recharge system in the rear
- Added a pre-treatment oil/grit separator
- Converted the rear lot to a porous pavement parking lot for additional recharge, close to the vernal pool
- There is an existing culvert that separated the main wetland from the intermittent stream that came down the hill which will be upgraded from a 12" pipe to an 18" pipe
- Revised the storm water analysis to utilize the NOAA Atlas 14 rates
- Several revisions to the erosion control plans to better clarify stockpile locations, the use of fence around the perimeter
- Provided other clarifications like use of blast mats where needed
- Updated storm water O & M
- Revised wetland mitigation program to be all buffer enhancement
- Hanover has worked with the seller to preserve some additional land (plans were shown) which they went into in depth detail on

Elisha Musgraves pointed out that the only outstanding piece not addressed is the recommended signage and she went into details on the description of what is required.

Ms. Schloss went over the Draft Order of Conditions (OOC) with the Commission.

Comments open to the public

Kathy Swain 134 Mill Street - questioned the lights on the vernal pools, due to nocturnal animals in that area.

Ms. Musgraves pointed out the solutions that are already built in to this plan.

Christopher Ridder 75 King Coves Road – wondering about the use of an oil separator.

Ms. Musgraves states in porous pavement there is an under drain and they have to have an emergency cleanout in the case of spills.

Allison Dawson – 56 Belmont Street – did we push to have a MEPA review?

Ms. Schloss states there was a requirement in the MEPA Certificate that if any of the abutting lands, ownership or control change they would have to go back to MEPA for a Notice of Project Change.

Bob Delaney – 27 Belmont Street – Mr. Bristol retains ownership at this time. Prior question at a previous hearing was about the Emergency Access for future access from the project to the remaining land. He was told this is strictly an emergency access and that it would not be used for future development. What can be done that this access not be used at a future date.

Ms. Musgraves addressed this answer to propose if vehicular activity is ever used over this area it is porous and not going to be allowed and would have to be dug up and redone with asphalt.

Patricia Pries 15 Woodbine Road – here to discuss the water capacity of Weymouth and how this project would cripple the system and is against this project.

Kathy Swain – 134 Mill Street wanted to see if we could include that water and sewage not be allowed under the access road in the future.

Ms. Musgraves who is here on behalf of the Town on the Peer Review went on to address that they are meeting and exceeding the expectations to the existing surface waters.

Ms. Schloss prepared a Draft Order of Conditions with additional recommendations from comments this evening.

A motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to continue this Public hearing to August 4th.

5-0 Unanimous rollcall vote

5. **104 King's Cove Beach Road – Notice of Intent, Public Hearing**
DEP File #81-(Pending)
Gilvan Miranda
Map 4, Block 55, Lot 38
After-the-fact filing for concrete pad and fence

On a motion made by Cmmr. Loring and seconded by Commr. Singleton to Open the Public Hearing.

5-0 Unanimous rollcall vote

Mr Cushing is representing the applicant Mr. Miranda.

Mr Cushing explains that the applicant had constructed a concrete pad to support a fence.

Ms Schloss explains that this is an after the fact filing for work that was done without approval from the conservation commission. Conservation was alerted to the work in October of 2020 and issued a notice of violation. It appears that there may have been disturbance of coastal vegetation and beach area during the work. Ms Schloss stated that some restoration planting could be done in the area that appears to have been disturbed.

Commissioner Donovan questioned the structural integrity of the concrete pad.

The commission advises that the applicant engage a surveyor and wetland specialist to determine resource areas and property lines. The commission also recommends that an engineer review whether the concrete pad is an appropriate footing for the fence.

On a motion made by Cmmr. Loring and seconded by Cmmr. Donovan to continue to the September 28, 2021 meeting

Unanimous 5-0 rollcall vote

6. 188 Idlewell Blvd – Violation Hearing
DEP File #81-1070
Robin and John Mullin
Map 9, Block 136, Lot 18
Construction of stone patio partially in no-disturb area

Elizabeth Mullin, Robin Mullin and Chris Corbin (landscaper, from C&C Scapes) appear before the commission for a violation hearing for a patio constructed inside the no-disturb area in violation of the order of conditions issued for construction of the house. Ms. Mullin explains that they constructed the patio and disturbed vegetation to prevent rodents from entering the house and prevent flooding. Chris completed the job while the family was away and had mistakenly constructed the patio inside the no-disturb area. Mr. Corbin explains how he had accidentally constructed the patio into the no-disturb area.

Ms. Schloss explains the history of the violation and that conservation had contacted the property owner during construction informing them it was in violation of the Order of Conditions issued for construction of the home.

Ms Mullin and Mr Corbin propose that they give up other areas of the back yard to make up the difference in area lost in the no-disturb. They will provide a plan for the commission to review at the next meeting.

On a motion made by Cmmr. Singleton and seconded by Cmmr. Lorrington to continue to the September 28, 2021 meeting
Unanimous 5-0 rollcall vote

7. Other Business

Violation Updates

49 Ketcham Lane- The property owner has engaged Hardy Man design and a surveyor to prepare a restoration plan.

73 Puritan Rd – the property owner has engaged LEC environmental to prepare a restoration plan.

Pleasant Libby Quarry Project

This project is about to get started we did go through Pre Construction submittals and Bristol Bros did come in with a redesign of the box culvert to use an arch system that sits on top of the footings. Engineering has looked at it and in reviewing that they are comfortable with it.

Sea Captains Waye – single family house placing an addition of an in-law would like to have the family moved in. They need to get the Certificate of Compliance, Ms. Schloss recommends a signoff on the temporary Certificate of Occupancy.
Commission agrees.

475 Columbian enforcement case,

Campot is the owner and there is a lawsuit with the insurance company, Ms. Schlosswill be deposed in August.

8. Annual Election of Commission Officers

On a motion made by Cmmr. Loring and seconded by Cmmr. Singleton to open the election.

5-0 Unanimous rollcall vote

Nominations:

John Reilly, Chairman

5-0

Frank Singleton, Vice Chairman

5-0

Scott Dowd, Clerk

5-0

Chairman Reilly has appointed George Loring as Community Preservation Committee Liaison.

9. CPC Update

Cmmr. Loring states there was no meeting, so there is no update

10. Herring Run Update

Cmmr. Loring stated there is so much water you can not see the juveniles come down but they are.

11. **CONSERVATION REPORT:**

Ms. Schloss handed out a list of the items to go over

New Active Construction Projects:

MASSDOT drainage project on Neck Street - still more work to be done with erosion control to be done.

Pleasant Libby Parkway Quarry Road - Ms. Schloss was present at Bristol Bros meeting going over the erosion controls and there is another pre-con meeting tomorrow. She will continue to update.

Community Baptist Church Mutton Lane – Pre-construction meeting and constructions is getting started

American Alarm 1239 Washington Street – work begun

75 Nelson-compliance enforcement – more information coming next month.

Tree Removal

-There has been a request for Tree removal for a large tree on Rte 18 around 642 Main Street, dying cause by excavation. Town has determined tree is coming down in the next 5-6 weeks.

549 Columbian Street – office building part of SSH with a bunch of dead and dying trees and there is no room for planting.

SNUP Grant Application-Met with the Division of Ecological Restoration about application and will be making decision in August.

Sewer Replacement work being done on Route 18

2020 Preliminary flood insurance maps, after reviewing a lot of changes are coming

Hazard Mitigation Plan Meeting upcoming will be remote

Gas Line work – Summer Street

12. **Adjourn**

ADJOURNMENT:

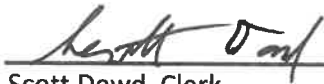
On a motion made by Cmmr. Loring and seconded by Cmmr. Donovan to adjourn the meeting at 9:00 p.m.

13. Next Scheduled Meeting – Tuesday August 24, 2021

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