



WEYMOUTH CONSERVATION COMMISSION
RECORD OF MINUTES AND PROCEEDINGS

Tuesday, August 24, 2021

Remotely Present: John Reilly, Chairman
Frank Singleton, 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
Ann Flynn Dickinson, Recording Secretary

Chair Reilly called the meeting to order at 7:00 pm

1. Minutes May 4, 2021

Postpone until next mtg Sept. 28
5-0 Unanimous roll call vote

2. Charlotte Street & 0 Finnell 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
Applicant has requested a continuance of the public hearing until the September 28, 2021 meeting. There will be no discussion or testimony on this case at the August 24 mtg.

Motion made by Cmmr. Loring and seconded by Cmmr. Donovan
5-0 Unanimous rollcall vote

3. 22 Washington Street Request for extension of the Order of Conditions Public Hearing

DEP File #81-1191, Amended
Motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to open the public hearing
5-0 Unanimous rollcall vote

Nick Dellacavo was here to request an extension to the current Order of Conditions and give a quick update on the project. When he was here last they requested a modification regarding the handling of stormwater from some of the roof leaders. That work has been completed. At the same meeting, the Commission requested painting the roof a lighter color and it has been confirmed that the roof was painted a white color and not black.

With no comments from the public
A Motion was made by Cmmr. Singleton and seconded by Cmmr. Donovan to close the public hearing
5-0 Unanimous rollcall vote

Ms. Schloss recommendation is to grant extension until August 24, 2022.
Motion made by Cmmr. Loring and seconded by Cmmr. Dowd to extend the Order of Conditions (OOC) until August 24, 2022.
5-0 Unanimous rollcall vote

4. 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 Street, 28 White Oaks Lane
Map 35, Block 448, Lots 7,8,9,25
Mixed use project with 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 Unanimous rollcall vote

Frank Marinelli, Council for Hanover Company
David Hall – Partner with Hanover Company
Tom Gofrey, Land Use Consultant
Gabe Crocker, Project Engineer

Tonight they are requesting closure of the public hearing and issuance of the Order of Conditions (OOC).

Mr. Marinelli went into detail what the project involves. He states that previous speakers at previous public hearings were not abutters of the property.
We have met with the actual abutters who have no issues with this project.

Ms. Schloss went over in detail the draft Order of Conditions (OOC).
She put the Draft Order of Conditions (OOC) up on the screen and went over the highlighted items for review.

Ms. Schloss states she would like more time to finalize the language of this Order.

Ms. Schloss has received a letter from the applicant and a letter from the property owner regarding the proposed permanent protection of land (see attached). Copies were handed out to the Commission for their review.

Ms. Schloss then displayed slides of the easement submittal and went into detail regarding areas to be protected.

Chair Reilly thanked Ms. Schloss and Mr. Hultin for the amount of time and work put into this.

Cmmr. Loring agrees we should have fencing and signage in the buffer area especially around vernal pool.

Cmmr. Donovan wondered if they could request a final cleaning of the porous pavement following construction so the system itself has a clean bill of health. He recommended a wheel

wash station at the construction entrance. Regarding the Commission's post-construction review of the lights and shielding, he asked if a time limit could be put on that review? He also agreed also with the signage at the vernal pool.

Cmmr. Singleton asked about the comments throughout the draft OOC document that raised issues about what the "commission might want to do"? Do we need to vote on those?

Ms. Schloss agrees that we are trying to drill down on these areas and when we issue this document we will have those questions answered.

Ms. Schloss would like to know what they want to see with regards to resident access to the wooded buffer, and where fencing and signage should be placed.

Cmmr. Singleton states we should seek legal counsel on this.

Chair Reilly said when we come down to the final vote we can have discussions then to finalize.

Comments open to public

John Delaney 147 Belmont Street, stated he is disappointed that meetings are not offered virtually. What is our current water demand per day? We need to know what the demands of water are because we the tax payer will be footing the bill.

Chair Reilly states DPW has those numbers.

Bob Luongo states DPW Water and Sewer Division reviews each project prior to construction and there were no comments on water usage.

John Delaney asked how can you vote and approve these conditions if they do not know the ramifications it puts on the town each day.

Chair Reilly says we are here to vote on protecting the wetlands and the area. We are not in control of water usage.

Tricia Pries 15 Woodbine Road, states she has those numbers. We are facing the tipping point. The permit allows water use of 5 million gallons per day. According to Weymouth's Annual Water Act Report dated April of this year our daily average water usage is 4.92m gallons a day, which leaves a difference of 80,000 gallons a day. Tricia went on in detail of her opposition to this project stating we are operating under a temporary water permit as it is.

Kathy Swain 134 Mill Street states she is not an abutter and does go to that part of town often. She stated her dissatisfaction with in-person only meetings. She recited the Wetlands Protection Act Section 40 to protect wetlands and the public to protect public and private water supplies. Weymouth did go over their withdrawal permit and it is not related to covid and it was attributed to all new development in town. There are 923 apartments coming in the next two years and she added who is benefiting from pushing these projects through is the developer only. She voiced her opposition to this project

Allison Dawson 56 Belmont Street, asked Bob Luongo why he did not require MEPA permitting.

Bob Luongo replied they did not push through anything. Hingham stated Bristol has a master plan and did not expose it. MEPA has their own rules and regulations to follow.

Alison Dawson 56 Belmont Street – replied that State follows the lead of the town, when we went to the State they said a Master Plan was not required, Hingham had past experiences with Bristol projects. Since there have been issues in the past with this developer why wouldn't we request a Master Plan. This will curb anything that may impact the wetlands over there in the future.

Ed Curran 41 Bluff Road requesting zoom meetings during delta variant. If the demand for water is 5 million gallons per day, not including lost water i.e. lost water from old pipes, this demand is important and only going to get more important. This is a major issue.

Tricia Pries 15 Woodbine Road states she has spoken to Bob Luongo a number of times and she does not believe that Mayor Hedlund is working for the best interest of the full of the Town.

With no further comments,

Motion to close by Cmmr. Donovan and seconded by Cmmr. Loring to close the public hearing.
5-0 Unanimous rollcall vote

On a motion made Cmmr. Donovan and seconded by Cmmr. Dowd to issue the Order of Conditions.
5-0 Unanimous rollcall vote

5. **104 King's Cove Beach Road, Notice of Intent – Public Hearing**
DEP File #81-1278
Gilvan Miranda
Map 4, Block 55, Lot 38
After-the-fact filing for concrete pad and fence

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

Ms. Schloss states the applicant is requesting a continuance. Mr. Hultin and herself met with him and informed him that they are looking for more detail on the construction and recommend they hire a Wetland Scientist to give recommendations.

Motion was made by Cmmr. Loring seconded by Cmmr. Dowd to continue this public hearing until the September 28, 2021 meeting.
5-0 Unanimous rollcall vote

6. 211 Sheri Lane Request for Determination, Public Hearing

Mark Samuelson

Map 61, Block 637, Lot 25

New irrigation well

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

Mark Samuelson was here to present.

He is requesting a well be drilled on his property that is within the buffer zone.

Ms. Schloss did review the proposal and it is straight forward.

We could write a determination with a condition for

- any fluids be contained
- Nothing disposed on site
- Erosion controls installed beforehand
- This is a deep well and should not have impacts on the adjacent wetlands
- With regard to restoration planting area required under a former OOC for this property, she recommends to plant shrubs and no mowing area with a letter regarding this to accompany the Determination.

She recommends Issuing a Negative 3 Determination with Special Conditions with clarification of “refrain from mowing” to “shall not mow”.

With no comments from the public

A motion was made by Cmmr. Loring and seconded by Cmmr. Dowd to close the public hearing.

Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue the Negative 3 Determination with special conditions

7. 75 Nelson Road - Request for Determination, Public Hearing

Jillian Vail

Map 61, Block 639, Lot 18

After-the-fact filing for an inground pool

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

Jillian Vail was in person to present.

Ms. Vail is looking for the approval of an inground pool on her property.

She went over the details of the project which is an 18x40 rectangular pool in the backyard. Part of the work is within the 50-foot buffer to wetlands.

Mr. Hultin stated we came upon this project when reviewing the building permit and found that the pool was under construction. The wetland is generally about 45 ft from the fence; where the wetland enters the drain inlet it is about 27 ft. We also noticed trees were cut within the year and after discussion we learned they were cut due to storm damage. There was some stacked vegetation in the wetland that needs to be moved.

With no comments from the public.

A motion made by Cmmr. Singleton and seconded by Cmmr. Dowd to close the public hearing.

A motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue a Negative 3 Determination with Standard Conditions and special conditions discussed.
5-0 Unanimous rollcall vote

8. 86 Abigail Adams Circle Request for Determination

Scott Brooks

Map 13, Block 130, Lot 52

Replace existing garage/breezeway with new addition

A motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to open the public meeting.

5-0 Unanimous rollcall vote

Scott Brooks was here in person to present.

Mr. Brooks wants to tear down garage and breezeway and replace it with an addition in the same foot print

Ms. Schloss showed the plan on a slide and went over in detail that the project is within the 100ft salt marsh buffer but not much of a change in terms of impervious surface. The addition of erosion controls out back is a recommended condition. There is very little change to the existing foot print, with just a slight increase. In the rear the retaining wall will remain. She recommends a Negative 3 Determination.

With no comments from the public,

A motion was made by Cmmr. Singleton and seconded by Cmmr. Donovan to close the public hearing.

5-0 Unanimous rollcall vote

A motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to issue a Negative 3 Determination along with any special conditions.

5-0 Unanimous rollcall vote

9. 201 Randolph St. Notice of Intent, Public Hearing
DEP File #81-1279

Gary Melville
Map 48, Block 546, Lot 15
Proposed detached garage

A motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to open the public hearing

5-0 Unanimous rollcall vote

Mr. Hultin states the abutter notifications have been made.

Ken Thompson is representing for the homeowner who wants to construct a 30 x 48 garage in addition to his existing garage for his collection of cars.

Ms. Schloss showed slides of the site and went over in detail the plans together with her recommendations.

A motion was made by Cmmr. Donovan and seconded by Cmmr. Singleton to close the public hearing.

5-0 Unanimous rollcall vote

Ms. Schloss stated this would be a Standard Order of Conditions and staff recommend planting of a dozen native shrubs in the 25ft buffer zone.

A motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to issue a Standard Order of Conditions with any special conditions mentioned tonight.

10. 21 Lakecrest Path - Notice of Intent, Public Hearing

DEP File #81-1280

Andrea Hule

Map 34, Block 437, Lots 6&7

Demolish and rebuild an existing single-family residence

A motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to open the public hearing.

Mr. Hultin attests that abutter notifications and legal notices have been made and published.

Shawn Hardy from HardyMan Design Group and Andrea Hule the homeowner were here to present.

Mr. Hardy presented the proposal to demolish a single family dwelling and construct a new residence in the existing footprint. He went over in detail the plan to build since the original structure was not salvageable within the existing footprint with retaining wall at the back of the property.

Ms. Schloss states from conservation the height of the building does not affect us, but anything with the retaining wall or ground floor does. Her recommendations are as follows:

- Removal of loose debris
- Construction period controls
- It is within the outer buffer zone
- The area between the existing house and the pond is well overgrown
- Removal of dead tree, selective pruning of healthy trees
- Leave the concrete patio where a shed/dog house was but removed, without machinery going out there, the debris around it.
- All soil stockpiling done in the front of house; none in the rear.
- No vegetation management for the rear yard would be approved through this OOC.

With no comments from the public,

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

Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to issue Standard Order of Conditions with the additional conditions discussed here tonight.

11. 69 Norton Street Notice of Intent, Public Hearing

DEP File # Pending

Jimmy Kelly, Bert's Boatyard

Map 10, Block 128, Lot 4

Construct/replace existing shoreline revetment

A motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to open the public hearing

5-0 Unanimous rollcall vote

Shawn Hardy was in person to present for his client.

This is the existing Bert's Boatyard proposing to do slope stabilization due to it eroding and caving in over time. He went over the proposal and design with slides in detail.

No DEP file # has been received yet and he has not been in contact with the Army Corps of Engineers.

Ms. Schloss states there is a lot to sort out here. Her major concerns are that the Chapter 91 plans don't seem to show any structures in this area and there was a previous violation which needs to be figured out.

If new structures going in they need to be in compliance with Wetlands Protection Act Standards since they are new structures.

- Blocks are falling in and need to be addressed; and there are blocks sitting in the salt marsh
- A lot of gravel and debris not sure it can stay in the salt marsh.

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- Bring in an environmental person to improve the environmental resources
- Do a joint site visit with Army Corp, staff and Ms. Schloss

A motion was made by Cmmr. Dowd and seconded by Cmmr. Donovan to continue until the September 28th meeting.

A motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to continue/recess until tomorrow evening at 7:00 p.m.

5-0-0 Unanimous rollcall vote

On a motion that was made to adjourn by Cmmr. Loring, seconded by Cmmr./Vice-Clerk Singleton the Commission to continue the meeting to Wednesday, August 25, at 7:00 p.m.

Unanimously voted 5-0 to adjourn at 9 :45 pm.



Scott Dowd, Clerk

Date