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**WEYMOUTH CONSERVATION COMMISSION MEETING**

**TUESDAY, APRIL 25<sup>TH</sup>, 2023**

**McCulloch Building 182 Green**

**Street Mary McElroy Room 7:00**

**7:00 P.M.**

**2023 MAY 31 AM 9:47**

**Present:** John Reilly, Chairman  
George Loring, Commissioner  
Scott Dowd, Clerk & Commissioner  
Al Donovan, Commissioner

**Also Present:** Andrew Hultin, Conservation Administrator  
Mike Perrin, Assistant Conservation Administrator  
Ann Flynn Dickinson, Recording Secretary

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

**1. Minutes –February 28, 2023 & March 28, 2023**

A motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to accept both minutes as written.

4-0 unanimous roll call vote.

**2. Grape Island – Request for Determination of Applicability, Public Hearing**

**Mass. Department of Conservation & Recreation**

**Map 0, Block 1, Lot 19**

**Removal of existing composting**

A motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to Open the Public Hearing.

4-0 unanimous rollcall vote

Andrew Street of The Vortex Corporation was present on behalf of the applicant . Mr. Street explained the process to remove the composting toilet in flood zone, including filling the hole from the below-ground tank and replanting the area. He handed out a plan to the Commission for reference to show beach areas to bring equipment back and forth. Beach protection and erosion control will be placed around these areas. He has been working with the staff and there are no concerns.

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Mr. Hultin recommends issuing a Negative 3 Determination with special conditions:

- sediment controls
- beach protection
- site stabilization

With no comments from the Public,

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to Close the Public Hearing.

4-0 Unanimous rollcall vote

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to issue a Negative 3 Determination with all the special conditions mentioned here tonight.

4-0 Unanimous rollcall vote

**3. 194 Board Street – Request for Determination of Applicability, Public Hearing**

**Jeannine Willis**

**Map 20, Block 219, Lot 12**

**Addition to single-family dwelling**

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to Open the Public Hearing.

4-0 Unanimous rollcall vote

The applicant, Jeannine Willis, was present. She explained the project consists of the construction of an addition to a single-family two-story home. The addition will be constructed on existing lawn at the rear of the house within 70' of the wetlands. Staff also observed dumping of yard waste beyond the slope of the yard and into the wetland area. Material should be pulled out.

Mr. Hultin affirms it is located within 70' from bordering vegetation wetlands. He recommends a Negative 3 Determination with the following special conditions:

- Perimeter erosion control
- stockpiling recommendations
- roof runoff should be directed into an area where it can infiltrate and not create any scour or erosion toward the wetland

With no comments from the Public, A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to Close the Public Hearing.

4-0 Unanimous rollcall vote

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A Motion was made by Cmmr. Loring and seconded by Cmmr. Dowd to

4-0 Unanimous rollcall vote

- 4. 97 Libby Industrial Parkway – Request for Determination of Applicability, Public Hearing**  
**Matt Galt, FoxRock Weymouth AT Realty LLC**  
**Map 33, Block 432, Lot 2**  
**Replacement of pedestrian footbridge**

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to Open the Public Hearing

4-0 Unanimous rollcall vote

Ryan Thackeray of Gale Associates, Inc and Matt Galt of FoxRock Properties were present. Ryan handed out plans to the Commission to review and follow along. The project involves replacing an 80' pedestrian footbridge over a stream and associated wetland resource areas. The work will be conducted from an existing parking lot. Cmmr. Donovan asked about the condition of the existing abutments, to which Ryan replied that an inspection had been conducted and they were in good condition.

Mr. Hultin recommends issuing a Negative 2 Determination for work within a resource area with no impacts.

With no comments from the Public,

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to Close the Public Hearing.

4-0 Unanimous rollcall vote

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Dowd to issue the Negative 2 Determination with all the special conditions mentioned here tonight.

4-0 Unanimous rollcall vote

- 5. 78 Lake Shore Drive – Notice of Intent, Public Hearing**  
**Thomas Bradley**  
**DEP File # 81-1305**  
**Map 26, Block 342, Lot 17**  
**Demolition and rebuild of garage**

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to Open the Public Hearing.

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4-0 Unanimous rollcall vote

Thomas Bradley, applicant, was present. He is proposing to take down an existing garage that is 20 x 20 feet and rebuild one on the same foot print. Photos were shown to the Commission for review. Cmmr. Donovan asked about the foundation, to which Mr. Bradley responded the old foundation will be excavated out and a new foundation will be laid in the same footprint.

Mr. Hultin recommends the following conditions:

- Garage is to be reconstructed in the same footprint
- Silt sock with wire-backed fence across bank of Whitman's Pond
- Proper stockpiling
- Replant the area between the garage and pond after removal of 3 trees. The area should be replanted with 3 trees or 2:1 ratio of shrubs
- Dewatering

With no comments from the Public,

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Dowd to close the Public Hearing.

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to issue an Order of Conditions (OOC) with all special conditions mentioned here tonight.

4-0 Unanimous rollcall vote

**6. 73 Regatta Road – Notice of Intent, Public Hearing**

**Julie Hackett**

**DEP File # 81-1304**

**Map 2, Block 12, Lot 15**

**Reconstruction of retaining wall**

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to Open the Public Hearing.

4-0 Unanimous rollcall vote

Mr. Hultin reports the applicant has requested a continuance to the May 30<sup>th</sup> meeting.

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to continue the Public Hearing to the May 30<sup>th</sup> Meeting

4-0 Unanimous rollcall vote

**7. 550-560 Washington Street – Notice of Intent, Public Hearing**

**Raymond Jennings, Union Realty Trust**

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**DEP File #81-1303**

**Map 29, Block 330, Lot 3**

**Demolish existing structures and construct a 3-story mixed use building**

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to Open the Public Hearing.

4-0 Unanimous rollcall vote

Eric Schoumaker from McKenzie Engineering and Raymond Jennings, applicant, were present. Mr. Schoumaker showed plans to the Commission and outlined the project in detail. They propose to demolish existing structures and construct a 3-story mixed-use building with a restaurant front and residential units above. He went over the following plans:

- Drainage Details
- Utility Plan
- Restoration and Mitigation

Mr. Hultin explained to the Commission that a Notice of Violation (NOV) was sent to the applicant after the site visit for fill brought in to the back section of the lot. The fill is spilling over the edge and into wetland resource areas, as shown by covered wetlands flags. Conservation is waiting on DPW to review the stormwater reports. The slopes and fill material did not line up with the existing conditions plan, so this should be revised. Andrew recommends the following:

- Slope cleanup
- Stabilization
- Split rail fence along line of proposed restoration, that may have public access later

To allow for revisions to the plans and addition of mitigation/replication, he recommends continuing this item to the May meeting.

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to continue the Public Hearing to the May 30<sup>th</sup> meeting.

4-0 Unanimous rollcall vote

**8. Massapoag Subdivision-Minor Modification to Orders of Conditions**

**James Bristol, Weathervane Massapoag LLC**

**DEP File # 81-1286**

**Map 44, Blocks 504, Lot 8 & Map 44, Block 505, Lots 1 & 2**

**Redesign of approved perimeter fencing**

No applicant was present.

Mr. Hultin briefed the Commission on the minor modification request. Instead of previously approved split rail fence on the perimeter of each house lot, they would like to place boulders and posts with conservation signs. The fence was designed to delineate

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the Tree preservation Area. The request is to allow owners decide what fence style fits their needs best on their property. Fences would be placed in front of boulders. Mr. Hultin did state that there would be a 6" relief as a condition for wildlife and it will be stated in the HOA documentation. Concern about dumping was discussed and Conservation Staff stated they would include a condition in the minor modification approval preventing dumping over fences if not already included in the Homeowners Association documents. After discussion with the Commission, and agreement that a letter would be drafted on behalf of the staff.

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to approve the minor modification including conditions to address concerns expressed tonight.

4-0 Unanimous rollcall vote

**9. 200 Libbey Parkway – Minor Modification to Orders of Conditions**

**Josh Kleinman, FoxRock 200 Libbey LLC**

**DEP File #81-1267**

**Map 34, Block 435, Lot 14**

**Revised planting plan along Whitman's Pond**

There was no applicant here to present.

Mr. Hultin explained to the minor modification request to the Order of Conditions (OOC). A representative from the hospital visited the site and expressed safety concerns about Whitman's Pond, so the revised planting plan would add vegetation as a natural buffer to the pond. They informed Mr. Hultin that they would like to increase the plantings by 35 shrubs and relocate ferns to have a better barrier of protection to the pond.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to approve the minor modification as presented.

4-0 Unanimous rollcall vote

**10. Other Business**

Mr. Hultin updated the Commission that the Town will apply for a Municipal Vulnerability Preparedness Grant for improvements to Iron Hill Park. A previous feasibility study for redesign of the park was completed, but was very costly. The staff is requesting a letter of support from the Commission for this grant.

**11. 11. CPC Update**

Cmmr. Loring reported that there was no meeting, so there is no update.

**12. Herring Run Update**

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Cmmr. Loring reports that it ran for a few days, then it was too cold. There were about 50,000 fish so far and they are expecting another 300,000 more.

### **13. Conservation Report**

#### **New Construction**

- 201 Randolph Street, pre-construction site visit for garage on existing lawn with no concerns

#### **Ongoing Construction (Partial list)**

- 59 Lake View Road – contractor completed foundation and site is mostly stabilized, work expected after herring migration
- 824 Washington Street culvert repair – site has been stabilized and the contractor has left. Remaining elements include the planning, fence and repaving
- Elks – headwall is in, site appears mostly stabilized, progressing without concern
- Wharf St Sewer Bypass – bypass system connecting Wharf St. pump station and Emerson Rd pump station installed across field at Osprey overlook and trails at Great Esker to allow for repairs to the sewer system, likely in place for a few months, slight concern for failure
- Hanover- On 4/12/23, Staff and Commissioner Loring walked the site with the site manager. The site is cleared and foundations, retaining walls, and drainage is complete. During the site visit, Conservation noticed that Wetland E held no water. In the past, this wetland has always had standing water. This was concerning to Conservation, so Staff returned to the site on 4/13/23 to make more detailed observations. 5 soil borings were taken at different locations along Wetland E, ranging in depth from 6 - 48". No groundwater was observed, and soils were not saturated. Staff informed the developers of their concern. Vernal pools were also shallower than historic data shows. Their wetland scientist, Jon Zimmer, reached out and confirmed the conditions, noting that lack of snow may be contributing to low water levels in wetlands across the state. Staff asked the project team if construction activities could have altered the hydrology of the wetland. Zimmer recommended monitoring the situation.

#### **Compliance and Enforcement and Complaints**

- 475 Columbian St – One-year extension granted by Commission coming to an end this month, anticipated that this enforcement matter will be on May agenda and the Commission should decide to extend the deadline or not.

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- Bicknell St – altered to possible dumping and encroachment on Wessagusset Wetlands & Woodland from abutting residence on Bicknell St., dumping includes construction material and yard waste, letter was sent to abutters about issues
- 30 Carlson Cove – Notice of Violation sent 4/24/23 to homeowner highlighting they observed wetlands violation of clearing vegetation along Whitman's Pond and encroachment of lawn into Weymouth Housing Authority land. It appears that clearing of trees and other vegetation occurred to expand lawn between the years 2001-2004, and again between 2014-2019. The clearing from 2014-2019 cleared almost the entirety of the waterfront to Whitman's Pond. The Weymouth Housing Authority has been informed about the issue. Staff is waiting on a call from homeowner to figure out next steps, but mitigation should be performed.

Other projects

- Whitman's Pond Vegetation Management – waiting for DEP superseding OOC
- Great Hill proposed improvements – split rail installed to mark meadow vs forest to promote habitat diversity
- Fore River Trail – walked site with Woodard and Curran and Idlewell representatives to discuss vision and logistics, design and permitting to follow
- Incinerator – trail and meadow mix seeding complete
- SNUP – working with SLR, DFG, and DPWP to determine exact design of work with existing and developing data. Phase two almost complete.
- Durante Property – meeting with MBTA and TRC about Durante cleanup and vision for park land. Proposing removal of some PBC contaminated soil and capping the rest. They are taking a hand-off approach to marsh restoration since the marsh has already started to re-naturalize. NOI expected in fall 2023, but Staff will work with team with comments

Utilities

- N/A

Planning Department Reviews

- Union Point Zoning – new zoning proposal for Southfield – a large mixed-use zoning to replace previous various zoning areas. An open space district will encompass the PBC



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land around the developable areas. Staff is asking for more involvement in the planning process to represent conservation interests.

**Next Meeting**

- May 30<sup>th</sup>, 2023, New Filings may include:
- Ocean Honda
- 192 Idlewell Blvd

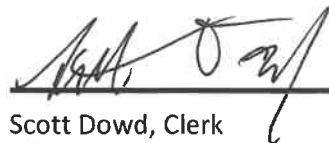
**14. Adjourn**

A Motion was made by Cmmr. Loring and seconded by Cmmr. Donovan to adjourn the meeting at 8:30 p.m.

4-0 Unanimous rollcall vote

**15. Next regularly scheduled meeting – Tuesday, May 30, 2023**

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Scott Dowd, Clerk

Respectfully submitted by,

Ann Flynn Dickinson  
Recording Secretary

