

WEYMOUTH CONSERVATION COMMISSION MEETING
TUESDAY, July 26th, 2022
McCulloch Building 182 Green Street
Mary McElroy Room
7:00 P.M.

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

Not Present: George Loring, Commissioner
Andrew Hultin, Assistant Conservation Administrator

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

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

1. Minutes – June 28th

A Motion was made by Cmmr. Singleton and seconded by Cmmr. Donovan to approve the Minutes as written

4-0 Unanimous rollcall vote

**2. 33 Laudervale Rd – Request for Determination, Public Hearing
Erik & Lori Abboud
Map 10, Block 12, Lot 26
Driveway Expansion**

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Singleton to open the Public Hearing

4-0 Unanimous rollcall vote

Mr. & Mrs. Abboud were here to present driveway plans. Their existing driveway is 12 X 54 that they would like to replace that and add east another 12 feet. They also would like to add a pad of crushed shells against the house for their camper.

Ms. Schloss presented aerial photos to the audience. She stated she completed a site visit and there is a salt marsh across the street about 28 feet or so. Staff is comfortable with this being filed as a Request for Determination (RFD), and recommends issuing a negative determination with the following conditions:

- Standard Language regarding notification
- All site disturbance outside the 25 ft buffer of the wetland
- Erosion controls to be utilized if soils are to be stockpiled for any length of time
- Driveway would need to be pitched toward planting bed
- The Cobblestone apron would be required as well
- Notification of completion of work

The legal notice was published and got receipts for abutter notification.

Patricia McDonald of 79 Colonial Road, she is the abutter to this property to the rear. Her sewer line goes through that area and she does not want any interference with that line.

With no further comments from the Public,

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

4-0 Unanimous rollcall vote

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Singleton to approve the Negative 3 Determination with conditions

4-0 Unanimous rollcall vote

3. Vegetation Management, Grape Island – Request to Extend Order of Conditions, Public Hearing

Boston Harbor Islands National and State Park

Map 0, Block 1, Lot 19

DEP File #81-1172

Ecological Restoration Order of Conditions for Invasive Plant Management

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Singleton to open the Public Hearing

4-0 Unanimous rollcall vote

Ben Kurell and Bill Fuchs, Biological Technicians with the National Parks Service, and were here to present. They are requesting a 2-year extension of an ecological restoration Order of Conditions (OOC) with a minor modification. The Order of Conditions (OOC) is for control of invasive species on Grape Island within a defined project area. The primary species of concern are mile-a-minute vine and Japanese stilt grass. They would like to hand-pull in the wetlands and do treatment with herbicides in the buffer zone. They are requesting clarification whether the intent of the minor modification was to cover the populations mentioned on the entire island.

Ms. Schloss stated that our intention is to control the infestation throughout the island and get a handle on it so they can move into the management phase.

She would like to see a long-term management plan and also plan a site visit for the Commissioners

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

4-0 Unanimous rollcall vote

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Dowd to extend the Order of Conditions (OOC) for a period of 2 years. The Commission directed staff to issue a letter clarifying that management of the invasives is allowed throughout the island, not just the geographic area shown in the NOI and minor modification request.

4-0 Unanimous rollcall vote

4. Brookpoint – Request for Final Certificate of Compliance
Nicholas Delegas, GND Realty Trust
Map 20, Block 202, Lots 13,17,18,19,20,21
DEP File #81—1191
Mixed-use development

Mr. Delecava, PE was here to request the Final Certificate of Compliance. He states the work has been completed and the site is stabilized. All landscape is doing well and the storm water infrastructure appears to be operating as it should. He had a site visit with Ms. Schloss last week and the only item that came up was the vegetation, the landscape vegetation in the municipal parking lot which was not part of this Order of Conditions (OOC) but it was per the agreement that the Developer had with the Town to rebuild, resurface it, and reconfigure some of the landscaped islands. Mulching and tree planting on those islands will happen later this fall.

He then went over the report submitted to the Commission.

After some discussion with the Commission on the details of inspections and maintenance,

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Singleton to issue the Final Certificate of Compliance (COC) and receive inspection reports as requested

4-0 Unanimous rollcall vote

5. 1197 & 1215 Washington Street – Notice of Intent, Public Hearing
Elksy Development, LLC
DEP File #Pending (*subsequently assigned #81-1291*)
Map 35, Block 447, Lots 3 & 1

Demolition of Elks building, construction of senior residential facility, parking, drainage & utility improvements

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

4-0 Unanimous rollcall vote

Jeff Tocchio, Counsel for Elksy Development
Gabe Crocker, PE of Crocker Design Group
John Zimmer Wetlands Scientist
Chris Mulrey of Crocker Design Group
Chris King for Elksy Development
Were all here to present for the applicant

They are looking for Notice of Intent for the Elks site on Washington Street and off of Pleasant Street.

Gabe Crocker, Crocker Design Group was first to provide the plans and go over them in detail explaining the existing condition of the buildings and the land at these addresses. The site has the highest portion on Washington Street and down in elevation at the rear. There are 2 existing wetland systems and an intermittent stream on this property that he outlines the existing condition of.

Next was the proposed site plan which is described to be a 3-story senior living center. He outlined the entrances from Washington Street and it will be level with the road for easy drop off or pickup under a covered driveway/doorway. There is parking on the Pleasant Street side and around the back. They will be adding nice landscaped areas with a walking path around the property. He described the details of the underground infiltration systems that will be installed and described all the improvements from these systems.

The supplemental tree survey has been completed and they are preparing the exhibits now. They do have a knotweed infestation challenge and they have been coordinating between John Zimmer and the landscape architect who will help them come up with a management plan to commit to.

Roof water runoff is connected directly to the underground infiltration systems. Pavement runoff is collected in catch basins placed throughout and sent to separate water quality units that are upstream of the underground infiltration systems and meet more than the 44% of pretreatment. It meets the higher 1" water quality volume standard also.

Ms. Schloss has a few things since this is a redevelopment project and following up on the staff memo to touch on some of those points since staff reviewed the wetland line on Tuesday;

- Wetland flags have not changed.
- Sand needs to be removed near flag B10 possibly by the DPW.

- The main concern is that there is planting proposed in the wetland buffer but they are in areas that are completely infested with knotweed.
- Engineering comment that stormwater analysis was done with wetlands calculated as impervious area and should be revised.
- Also, test pits.
- What Low impact development measures can be adopted? Green roof? Blue roof for storage of storm water?
- Trees proposed to be removed need to be shown on the plan.
- Calculation of impervious surface is needed, comparing existing conditions to proposed conditions site wide and in wetland buffer zones.
- Small pieces of debris in wetland A to be removed

With no further comments from the public,

A Motion was made Cmmr. Donovan and seconded by Cmmr. Singleton to continue this item till the next meeting in August 30th.

4-0 Unanimous rollcall vote

**6. 390, 396, 396R Washington Street – Request for Final Certificate of Compliance Monahan’s Marine
DEP File #81-313
Map 24, Block 284, Lots 18 & 19, Block 328, Lot 7
Close out old Order of Conditions from 1986 re: piping of stream and construction of parking lot and buildings**

Wally Eastman and Nancy Monahan are here to present. Both reside at 10 Marion Street in Marshfield, MA.

They are here to request a Certificate of compliance for work that was done in 1986 which was never taken care of fully and they just became aware of this last week.

Ms. Schloss states that Mr. Eastman came to her last week and the property is up for sale. When the title search was done, that is when they were made aware of this oversight 36 years ago. She outlined what the work was on that old order and presented through visual slides for the audience. Monahan hired Merrill Associates who came out and reviewed the area and provided an engineer’s certification letter which was received just today. The letter was then displayed for review to the audience. There was an as built plan done in 2005 with no changes since then and will allow that to be used as current existing conditions plan. There is a difference in the edge of pavement which is about 15 feet closer to the wetland than shown on the 1986 plans. They are requesting we accept that deviation after 36 years.

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Singleton to issue the Final Certificate of Compliance.

4-0 Unanimous rollcall vote

7. 29 Woodside Path – Violation Hearing

William New

Map 34, Block 434, Lot 27

Unauthorized vegetation removal within 100-foot buffer to Whitman's Pond/So. Cove

J.P. New of 29 Woodside Path, Sandra Joneck-Schiff & Jeff Schiff of 110 Grovers Ave, Winthrop, Ma were here to present on behalf of Mr. William New.

Ms. Schloss explained to the Commission that in March 2020 she sent a letter to Mr. New requesting a site visit due to cutting of the vegetation adjacent to Whitman's Pond. On April 14, 2020 she had a site visit to discuss the cutting and advised Mr. New he is to not continue any vegetation cutting within the 100 ft buffer. In October 2021 it was clear there was more vegetation cutting done. She called Mr. New and reminded him he was not to do any under the Wetlands Protection Act. She did do a site visit and was told to leave the property by Mr. New. When she returned to her office she issued a Cease and Desist Notice of Violation to not do anymore work back there without the approval of Conservation. The work has continued and there was a lot more clearing done. In May of 2022 he was asked to appear at the May 24th hearing, which we were asked for continuances that were granted to the June 28, and the July 26th meetings. They had a visit on July 29th and Cmmr. Dowd, Cmmr. Singleton, Chairman Reilly and she were all there. They viewed a large pile of trees and cuttings thrown over the fence onto the wetlands.

JP New and Sandra Joneck-Schiff stated that: the family owned the property for 40 years and they were intending to restore the boundaries of the historic use; they have planted 100 apple trees and a garden; they have a wetland delineation from 2010 but are willing to hire someone to reflag the wetland; they can remove the woody debris/slash by themselves.

Recommendations are as follows:

- Restore the 25 -30 ft buffer from the pond
- Appropriate plantings
- Slash to be removed within the next month
- Debris must be removed
- The plantings and/or garden need to be outside the 25ft buffer
- Hire a wetland scientist/ Ecological Restoration Specialist to delineate the wetland and come up with a restoration plan for the 25-foot buffer zone at a minimum
- Return no later than the September meeting

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Singleton to issue an Enforcement Order and continue this item until the September 27th meeting

4-0 Unanimous rollcall vote

8. Election of Officers

A Motion was made by Cmmr. Singleton and seconded by Cmmr. Donovan to open the Election of Officers

4-0 Unanimous rollcall vote

Nominations for Chairman are for John Reilly

A Motion was made by Cmmr. Singleton and voted by Cmmr. Dowd to vote for John Reilly

3-0 Unanimous rollcall vote

Nominations for Vice Chair are for Frank Singleton

A Motion was made by Chair Reilly and seconded by Cmmr. Donovan to vote for Frank Singleton.

3-0 Unanimous rollcall vote

Nominations for Clerk are for Scott Dowd

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Singleton to vote for Scott Dowd

3-0 Unanimous rollcall vote

Nominations for Community Preservation Committee are George Loring

A Motion was made by Chair Reilly and seconded by Cmmr. Donovan to vote for George Loring.

3-0 Unanimous rollcall vote

9. Banner Park development, Braintree – Discussion re: comments on NOI 60 Columbian St., Braintree

Ms. Schloss reported that she did attend the remote Braintree Conservation meeting in in early July. Our letter was sent to the Braintree Commission that there was more information needed for our specialists to review it. The Town has hired a peer reviewer from Green International. The applicant has submitted revised plans and our peer review engineer will be delivering another letter within the next week. Ms. Schloss will be in attendance at the next meeting in early August and that letter will be brought with her.

10. Other Business

49 Ketcham Lane: slope restoration. Half of the work has been completed. Ms. Schloss has been on site and he asked if he could do the next section next year. He is asking for more time than the Enforcement Order dated due to funding. He is requesting another year.

A Motion was made by Cmmr. Dowd and seconded by Cmmr. Donovan to give additional time of one year.

3-0 Unanimous rollcall vote

106 Greenvale Ave: the owner, Ms. Shapiro, has asked for additional time to remove the wood chips that she placed on her property, partially in wetlands adjacent to South Cove of Whitman's Pond. The Commission agreed to give the owner until the end of October to remove the wood chips.

11. CPC Update

Cmmr. Loring was not present this evening, there will be no update

12. Herring Run Update

Cmmr. Loring was not present this evening, there will be no update

13. Conservation Report

Washington Street Pump Station/Water Supply issues

- With the drought, having our almost annual balancing act between water supply needs and ecosystem needs
- Need to improve public education
- Weymouth has no water restrictions in place despite the dry conditions

New Active Construction

- Incinerator demolition, 87 Wharf Street will be happening shortly
- 21 Lakecrest Path to begin shortly

Ongoing Construction

- S. Barzola Construction, 1183 Main Street, Forebays and infiltration systems installed; paving to happen shortly
- 655 Washington (former Boston Motel). Met with invasive plant specialist who will conduct Knotweed treatment this summer. Restoration planting will occur in the fall
- Arbor Hill –reviewed pocket/constructed wetland. Knotweed removal/treatment needed this summer

Compliance and Enforcement and Complaints

- Puritan Road reviewed early July. Restoration ahs been very successful. Fence has been installed at the wetland boundary. Do not need profession monitoring.
- Ketcham Lane – limits pulled back and slope stabilized with tailings (not boulders or gabion baskets). Requesting to be allowed to do second half of work next year due to lack of funds and to monitor the reworked slope over the year to ensure stability.
- 106 Greenvale Ave – wood chips adjacent to bank of West Cove. Has asked for additional time (until late October) to finish pulling back the wood chips

- Elias' Pond water levels – related to drought
- 411 Neck Street – Enforcement Order from 2021, Property for sale. Follow up with site visit this week. Meeting tomorrow with the owner –potential buyers came in for a meeting
- Salt marsh impacts, Fore River conservation area behind Hibiscus Ave. Concern from resident about impacts from ATV's, dirt biked and other unauthorized use. Site visit to be scheduled soon

Tree Removal Requests

- 5 Lakeview Road – will likely be filed as an RDA – several large trees

Other Projects

- Pending: fix of failing culvert carrying the Mill River at 824 Washington Street (FX Messina property). Have requested this be filed as an NOI rather than approving via an emergency certification which has to be completed within 30 days.
- Wessagusset Walk – there will be bi-weekly meetings

Planning Department Reviews

- Cornerstone Development (former Elks property)

Whitman's Pond

- Contract signed with ESS Group for lake management monitoring, reporting and development of new NOI for lake management

Upcoming Projects

- Staff reached out to MassAudubon for assistance in management plan for the landfill cap as bird habitat, stay tuned.

Next Meeting

- August 30, 2022 New Filings may include:
 - 94 Prospect Hill Drive, additional to SF house, RDA (received)
 - 101 Shawmut, addition to SF house, NOI
 - 824 Washington Street, repair of collapsed culver carrying Mill River, NOI
 - 1239 Washington (American Alarm) COC

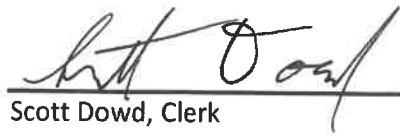
14. Adjourn

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Singleton to adjourn the meeting at 9 p.m.

15. Next regularly scheduled meeting –Tuesday, August 30, 2022

Weymouth Conservation Commission
Meeting Minutes
July 26, 2022

Weymouth Conservation Commission Minutes July 26, 2022



Scott Dowd, Clerk

Respectfully submitted by,

Ann Flynn Dickinson
Recording Secretary