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**WEYMOUTH CONSERVATION COMMISSION MEETING**

**TUESDAY, December 13<sup>th</sup>, 2022 JUN 28 PM 3:12**

**McCulloch Building 182 Green Street**

**Mary McElroy Room**

**7:00 P.M.**

**Present:** John Reilly, Chairman  
Frank Singleton, Commissioner and Vice Chairman  
George Loring, Commissioner  
Scott Dowd, Commissioner and Clerk  
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 meeting to order at 7:00 p.m.

**1. Minutes –October 25, 2022**

A Motion was made by Cmmr. Singleton and seconded by Cmmr. Loring to accept the minutes as written.

4-0 Unanimous rollcall vote

**2. 445 Broad Street – Request for Final Certificate Compliance**

**Sean Sullivan**

**DEP File #81-1287**

**Map 21, Block 291, Lot 23**

**Inground pool**

Mr. Hultin reminded the Commission that an Order of Conditions (OOC) was issued last year. He went over the history of those conditions and made the recommendation to issue a Certificate of Compliance (COC). All conditions were complied with.

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

5-0 Unanimous rollcall vote

**3. 19 Perkins Road, Request for Final Certificate of Compliance**

**Wayne Fitzgerald**

**DEP File #81-1236 Amended**

**Map 34, Block 438, Lot 1**

**Garage and in-ground swimming pool**

Mr. Hultin updated the Commission that this is a request for a Final COC for a garage and in-ground pool located on Whitman's Pond. He went over the history and made the recommendation to issue the COC.

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

5-0 Unanimous rollcall vote

- 4. Arbor Hill/Gradient Apartments – Request for Final Certificate of Compliance**  
**Arbor Hill Residential Holdings, LLC**  
**DEP File #81-1046 Amended**  
**Map 42 & 38, Block 467 & 469, Lots 2, 21, 21-31**  
**Apartment development**

Ms. Schloss reminded the Committee that this was a large apartment complex. The plants have been in the ground for three growing seasons staff are recommending landscape management to promote pollinators & native species diversity.

A Motion was made by Cmmr. Singleton and seconded by Cmmr. Loring to issue the Certificate of Compliance (COC).

5-0 Unanimous rollcall vote

- 5. 881 & 897 Pleasant Street ORAD – Request for Extension**  
**Bristol Brothers Development**  
**DEP File #81-1203**  
**Map 31 & 35, Block 407, Lots 2 & 43**  
**One-year extension of approved wetland delineation**

Ms. Schloss conducted a site visit on Friday to review the progress. She found issues with a few wetland flags. They are requesting a continuance to the next meeting.

A Motion was made by Cmmr. Loring and seconded by Cmmr. Singleton to continue until the January meeting.

5-0 Unanimous rollcall vote

- 6. Mio – 29/39/51 Trotter Road (formerly 1500 Main) – Request for Final Certificate of Compliance**  
**MCP/John M. Corcoran Weymouth LLC**  
**DEP File #81-1235; Map 61, Bl 625, Lot 25**  
**Mixed-use development**

Ms. Schloss went over the history and explained that the 2-year monitoring period has come to an end. Damage to some of the buffer zone has happened but the current site conditions meets the requirements for a Final COC. The protected buffer area will continue to grow.

A Motion was made by Cmmr. Loring and seconded by Cmmr. Dowd to issue the Certificate of Compliance (COC)

5-0 Unanimous rollcall vote

**7. 1441 Commercial St – Notice of Intent, Public Hearing, continued**  
**Abdallah Metri, ANGJ LLC**  
**DEP File #81-1297**  
**Map 23, Blox 322, Lots 2, 3, 4 & 19**  
**Mixed—use development**

Ken Thompson was here to present since Mr. Hardy was unable to attend. Plans and drawings were updated. He went over in detail the plans with the revised drawings. Flood maps from the town were received and confirm the property is outside the food zone. He also submitted the stormwater report and the landscape plans. There will be no impact to the flood plain. Just the landscape is outstanding.

Mr. Hultin states there were a few outstanding items left from the last meeting. This is a redevelopment of a gas station in Jackson Square for proposed mixed use development. The concerns were flood maps that put the site in a flood zone. The Town is finalizing a Letter of Map Revision that shows the site outside the flood zone. A revised stormwater report and landscape plan was received. but seemed inadequate. Staff recommends issuing an Order of Conditions (OOC) with some recommended conditions.

With no comments from the Public,

Mr. Hultin mentioned the conditions as follows:

- Make note of land subject to flooding.
- Explain riverfront area impacts.
- Project shall result in a reduction in impervious area and Increase vegetative areas.
- Erosion controls shall be installed and inspected
- Landscape plans must be approved prior to construction.
- Applicant must confirm there are no soil contaminants on site.
- Provide copy of inspection reports
- Maintain and improve Herring Pool Park
- Improve Riverfront area by native plantings, removal of sediments or improving stormwater management.

He recommends issuing an Order of Conditions approving the project with all special conditions mentioned.

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

5-0 Unanimous rollcall vote

**8. Whitman's Pond Vegetation Management Strategy – Ecological Restoration Limited  
Project Notice of Intent, Public Hearing, continued  
Town of Weymouth, Dept of Planning & Community Development  
DEP File #81-1300  
Whitman's Pond – Map 25, 26, 29, 30, 34  
*Management of invasive and nuisance aquatic plants***

Matt Ladewig from TRC was here to present. He refreshed the Commission of the history of this project. He went over in detail concerns while conducting the project. Herbicides will not be administered on an entire water body. He wanted to clarify that the herbicides will not be used in south cove and should not be a problem and will be within compliance. There are concerns about the herring spawning during this process, which can be avoided by applying herbicides outside of their spawning period. Matt discussed treating west cove first as a trial area. There will be water quality monitoring but collecting data on the herring would be difficult.

Steve Haley, Castle Road, expressed concerns about the herbicide treatments and harvesting at the same time. Matt responded they just have to coordinate the vessels for the appropriate timing.

With no more comments from the Public,

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

5-0 Vote – Motion passes

Ms. Schloss recommends the following as a draft order of conditions:

To flush this out and issue with the ecological restoration project with conditions in this document for a 5-year period with the order to be extended for three years each. Including water quality monitoring, vegetation monitoring, annual monitoring, annual funding to really track what works and what does not.

A Motion was made by Cmmr. Dowd and seconded by Cmmr. Donovan to issue Order of Conditions incorporating the findings and conditions of the staff.

3-2 Unanimous rollcall vote

**9. 1325 Washington Street - Request for Project Change, Discussion**

**DEP File #81-1271**

**Hanover R.S. Limited Partnership**

**1325 Washington St, "0" Washington St., 28 White Oaks Lane**

**Map 35, Block 448, Lots 7,8,9,25**

**Request for tree cutting and temporary disturbance in preserved buffer to accommodate construction of retaining wall**

Gabe Crocker with Crocker Design was here to present along with Maggie Laracy and Brian McGovern of Hanover Properties. They are requesting to perform some temporary work for one of the retaining walls on the site beyond what they anticipated as their limit of work. He provided plan layouts to the Committee and went over in detail what it outlines. They are proposing to relocate the silt fence to the blue line on the plan so it stays outside the 25 ft buffer. He explained it was good timing for excavation and get that wall built in order to do restoration in spring. This is beyond the work that was anticipated and it is a temporary impact. The landscape architect has put a new plan together that has 21 new trees and 156 shrubs to replant the area. He went into detail on the species and locations of where the trees will be placed. They will also be seeding with conservation seed mix.

Ms. Schloss provided photos of the location of the silt fence and the retaining wall placement for the Commission. She highlighted the goal of preserving the area adjacent to the project shown in the buffer zone and enhancement plan. After much discussion between the multiple presenters and the Commission,

A Motion was made by Cmmr. Donovan and seconded by Cmmr. Loring to approve a minor modification

5-0 Unanimous rollcall vote

The consensus for the Commission is to authorize the staff to enter into a mitigation agreement going forward.

**10. 194 Commercial Street - Request for Determination, Public Hearing**

**Dylan Patnaude**

**Map 41, Block 489, Lot 22**

**Close in existing deck, construct new footings and gravel parking area**

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

4-0 Unanimous rollcall vote

Dylan Patnaude was here to present. He states he is extending the existing footprint of the deck. Remove existing footings, add new ones, install crushed stones, put in downspouts and catch basins.

Mr. Hultin would like to see some buffer zone enhancement. It is a really disturbed area. He

recommends a Negative 2 Determination with recommendations to require a planted vegetated buffer of approximately 5 feet along the bank of the river.

With no comments from the Public,

A Motion was made by Cmmr. Loring 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. Donovan to issue a Negative 2 Determination along with any special conditions mentioned here tonight.

5-0 Unanimous rollcall vote.

**11. 44 Wharf Street - Request to sign off on Certificate of Occupancy, Discussion**  
**Michael Kiley, Wharf Assoc, Heritage Companies**  
**DEP File #81-1257**  
**Map 19, Block 172, Lot 25**  
**Mutli-family residential development**

Ms. Schloss states they were on site this morning for a visit. The applicant still owes a few things that are outstanding. The staff will be signing off on a CO.

**12. Other Business**

Chairman thanked Mary Ellen Schloss for all her dedication and presented a gift from the Commission

**13. CPC Update**

Cmmr. Loring reported there was no meeting, so there is no report

**14. Herring Run Update**

Cmmr. Loring reports there is a little bit of maintenance going on but just looking at things.

**15. Conservation Report**

**New Construction**

- 1197 Washington St. (Elks) – demo of building in next month

**Ongoing Construction (Partial list)**

- 824 Washington Street culvert repair – new culvert being formed, work should be complete in January. After the fact NOI expected in February.
- 1325 Washington Street – site work underway, review of retaining wall design change.

**Compliance and Enforcement and Complaints**

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- 29 Woodside Path. Enforcement Order Issued 8/23/22 required submittal of wetland and buffer restoration plan to be submitted by 11/01/22 and for landing to be conducted in Spring 2023. Owner requested extension and has provided evidence that they have hired Lucas Environmental to conduct the wetland delineation. Owner states they will hire LE for a restoration plan. Conservation staff to review wetland delineation following flagging.
- St. Francis Xavier Cemetery – dumping of soil, woodchips and leaves/yard debris on bank of Whitman's Pond. Issued Notice of Violation on 11/21. Met onsite with Father Cannon 11/29. Issue is ongoing from 2020. Parish spent significant resources in 2020 to address Conservation concerns, but issues continue. Will need to follow up.
- 24 Concannon Circle- Received end of growing season report from wetland scientist re: restoration.
- 411 Neck St- Staff did site visit earlier this fall and will be recommending some additional plantings in spring.
- Complaint from 2 residents about backup of water flow in the Mill River at Park Ave West. Affects wetlands north of Columbian St. Needs site visit from Conservation.

**Other projects**

- SNUP Dam Removal – kick off meeting held on-site with contractor for next phase of work (design). Town awarded 200K grant for permitting & construction.
- Smelt Brook Army Corps of Engineers project for fish passage at a perched culvert. Meeting with Army Corps to discuss status. Corps now reviewing recommended design which will need adaptive management plan – this is first of its kind structure to pass rainbow smelt in a ladder – like structure

**Planning Department Reviews**

- 158 Park Ave West – 12, 2-story town houses. Within Riverfront area, buffer to wetland. Notice of Intent pending.

**Other**

- Staff attended building joint Planning Board-Town Council public hearing on building moratorium. Is a lot of interest in water supply issues and impacts on Whitmans Pond. May want to raise again the draft protocol for Washington St pump station.

**Next Meeting**

- January 31, 2023. New filings may include
  - Park Ave West
  - Neck St., COC
  - Wessagussett Walk minor modifications
  - 29 Woodside Path restoration

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**16. Adjourn**

A Motion was made by Cmmr. Loring and seconded by Cmmr. Down to adjourn the meeting at 9:15 p.m.

**17. Next regularly scheduled meeting – Tuesday, January 31, 2023**

Weymouth Conservation Commission Minutes December 13, 2023



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Scott Dowd, Clerk

01/27/2023

Respectfully submitted by,

Ann Flynn Dickinson  
Recording Secretary