

**WEYMOUTH CONSERVATION COMMISSION  
RECORD OF MINUTES AND PROCEEDINGS**

**Wednesday, January 10, 2018, 7:00 p.m.**

**Weymouth Town Hall, Council Chambers 2<sup>nd</sup> Floor, 75 Middle St., Weymouth, MA**

**Present:** Thomas Tanner, Chairman  
John Reilly, Vice-Chairman  
Scott Dowd, Clerk  
Frank Singleton, Commissioner  
George Loring, Commissioner

**Also Present:** Mary Ellen Schloss, Conservation Administrator

Chairman Tanner called the January 10<sup>th</sup> Conservation Commission meeting to order at 7:00 p.m.

**Approval of Minutes**

The minutes of November 15 and December 6, 2017 were reviewed and accepted as written.

*On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to approve the November 15<sup>th</sup> and December 6<sup>th</sup> minutes.*

**13 Weyfair Path – Request for Partial Certificate of Compliance (PCOC) and  
Release from Order of Conditions (OOC)**

**Heather Estates**

**Map 42, Block 497, Lot 65**

**DEP File # 81-429 (Partial COC)**

**DEP File # 81-526 (Release from OOC)**

*Subdivision*

Ms. Schloss recommended approval of the Partial COC for the Heather Estates Order of Conditions for 13 Weyfair path. She explained the release on 81-526 was due to the fact that OOC was for Lot B (18 Jordan Dr.) and did not apply to 13 Weyfair Path.

*On a motion made by Cmmr. Singleton, seconded by Cmmr. Reilly, the Commission voted 5-0-0 to issue the Partial Certificate of Compliance on 81-429.*

*On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to issue the Release from the Order of Conditions on 81-526.*

**Massachusetts Electric Co. / National Grid - Notice of Intent, Public Hearing**

**10 Colonel's Lane**

**Map 31, Block 406, Lot 16**

**DEP File # 81-1206**

***Install 225' electric cable under Plymouth River***

*On a motion made by Cmmr. Loring, seconded by Cmmr. Dowd, the Commission voted 5-0-0 to open the public hearing.*

Appearing before the Commission was Andrea Kendall, LEC Environmental Consultants on behalf of Mass. Electric/National Grid.

Ms. Kendall explained the project is for Mass Electric to upgrade the electric service to the Colonel Lovell/Queen Anne's Gate apartment complex. They will install approximately 225' of new electrical conduit under the Plymouth River by means of horizontal directional drilling. A plan for erosion controls around the sending and receiving excavation ports and excavation stockpile has been provided. A vacuum truck will remove the drilling fluids. They hope to complete work by 3/31/18.

Ms. Schloss said she is confident the work can be done without affecting the river; the same technology was used at the site a few years ago to install a gas line.

Ms. Kendall said the work should only take about three days.

Public Comments – none.

*On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to close the public hearing.*

*On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to issue the Order of Conditions with conditions mentioned.*

## **2,8,16 Mitchell Lane (formerly 1119 Front Street) - Request for Partial Certificate of Compliance (PCOC)**

**Thomas Nutley**

**Map 41, Block 489, Lot 141-143**

**DEP File # 81-1169**

***Three 3-family residences***

Appearing before the Commission were Frederick Geisel, P.E., and owner, Thomas Nutley.

Mr. Geisel said that this PCOC is for units 16 A and 16C; it doesn't include 16B which will be retained by the owner until they are ready for the Final Certificate of Compliance.

Mr. Geisel said the following still need to be completed, but will be done (in the spring) for the Final COC:

- Reseeding of detention pond
- Final paving
- Planting and some lawn seeding

Ms. Schloss mentioned that on Jan. 9<sup>th</sup> she observed snow in the cul-de-sac instead of the designated area (the Planning Dept. requires greater than 4" be removed from the site).

Mr. Nutley explained that in the future the Condo Association will be hiring an independent contractor to do snow removal. He said they are currently working with the contractor to determine the location for any snow that needs to be taken off-site.

Ms. Schloss stated that the applicant will need to provide a site-specific Operation & Maintenance Plan and an executed maintenance contract.

*On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to issue the Partial Certificate of Compliance for Unites 16A and 16C.*

**All-Make Auto Care, Inc. - Discussion**

**11 Water Street**

**Map 23, Block 306, Lot 9**

**DEP File # 81-1186**

***Expansion of commercial building***

Coming before the Commission were Atty. Kevin Burke and owner, Marian Dorosz, to discuss riverbank storage activity.

Ms. Schloss said when the Notice of Intent was presented, there was no discussion of truck parking, or work on the riverbank other than the rain garden and the fence. The Commission was told that trash would be cleaned up and the state of the riverbank improved over existing conditions. However, the owner is parking heavy vehicles on the riverbank and so the applicant was asked to come in tonight to discuss the proper use of the riverbank.

Ms. Schloss added that the other issue is that the neighbor's cesspool extends onto Mr. Dorosz' property and the parking of trucks over the cesspool could lead to its failure. The town is working with Mr. Plum's attorney regarding connection to the sewer. The town will be installing a new sewer stub as part of the Commercial Street bridge project, but this work isn't planned until August.

Atty. Burke stated that the strip of land along the riverbank has historically been an access to this property. He added that no one was aware of the cesspool at the time the Notice of Intent was filed.

Chairman Tanner said he was concerned about where trucks were parked and endangerment to the Herring Run.

Atty. Burke said Mr. Dorosz will ensure that no trucks are parked on the cesspool.

Ms. Schloss asked if the rain garden could be adjusted to better accommodate parking.

Atty. Burke said he would arrange for a meeting with Mr. Joyce to discuss relocation of the rain garden.

Mr. Dorosz said he would not park any more vehicles on the cesspool.

Cmmr. Reilly stated that Mr. Dorosz has been very cooperative.

Atty. Lederman rose to speak about the cesspool on behalf of his client, Mr. Plum of 1415 Commercial St. He stated that the cesspool has been there for decades and that Mr. Plum was concerned that the rain garden would affect the cesspool. He asked that Mr. Plum be provided with a copy of the new rain garden plan.

### Public Comments

Phil Lofgren, a Herring Warden since 1998, said he is familiar with 11 Water Street. He said there has been no access into 11 Water Street from the strip of riverfront land since the Plum's house was constructed. He stated that the parking of vehicles only happened recently. He added that there are not adequate protections for parking here – there is no berm and the land slopes to the river. He said he thinks two posts have been installed within the 25-foot no-disturb zone. He explained he inspects the herring run 3 or 4 times a year and is concerned for his safety as the culvert has rusted supports underneath that could fall on him.

### **Meredith Woods Open Space Covenant & Subdivision Closeout – Discussion DEP File # 81-1025**

Ms. Schloss told the Commission that 17 (out of a total of 25) acres have been designated as open space and they must be protected in perpetuity. She explained that the last house in the subdivision is closing and the Town is in the process of executing a restrictive covenant to protect the open space with regard to the Final Certificate of Compliance. She said the Planning Dept. is holding a bond and will only release it once all conditions have been met.

### **Other Business**

#### Conflict of Interest Form:

All Commissioners turned in their forms.

#### Letter of Support for Back River Trail wayfinding grant:

All Commissioners were in favor of issuing a support letter; Ms. Schloss will prepare it.

#### Board Organization:

Cmmr. Dowd's reappointment has been approved. The Commissioners agreed that the officers would remain the same until June 30<sup>th</sup>. Cmmr. Loring will continue to serve as CPC liaison. Chairman Tanner asked Cmmr. Singleton to act as Vice Clerk.

#### Compressor Station:

It was agreed that Solicitor Callanan would provide an update on the Compressor Station at the next meeting.

### **Administrator's Conservation Report**

See report dated Jan. 10, 2018

### **Adjournment**

*On a motion made by Cmmr. Loring, seconded by Cmmr. Reilly, the Commission voted 5-0-0 to adjourn at 8:45 p.m.*

Respectfully submitted by,

Patricia Fitzgerald  
Recording Secretary

Approved by:

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Scott Dowd, Clerk

Date

**Documents reviewed during the meeting:**

- Meredith Woods: Restrictive Covenant and plans