

TOWN CLERK

**Weymouth Conservation Commission
Council Chambers, Town Hall
75 Middle Street, Weymouth
July 25, 2012 Meeting**

Present: Laura Harbottle, Chairperson
Steve DeGabriele, Vice-Chairman
George Loring, Commissioner
Greg Shanahan, Commissioner
Scott Dowd, Commission Clerk

Also Present: Mary Ellen Schloss, Administrator

Cmmr. Harbottle called the July 25, 2012 meeting to order at 7:00PM in Council Chambers at Weymouth Town Hall, Weymouth, MA.

Minutes

Members approved the June 13th minutes as written, with some additional changes. UNANIMOUSLY VOTED

**0 Finnell Drive – Notice of Intent – Continued Hearing
DEP File #81-1103**

Cmmr. DeGabriele moved to continue the discussion until August 15th, seconded by Cmmr. Dowd. UNANIMOUSLY VOTED

**86 Bluff Road – Notice of Intent (WPA and Local Ordinance) – Hearing
Sam Rounseville, Applicant
Map 6, Block 68, Lot 6
DEP File # 81-1107**

Cmmr. Dowd moved to open the public hearing, seconded by Cmmr. Shanahan. UNANIMOUSLY VOTED

Appearing before the Commission was Shawn Hardy, P.E., representing the applicant; abutter cards were received. Mr. Hardy stated the application is to repair a degraded coastal bank.

Records indicate that in 1909 there was a residence at this location with an existing breakwater. At some point a wooden structure was built with poles driven behind the block wall. The weight of the fill (construction debris) behind the wall caused the granite block wall to topple.

Mr. Hardy explained the plan:

- Remove the wooden structure and fill and regrade the area to match the existing and historical grades.
- Remove debris.
- Regrade the eroded channels.
- Put in an erosion control seed mixture and plant (14) bayberry plants over the coastal bank, spaced (8) ft. on center.

Mr. Hardy said this project is in a Riverfront Area for Back River. (Correction: he should have said Fore River).

Cmmr. Shanahan asked if the blocks were staying and the telephone poles were being removed; Mr. Hardy confirmed this.

Cmmr. Loring said he walked the site and it is definitely a hazard.

Cmmr. Harbottle asked if there was any other debris on the site that needs addressing; Mr. Hardy said there isn't that much.

Ms. Schloss explained project conditions:

- Trees – wants to be able to work with the contractor if there are any issues.
- Snow fence to be installed at the bottom to indicate limit of work.
- All work to be from the top.
- Erosion blanket on exposed soil.
- Remove debris.
- Uncover storm outfall.
- Remove poles on side of passageway.

No public comments.

Cmmr. Loring moved to close the public hearing, seconded by Cmmr. DeGabriele. UNANIMOUSLY VOTED

Cmmr. DeGabriele moved to approve the Order of Conditions, with special conditions mentioned, seconded by Cmmr. Loring. UNANIMOUSLY VOTED

**Libbey Parkway Gas Main Installation – Notice of Intent (WPA and Local Ordinance) – Hearing
Boston Gas Company d/b/a National Grid
DEP File # 81-1109**

Cmmr. Loring moved to open the public hearing, seconded by Cmmr. Dowd. UNANIMOUSLY VOTED

Appearing before the Commission was Brad Malo of Coastal Engineering Co., representing National Grid. Abutter cards were submitted.

Mr. Malo said that he has spoken to Ms. Schloss and has met with Chip Fontaine. He handed out revisions which showed the same scope of work but with additional details:

- Connects existing gas main to an existing gas main, to “loop the system”.
- (6) inch diameter gas main.
- All work is within paved road.
- Width of excavation 18-24 inches wide.
- Depth of excavation (36) inches.
- No grade changes proposed
- Siltation barriers along the northerly side of the road shoulder.
- (3) existing drainage structures that discharge into wetland; at these locations the gas main will go *under* the existing drainage structures 4-4.5 ft. depth (the remainder of the project will have a depth of (3) ft.)
- Gas main work will be within the pavement.
- Conduits now exist on the south side (hanging off south side of bridge) and would do similar on the north side. Steel arm suspension on the bridge, with a hanging cantilevered arm and will be anchored into the bridge decking.

Town Engineering had some additional questions regarding the bridge crossing; Mr. Malo asked that National Grid work directly with Engineering on this.

Cmmr. Loring asked why the same conduits couldn't be used on the south side; Mr. Malo said the south side wasn't suitable or was fully occupied, so the north side was being used. Cmmr. Loring also asked if the silt sacks that are used can be the type that can be removed without dropping sediment.

Cmmr. Dowd asked about a timeline; Mr. Malo said as soon as they can schedule the work. Cmmr. Dowd then asked how the trench will be closed; Mr. Malo said the proposal is to patch the trench.

Cmmr. DeGabriele commented that he felt the protocol document lacked specificity. He said that he didn't care for language such as “if necessary” when “is necessary” should be used and “to the extent practicable” leaves too much latitude. He said the language needs to be tightened up. Regarding liners in catch basins, he asked what precautions will be taken to prevent material from going into the water body.

Cmmr. Harbottle asked what on-site monitoring there will be (other than the contractor).

Mr. Malo said that, typically, there is some oversight by National Grid's Environmental Division leader, Deborah Blanche, and suggested that, perhaps, the Order of Conditions could include an Environmental Officer be assigned to oversee compliance issues.

Ms. Schloss brought up several other issues:

- Erosion controls are needed where there are gaps (use removable straw wattle for driveways).
- Dewatering: contact the Commission if needed.
- Silt sacks in all catch basins (manufactured silt sacks or add performance standard removable type.)
- No removal of vegetation rooted in water.
- Catch debris where it might fall when drilling through the bridge wall.
- Identify Environmental Monitor who is responsible for environmental compliance.

- Close trenches at end of work day.
- If DPW changes the method for attachment to the bridge, they will contact Ms. Schloss.

Cmmr. Loring moved to close the public hearing, seconded by Cmmr. Shanahan. UNANIMOUSLY VOTED

**611 Pleasant St. – Gas Main Installation – Notice of Intent (WPA and Local Ordinance) – Hearing
Boston Gas Company d/b/a National Grid
DEP File # 81-1108**

Cmmr. Dowd moved to open the public hearing, seconded by Cmmr. Shanahan. UNANIMOUSLY VOTED

Brad Malo, Coastal Engineering Co., appeared before the Commission representing National Grid; abutter cards were submitted.

Mr. Malo explained that this project involves the replacement of a gas main for a portion of Pleasant St. with a gas main installation to Aggregate Industries. He told the Commission that:

- There are wetlands on both side of the paved road.
- A new sewer was installed in 2007 or 2008.
- Excavation will be 18-24" wide and (36)" deep.
- They are quite certain they will intercept groundwater.
- Standing water within 18-30" of road surface.
- There are (3) areas of existing culverts, (2) 'culverts' are in very poor condition (silted in).
- No grade changes are proposed.
- Hay bales along the south side and a portion of the north side of the roadway.
- Lots of truck traffic, but it is a wide road.
- Police details may be needed.
- All work is to be in paved road surface.
- Gas main has to go UNDER the drainage structure.
- Temporary impact of 300-400 ft.
- Any open areas will be backfilled and compacted at the end of the day.
- No catch basins in the road.

Mr. Malo compares this project to the Falmouth project. He said the preconstruction meeting is to "iron out" the dewatering details adding that there are a number of ways to dewater:

- Filter on top of truck bed.
- Pump through filter at end of discharge pipe.
- Hay bale corral to settle out.

Mr. Malo said that the sewer line and water main have gone in at greater depth than the proposed gas main.

Cmmr. DeGabriele commented that the plan is very generic with no specificity and asked why the number of hay bales being used isn't the same on both sides of the roadway.

Mr. Malo replied that where there is a bump or berm along the edge of the paved road surface, vegetation has mounded up over time so there is really no need for erosion control.

Cmmr. DeGabriele recommended hay bales be extended along the entire length of roadway. Mr. Malo said he would be amenable to that.

Mr. Malo said they'll be using "rolling hay bales" and, being an incremental project of 300-400 ft., he asked if it would be permissible to move them along when an area is stabilized.

Ms. Schloss suggested that they predict the volume of water to be discharged and asked for a profile plan and water calculations. She then stated that the work should be done in drier situations.

Ms. Schloss explained that the Commission will also need:

- Proposal for dewatering with options for treatment.
- Performance standard to prevent turbidity.
- An estimated seasonal high ground water elevation.

Cmmr. Loring moved to continue the discussion to August 15th, seconded by Cmmr. DeGabriele.
UNANIMOUSLY VOTED

76 Davids Island Road – Notice of Intent (WPA and Local Ordinance) - Hearing

Joseph M. Scavo

Map 5, Block 13, Lot 31

DEP File # 81-1110

Cmmr. Shanahan moved to open the public hearing, seconded by Cmmr. Dowd. UNANIMOUSLY VOTED

Appearing before the Commission was owner/applicant Joseph Scavo. Abutter cards were submitted.

Mr. Scavo explained the (3) phases of this project:

1. Room conversion from (3) season to an all season with a change in the roofline (a story will be added) but no change in footprint.
2. Rehab of the existing, functioning pool and the pier; attached decking is in very poor condition.

Preexisting concrete deck around the pool was previously demolished and will be repoured. The existing pier also needs rehab; all existing pylons are solid but may need some re-welding. There will be no change to the substrate.

3. Large shed is completely in the floodplain, the other components are not. The barn/large shed project is "very far off the radar". He said the barn is crooked and he hopes to be able to elevate it someday, but he is not interested in doing it now, "It's on my 5 or 10 year plan".

Mr. Scavo said the house was built in 1967 with I-beams that go down (4) feet; he will build off the existing I-beams and will elevate the floor. The pool was built in 1976 as well as the pilings for the deck. The pool hasn't been used for about (6) years, since the decking was removed.

Ms. Schloss handed out photos of the area including rubble (rip-rap).

When questioned by Commissioners, Mr. Scavo explained that he wants to shore up the I-beams and he said that between the wall, the pool and the seawall poured concrete decking will be used with wood on top of that. He stated no discharge of water from the pool will be needed and a salt generator will be used for disinfection as opposed to adding chlorine to the pool.

Cmmr. Harbottle said the accumulated debris needs to be removed from under the deck. She asked if the 'boat house' could be removed from the NOI application.

Mr. Scavo said "I implore you to do so". (He removed a 1200 gallon underground oil storage tank on the orders of his insurance company and was only given until the end of September to secure the property.)

Cmmr. Harbottle commented that the Commission may want to discuss that there is no site plan or resource areas delineated. She also said that DEP has commented that areas subject to protection are unknown.

Cmmr. DeGabriele said that safeguards need to be in place for construction. He stated there is to be no work on the beach within the area of the building, but it is not clear if erosion controls are needed.

No comments were made by the public.

Erosion controls and other conditions were determined:

- Forms will be used with poured concrete (to prevent overflow over seawall).
- House: I-beams come up from the ground, they probably don't have to excavate but erosion controls to be used if they do.
- Remove debris under decking
- Welding – use temporary cloth to catch debris during welding and while building decking or any construction (remove at the end of each day).
- No machinery access on the beach.
- Standard pool conditions will apply.
- Barn/shed is no longer part of the proposal.
- Rubble will be dealt with in the future.
- Cartridge filter, no back wash.

Cmmr. DeGabriele said he wanted the debris removed from the rubble wall. Mr. Scavo explained that it is masonry that's been there a long time. A discussion was held regarding the rubble; Mr. Scavo asked if it could be revisited when they look at the barn.

Cmmr. Loring moved to close the public hearing, seconded by Cmmr. Shanahan. UNANIMOUSLY VOTED

Cmmr. Shanahan moved to approve a Standard Order of Conditions with special conditions as mentioned, seconded by Cmmr. Dowd. UNANIMOUSLY VOTED

21 Weyfair Path – Notice of Intent – Hearing, continued
DEP File # 81-1104

Appearing before the Commission to continue the discussing from June 13th were Kathleen Sheridan, resident, and Mr. Azu Etoniru, P.E., (President and Chief Engineer of ET Engineering Enterprises, Inc. of Bridgewater, MA).

Mr. Etoniru was present to provide assurance regarding the engineering design. He said:

- Gravity wall with “deadman”.
- Mr. Cabral (an independent engineer with (20) years’ experience) designed the wall.
- He has seen similar walls that are much higher, and those are stable.
- It has ‘cohesion-less’ soils.
- He is Mr. Cabral’s supervisor and recommended construction under Mr. Etoniru’s full supervision.
- An interim report will be provided to the Commission.
- He has confidence that the wall will work.

Cmmr. Dowd asked why the incursion needs to be in a no-disturb; Mr. Etoniru explained that it is because the wall needs some type of foundation or tie-backs. He added the incursion will be temporary.

Cmmr. DeGabriele asked why the wall is being located where it is, why this type of approach and why the work needs to be done (is this area really that unstable).

Mr. Etoniru said he is not familiar with the history of the pool and the house; the question is how to provide stabilization. He said there is a 2:1, or greater, slope and feels rip rap won’t work, adding “it is unconsolidated soil (vis-à-vis sand, gravel)”. He suggested that, perhaps, the pool should not have been put in at this location.

Cmmr. DeGabriele asked if the wall was the only solution; Mr. Etoniru replied it was the only permanent, long-term solution.

Ms. Schloss made the following comments:

- Erosion controls need to be closer to the limit of work.
- Construction access needs to be defined.
- Trees to come down within the wetland?
- Restoration plan will be needed.

At this time Ms. Schloss announced that she is in receipt of Cmmr. Shanahan’s certification that he has listened to the recording of the May 9th meeting and therefore is allowed to participate in this hearing.

In response to Commission questions, Mr. Etoniru stated:

- No plantings on top (would undermine wall), just lawn.
- Restoration needed at the base of the wall with wetland species.
- They would want to do the work in the drier season.
- They could provide a construction sequence and methods.
- They can use construction mats to get equipment in and out.

- They will keep equipment 10-15 ft. from the wetland. *They will have actual wetland disturbance (because wetland in the vicinity of flags 6 and 7 is less than (10) ft. from the proposed base of the wall.)

Mr. Etoniru was asked by the Commission if he could do clay over sandy soil to which he said that (a slurry wall) would need to be 20-30 ft. farther toward wetlands.

Issues of the restoration plan:

- Grasses to be used on top?
- Precisely, what trees are to be removed?
- Construction sequence, access, limit of work.
- Independent third party to see if there is another solution?
- Time of year.
- Limit of encroachment.
- Restoration.
- Variance from Weymouth Ordinance is needed.
- What alternatives have been reviewed?

Mr. Etoniru said he would provide the needed information.

Cmmr. Loring moved to continue the hearing to August 15th, seconded by Cmmr. Shanahan.
UNANIMOUSLY VOTED

**595 Columbian St., VCA Animal Hospital – Certificate of Compliance
DEP File # 81-1043**

Cmmr. Loring moved to issue a Final Certificate of Compliance for DEP File # 81-1043, seconded by Cmmr. Shanahan. UNANIMOUSLY VOTED

Other Business

- Peer review for Weathervane Golf Course Development Certificate of Compliance request (DEP File # 81-756 and 953). The Commission OK'd the scope of work sent to them for their review.
- 125 Fort Pont Road (DEP File # 81-1102) is OK to switch locations of yard and patio areas, given impervious surface would be less than approved amount.
- Harvest Ministries (DEP File # 81-791) regarding their final work before requesting a Final Certificate of Compliance. It is OK for Ms. Schloss to work with them to come up with an alternate planting plan, given that the approved plan is not feasible at this time (planting areas already grown in, underground utilities in areas where tree planting was shown).

Adjournment:

Cmmr. Loring moved to adjourn the meeting at 10:35 PM and to meet again on August 15, 2012 in Town Hall Council Chambers, seconded by Cmmr. Shanahan. UNANIMOUSLY VOTED

Respectfully submitted,

Patricia Fitzgerald

Approved:

Scott Dowd, Conservation Clerk

Date