

**MINUTES OF THE
CONSERVATION COMMISSION
September 25, 2013**

Present: Steve DeGabriele, Chairman
George Loring, Commissioner
Anthony Merlino, Commissioner
Scott Dowd, Clerk
Tom Tanner, Vice-Chairman

Also Present: Mary Ellen Schloss, Administrator
Lee Hultin, Recording Secretary

Commissioner DeGabriele called the September 25, 2013 meeting to order at 7:00 pm at the Town Hall, Council Chambers, 75 Middle Street, Weymouth, Ma.

APPROVAL OF PRIOR MINUTES

Cmmr. Loring made a motion to approve the minutes of July 24, 2013 as amended and was seconded by Cmmr. Tanner.
VOTED UNANIMOUSLY

401 Neck Street – Notice of Intent – Continued Hearing
DEP File # 81-1128
Driveway extension

Cmmr. Tanner made a motion to close the public hearing on 401 Neck Street and was seconded by Cmmr. Dowd.
VOTED UNANIMOUSLY

Mary Ellen Schloss reviewed some comments to be included in the Order of Conditions as:

- No work is to be done within the water
- Time of year restriction May through September 30th
- No oyster shells below the high tide line, gravel only
- Everything stabilized before the next high tide.

Cmmr. Tanner stated that the shells need to be washed and cleaned from the manufacturer prior to being put down. Mary Ellen Schloss will add this to the Order of Conditions.

Cmmr. Tanner made a motion to issue an Order of Conditions with the conditions set forth and was seconded by Cmmr. Dowd.
VOTED UNANIMOUSLY

**4 Hollis Street – Certificate of Compliance
Cameron Gulf Station
Richard Cameron – DEP File #81-479**

Mary Ellen stated that she spoke with the Health Department and there are no outstanding issues with them. The commission reviewed the letter from Carriage House Consultants with Mary Ellen Schloss.

Grease and oil traps were not installed in the town catch basins as it was determined that the private party should not be modifying town infrastructure.

The Consultant said DEP is ok with the remediation of the former underground storage tanks at the facility and he has a Certificate of Compliance with DOR.

Cmmr. Dowd made a motion to issue a Certificate of Compliance for DEP File #81-479 for Cameron Gulf Station and was seconded by Cmmr. Loring.
VOTED UNANIMOUSLY

**46 Revere Road – Abbreviated Notice of Intent - Hearing
Dave Burke, Home owner
Map 26, Block 349, Lot 3
DEP File #81-1129
*Backyard retaining wall***

Cmmr. Loring made a motion to open the public hearing on 46 Revere Road at 7:15 and was seconded by Cmmr. Tanner.
VOTED UNANIMOUSLY

The applicant handed in the abutter notifications to Mary Ellen Schloss.

This NOI proposes construction of a retaining wall and grading within the 100 foot buffer of Whitman's Pond. The proposed wall is located outside of the 25 foot buffer, but some temporary erosion disturbance extends into the 25 foot buffer.

The back yard has a slope toward the pond and they want to put in a retaining wall from the right side of the property to the left. There are two oak trees that are damaged close to the water's edge that they would like to remove.

The public was given the opportunity to speak and there were no comments.

Mary Ellen Schloss stated her comments were as follows:

- There is a lot of Japanese knotweed on the right hand side. If it's being removed, make sure you are not spreading it elsewhere.
- The retaining wall isn't staked out and the 25 foot area isn't flagged. This makes it difficult to visualize.

The wall on the left hand side will stay level but will end up being about 2 feet.

Cmmr. Tanner requested that the 25 foot no disturb zone be flagged as it is very difficult to locate this. He will also flag where the wall is going.

As you get closer towards the neighbor on the left you run into some ledge. The resident plans to egress the wall on the left hand side of his property. There is a drop of 1.5 feet and Cmmr. Tanner feels that is too steep and there should be a step or two.

Cmmr. DeGabriele asked him to be very clear what is going to happen on both sides of the wall as it is very close to the 25 foot line.

The applicant will have these items staked out for the Commission's review prior to the next meeting.

Cmmr. Merlino made a motion to continue the public hearing to the next meeting on October 9, 2013 and was seconded by Cmmr. Dowd.

VOTED UNANIMOUSLY

45 Elm Street – Notice of Intent – Hearing

Jack Chenette

Map 42, Block 498, Lot 15

DEP File #81-1130

Addition, garage, driveway

Cmmr. Tanner made a motion to open the public hearing on 45 Elm Street at 7:35 pm and was seconded by Cmmr. Merlino.

VOTED UNANIMOUSLY

Appearing before the Commission is Nicole Hayes, Chris Lucas of Lucas Environmental and Mr. & Mrs. Chenette.

The applicant handed in the abutter notifications to Mary Ellen Schloss.

This is a request for work within the Riverfront Area to the Old Swamp River and 100 foot buffer zone to a BVW. The bank of the river is defined on site by a cobblestone wall. The proposed work includes a new addition of 224 square feet, construction of a 550 square foot garage and a 1,038 square foot driveway.

The applicant proposed to remove 11 trees that are extremely large and old and could damage the house or injure someone. An arborist deemed two of the trees within the 25 foot buffer zone to be hazardous. To mitigate for the removal of the trees they propose to plant 10 trees along the buffer zone to create a natural barrier along the grass line and riverfront area.

The public was given the opportunity to speak and there was no comment.

Cmmr. Loring stated that he would like the applicant to reconsider removing tree #5 & #8 as they didn't look too bad and are leaning away from the house. Ms. Hayes stated #8 was one of the trees deemed to be hazardous.

Mary Ellen stated that the Health Department and Building Inspector will inspect the open well with the pipe leading into it in the back yard to see what it is connected to. The applicant would like to fill it in.

The owner said the laundry from the house was discharged into the back yard.

Cmmr. Tanner asked if the home is connected to sewer and it was stated yes.

They are proposing to plant Flowing Pear and October Glory Maple. It was recommended to plant native species like Elm, Maple and Oak instead of ornamental trees.

Cmmr. Dowd said the garage appears to be very large. The applicant stated it was for four cars and a boat. It will have a four foot foundation. Erosion controls should be included between the garage and the wetlands.

Cmmr. Merlino asked if any equipment will be in the back yard when planting the trees and it was stated yes but they will stay away from the buffer zone as much as possible.

Nicole Hayes stated that a landscaped island is being proposed as part of the mitigation. Mary Ellen Schloss doesn't believe it is really mitigation she sees it more as work. It is also within the 100 foot Riverfront Area. Mary Ellen also questions the removal of tree #5.

In the back yard plantings are proposed near the shed where it is very shady and she would maybe move those closer to the river.

There is an easement on the left side of the property that apparently cannot have any root based planting on it, such as trees. Mary Ellen Schloss will follow up with DPW on this for clarification as the applicant would like more trees along the riverfront if possible instead of on the left side.

There is a bolted plate in the backyard and Mary Ellen will follow up with DPW to see what this is.

There are disconnected pipes lying along the intermittent stream that end in brush adjacent to the river. They were hooked up to pump for irrigation in the past.

Chairman DeGabriele stated he is also concerned about the amount of trees proposed for removal. The applicant stated that he would like more sunlight as the shading is starting to rot the house. He would like them to reconsider the removal of all these trees as they do not appear to be that close to the house.

Cmmr. DeGabriele is not in favor of planting a straight line of trees and would like to see some dispersement of the trees throughout the area. Also, if there is an opportunity to plant some type of shrubs in the easement that would be a better option. He would also like the town to investigate the pipe and to see if there is a sump pump in the basement and if so, where that is discharged to.

Mary Ellen Schloss asked where the runoff from the driveway will go? The applicant stated it is being grading back towards the back of the house.

Action items:

1. Rethink the removal of the trees
2. Revise mitigation plantings
3. Easement information
4. Sump in basement
5. Confirming the hole in the ground can be filled.
6. More detail on the invasive species removal

Cmmr. Merlino asked if the shed is being removed and it was stated yes.

Cmmr. Dowd made a motion to continue the hearing until October 9, 2013 and was seconded by Cmmr. Merlino.

VOTED UNANIMOUSLY

Weymouth Salvage – Discussion

Mary Ellen Schloss stated that she left a message with George Eacobacci and hasn't heard back yet. She would like to visit during a good rain storm. The northern slope needs to be confirmed that it is stabilized properly. This will be left open until further investigation.

Review language for pending Order of Conditions:

Jacobs Lane – the Commission reviewed the handout of the draft special conditions with Mary Ellen Schloss. After a brief discussion Mary Ellen will incorporate their comments.

1366 Pleasant Street – the Commission reviewed the handout of the draft special conditions with Mary Ellen Schloss. After a brief discussion Mary Ellen will incorporate their comments.

CPC Update

Cmmr. Loring stated that the Community Preservation Committee has not met and therefore there is nothing to report at this time.

Mary Ellen stated that the next meeting of the CPC is on October 3rd which will include a presentation from the Whitman's Pond working group at 6:30 pm at the McCulloch Building. They will be asking for money for a study for the lake draw down. Mary Ellen is working on a memo.

Chairman DeGabriele feels that they should have a mission statement so they can continue what they start over the years. The ultimate goal is to enhance the usage of the pond and the way we are going to get there is with long term funding and sustainability.

Conservation Report

See Administrative Report of September 25, 2013

Mary Ellen handed this out to all the members for their review.

Other Business

Mass DOT is looking to do a joint meeting with Weymouth and Abington for the widening of Route 18. Because this project will permanently fill more than 5,000 square feet of Bordering Vegetated Wetlands in Weymouth and does not qualify for a "limited project" exemption, the Conservation Commission must hear the project, deny it, and then send it to the Department of Environmental Protection for a Superseding Order of Conditions. We can then pass along the local concerns to them.

After a discussion on this the commission agreed to a joint meeting with one part on the effects of Weymouth and the second part on the effects of Abington and then a joint discussion afterwards.

Cmmr. Tanner recommended beginning at 6:00 pm and Mary Ellen will check with Mass DOT and Abington and will confirm later.

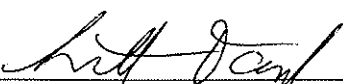
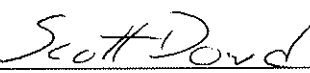
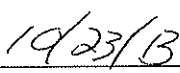
ADJOURNMENT

Cmmr. Merlino made a motion to adjourn at 9:30 pm and was seconded by Cmmr. Dowd.
VOTED UNANIMOUSLY

Respectfully submitted by,

Lee Hultin
Recording Secretary

Approved by:

Scott Dowd, Conservation Clerk Date