

**WEYMOUTH CONSERVATION COMMISSION
RECORD OF MINUTES AND PROCEEDINGS
Wednesday, September 10, 2014 - 7:00 p.m.**

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

Absent: None

Also Present: Mary Ellen Schloss, Conservation Administrator
Abby McCabe, Recording Secretary

Chairman DeGabriele called the September 10, 2014 Commission meeting to order at 7:00 p.m. in the Council Chambers, Town Hall, 75 Middle Street, Weymouth, MA.

Minutes

On a motion made by Commissioner Merlino, seconded by Commissioner Loring, the Commission voted 4-0 to approve the meeting minutes of August 13, 2014 as written.

136-138 Bridge Street – Notice of Intent (Continued Public Hearing)

DEP File # 81-1152

Rebuild commercial building; stabilize coastal bank; install shoreline protection

Joe Danubio, project engineer, was present to represent the applicant. Mr. Danubio explained that since the last hearing before the Commission the owner has hired a coastal bank expert, Woods Hole Group, as requested by the Commission and they are still reviewing the project. Revised plans and a letter dated August 4 were submitted to the Commission since the last hearing. Mr. Danubio summarized that the changes on the revised plans included clarifying the drainage and the foundation in the corner of the lot will be cut down by 24 inches and then filled.

Commissioner Loring asked how the water will drain at the back of the property near the bank. Mr. Danubio responded that the water will go to the berm and infiltrate into the ground.

Commissioner Dowd was also concerned about how the water will drain because the water didn't infiltrate into the ground with the vegetation that is there today.

Commissioner Tanner asked if the concrete foundation that is going to be brought down by 24 inches could be removed completely. Mr. Danubio responded that he believed the complete removal of the foundation could cause the slope to collapse.

Ms. Schloss, Conservation Administrator, added that the berm described by the applicant was not explicitly shown on the plans and that the plans show only a grade change and it appeared that the water will drain onto the abutting property to the east. Ms. Schloss stated that the plans should be clarified to confirm that water isn't draining to the property on the east.

Chairman DeGabriele asked the applicant to revise the plans to show a depression and a berm to prevent the water run-off to the easterly abutter. The grading and contours may need to be increased and a larger berm added.

Ms. Schloss also noted the contours on the plans show drainage to the rear of the property from the high point in front of the parking lot which leads water around to the rear of the building. She recommended the water be directed to the infiltration area at the front of the site. Chairman DeGabriele asked the applicant to include this in the drainage calculations.

Ms. Schloss further commented that the detail of the infiltration trench did not have stone underneath and suggested it be added to promote infiltration. Chairman DeGabriele asked the applicant to verify that the soil is permeable or add the stone to the infiltration trench to make sure the trench will work and the applicant agreed.

Ms. Schloss spoke with Tara Marden of the Woods Hole Group and they informed her that they have a draft plan and a narrative and are working on preparing the final report and will hopefully complete material in time for the September 24 meeting.

Chairman DeGabriele asked for public comment and there were no comments.

Commissioner Tanner made a motion, seconded by Commissioner Loring, to continue the public hearing to the Commission's September 24 meeting so that the applicant can address runoff at the rear of the property, confirm the stormwater trench is permeable, and incorporate the Woods Hole Group's plans and recommendations.

Tirrell Woods – Request for Final Certificate of Compliance

DEP File #81-1033

The Commission continued the request for the Final Certificate of Compliance to the September 24 Commission meeting at the request of the applicant.

186 Main Street – Discussion of preconstruction submittals

Local Wetlands Protection Ordinance – Order of Conditions issued October 26, 2012

Commercial Development

Hilde Karpawich of Kelly Engineering Group was present to represent the applicant. She summarized the applicant's proposal to remove the existing building to construct a new building for a storage facility and restore the area around the vernal pool. The local-only Order of Conditions from the Commission was issued in 2012.

Ms. Schloss added that she recently meet with Ms. Karpawich and Mr. Kelly of Kelly Engineering Group along with staff from the Engineering Division of the Department of Public Works (DPW) to review the outstanding items, specifically the vernal pool restoration, the fencing plan, and slope stabilization. Ms. Schloss noted that the Order of Conditions requires that the wetlands specialist oversee and propose the plantings for the vernal pool restoration. The Commission agreed that the wetlands specialist should oversee and propose the plantings for the restoration work and that the slope adjacent to the car wash building should be loamed and seeded, and the slope secured with an erosion control blanket if the slope is steeper than 3:1.

Ms. Schloss recommended signage be installed and the fence be pulled outside of the vernal pool planting area so the fence is at the top of the slope, as shown on the most recently revised plans. The Commission suggested five signs be installed at the access points at the gates and corners, as shown on sheet 2 distributed by staff.

Ms. Schloss reported that the Order's condition #23c required pulling the stormwater outfall pad back from the vernal pool and providing velocity calculations, if requested. The velocity calculations have been provided and

reviewed by herself and DPW staff and show a considerable velocity in stormwater discharge during a 25-year storm. This indicates that additional measures are needed to slow velocity and prevent erosion and scour in the vernal pool. Ms. Karpawich referred to the revised sketch of a stilling basin and level spreader, developed to address this issue, and which had been provided to the Administrator earlier that day.

Ms. Schloss also noted that the Operation and Maintenance (O&M Plan) should be revised to include maintenance of the rip-rap area and the applicant should propose additional measures to stabilize the 1:1 slope. The Commission agreed that Kelly Engineering could propose a “hard” solution to the 1:1 slope, to be reviewed and approved by the Conservation Administrator.

Ms. Schloss also noted that the performance guarantee is adequate and will be in an escrow account. Chairman DeGabriele had questions relating to the adequacy of the guarantee, noting that it needed to cover the three-year monitoring period, as required by condition #31. The Commission asked the applicant to clarify how they were complying with condition #31 and what it covered, exactly.

Sherrick’s Farm Road Subdivision – Request for Final Certificate of Compliance DEP File #81-788

Richard Burns, developer and Scott Arnold, engineer, were present for this item. Mr. Arnold stated that Mr. Burns thought the road and work associated with the construction of the subdivision were constructed in compliance with the Order of Conditions with the exception of the wetlands replication area. The applicant believed the former Conservation Administrator did not require the wetlands replication area and the area is now wooded.

Ms. Schloss informed the Commission that she performed a site inspection last week and found a lot of sediment build-up in the sediment trap (the first section of the basin). The material and trees in the basin should be removed so the basin can be mowed for long-term maintenance. The depth should also be verified. Elevations in the basin were not provided and should be included on the as-built so that proper depth can be confirmed.

Chairman DeGabriele said the O&M Plan should include the maintenance of the sedimentation trap area. He also believed that the significant sediment build-up in the basin will most likely lead to a future problem, as the basin will not be able to fulfill its purpose.

The Commission asked that the sediments and trees in the basin be removed before final acceptance by the Town, or issuance of a Certificate of Compliance. The contours may need to be fixed so that stormwater flow is from the sediment trap toward the outlet structure, not back toward the forebay.

Ms. Schloss will check with the DPW on the current condition of the basin, and what that condition should be, in order for it to be accepted. In previous discussions with engineering division staff, they have said that the basin should be clear so that the Town can maintain it once accepted.

125 Fort Point Road – Request for Final Certificate of Compliance DEP File #81-1102

Dipping Pool

Ms. Schloss reminded the Commission that this was the dipping pool in a flood zone. She recommended the issuance of the final Certificate of Compliance.

On a motion made by Commissioner Loring, seconded by Commissioner Dowd, the Commission voted 5-0 to issue the Final Certificate of Compliance for 125 Fort Point Road.

Conservation Commission Wetland Regulations Discussion – This item was continued without discussion.

Executive Session Minutes for Review: June 11, 2014

**Weymouthport Condominium – Phase I Trust v. Town of Weymouth Conservation Commission and Eastbay at Weymouth Corporation
84-89 Broad Reach (Map 3, Block 1, Lot 1)**

Commissioner Loring motioned to go into Executive Session to review the Executive Session minutes from June 11, 2014 regarding the Weymouthport Condominium Trust v. Weymouth Conservation Commission. The Clerk, Commissioner Dowd, took a roll call to go into Executive Session. Commissioner DeGabriele, Tanner, Merlino, Loring, and Dowd voting 5-0 in favor of an Executive Session to review the minutes.

On a motion made by Commissioner Loring, seconded by Commissioner Tanner, the Commission voted 4-0-1 (Chairman DeGabriele abstained) to accept the minutes as written.

The Commission reconvened and continued the meeting in open session.

Other Business:

MBTA – East Weymouth Slope Repair – Request for Extension of Compliance Timeframe.

On a motion made by Commissioner Tanner, seconded by Commissioner Loring, the Commission voted 5-0 to approve an extension of the slope repair work to November 2014.

Bradford Torrey Bird Sanctuary – Proposed Parking Lot Design. Ms. Schloss said there were some comments on the parking lot's material and the Commission suggested a quarter-inch stone.

Enforcements – Ms. Schloss informed the Commission that it was recently brought to her attention that there was a commercial boat stored on a tidal flat while work on the boat hull was being done. The Commission directed staff to send a letter of violation to the homeowner, to the boat owner and to the individual who arranged for the work to be done in this location.

Meredith Way – Ms. Schloss informed the Commission that the owners will be on the next meeting agenda to discuss changes and a site visit is planned for September 15.

Weathervane – Ms. Schloss reported that she is planning to visit Weathervane on September 12 to monitor the work, if any members are interested in attending. Chairman DeGabriele reminded her that the owners should be given a scope of work for the off-site mitigation work at Bradford Torrey.

Wessagussett “Shelf” Pruning – The DPW is unable to provide a written plan for the proposed pruning work for the Wessagussett area (requested at the previous meeting) due to staffing and time constraints. The nature of the work also must be kept to a minimum due to staffing limitations.

With regard to the vegetation management along Whitman's Pond, the Commission suggested reaching out to the Whitman's Pond working group for assistance.

Town Auction Land Sales – Ms. Schloss distributed a letter from the Planning Director dated September 8, 2014 outlining the list of land and tax lien sales to be auctioned on October 21.

Construction Update:

Ms. Schloss informed the Commission that:

- The demo work at 104 Bridge Street (issued under the Emergency Order) has occurred.
- The culvert replacement at Great Esker Park and the Whitman’s Pond dam gate replacement are planned to begin next week.

CPC (Community Preservation Committee) Report – Commissioner Loring reported that he attended the recent CPC meeting and informed the Commission that the town has hired a contractor for work at the Kibby property, the preservation work for the dugout canoe is underway and almost complete, improvements to Brad Hawes Park have begun, and the construction at Legion Field is on schedule.

Adjournment

On a motion made by Commissioner Loring, seconded by Commissioner Tanner, the Commission voted 5-0 to adjourn at 10:00 p.m.

Respectfully submitted by,
Abby McCabe
Recording Secretary

Approved by:

Steven A. DeZabrie for _____ 11/19/14
 Scott Dowd, Clerk Date