

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

**Wednesday, June 8, 2016, 6:00 p.m.  
McElroy Room, McCulloch Bldg., 182 Green St., Weymouth, MA**

**Present:** Steve DeGabriele, Chairman  
Tom Tanner, Vice Chairman  
George Loring, Commissioner  
John Reilly, Commissioner  
Scott Dowd, Commissioner and Clerk

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

Chairman DeGabriele called the June 8, 2016 Commission meeting to order at 6:10 p.m. in the Mary McElroy Room, McCulloch Building, 182 Green Street, Weymouth, MA.

**Keolis Commuter Rail Services – Request for Determination of Applicability, Public Hearing  
Commuter Rail Line Right-of-Way (ROW)**

*Renew wetland delineation for vegetation management activities*

Applicant had not arrived so hearing was moved to later in the meeting.

**Bristol Brothers Development**

- **Alexan at Arbor Hill - DEP File # 81-1046**  
**Discussion of Response to Enforcement Order re. construction-period stormwater management**
- **Weathervane Golf Course Development - DEP File # 81-756 & 81-963**  
**Offsite mitigation - Bradford Torrey trail improvements**  
**Review of other Enforcement Items**
- **Meredith Woods - DEP File # 81-1025**  
**Process for sign-off on Lot 15; living fence Lots 16-18; land preservation**

**Alexan at Arbor Hill - DEP File # 81-1046:**

Appearing before the Commission were John Perry, Gale Associates, and Steve McCarthy, J.F. Price Company. Mr. Perry described the letter of 5/31/16:

- Emergency overflow has not been used yet.
- Proposing to replace earthen berm with concrete weir, building into existing ledge faces.
- Volume of the upper basin is based on height of weir.
- Trying to mimic post conditions with the weir.
- Went to 2.5" storm event for overflow.

Ms. Schloss asked why the table didn't show more volume and more time before overflow.

Mr. Perry said:

- He will confirm the new volume amount (after new basin volume calculated in, to confirm they can handle 2.5" event).

- Outlet control structure will be built in and capped.
- Weir is replacing the emergency overflow; both would go to lower basin.
- Their 7/14/16 plan set is the same datum as previously used.
- Water quality unit was moved because of pipe depth. Ms. Schloss told him the town's Engineering Dept. would have to look at that.

Cmmr. DeGabriele asked why they don't increase the weir level so as to control a higher storm event, and what level of storm event they are able to control. He said he would need to see some numbers, but it would not lock them into the permanent system; he would like to see as much volume as possible.

Mr. McCarthy said in the event they need more volume to handle turbid water, they can pump water to upper ponds on the site. The point of the additional basin and weir is to control Wisteria Point discharge.

Cmmr. DeGabriele suggested that they lock down the two-stage sediment basin and what storm event it is able to control. He asked where the upper basins are located that they would pump to, and what is the capacity of the entire system. He also mentioned the narrative still needs to be provided.

Mr. Perry replied it could be done by the middle of the following week (week of 6/13). He said he needs to check on the weir depth: if it is greater than 6 feet, would it be considered a dam.

Sequence given:

1. Drilling for expanded basin
2. Blasting for expanded basin
3. Structural plans: they will be getting in about two weeks; the outlet control structures would be on that.
4. Concrete work: they should be able to start in a few weeks.

Ms. Schloss suggested that they reach out to the Engineering Dept. Mr. Bristol, III said they would be going to Engineering and Building Dept. if changes are going to be permanent. He added that loam has been removed from the site and they are seeing much less turbid water.

*At this time, the meeting switched to the Keolis application:*

**Keolis Commuter Rail Services - Request for Determination of Applicability, Public Hearing  
Commuter Rail Line Right-of-Way (ROW)  
*Renew wetland delineation for vegetation management activities***

*On a motion made by Commissioner Reilly, seconded by Commissioner Tanner, the Commission voted 5-0-0 to open the public hearing.*

Appearing before the commission was Kyle Fair of Fair Dermody, representing Keolis, who explained the delineation process. He said they delineate a large swath of wetland along the railroad tracks and often "over-delineate" the wetlands. They put markings on the tracks for the herbicide application. The two pieces of ROW are the Plymouth Branch and Greenbush Branch.

Mr. Fair showed pictures of the equipment and the pattern application. He said the buffer is 10 ft. from the edge of the spray pattern and any wetlands.

Mr. Fair said he and Ms. Schloss had been out five years ago to re-mark the area. He explained the project plan:

- Light blue represents wetlands within 100 feet. No spraying within 10 feet of wetlands. The remaining 90 feet are a sensitive area and restricts applications to once a year.
- Dark blue represents same as above, but may only apply once every two years (this is a tributary to Whitman's Pond).
- Yellow is a "No spray zone" which may be cleaned by hand, but only if necessary (Greenbush Branch headwalls are long enough to eliminate no spray zones).

Cmmr. Tanner asked when it would begin and how long it would take.

Mr. Fair said it will start in about two weeks and will take just a day; there will be no application in wet weather and they will keep an eye on 'drift'. They have already notified the public via a newspaper legal notice.

No public comments were made.

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

*On a motion made by Commissioner Reilly, seconded by Commissioner Tanner, the Commission voted 5-0-0 to issue a Negative 5 Determination.*

### **Bristol Brothers, Discussion resumed:**

#### **Alexan – continued**

Ms. Schloss said, regarding the vernal pool review and Wetland C, she went out to the site in April and May with Don Schall. They found egg masses, wood frog tadpoles and salamanders at both vernal pool in wetland C and the vernal pool adjacent to the High School. She also reported that the high school emergency access road has been discussed with town officials. There is continuing discussion with Bristol Brothers Development regarding long-term Conservation Restrictions (CR) on donated land.

#### **Weathervane Off-site Mitigation** **Bradford Torrey Trail Improvements**

Mr. Bristol, III reviewed updates:

- Could use smaller sign board, but no kiosk, off Quarry Drive.
- Power lines are being removed.
- Trails that go nowhere will be taken off the plan and they will mark the trees.
- They proposed stones going across the creek.
- June 30<sup>th</sup> is the deadline for the kiosk design and language.
- Kiosk sizes and locations were discussed; large at DPW, small at WHS, Tucker Preserve.
- Trail maps in slots (probably not); make available on line?
- Dog poop bags? Where to throw them out?
- Signage for what is, and is not, allowed: Steve will take pictures of signage in Pond Meadow Park.
  - a. No snowmobiles
  - b. No ATV's
  - c. No off-road vehicles
  - d. No motorized dirt bikes
  - e. Walking Trail Only

- Map to include:
  - a. Where to get maps
  - b. “QR code” so user can download a map on mobile devices
  - c. Access and Parking locations
  - d. If Main Street lot is not plowed, can users be directed to the High School lot (will need School Dept. approval)

### Meredith Way

- Lot 15 - fence is up. They are looking for occupancy prior to final landscaping. Options were discussed: Temporary Occupancy Certificate, then Permanent Occupancy Certificate or, if Bank won't accept Temporary CO, then a cash bond can be required.
- Roof Leaders: They only did two leaders at corner of site and two drains aren't connected. They will confirm with the engineer, Gabe Crocker, regarding the approved plan.

### **487 Broad Street (Lots B1 and B2) - Violation Hearing**

**John Lamparelli, K.M.L. LLC**

**Map 22, Block 291, Lots 29 & 7**

**DEP File # 81-1159 & 81-1160**

*Began work, cleared property without recording OOC or installing erosion controls, etc.*

Ms. Schloss explained why the Enforcement Order was sent.

Mr. Lamparelli said he didn't know he had an Order of Conditions; the engineer and architect have been uncooperative and haven't returned his phone calls.

Cmmr. DeGabriele told him that the Commission spent a lot of time on this site and the last thing they wanted was for it to be clear-cut. He stated that there has been woodland habitat lost and he wants to see a planting plan before any construction is allowed, adding that Mr. Lamparelli will need to hire a professional to do the planting plan.

Ms. Schloss said that she had some photographs from last year showing the area prior to cutting; these may show the trees that were to be saved.

Cmmr. Tanner asked Mr. Lamparelli if he had done any other work; he replied no, that he was waiting for the hearing.

Cmmr. Tanner said because the homes are no longer staked, they will need to lay out the homes and driveways again.

Mr. Lamparelli said it wasn't intentional and he is not benefitting in any way from what has happened.

Cmmr. DeGabriele told Mr. Lamparelli to have his representative contact Ms. Schloss for further details.

The violation hearing has been continued to the July 13<sup>th</sup> meeting.

**Algonquin Gas Transmission, LLC – Discussion of Order of Conditions (denial)**  
**(Public Hearing Closed)**  
**6 Bridge Street**  
**Map 6, Block 63, Lot 1**  
**DEP File # 81-1170**  
*Natural Gas Compressor Station*

Ms. Schloss handed out a revised draft Order of Conditions (denial), explaining that the revision (dated June 8<sup>th</sup>) incorporated comments from the legal team. The June 8<sup>th</sup> revision amends the version dated May 31 that she sent to Commissioners by email. She noted that Chairman DeGabriele provided input into the May 31<sup>st</sup> draft.

Chairman DeGabriele provided written comments on the May 31<sup>st</sup> version.

Ms. Schloss summarized the June 8<sup>th</sup> revisions.

Cmmr. Dowd commented that he would like to see additional language regarding concerns about potential impacts from noise and vibrations.

Ms. Schloss explained that she will need to be able to reach everyone on 6/15/16 so they can confirm their approval of the OOC before it is finalized. She will want exact language from members.

**Algonquin Gas Transmission, LLC – Request for Certificate of Compliance**  
**Bridge Street**  
**Maps 12, 16, 20**  
**DEP File # 81-1037**  
*Borings*

Ms. Schloss explained that this project, to conduct geotechnical borings (on land and water) was completed several years ago and she was recommending issuance of a Certificate of Compliance.

*On a motion made by Commissioner Reilly, seconded by Commissioner Tanner, the Commission voted 5-0-0 to issue a Certificate of Compliance.*

**Other Business**

1119 Front Street: Ms. Schloss recommended approval of the proposed minor modification to install a gas line.

*On a motion made by Commissioner Reilly, seconded by Commissioner Tanner, the Commission voted 5-0-0 to issue a Minor Modification on DEP File # 81-1169.*

COC's 2010 through 2015: Moved to October 2016 agenda.

Officers and CPA Liaison Positions: All positions will remain as is.

*On a motion made by Commissioner Reilly, seconded by Commissioner Dowd, the Commission voted 5-0-0 to continue the officers and CPC liaison as they are currently.*

Back River, Eagle Scout Project: Will be permitted, provided that they have an engineer.


**Adjournment:**

*On a motion made by Commissioner Loring, seconded by Commissioner Dowd, the Commission voted 5-0-0 to adjourn at 8:30 p.m.*

Respectfully submitted by,

Patricia Fitzgerald  
Recording Secretary

Approved by:

  
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Scott Dowd, Clerk

  
\_\_\_\_\_  
Date