

**MINUTES OF THE
CONSERVATION COMMISSION
March 12, 2014**

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

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

Commissioner DeGabriele called the March 12, 2014 meeting to order at 7:00 pm at the Town Hall, Council Chambers, 75 Middle Street, Weymouth, Ma.

Marco Mouro, student at UMASS-Boston was in attendance listening in on all the hearings.

APPROVAL OF MINUTES

Cmmr. Tanner made a motion to approve the minutes of February 12, 2014 and was seconded by Cmmr. Loring.

VOTED UNANIMOUSLY

135 Randolph Street (Lot 1) – Notice of Intent

Paul Mackintire

Map 48, Block 547, 014

DEP File # 81-1142

Single-family house with garage

135 Randolph Street (Lot 2) – Notice of Intent

Paul Mackintire

Map 48, Block 547, 014

DEP File # 81-1143

Single-family house with garage

The applicant proposed to demolish the existing house and construct two new single family houses, both (1,064 sq ft) with attached garage (676 sq ft) in the 200 foot Riverfront Area. Section 4 of the NOI contains an analysis of how the application will comply with the Mass. Wetland Protection Act Riverfront standards (310 CMR 10.58).

All abutter notifications were turned in for both lots 1 & 2.

Cmmr. Loring made a motion to open the public hearings on 135 Randolph Street, (Lot 1 & 2) DEP File # 81-1142 and #81-1143 and was seconded by Cmmr. Tanner.

VOTED UNANIMOUSLY

Appearing before the Commission is Paul Mackintire, Owner and Brad Holmes of Environmental Consulting and Restoration, LLC.

Review of Lot #1 and the house:

Mr. Mackintire stated that this qualifies as a Riverfront redevelopment project. Schematics of Lots 1 & 2 were distributed to all members and reviewed as follows:

The existing house:

- The orange area shows the degraded area which is 764 square feet.
- 10% of Riverfront Area = 1,650 square feet.

The proposed house:

- The proposed degraded area = 2,909 square feet
- The structure and driveway = 2,374 square feet
- The lawn area = 535 square feet
- Mitigation of at least 1,259 square feet is required to mitigate impacts beyond 10% of the Riverfront Area.

Proposed mitigation is about 1,300 square feet. There is 665 square feet of lawn to be removed and reseeded as conservation mix. The removal of brush piles, and at least 1,259 square feet of native plantings will be worked into open areas.

The grading and typography will reduce the run off and increase the infiltration. Obviously there will be a significant amount of fill brought in to raise the grade of the bowl-shaped depression. The neighbor is very concerned with this and wants to make sure the water isn't directed toward his property. It was noted that a drywell will be brought in for this area. They will not go past the stone wall with the grading.

A post-and-rail fence is proposed at the edge of the lawn area to prevent encroachment beyond what is approved.

Ms. Schloss discussed the size of the proposed infiltration pipes on all four corners of both houses with the contractor (DJ Equipment). They will also discuss the planting details.

Review of Lot #2 and the house:

The existing house:

- The orange area shows the degraded area which is 2,260 square feet.

The proposed house:

- The proposed degraded area = 2,365 square feet
- Mitigation of at least 105 square feet is required to mitigate impacts beyond 10% of the Riverfront Area.

Ms. Schloss wants erosion controls for the construction entrance to keep the main road clean of sand and debris.

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

Mitigation:

Lot #2 is plantings of 130 sq ft, there is a spit rail fence, native plantings, debris removal.

The final grade of lot 1 will be lower than lot 2. The swales will collect the run off.

Cmmr. Tanner made a motion to close the public hearing on 135 Randolph Street lot #1, DEP File #81-1142 and was seconded by Cmmr. Loring.
VOTED UNANIMOUSLY

Cmmr. Tanner made a motion to close the public hearing on 135 Randolph Street Lot #2 DEP File #81-1143 and was seconded by Cmmr. Merlino.
VOTED UNANIMOUSLY

Ms. Schloss reviewed her recommendation of Conditions with the Commission and the applicant for Lots 1&2.

Ms. Schloss stated that she is comfortable signing off on the demolition permit prior to her writing the Order of Conditions and the Commission all agreed.

Cmmr. Loring made a motion to issue the Order of Conditions for 135 Randolph Street Lot #1&2 and was seconded by Cmmr. Tanner.
VOTED UNANIMOUSLY

**186 Main Street – Discussion, Project Change
Local Only Order of Conditions Issued 10/26/12**

Appearing before the Commission is David Kelly, Kelly Engineering.

This is the old Massachusetts Electric site. This project is proposed to be a Castle Self-Storage building that will have very little traffic. The building is approximately 21,000 square feet. There will be no outdoor storage.

The applicant filed for a special permit with the BZA and they closed the hearing. They expect a decision next Wednesday.

Chairman DeGabriele stated that tonight's discussion is to determine if the proposed changes can be approved as part of a minor modification which means there will not be another public hearing and it will be done administratively or should this be done with an amendment to the original Order of Conditions which would require another public hearing.

Mr. Kelly reviewed the original proposal and compared it with the proposal before them this evening. He then answered any questions the Commission had.

The approved project involved the construction of 17,900 sf retail building with associated parking, drainage, utilities and site development features. The newly proposed project involved the construction of a 21,950 sf storage facility with associated parking, loading areas, drainage, utilities and other site development features in lieu of the retail building.

The proposed minor changes to the site development plans will provide fewer paved parking spaces (from 171 to 14 parking spaces), greater green area, more recharge volume and a greater natural buffer around the on-site vernal pool.

All the original Order of Conditions will remain the same.

Cmmr. Tanner likes the idea that this will not generate more traffic. He asked how high the building is and it was stated three stories high and is climate controlled.

Chairman DeGabriele stated that there is a significant decrease in the impacts to the conservation areas and that has a big influence on the Commission.

Ms. Schloss stated that she is comfortable with allowing this as a minor modification.

Cmmr. Tanner made a motion to accept this modification to the original plan and was seconded by Cmmr. Loring.

VOTED UNANIMOUSLY

Ms. Schloss stated that she will write a letter to the applicant stating that the commission approved this modification.

**Weathervane Golf Course Development
Discussion – Compliance Status, Enforcement Order
DEP File #81-756, 81-963**

Appearing before the Commission was Carl Ericson and Jim Bristol III, Bristol Brothers Development.

The purpose of this discussion is to decide whether or not the Commission wants Bristol Brothers to continue to pursue the Ralph Talbot sewer easement trail as the preferred off-site alternative.

Carl Ericson stated that they recently had a site visit with several town officials and there seems to be a definite benefit from this however it is very extensive and needs to be discussed in more depth.

Jim Bristol stated that they would like to pursue this project but perhaps there is another project that will be more beneficial at this time and they can always go back to this. They are open to discussing other town projects that might be more "shovel ready".

Cmmr. DeGabriele noted that the more they get into the trail option the more issues that arise. The long term maintenance of the trial is an issue, trails need to be well marked to be successful, be clear about the boundaries of the property, safety issues, liability, handicap accessibility, invasive controls, use, abutter concerns, conflicting uses are all things that need to be considered.

Ms. Schloss will work with Bristol Brothers to determine a fair value for the off-site mitigation required (550 square feet of wetland impact, 27,857 square feet of buffer zone impact, and 17,127 square feet of wetland pruning). If amenable, funds could be provided in lieu of a specific project, and could be used toward other conservation projects.

CPC Update

Other Business

Ms. Schloss noted that she received four NOI filings for 119 Randolph Street, they have a subdivision (Dandelion Way) with four homes, three of which will be in Conservation jurisdiction. Their water and sewer line connection is in jurisdiction. The town's local fee for an NOI subdivision is \$750.00. They already paid the water and sewer line fee. Does the Commission feel they should pay another \$750.00 when the roadway is outside of our jurisdiction? Only the water and sewer line is within it. All members of the Commission stated no.

Legion Field/Lovell Field discussion is continued to the next meeting. Ms. Schloss has received comments from DPW and handed them out. There is a meeting on Friday at Town Hall with the designers and DPW to discuss their comments. These comments were distributed to all commission members.

Conservation Report:

See Conservation Administrator's Report of March 12, 2014.

- Great Esker Park Culvert-MEPA meeting scheduled for March 19th at 10:00 am at McCulloch Building.
- 35 Regatta Road costal bank. Received monitoring report dated 2/27/2014. Request to conduct additional stump sprout pruning of cherry tree at base and to remove Norway maple that is crowding other trees.
- Mass DOT request for variance plans submitted to DEP, with copy to Con Com.

Chairman DeGabriele noted that he is working on a project with Mass DOT as a consultant but it has nothing to do with the cases before Conservation Commission. He will research this further to make sure there is no conflict.

ADJOURNMENT

Cmmr. Loring made a motion to adjourn at 8:55 pm and was seconded by Cmmr. Tanner
VOTED UNANIMOUSLY


Respectfully submitted by,

Lee Hultin
Recording Secretary

Approved by:



Scott Dowd, Conservation Clerk



Date