

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

Wednesday, October 04, 2017, 7:00 p.m.

Weymouth Town Hall, 3rd Floor Conference Room, 75 Middle St., Weymouth, MA

Present: Thomas Tanner, Chairman
John Reilly, Vice-Chairman
Scott Dowd, Clerk
Frank Singleton, Commissioner

Not Present: George Loring, Commissioner

Also Present: Mary Ellen Schloss, Conservation Administrator

Chairman Tanner called the October 4th Conservation Commission meeting to order at 7:00 p.m.

Approval of Minutes

The minutes of September 13, 2017 were reviewed and accepted as written.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Reilly, the Commission voted 4-0-0 to approve the September 13th minutes.

271 Essex Street - Request for Final Certificate of Compliance (COC)

William Fabiano

Map 21, Block 288, Lot 110

DEP File # 81-1201

After-the-fact 2-car garage

Ms. Schloss reported that she visited the site on October 2nd and everything looks good.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 4-0-0 to issue the Final Certificate of Compliance.

3 Canacum Road - Request for Final Certificate of Compliance

Peter & Carla Barlow

Map 3, Block 1, Lot 8

DEP File # 81-1163

Rebuild SF house and stairs on coastal bank; vegetation management

Appearing before the Commission was Tim Grandy, Project Manager with Shepherd Construction.

Ms. Schloss said there is no significant deviation from the plan; stairs are to plan and debris has been cleaned up. She said vegetation management will include removing Norway maples and other invasive species from the bank and mowing the strip of coastal seed mix at the top of the bank once or twice a year. Ms. Schloss said she is comfortable issuing the COC.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 4-0-0 to issue the Final Certificate of Compliance.

27 Regatta Road – Violation Hearing, continued

Christian Baker

Map 2, Block 12, Lot 22

Unauthorized cutting of beach, dune & coastal bank; encroachment on town property

Owner of the property, Christian Baker, appeared before the Commission.

Ms. Schloss mentioned that she had spoken to Mr. Baker's attorney, Scott Golding, and handed out a draft Enforcement Order.

Mr. Baker said nothing has been done to the property since the July meeting.

Chairman Tanner said the Commission has photos to show the boat is still on the beach and it looks like stairs were used this summer.

Ms. Schloss said the following work will have to be done:

- Removal of the stairs, no later than November 15th
- Installation of the jute netting immediately following stair removal
- Remove sand from the stairs and return to the beach
- Installation of native beach grass

Mr. Baker said stair removal and netting installation can be done 'right away'.

Chairman Tanner told Mr. Baker that beach grass will need to be planted at a density recommended by a professional and any plants that don't survive will need to be replanted. He further stated that this work needs to be done by the Dec. 6th meeting or fines will be levied.

"0" Finnell Drive - Abbreviated Notice of Resource Area Delineation (ANRAD), Public Hearing

Bristol Brothers Development

Map 36, Block 452, Lot 9 & Block 423, Lot 4

DEP File # 81-1204

Delineate wetland on 2 undeveloped parcels off unimproved section of Finnell Drive

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 4-0-0 to open the public hearing.

Appearing before the Commission was John Zimmer, South River Environmental. Abutter cards were submitted.

Mr. Zimmer said this filing is to confirm wetland resource area boundaries on 42 acres and explained the wetland features on the property. He said he has delineated approximately 14,000 linear feet of wetland line.

Ms. Schloss asked for a continuation to November so she can make her recommendations. She then said Natural Heritage and Endangered Species Program (NHESP) has mapped two potential vernal pools (PVPs) on the property; Mr. Zimmer said he found vernal pool species in wetland D and in one Bordering Vegetated Wetland (BVW) area but did not find vernal pool species in the PVP wetland G.

The possible need for a peer review was discussed, particularly if the Order of Resource Area Delineation (ORAD) is going to determine the location of all vernal pools and locally-jurisdictional wetlands. It was explained that a peer review is common, the applicant pays for it and the Commission selects who will do the review. John Zimmer responded that the ANRAD can focus only on BVW and Isolated Vegetated Wetland (IVW), at least for now.

Public Comments

- Kathy Swain of 134 Mill Street said this is an area of critical concern since it feeds the Mill River, the town's wells and Whitman's Pond. She is concerned about this very wet area and run-off. She added she would like to see a peer review done.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 4-0-0 to approve of Ms. Schloss making the determination as to the need for a peer review.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 4-0-0 to continue this hearing to November 15th.

21 Woodbine Road, Violation Hearing – Status update

Henry Williams

Map 30, Block 391, Lot 18

Local-only Order of Conditions (OOC) & DEP File # 81-1078

Review of work being done under Enforcement Order

Owner Christine Williams, and Frank Sullivan, Overlook Landscape & Design, came before the Commission as requested in regards to an Enforcement letter dated August 23, 2017.

Ms. Schloss said she is comfortable with the Skinner planting plan and asked for 48 hours' notice prior to planting.

Mr. Sullivan said the plants are at the nursery and, once he hears from the Williams', work can be completed in about two weeks.

CPC Report

Cmmr. Loring was not present to provide report.

Other Business

- Cmmr. Singleton asked about the Algonquin Gas pipeline repair in regards to the gas being removed before the pipe is worked on. He also mentioned that, regarding a planned gathering at the King's Cove Conservation Restriction area, public park use is under Conservation jurisdiction. Ms. Schloss said certain uses are allowed, e.g. passive recreation, but there is no clear definition of what is allowed. It was determined that the Mayor will have jurisdiction over public use permits issued.
- Weymouth Club, behind the last tennis bubble before the detention basin: Ms. Schloss informed the Commissioners that on a recent site visit she noticed a lot of erosion and also saw that gravel has been migrating toward in intermittent stream (when snow is removed the plow also pushes mounds of gravel). Steve Goldman has engineers looking to find a long-term solution. The current plan is for paving with pervious asphalt. It was agreed to allow this work as a minor modification to the current OOC (81-1179).

The Commission agreed that Ms. Schloss can work with Weymouth Club on this issue.

- Algonquin Compressor Station vs. Weymouth Conservation Commission: hearing will be at the Moakley Federal Courthouse, Tuesday October 10th. Solicitor Joe Callanan will be presenting oral arguments. The law firm of Miyares & Harrington, LLP will also be attending.

Administrator's Conservation Report

See Ms. Schloss' report dated October 4th.

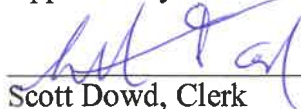
Adjournment

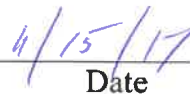
On a motion made by Cmmr. Dowd, seconded by Cmmr. Reilly, the Commission voted 4-0-0 to adjourn at 8:30 p.m.

Respectfully submitted by,

Patricia Fitzgerald
Recording Secretary

Approved by:


Scott Dowd, Clerk


Date

Documents reviewed during the meeting:

- 75 Finnell Dr. Restoration Plan
- 21 Woodbine Road, Skinner Planting Proposal and Cost Estimate
- MACC Membership Cards