

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

Wednesday, November 15, 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
George Loring, Commissioner

Also Present: Mary Ellen Schloss, Conservation Administrator

Chairman Tanner called the November 15th Conservation Commission meeting to order at 7:00 p.m.

Approval of Minutes

The minutes of October 4 and October 25, 2017 were reviewed and accepted as written.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Reilly, the Commission voted 5-0-0 to approve the October 4th and October 25th minutes.

65 Thicket Street - Request for Final Certificate of Compliance (COC)

Bob Gabriel, Liberty Realty Development, Inc.

Map 61, Block 635, Lot 19

DEP File # 81-1175

Single family home and appurtenances

Ms. Schloss said that this new house was completely built in the Buffer Zone. She did her inspection on Nov. 14th and the plants that needed to be relocated have been installed. She recommended issuance of the Final COC.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Reilly, the Commission voted 5-0-0 to issue the Final Certificate of Compliance.

158 Forest Street - Request for Final Certificate of Compliance

Roy Nelson & Sons

Map 44, Block 505, Lot 30

DEP File # 81-296

Grading & filling for construction of a 3-lot subdivision

Atty. Greg Galvin, who appeared before the Commission, explained the long history of the property. He said the outstanding Order of Conditions, issued in 2001, was only discovered

hours before the new owner was to close on the house. He said the prospective buyer (William Rooney) will not close on the house unless the issue is resolved.

The current owners, Mr. & Mrs. Poisson, said they contacted the Conservation office in 2016 looking for help in dealing with a mosquito problem; they say they were not told about the wetlands on the property.

Mr. Rooney said the broker told him there were no wetlands on the property.

Chairman Tanner told Mr. Rooney he would not have to vegetate the wetland replication area but he would have to come back before the board in regards to any work he would like to do on the property.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 5-0-0 to issue the Final Certificate of Compliance.

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

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

Appearing before the Commission were John Zimmer, South River Environmental, and James Bristol, III.

Mr. Zimmer said that he and Ms. Schloss walked the delineated site and they were able to come to an agreement on those flags that were in question.

Ms. Schloss said she is comfortable with the changes made and with those noted on the pdf revision.

Mr. Zimmer mentioned that an intermittent tributary stream is incorrectly identified on the plan as “Mill River”. They will correct the plan.

Public Comments

- Bob Delaney, 27 Belmont St., asked Mr. Zimmer to explain the plan to the audience.
- Laurieann Yeisley Drogin, 755 Front St., asked for the wetland boundary edge, vernal pools and wetlands to be pointed out.
- Pauline Kennedy, 50 Old Colony Drive asked what is happening with the cleanout of the swale that comes from the Weymouth Club.

- District Two Town Councilor, Thomas J. Lacey asked for a continuation of the hearing to allow people to view the plan on the website.
- Barbara Hanson, 95 Belmont St., asked if areas where delineation flags have been moved, were previously documented. Mr. Zimmer explained yes, the flags were picked up by the survey prior to being moved.
- Brian Christo, 51 Belmont St. asked if changes to the area could be determined using old wetland records.

Ms. Schloss explained that there was an Order of Conditions issued about 1990 that included wetland mapping. She compared the two delineations and there are more wetlands shown now than previously. She added that the public is entitled to view these documents and she will put the ANRAD plan on the website.

On a motion made by Cmmr. Singleton, seconded by Cmmr. Loring, the Commission voted 5-0-0 to continue this hearing to December 6th.

4 Mutton Lane – Notice of Intent, Public Hearing
Patrick Flaherty, Mutton Lane Group, LLC
Map 35, Block 444, Lot 12
DEP File # 81-1205
Construct 2 SF homes, access driveway & utilities

On a motion made by Cmmr. Loring, seconded by Cmmr. Reilly, the Commission voted 5-0-0 to open the public hearing.

Appearing before the Commission were Shawn Hardy, Hardy Engineering, and applicant, Patrick Flaherty. Abutter cards were not submitted as Ken Thompson has them.

Mr. Hardy explained that the wetland was delineated by Ken Thompson, botanist, who proposed a greater than 2:1 area for mitigation of the 0-25' buffer zone encroachment (needed to access the houses). The proposed area of 3,625 sq. ft. will be planted, to the left of the proposed driveway, with four red maples and 36 speckled alders.

Ms. Schloss said the application also requested 159 sq. ft. of permanent Buffer Zone encroachment for Lot C. The houses are going to be 30' x 36' and 28' x 36'. Ms. Schloss asked if the smaller house could be put on the smaller parcel and if the house could be re-oriented out of the 25 ft. no-disturb zone.

Mr. Hardy said he would look into the requested changes.

Ms. Schloss reviewed her project comments and questions.

In response to the question regarding driveway material to be used, Mr. Flaherty stated he would use cobblestone on the new driveway.

Ms. Schloss stated:

- She doesn't want any runoff going from the driveway draining area right into the stream
- If dewatering is to be done it can be included in the Order of Conditions (OOC)
- She may want conservation signs
- She would like to see the fence and the stream on the plan

On a motion made by Cmmr. Loring, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to continue this hearing to December 6th.

186 Main Street (Lot 1) Local Only - Notice of Intent (NOI), Public Hearing
Henley Enterprises
Map 29, Block 375, Lot 2
2017 LOOC-2
Automotive service station, stormwater management system

On a motion made by Cmmr. Loring, seconded by Cmmr. Reilly, the Commission voted 5-0-0 to open the public hearing.

Appearing before the Commission were David Kelly, Kelly Engineering, and Randy Kazazian of Henley Properties.

Mr. Kelly provided revised plans and stormwater report (previously submitted by email) and abutter cards. He explained the site history and some of the changes made to the conceptual plan discussed during phase I of the project and the previous version:

- Smaller limit of work
- Increasing recharge into the ground
- Reduction in run off and volume
- No impact to level of vernal pool

Ms. Schloss reviewed the comments received in regards to the NOI for the Valvoline building. She added that Jay Donovan, Weymouth Engineering, is reviewing the stormwater report and drainage design.

The recharge of stormwater was discussed along with the design of the outlet control structure, particularly the low-flow orifices.

Mr. Kelly said he will work with Jay Donovan and will do whatever is necessary to satisfy the Town concerning the design.

Ms. Schloss asked about the stormwater coming onto the site from Rte. 18; Mr. Kelly said they will address the issue, such as by installation of a speed bump.

Chairman Tanner suggested utilizing a dry well to promote infiltration rather than connecting the proposed area drain directly to the stormwater discharge pipes; Mr. Kelly said they can do that.

Ms. Schloss asked what is being planned between the rip-rap and the parking lot; Mr. Kelly said they will create a program for vegetation.

Chairman Tanner asked how fluids collected by the Valvoline facility would be treated.

Mr. Kazazian said a rolling drain pan collects the fluids that are then held in above ground tanks in the basement. The basement itself acts as another level of containment should anything happen to the stored fluids. Spills are cleaned up and stored in containers. All is removed and manifested through Clean Harbors. He added that Valvoline has not had any previous issues.

Public Comments

- Paul DeLuca, 208 Main Street, said he is very concerned. He feels the pond has gotten bigger and does not agree with the calculations. He said more and more water is coming in his direction and feels that the vernal pool needs an outlet.

On a motion made by Cmmr. Reilly, seconded by Cmmr. Singleton, the Commission voted 5-0-0 to continue this hearing to December 6th.

Other Business

Whitman's Pond Vegetation Management – Discussion

Ms. Schloss explained that in July DPW's request for herbicide treatment of West Cove (81-1041) was approved. Solitude Lake Management made a serious error: they treated the *western cove* of the main basin (by the boat ramp and Castle Road) instead of West Cove. The error wasn't discovered until the post-treatment meeting. Ms. Schloss said she has not seen any dead fish. Solitude said they think they can treat the correct location "this fall".

Comm. Dowd asked if no further treatment would be done unless approved by WCC.

Ms. Schloss confirmed that they will have to come before the Commission and she is requesting that they come back with a proposal.

It was also agreed that more oversight is needed and someone will have to confirm the location in which they will be working. Councilor Arthur Matthews suggested either Ms. Schloss or Chip Fontaine (DPW Engineering Dept.) be present before any equipment goes in the water.

6 Morningside Path, new owners have submitted a revised driveway plan for DEP File # 81-1190. The owners will be bringing the driveway further from the wetlands. Members agreed revision is fine.

*Cease and Desist is needed for someone filing for building permit to build a garage. The owner brought in truckloads of fill which needs to be removed from the 100-ft. buffer. This item may appear on the Dec. 6th agenda.

New letterhead, that includes Commissioner names, was approved.

2018 meeting dates for January 10th and February 7th were approved.

Administrator's Conservation Report - none

Adjournment

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

Respectfully submitted by,

Patricia Fitzgerald
Recording Secretary

Approved by:

Scott Dowd, Clerk

Date

Documents reviewed during the meeting:

- 186 Main Street: Kelly Engineering 11-13-17 letter and revised plan