

**WEYMOUTH CONSERVATION COMMISSION
RECORD OF MINUTES AND PROCEEDINGS
Wednesday, April 23, 2014 - 7:00 p.m.**

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

Absent: None

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

The Chairman called the April 23, 2014 Commission meeting to order at 7:00 p.m. in the Mary McElroy Meeting Room at the McCulloch Building, 182 Green Street, Weymouth, MA.

Minutes:

Commissioner Merlino noted that the minutes should be corrected to show that he was present at the March 12 meeting.

On a motion made by Commissioner Tanner, seconded by Commissioner Loring, the Commission voted to approve the minutes from the March 12, 2014 meeting as amended by a vote of 5-0.

**50 Ocean Ave – Discussion of Final Landscaping
Douglas and Nancy Smock
Map 4, Block 49, Lot 6
DEP File #s 81-1113**

The Chairman called the applicants, Mr. and Mrs. Smock to the podium. Douglas and Nancy Smock introduced themselves as the property owners for 50 Ocean Avenue. They were before the Commission in January 2013 to demolish the existing house and rebuild. The new dwelling was completed in the late fall and they moved in December 2013. The Conservation Commission has issued a partial certificate of compliance with the required landscaping still outstanding. They are before the Commission again because they would like to make some changes from the original proposal and Mr. Smock distributed photographs to the Commission.

They are proposing to re-grade some of their backyard and restore it to a more level grade as there is currently a steep slope behind the seawall. They would like to bring the grade up to about 7 inches below the top of the seawall. They are proposing dirt and landscape fabric over the cracks of the seawall and stone placed about 2 feet from the seawall for a splash zone. This proposal would bring the ground up 2 feet from the current point and be about 7 inches from the top of the seawall. The seawall is approximately 20 feet from the house and the final layer would be soil and top seed.

Additionally, there was a paver patio under the deck in the plans the Commission approved in 2013 and they would now like to have a composite plank platform 10 feet by 16 feet with wide steps instead of the patio.

On the side of the house there is a gully next to the neighbor and they would like to fill in and restore the grade with old stones, rocks, and gravel.

And lastly, they are also proposing a 3 foot by 4 foot ground level platform on the north side of the house adjacent to Mr. James Briggs's property for trash storage.

The Chairman noted that the material used for the splash zone adjacent to seawall is something that shouldn't erode. Commissioner Tanner asked if a 2 foot wide splash zone would be wide enough and the applicant responded that 2 feet seems to be more than enough from what they have observed. Ms. Schloss, Conservation Administrator, added that a 3 foot wide splash zone of soil, gravel and stone was in the application and the material proposed seems suitable.

Ms. Schloss, asked the applicant to clarify what they meant when they say "restore to the natural grade" and the applicant responded that they intend to raise the grade to more closely match the abutting property on the south (the Boudreault's) and be more level as it is a steep slope right now.

Commissioner Dowd suggested the proposal seawall work be reviewed or at least run by the Town Engineer. Ms. Schloss said that she would check in with the engineering division.

Commissioner Loring stated that he had no concerns as long as the grading wasn't too high as to cause a drainage problem and should not be any higher than the neighbors.

Commissioner Tanner noted that the patio on the original plans from 2013 showed the patio extending the length of the house. The applicant responded that the patio area will now be reduced in size and will be a platform.

Ms. Schloss noted that the plantings should be salt resistant beach grass or regular lawn grass.

The Chairman asked if any members of the public had any comments.

Mr. James Briggs, the abutter, was present and was supportive of the proposal specifically the work proposed behind the seawall.

All Commission members were supportive of the applicant's proposed changes. Ms. Schloss said she would prepare a letter of approval from the Commission.

Dandelion Way – Closed Hearing – Discussion – Order of Conditions
119 Randolph Street (Lots 2, 3 and 4)
Map 48, Block 509, Lot 16
DEP File # 81-1144-1147

Proposed roadway grading and utilities; 3 single-family homes, grading, utilities

The Chairman took this item out of order and stated that the public hearing for this application was closed and is on the agenda to discuss the conditions for the Order of Conditions.

Ms. Schloss informed the Commission that she is still working on the draft Order of Conditions and it is not ready for distribution. If she has any questions while preparing the Order she will send the draft to the Commissioners prior to finalizing.

Ms. Anne Hilbert, of Doris Drive, was present and asked when the decision would be ready and Ms. Schloss responded that it has to be issued within 21 days from the close of the public hearing which is next week on April 30.

**M.W.R.A. – Closed Hearing – Discussion – Order of Conditions (OOC)
Great Esker Park (Pathway southeast of Irving Road)
Map 8, Block 14, Lot 1 and Map 8, Block 114, Lot 12
DEP File # 81-1150
*Culvert Replacement / salt marsh restoration project***

Ms. Schloss distributed a draft Order of Conditions to the Commission members. She stated that she has provided the draft to the MWRA and has reviewed with Jeremy Hall. DEP has asked for a detailed Operation and Maintenance Plan (O&M Plan) and were concerned about the gate and its long term maintenance. The O&M Plan should detail how and when the gate will be opened and closed.

Commissioner Tanner asked who was responsible for the gate and Ms. Schloss responded that it would be the Town's Department of Emergency Management. The O&M Manual should be on file with the Town, DEP, and the EPA (Environment Protection Agency).

Ms. Schloss began reviewing the draft order with the findings and conditions. The OOC is being issued under the Wetlands Protection Act only as the state is exempt from the local Wetlands Protection Ordinance.

The Chairman asked who would approve the O&M Plan for the slide gate and thought the construction conditions #13 on page 4 should be clarified that the Commission would be the approving authority with input from the other agencies. The Commission decided to clarify # 13 that the M.W.R.A consults all other agencies and departments such as the Town's Department of Public Works and Emergency Management and the State Coastal Zone Office and make all necessary revisions. The MWRA should then provide the final revised manual to the Commission for the final approval.

The Commission added the words "be responsible for" in condition # 4 on page 5 under the post-construction conditions between the words shall and operate and operating.

Ms. Schloss explained that in condition # 2 on page 5 under the post-construction conditions the M.W.R.A didn't think the wetlands scientist was necessary for the vegetation monitoring. The

Commission agreed that a wetlands scientist may not be necessary for the regular monitoring but felt the area should be surveyed annually.

Other Business:

Donation – Lisa Irwin County Cupboard

Ms. Schloss informed the Commission that the Commission received a \$40.00 donation from Ms. Irwin after the herring run clean-up day and she sent a thank you letter to the donor.

MACC Changes to Water Management Act

The Commission discussed impacts of the possible changes to the Water Management Act and was looking for more information regarding review triggers and any new provisions. It was suggested that the Commissioners meet with the Town's Department of Public Works (DPW) and Ms. Schloss will look into setting something up with someone at DPW that could update the Commission members. The Commission agreed that Mondays during the day would be a good time for a meeting.

Mass DEP Route 18 Widening Project

Ms. Schloss reported that the public comment period for the variance hearing is until May 6. The Commission agreed that they send a letter to reiterate the Commission's concerns and attach the findings with the two major concerns that were not addressed. They also suggested a letter from the Mayor. Ms. Schloss said that she would draft the letter and send to the Commission for review.

Conservation Administrators Report

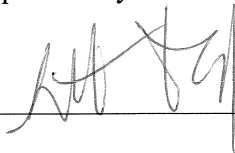
The DEP administrative consent order to perform the work to install catch basins at Raymond Street is to be completed by May 1. Ms. Schloss suggested creating standard Order of Conditions for DPW for all of their work. She is also working with the Mt. Hope cemetery regarding the recent tree cutting in the riverfront area. The Town was awarded the coastal resiliency grant for the seawall repair at the Fore River Avenue and Fore Point and also received \$200,000 to improve the park at Brad Hawes Park. There will also be a feature film on the Weymouth Herring in Plymouth on Friday night.

Adjournment

On a motion made by Commissioner Loring, seconded by Commissioner Tanner, the Commission voted 5-0 to adjourn the meeting at 9:06 p.m.

Respectfully submitted by,
Abby McCabe
Recording Secretary

Approved by:



5/28/2014

Date