

**WEYMOUTH CONSERVATION COMMISSION  
RECORD OF MINUTES AND PROCEEDINGS  
Wednesday, May 28, 2014 - 7:00 p.m.**

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

**Absent:** None

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

The Chairman called the May 28, 2014 Commission meeting to order at 7:00 p.m. in the Mary McElroy Room at the McCulloch Building, 182 Green Street, Weymouth, MA.

**Lovell Playground – Notice of Intent  
1250 Commercial Street (Map 23, Block 253, Lot 26)  
DEP File # 81-1141**

Ms. Schloss, Conservation Administrator, noted that this item was requested to be continued indefinitely by the Town, which means a new hearing notice and abutter notification will be required when this item returns to the Commission.

On a motion made by Commissioner Tanner, seconded by Commissioner Dowd, the Commission voted 5-0 to continue the Notice of Intent for Lovell Playground to a date uncertain.

**1366 Pleasant Street – Certificate of Compliance  
Map 23, Block 302, Lot 18  
DEP File # 81 - 1126  
*Townhouse***

Ms. Schloss distributed the O&M plan to the Commission members provided by the applicant.

Chris Bethany, Jr. was present to represent the owner. Mr. Bethany explained that there was a recent site visit with Ms. Schloss on May 22 to review the completed work. A maintenance plan has been completed and will be conveyed to the new owners.

Commissioner Merlino asked who will maintain the conditions and how will they be enforced. The applicant responded that it will be a dual responsibility between the two owners.

There was some discussion surrounding the conditions and the Commission asked that the O&M plan be attached to the certificate of compliance and recorded at the Registry of Deeds.

On a motion made by Commissioner Loring, seconded by Commissioner Merlino, the Commission voted 5-0 to approve the request for the Certificate of Compliance with the condition that the O&M plan be attached and recorded at the Registry of Deeds.

**Weymouth DPW – Whitman’s Pond Dam – Request for Determination  
Map 23, Block 302, Lot 25  
Replace slide gate and stop logs**

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

Jay Donovan, of the Engineering Division of Weymouth Department of Public Works (DPW) was present to represent the Town. Mr. Donovan explained that the Town has filed the Request for Determination of Applicability (RDA) and summarized the proposed work. The proposal is to remove the existing slide gate, which is currently inoperable, replace the existing upstream wooden stop logs, install a new stainless steel gate, and replace the wooden stop logs with aluminum stop logs. The proposal will improve the overall operability of the dam and will be accessed from Iron Hill Street.

Commissioner Merlino asked what the time frame was for the work and Mr. Donovan responded that they were hoping to start in late August or early September and the actual on the ground work will take approximately two weeks.

Commissioner Loring asked what would happen to the de-watered water. Mr. Donovan responded that a diver will be responsible for removing the sediment and debris and the discharge will be clean and go back into the stream. Commissioner Loring stated that he'd prefer to have the dirty water pumped into a silt bag.

Commissioner Tanner asked the size of the stop logs and who would perform the work. Mr. Donovan replied that they are varied but generally 6 inches by 12 inches and that the DPW will go out to bid for the actual work but DPW will have staff on site.

Commissioner Dowd asked if the stop logs were permanent and Mr. Donovan responded that they are portable units so they can be moved to prevent vandalism and will likely be stored in the building on site.

Chairman DeGabriele asked if repairing the deteriorated fencing will be included in the project. Mr. Donovan responded that it depends on what bids are received and if there is enough money in the budget. The fence replacement was included in the RDA in case it can be included.

Ms. Schloss asked about the access from the slope and the applicant responded that the excavator will likely be used.

The Chairman asked for comments from the public.

Antoninette Francomano, 95 Iron Hill Street, asked if there would still be a fence for security and the applicant responded that there would. Ms. Francomano was concerned with trespassers and trash.

Phil Lofgren, 11 Lakeside Avenue, asked if the size of the sluice gate opening would be increased and the applicant responded that it would not. Mr. Lofgren thought the size of the opening was not sufficient particularly for the winter drawdown. He also asked about the dilapidated siphons and plywood and Mr. Donovan responded that the plywood was planned to be replaced.

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

Ms. Schloss suggested the RDA include the following conditions:

- Erosion controls be inspected prior to the start of work
- Notification prior to start of heavy equipment mobilization
- Setting a time of year restriction even though the fall time frame is expected
- Dewatering controls; such as no discharge of turbid water to river, use of a dewatering bag, and the pump doesn't go into the water
- That the open grating on the siphons be covered (e.g., with steel plates), if within the work area
- That the slopes be stabilized, if disturbed
- Inspection by Conservation, upon completion
- Erosion controls removed after work completed and area stabilized

On a motion made by Commissioner Tanner, seconded by Commissioner Dowd, the Commission voted 5-0 to issue a negative 2 determination which is that the project is within an area subject to jurisdiction but does not require a filing of a Notice of Intent.

**Route 18 Widening, Article 97 Mitigation – Continued Discussion**  
**Access to Bradford Torrey Bird Sanctuary**  
**606 Main Street**  
**Map 41, Block 462, Lot 14**

Ms. Schloss distributed the comments received from the Town's Traffic Engineer, Planning and Department of Public Works and stated that the Mayor gave her verbal support for the parking lot.

Ms. Schloss summarized the comments outlined in the memos. The DPW suggested paving the lot and that the lot be closed during the winter with a gate. The Traffic Engineer recommended curb stops or parking space markers, and planning suggested signage.

The Commission discussed DPW's request that the lot be paved and whether it was due to snow plowing. It was the consensus of the Commission that if DPW didn't or couldn't plow the lot then they would prefer it not be paved, unless DPW has requested the paving for a reason other

than plowing and they were okay with the paving if it were required by DPW. Ms. Schloss stated that she would follow up with the DPW Director and Town Engineer.

Commissioner Tanner requested a crushed stone based lot as opposed to gravel to reduce the amount of mud that may be created.

The Commission also discussed lighting, trash receptacles, dog waste dispensaries, and signage that listed the hours and prohibited motorized vehicles such as snow mobiles.

Ms. Schloss noted that she needs to provide Mass DOT the Commission's comments and needs to provide a letter confirming Conservation Commission approval for the development of the lot as mitigation for expansion of Route 18 onto 3 Conservation parcels. She will seek input from the DPW Director and will review with the Chairman.

The Commission also asked for an updated plan showing the suggested comments to shift the lot north, reduce to 8 spaces, include 5-6 ft. high shrubs to buffer the two abutting lot and curb stops in the lot.

The Chairman asked if there were any comments from the public.

Mr. Gannon, 612 Main Street, stated that he was concerned about maintenance and felt the main entrance to the area had always been from Hilton Drive and not Main Street. He was also concerned with illegal dumping. In response to the comments from the other staff departments he was supportive of the vegetative buffer and would prefer the lot not be paved.

On a motion made by Commissioner Merlino, seconded by Commissioner Loring, the Commission voted 5-0 to have Ms. Schloss prepare a letter to submit to MassDOT for the Chairman's review.

**Other Business:**

The June 25 meeting was cancelled and the July meeting was changed from July 16 to July 9.

**CPC Update** – Commissioner Loring said there was no update at this time.

**104 & 114 Bridge Street** – Ms. Schloss distributed a letter from the Town's health department and photographs. The health department sent an emergency letter to the property owner ordering them to either fix or demolish the structure at 104 Bridge St. Ms. Schloss informed the Commission that an emergency certification order (WPA Form 9) could be provided to the owner for the demolition rather than have them first file the RDA for the work. The Chairman suggested that there be a condition that there is a pre-demolition site meeting.

On a motion made by Commissioner Loring, seconded by Commissioner Dowd, the Commission voted 5-0 to issue an Emergency Certification Order for 104 Bridge Street with the following conditions:

- That there be a pre-demolition site meeting

- That silt fencing or construction fencing be installed
- That there be no heavy machinery on the beach
- All material be removed from site
- That there be no filling or grading without coming before the Commission
- That there be no burial or disposal of material on site

### **Route 18 Widening – Bridge “Roll-In Option”**

Ms. Schloss informed the Commission that instead of a temporary bridge there may be a temporary road closure and detour for approximately 4 days on Pond Street. This proposal will have less of an impact on the wetlands but increased impact on lands mapped by Natural Heritage as potential rare species habitat.

Due to the reduced wetland impact, the Commission was supportive of the proposed detour, subject to Natural Heritage’s review and approval.

### **Water Permits and Use**

The Commission discussed sending a letter to the Mayor to invite her and other town officials to an upcoming meeting possibly the June 11 or the July 9 meeting. The purpose of the meeting will be to review options and impacts of increased water withdrawals.

### **Carlson Cove Tear Down**

Ms. Schloss informed the Commission that the existing house was demolished in a fire and the rear of the house was within 50 ft. from Whitman’s Pond. She will sign the demolition permit and then the owner will need to file with the Commission for the new work.

The Chairman asked if there were any updates on Weymouth Salvage or 169 Randolph Street and Ms. Schloss responded that there were not updates at this time.

### **Conservation Report**

**Herring Report** – Commissioner reported that estimates show close to 500,000 fish this year.

**Idlewell Sewer Replacement Project** – plantings completed.

**300 River Street** – preconstruction meeting held today for the coastal bank revetment repair.

Ms. Schloss informed the Commission that she attended a site walk today with the MBTA for erosion repair at the East Weymouth drain outlet.

**Endicott Street Drainage** – Site walk scheduled with the Town and MBTA.

A summer intern will be joining the Department and suggested projects are to develop and work on regulations for the use of Conservation Land and Conservation Commission regulations updated and on the new website.

**188 Idlewell** – Compliance and enforcement underway because they are mowing beyond the no-mow area and need more plantings.

**Adjournment**

On a motion made by Commissioner Loring, seconded by Commissioner Dowd, the Commission voted 5-0 to adjourn at 9:25 p.m.

Respectfully submitted by,

Abby McCabe  
Recording Secretary

Approved by:



Scott Dowd, Clerk



Date