

**CONSERVATION COMMISSION
RECORD OF MINUTES AND PROCEEDINGS
WEYMOUTH TOWN HALL COUNCIL CHAMBERS
April 28, 2010**

PRESENT: George Loring, Chairperson
Steven DeGabriele, Vice-Chairperson
Laura Harbottle, Clerk
Adrienne Gowen, Commissioner
Scott Dowd, Commissioner

ALSO PRESENT: Mary Ellen Schloss, Conservation Administrator

Chairman Loring called the Conservation Commission meeting to order at 7:00 PM in the Council Chambers of Weymouth Town Hall.

**81-1072 51 Alpine Road - Continued Hearing
Notice of Intent**

Cmmr. DeGabriele made a MOTION to OPEN the public hearing and was seconded by Cmmr. Gowen and UNANIMOUSLY VOTED.

Mr. Shawn Hardy, engineer, and the applicant, Gary Gabriel appeared before the Commission. Mr. Hardy stated that he has submitted a revised plan with a cover letter. He noted that the plan has been certified.

Mr. Hardy stated that the revised plans show more detail on the erosion control. Mr. Hardy also stated that he has added more detail for plantings on the slopes and for fertilization. The back will have ground cover with pavers rather than lawn. The side slopes will have pachysandra and the front area will have a small lawn.

Mr. Hardy noted that he was asked to verify the number of trees to be impacted. He stated that there is one tree behind retaining wall that will be impacted.

Ms. Schloss noted that most of the commissioner's questions from the previous hearing have been addressed.

Cmmr. DeGabriele stated that he would like to see sequencing of construction written into the order of conditions.

Cmmr. Loring asked about the ten foot passage way.

Mr. Hardy stated that it is part of the subdivision and is overgrown. He noted that there is deeded access.

Cmmr. Loring stated that this is a public hearing and did anyone want to comment. He received the following response.

District 4 Councilor Arthur Mathews spoke on behalf of a neighbor regarding concerns about drainage on the road. He noted that Alpine Road is narrow and there is no drainage on the street.

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The current condition of the road is that it is an unpaved, private, dirt road in need of repair. This resident is concerned that the increased storm water run-off will worsen the conditions.

Mr. Hardy responded to the run-off concerns. He stated that there will be a 4x4 leaching run off galley which will reduce run-off. He stated that they are aware of the fact that drainage is an issue on this street.

Councilor Mathews asked the applicant to be considerate of the neighbors when construction is being done.

Mr. Hardy agreed that if they are required to do something to the roadway, they will come back with a Notice of Intent.

Councilor Mathews asked if the hay bales that are close to the water will be staked.

Mr. Hardy stated that the hay bales will be staked.

Cmmr. Gowen asked if the neighbors have contacted DPW to get the road accepted as a public way.

Councilor Mathews pointed out that there is no funding available at this time. He noted that they have looked into Community Development Block Grant (CDBG) funding but this street does not fall into their target area.

Ms. Schloss suggested that there be a condition to ensure that the road does not further erode into Whitman's Pond.

Cmmr. DeGabriele suggested that there be a condition that if there is further deterioration to the road, that the applicant must restore the road.

A MOTION was made by Cmmr. DeGabriele to CLOSE the public hearing and was seconded by Cmmr. Harbottle and UNANIMOUSLY VOTED.

A MOTION was made by Cmmr. Harbottle to ISSUE an Order of Conditions with special conditions as mentioned this evening and seconded by Cmmr. DeGabriele and UNANIMOUSLY VOTED.

49 Fore River Avenue – Hearing
Patrick Corcoran
Map 4, Block 50, Lot 2
Request for Determination of Applicability

A MOTION was made by Cmmr. Dowd to OPEN the public hearing and was seconded by Cmmr. DeGabriele and UNANIMOUSLY VOTED.

Mr. Corcoran gave the commissioners a hand out of existing conditions. He stated that his proposal is to remove the existing building and construct a new building with a second floor on the existing footprint. There will be no foundation work done.

Mr. Corcoran stated that on the left hand side of existing building there is a shed that will be removed. It is sitting on a concrete pad which will remain. He stated that he will use lally columns and footings in the front and remove the yard of fill left over.

Cmmr. Loring stated that this is a public hearing and asked if there was anyone who would like to comment. He received the following response.

Ann Savoie stated that she is an abutter and thinks that this project will be an improvement to the neighborhood.

Ms. Schloss stated that the plan does not show any erosion control and recommended that these be added.

A MOTION was made by Cmmr. Harbottle to CLOSE the public hearing and was seconded by Cmmr. DeGabriele and was UNANIMOUSLY VOTED.

A MOTION was made by Cmmr. Harbottle to ISSUE a Negative 2 determination with special conditions as noted and was seconded by Cmmr. DeGabriele and UNANIMOUSLY VOTED.

**45 and 25 Mathewson Drive – Violation Hearing
Map 35, Block 444, Lots 26 and 8**

A MOTION was made by Cmmr. Dowd to OPEN the violation hearing and was seconded by Cmmr. Gowen and UNANIMOUSLY VOTED.

Mr. Varrasso appeared before the Commission for the property at 45 Mathewson Drive.

Ms. Schloss reviewed the violations existing on the site. She noted that this location is an industrial subdivision. She stated that she has received complaints regarding activity on this property. There is wetland behind the building and a detention basin to the left of the building between numbers 45 and 25. She noted encroachment into the wetlands and a mound of asphalt dumped through which the outfall pipes flows through.

Ms. Schloss stated that she did not receive a response from the owners of 25 Mathewson Drive.

Cmmr. DeGabriele asked if the wetland has been altered. Ms. Schloss stated that the issue is with the detention basin.

There was discussion regarding the condition of the site.

Mr. Varrasso stated that his business outgrew this location and they bought land in Hanover about 15 years ago. He stated that the tenant has obviously done the damage. He apologized for this.

Cmmr. Harbottle asked if there is a plan to maintain the basin.

Mr. Varrasso stated that he had received approval for underground basins.

Ms. Schloss stated that the Commission needs to issue an enforcement order so that the violations can be properly addressed.

A MOTION was made by Cmmr. Harbottle to CONTINUE the violation hearing to May 12, 2010 and was seconded by Cmmr. Gowen and was UNANIMOUSLY VOTED.

81-993 333 Columbian Street – Certificate of Compliance

Ms. Schloss stated that this is a single family home. She stated that she will not release the certificate until erosion control is removed, grass seeding comes up and the ground is stabilized. She stated that the Commission could approve this pending these issues being resolved.

A MOTION was made by Cmmr. Harbottle to ISSUE a Certificate of Compliance but not release it until the erosion control is removed, grass seeding comes up, and the ground is stabilized and was seconded by Cmmr. Dowd and UNANIMOUSLY VOTED.

Other Business and Conservation Report

Cardinal Circle

Ms. Schloss stated that Mr. Dignan has come in to request a slightly different layout for lot #7. There was considerable discussion regarding what the applicant wanted as there have been several changes requested. Ms. Schloss will contact the applicant and inform him that he needs to put exactly what he is looking to do on paper.

65 Park Ave West

Ms. Schloss stated that this is a violation. There has been filling and she is investigating. She stated that she has asked the resident to dig holes to show what is under the fill.

186 Main Street

Ms. Schloss stated that she has sent the property owner a letter indicating that a plan for cleanup is due by May 10.

The May 12, 2010, Conservation Commission Meeting will begin at 7:00 P. M. at the McCulloch Building.

Cmmr. Gowen moved to adjourn at 9:30 pm. Cmmr. DeGabriele seconded. UNANIMOUSLY VOTED.

APPROVED: _____
Laura Harbottle, Conservation Commission Clerk

Respectfully submitted: Janet Murray, Recording Secretary