

**WEYMOUTH CONSERVATION COMMISSION**  
Town Hall Chambers  
January 23rd, 2008 Meeting

**PRESENT:** John Thompson/Chairman, Cmmr. Gerald Murphy/Vice-Chairman, Cmmr. Scott Coven/Clerk, Cmmr. Jeff Kent and Commr. Adrienne Gowen

**ALSO PRESENT:** Conservation Administrator, Mary Ellen Schloss

Chairman Thompson called the January 23rd, 2008 meeting of the Conservation Commission to order at 7:35 PM.

**Approval of Minutes**

It was agreed to continue approval the 1/9/08 minutes until the next meeting.

**Meredith Way Planned Unit Development - Continued Public Hearing**

**DEP File #81-1025**

Chairman Thompson reported that the applicant has asked to have his hearing continued to the next Conservation meeting.

Cmmr. Murphy moved to open the public hearing for Meredith Way/File 81-1025.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Cmmr. Murphy moved to continue the hearing for File 81-1025 to the February 13, 2008 meeting.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

**226 River Street - Continued Public Hearing**

**Applicant: Jeff Kent**

**Map 3, Bl 2, Lot 23**

**DEP File 81-1028**

**Notice of Intent**

*At this point, Commissioner Jeff Kent recused himself, as he was the applicant in the upcoming hearing.*

Cmmr. Murphy moved to open the continued public hearing for Jeff Kent, 226 River Street, File 81-1028.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Mr. Shawn Hardy/Engineer and Jeff Kent/Applicant came before the Board.

Chairman Thompson noted that the hearing was continued, in part, to allow for more research by the Commissioners. He stated that Mr. Kent has scaled back the project and addressed the members' concerns brought forward at the last hearing. His only question at this point regarded the marsh grass on the beach - by the proper name of '*Spartina Alterniflora*'. He said that since the last meeting he has reviewed the information and spoke to his peers about any concerns re. docks/floats resting on marsh grass, and at this point before speaking he would like to hear his fellow Commissioners.

Cmmr. Coven spoke first stating that he has found it informative reviewing information on small docks/piers. He further stated that he had visited various websites recommended by the wetland scientist in regard to the topic of eelgrass and he felt that the information confirmed there was an adverse impact when storing floats on the marsh.

Chairman Thompson wanted to clarify that they were talking about protecting *Spartina Alterniflora* (marsh grass) as opposed to eelgrass, but quickly added 'although they are similar'.

Cmmr. Coven went on to speak about the shading that gets cut off when the float is stored over the marsh grass, as well as his concern over the float being dragged over the marshland. Additionally, he noted that DEP mentions that seasonal float storage should be at a suitable location. He also discovered information that said the storage is harmful to vegetated areas. Additionally, he called surrounding waterfront towns for their input. He said that their Harbormasters work with their Commissions and are in agreement that there would be no storage on the salt marsh due to the adverse affects. Some of the communities he spoke with included Quincy, Hingham and Marshfield in addition to the Wetland Waterways Dept.

Cmmr. Coven further noted for the record the names of the scientists who were opposed to the storage - as well as covering the marshland area for the season. Based on the aforementioned, he said that he was opposed to the storage of floats on the marsh.

Chairman Thompson responded that he also spoke with the City of Quincy, including the Wollaston and Quincy Yacht Clubs - who told him that they both store objects in these areas, so he was surprised that Mr. Coven received conflicting information. Next he referred to the scientific evidence, commenting that based on his personal experience, he didn't see the damage. He felt that there were times the reporting of a statement can eventually become fact. He wanted to point out that he has found no 'scientific' documentation that validates the storage of docks inhibits the growth of *Spartina Alterniflora*, adding that there was no quantitative impact that documents it actually hurts growth. He went on to say that he felt it was the Commission's job to protect people's property rights and taking this into consideration he didn't want to disallow people with waterfront property its use for float storage for a few months - but he wanted Cmmr. Coven to know that he appreciated his research and viewpoint, noting that is why the Commission has 5 members.

Chairman Thompson went on to say that he also needed to draw on his own experience. He said that by living on the water he has even seen marsh grass catch on fire and totally disappear, yet within a month saw it re-grow into thick lush green grass. He further stated that where he grew up in Squantum, he has seen the marsh grass revegetate and grow back strong and healthy. Lastly, he wanted to note that he couldn't see how others would be allowed to store floats on his property, with the Commission ruling that he couldn't.

Commr. Gowen spoke next, stating that she visited the site and for a number of years has seen floats on the grass. She commented that she couldn't say it's a hazard, as she didn't have full knowledge of any damage it could cause. In closing she realized the storage of floats on marsh grass has been done for years.

Commr. Kent interjected that it has been done on his property for seven (7) years.

Commr. Gowen commented that she hadn't seen much damage and also found that the marsh grass grew back. She also believed that property owners had property rights and had a right to use it.

Cmmr. Murphy spoke and told members that he also went on the Internet and looked into case law and found nothing on it, and no scientific data. He stated that he has clients in Quincy, Chatham and Hingham who told him they didn't see a problem with storing a float on the marshland for a few months - although if it were for a couple of years it would be viewed differently - but even under those circumstances, he believed it would come back. He said that the pros say there is no damage and noted what the Chairman said 'even if it burns it comes back'.

Ms. Schloss commented that she has voiced her concerns about doing this in the past. She stated that she has been in communication with environmental agencies; including the DEP, CZM and consultants. Additionally, the Chatham Conservation Agent told her that they are close to not permitting anymore docks and storage is not allowed off-season, because they feel it is a violation of the Wetlands Protection Act. She urged the Commission to come up with a policy for this.

Next Ms. Schloss distributed pictures of other piers that she felt killed vegetation. She said that she had not been able to survey Mr. Kent's property because the float was there, but did see other areas devoid of vegetation. She wanted to point out that unequivocally everyone she spoke with said 'do not allow this' and that it was probably a violation of the WPA. She added that she spoke to a person regarding the marsh in Squantum and that person stated that there was definite damage there.

Chairman Thompson acknowledged the pictures and her comments, but quickly added as soon as the float was removed the marsh grass grew back. He compared it to mowing your lawn. He also compared it to the Alroy Road property where a bobcat

was used - stating, 'yes there was damage, but again - it comes back'. He emphasized that he was trying to balance everyone's property rights.

Ms. Schloss replied that she thought the float was stored for at least a half of year - and not a few months. She also wanted to note that marine life use the marsh grass for food/habitat - so when it is not there it eliminates this resource for them. She went on to state that she spoke with Ray Nash/Weymouth's Shellfish Warden and he told her that because of the location of this dock re. mean low water, it would probably not be protected here. She next referred to barge damage and was told that this definitely presents a problem. She told members that in the last year they have had seven applicants and she didn't feel the Commission was really ready to deal with these situations, because they had no formal regulations in place.

Cmmr. Murphy wanted to clarify that when he spoke with people in the communities of Chatham, Quincy and Hingham, they told him that they have not 'seen' any damage. He also wanted to point out to the Administrator, that she didn't present any 'scientific' evidence/data for them to rule on. Additionally, when she spoke she said that people are 'saying', but again no documented facts have been presented to the Commission.

Chairman Thompson then suggested they ask Mr. Hardy.

Mr. Hardy replied that he has also done some research and had some printed off reports. He wanted to point out that by saying 'some say this and some say that' is not evidence. He cited a North Carolina area that was stripped totally clear of marsh grass and in 15 months it grew back. In referring to that information, he said these floats are only 'resting' on the grass. He spoke about the small plastic children's swimming pools people leave on their lawns for 6 months at a time and acknowledged that it killed the grass, but again it returns. He told members that in the past he worked for Quincy Public Works and maintained control over the docks - and he found that as long as the grass gets the flow of the sea water it comes back, adding it's very resilient. He said that even in his research he discovered a lot of contradictions, commenting that just because someone says something, it does not necessarily make it a fact.

Cmmr. Coven referred to the research on docks/piers and stated that he found that treated wood (which has arsenic in it) presents trouble to aquatic animals. He said we could see that float/dock storage brings about a detrimental impact and when this happens the Commission requires mitigation, adding he felt that was difficult to ignore. He went on to say that the scientific recommendation is 'no storage', commenting that he didn't feel that just because something has been done forever means it should continue. He told members that it was difficult for him to disagree with the recommendation from a wetland scientist, CZM and the Army Corps of Engineers.

Ms. Schloss wanted to note that the comparison of marsh grass/*Spartina Alterniflora* to grass is not correct, emphasizing this is a wetland resource and the salt marsh is their nursery area that they must protect - adding it is a critical resource.

Cmmr. Murphy asked if there was time frame for this, acknowledging that there was a negative impact, but he also wanted to know about recovery time.

Cmmr. Coven commented that when it grew back, it didn't grow back as dense nor did it spread as well - but in response to Cmmr. Murphy's question - he replied 'no, there was no time frame'.

Cmmr. Murphy reiterated that he was looking for evidence that there was permanent or long-term damage. He asked, "if the float is stored for six months, what overall damage is there?" He went on to say that at this time he didn't see enough factual information to take away anyone's property rights.

Ms. Schloss stated that they have been requiring no storage on salt marsh for the past few years and went on to say that if they aren't going to allow storage - then it should be monitored.

Cmmr. Murphy repeated that in his eyes there wasn't enough evidence to make an informed decision. He said he could see not allowing storage for a period of 8-12 months.

Chairman Thompson again noted that he has first hand knowledge about the tolerance of marsh grass and could make the distinction between *Spartina Alterniflora*, marshland, eelgrass, etc., adding he has not seen any impact that causes irreparable

damage. He stated that he has a degree in Biology and could be swayed if he had some factual scientific information before him, but there was none. He agreed that they needed to develop a game plan for docks and piers, but at this time he could not say that they should disallow this owner's pier when there are others there that have been permitted in the same area.

At this point Commr. Kent said he saw a few options open to them:

1. leave it in year round
2. remove the same size docks on his property and replace them with his
3. take his out from December - March

Commr. Kent acknowledged the Commission's dilemma with him being a member of the Board.

Commr. Murphy asked Ms. Schloss what date she would like to see the float off the marsh grass and the date it would be okay to return it - with the understanding the site/marsh grass would be monitored, possibly by the Harbormaster. He felt if they handled it in this manner they would have put protective measures in place without taking away anyone's property rights.

Ms. Schloss replied the 'take off date would be April 15<sup>th</sup>' the typical beginning of the growing season, but wanted to repeat she was not in favor of moving forward in this manner.

Chairman Thompson said that possibly there is a regulation that includes a firm time period. He then asked for the definition of 'salt marsh' and Ms. Schloss told him it was 'anything below the high tide line and vegetation with salt marsh grass; for example, *Spartina Alterniflora*'.

Chairman Thompson commented that there was more *Spartina* above high tide mark than below the high tide mark.

Ms. Schloss noted that she realized Jeff Kent's property was a difficult site.

The Chairman was in agreement, adding because of that we need to deal with this issue on a case by case basis.

Ms. Schloss referred to the date/time line, restating she was not comfortable doing that and cited a case where saltmarsh restoration failed because a float was stored on it, but quickly said she realized she was speaking about new young plants revegetated.

The hearing was opened to the public.

Mr. Bob Tufts/Beach Road spoke. He said that he had no knowledge of this particular issue, but told members he could see Mr. Kent's property from his living room window. He told members that his family has lived there since the mid 1800's, at which time they hunted ducks - and he himself has lived there for 65 years. Based on his life's experience he has found that nothing destroys the grass/roots there except a backhoe. He said that unless you dig it up by the roots it would remain where it grew and would always come back. He told the Commission that people along Neck Street have had docks/floats on the salt marsh for years and years and the grass has always come back. He said the floats/docks were put up there in a very high tide and you couldn't get them back off until that high flood tide returns (which takes place monthly). Based on the tide schedule, he felt that setting a specific date would be difficult.

Chairman Thompson commented that he felt at this point the Commission has paid due diligence on the subject in regard to the storage of floats on Mr. Kent's property during the Winter months. Now the members needed to vote. He said that he was personally in favor of allowing the floats to remain on the property/marsh during the Winter months.

Commr. Murphy said that after his research, lack of scientific facts and after hearing Mr. Tuft's comments, he felt at this point the storage of the float should be allowed.

Commr. Gowen spoke next, commenting that these people have property rights. In addition she felt they must also look at the history in this area. Further, the Commission has guidelines and rules and she felt it was imperative that the Administrator enforces these rules. She commented that she found herself between a rock and a hard place - and she found her decision difficult to satisfy a person's property rights as well as the laws from the state. She said if it was 15 years ago, it would be an

easier decision. In closing she said she realized Ms. Schloss must adhere to what is her job and duties. She then told members she would be abstaining from this vote.

Cmmr. Coven said that he respected all that he heard this evening with regard to visual and scientific evidence, but he disagreed with allowing storage on the marsh.

Cmmr. Murphy moved to close the public hearing for Jeff Kent, 226 River St., File 81-1028.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Cmmr. Murphy moved to allow the storage of the dock on Mr. Kent's property.

Cmmr. Coven seconded.

SO VOTED (2/1) - Cmmr. Coven opposed and Commr. Gowen abstained)

Ms. Schloss asked if it would be possible to evaluate how the marsh is doing, and asked if it could be viewed as a sample plot. She said she could make the site inspections, but if there was a problem noted the Commission would need to decide if the dock should be moved.

Cmmr. Murphy and Chairman Thompson agreed with Ms. Schloss' suggestion, with Jeff Kent commenting that he had no problem with Ms. Schloss' going on his property for this purpose - adding he welcomed it.

At this point Ms. Schloss distributed a copy of the Order of Conditions issued for the Prospect Hill Drive project.

The Chairman reviewed and read some of the proposed conditions for the member's approval.

In discussing the proposed conditions for 226 River Street based on the one for Prospect Hill Drive, Chairman Thompson asked Mr. Hardy about if they voted for prohibition of foot traffic would it inhibit their project and Mr. Hardy replied 'yes', foot traffic would be necessary for the workers.

Ms. Schloss suggested changing the wording to read (re. allowing foot traffic) 'only when necessary' and this was agreeable.

Chairman Thompson asked that she strike the condition that referred to the "storage in an upland location".

Ms. Schloss noted that Conditions 19-27 were pretty much standard.

Chairman Thompson referred to #37 'the Commission reserves the right to add additional conditions' - suggested they include the words: 'if there are any negative impacts to the sea grass from the affected property' and this was acceptable.

Ms. Schloss noted the Conditions would be in effect for a period of 3 years.

Chairman Thompson commented that he would be happy if they came to some type of an understanding in the next few years - based on scientific documentation.

Cmmr. Coven noted that he still was in favor of 'no off season storage' - so for him to say whatever this study concludes isn't conclusive - adding, he didn't want this to be their 'sample'.

Chairman Thompson replied that they could make this a Condition until the Certificate of Compliance is approved.

Mr. Hardy told them that he felt they could start gathering evidence from the site beginning this Spring.

In closing, Chairman Thompson stated that he planned to visit the site and take pictures with his camera.

**226 River Street**

**Jeff Kent, Applicant**

**DEP File 81-1028**

**Order of Conditions**

Cmmr. Murphy moved to approve a Standard Order of Conditions for File 81-1028/226 River Street, with special conditions as discussed.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Cmmr. Coven wanted to note that although he voted for an Order of Conditions, he was opposed to allowing storage on the marsh grass.

**18 King Cove Way**  
**Vicki Cataldo, Applicant**  
**Continued Public Hearing**  
**File 81-1029**

Mr. Hardy, representing the applicant Vicki Cataldo who was also present, came before the Board. He reminded members that the proposal was for a second story addition/deck to the dwelling - and that the hearing was continued to await assignment of a DEP file number, which has since come in.

Ms. Schloss told members she was all set and that DEP had no comments on the project.

Cmmr. Murphy moved to close the public hearing for 18 King Cove Way, File 81-1029.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

**18 King Cove Way**  
**Order of Conditions**  
**File 81-1029**

Cmmr. Murphy moved to issue a Standard Order of Conditions for File 81-129/18 King Cove Way - Vicki Cataldo, applicant.

Cmmr. Coven seconded

UNANIMOUSLY VOTED

**83 Alroy Road**  
**Continued Violation Hearing**  
**Ms. Ann Scott/John Daniels**

Ms. Scott and Mr. Daniels came before the Board.

Chairman Thompson asked Ms. Schloss if the area/property boundary had been staked by the DPW and she replied 'yes', adding there was a well across the street where there was a concrete bound marking the property line.

Ms. Schloss went on to inform the Board that she met Mr. Daniels on site yesterday (1/22/08) and as they were standing at the concrete boundary, they could see the area cleared for the driveway was just inside their property line.

Chairman Thompson confirmed that the access road was on Ms. Scott's property and not on the town-owned land.

Ms. Schloss confirmed that the woodpile which they thought was on Town-property at the last hearing was actually on town property - on the Royden Road side.

Chairman Thompson asked if there was any damage done to the resource area and Ms. Schloss responded 'yes'.

Ms. Schloss also wanted to stress to the property owner that it was a 'sensitive' area and their property boundary.

Ms. Scott asked if it would be okay to put down mulch on the access road and the Chairman told her it would be okay.

Ms. Schloss wanted to clarify with the owners that would be all the work that would be done there, but cautioned that any further alteration would require them to return before the Board for their approval. She also wanted to be clear there would be no more extending out or digging it up.

Mr. Daniels asked if they could add crushed stone and Chairman Thompson told him they would need to come back for the necessary approvals before doing that, although he didn't foresee a problem.

**Lot 6 Cardinal Circle - Public Hearing****AJD Realty Trust/Andrew Dignan****Map 27, Bl 351, Lot 23****DEP File # Not Available****Notice of Intent**

Cmmr. Murphy moved to open the public hearing for AJD Realty Trust, Lot 6/Cardinal Circle, File Number still to be assigned.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Mr. Scott Arnold, PE/Neil J. Murphy Associates, represented the client Andrew Dignan, who was also present. Mr. Arnold said the proposal was for a single family dwelling in a fairly new subdivision. He said that this was the first house proposed and would be located on Cardinal Circle. The wetland resource was located adjacent to the road. He pointed out that there would be no activity within the 25-ft. No Disturb Zone. The erosion controls would be placed at the Limit of Work line. Also proposed was a 4'-5' retaining wall. He noted that the lot slopes off from the street and the retaining wall would taper into the slope. The wall would be comprised of interlocking concrete blocks. Plans also called for a 5'-6' area on the other side of the wall to be loomed and seeded, with a gradual pitch toward the street. The dwelling would be a walk-out type single family, with the land sloped to direct the flow of the water to the wetland. Lastly any disturbed area would be treated with mulch.

Chairman Thompson asked if the roof drains recharge.

Mr. Arnold said at this point he hadn't proposed anything specific, noting there was a lot of ledge in the area, so the problem is that it is not conducive.

Chairman Thompson asked if there were any neighbors nearby and Mr. Arnold replied 'no'.

Mr. Arnold told members that the front yard flowed toward the street and would be collecting at the street drain system.

Ms. Schloss told the Commission that she and Mr. Arnold had extensive meetings and at this point she was pretty much all set. She then referred to the bare slope that is to be permanently stabilized and asked if it was within the vernal pool resource area.

Mr. Arnold responded that it was within the vernal pool resource area, which he said is essentially just exposed rock/aggregate - so he felt it could be covered over and stabilized. He added that the other area disturbed is outside the staked haybales.

Ms. Schloss had some concerns regarding the steep slope, adding she would like to see it stabilized. With regard to the area by the vernal pool, in order to be clear about that she would like an 'on-site' visit. She wanted to point out that a lot of the area had been disturbed, which Mr. Arnold acknowledged. It was noted that Cardinal Circle was a cul-de-sac.

Ms. Schloss wanted included in the conditions that any work to be done outside the erosion controls must be coordinated with the Administrator. She then asked Mr. Arnold if there was anything else to be removed such as trees and Mr. Arnold replied there would be no additional trees coming down.

Cmmr. Gowen asked if they would be erecting a post at the rear of the house and Ms. Schloss explained that it is usually only done when they are working around the 25 ft. No Disturb Zone - so in this case it was necessary.

The hearing was opened to the public. No one spoke.

Before the hearing closed, Mr. Arnold informed the Administrator/Board that he had called the DEP and was assigned a file number - which was File #81-1031.

Cmmr. Kent moved to close the public hearing for ADJ Realty, Lot 6, Cardinal Circle - File 81-1031.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED



**Lot 6 Cardinal Circle – Public Hearing****AJD Reality Trust/Andrew Dignan****Map 27, Bl 351, Lot 23****DEP File #81-1031****Order of Conditions**

Cmmr. Kent moved to issue a Standard Order of Conditions for File 81-1031, with special conditions as proposed by the Administrator.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

**46 Beach Road – Public Hearing****Mary Dorey, Applicant****Map 2, Bl. 3, Lot 1****DEP File #81-1030****Notice of Intent**

Cmmr. Murphy moved to open the public hearing for 46 Beach Road, File 81-1030.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Mr. Shawn Hardy represented the applicant, Mary Dorey, who was also present. The proposal called for a dock to be used for recreational purposes. He said that the size is currently 12' x 12', adding that this project has been approved by Paul Milone/Harbor Master. The dock would be located well above mean low water. He explained to the Board that the float is used by the children and now the adults would like to have access. Plans call for it to be placed on sonotubes, with Mr. Hardy adding ice is not expected to be a problem as ice flows are very rare there.

Chairman Thompson asked about the number of pilings and Mr. Hardy told him there would be (14) with 4 x 4 posts set on concrete sonotubes.

Mr. Hardy went on to say that in the winter they would be stored on the beach and off the grass. At this point he brought a copy of this plan to show the members, explaining that as proposed it would allow for the grass to get sunlight.

Ms. Schloss asked Mr. Hardy to explain what he meant when he said "5 ft. above mean high" and he told her that they pulled the float down further below mean high water, so it wouldn't stick out like a sore thumb.

Cmmr. Coven questioned the spacing and Ms. Schloss said it would be 6'.

Mr. Hardy told members that they wanted to use the existing material with 6' spacing to minimize the cost, adding it would be located out of the way of the channel and ice flow.

Mr. Hardy explained that they chose 6' because it was a 12' long float. He said they could double up the boards if the members preferred.

Cmmr. Kent asked if the sonotubes would be well below the surface when completed or possibly above, with Mr. Hardy replying 'above'.

Cmmr. Kent suggested changing the design so that it would be 4' x 4'.

Mr. Hardy explained to the Commissioners that it was a family project – and that the kids would be doing the majority of the work which would be labor intensive.

Chairman Thompson commented that with the extra space it would minimize the impact.

Cmmr. Murphy and Cmmr. Coven supported this change.

Ms. Schloss noted that the abutters have a ramp that extends all the way out and she added you could see the damage - commenting there is no salt marsh underneath them.

Chairman Thompson responded that this is one I'd like to take a look at.

Ms. Schloss viewed it as a great location for a shared dock and pier and commented that it would be great if all families in the area could use it. She went on to say that the Dorey family came to her last year about this project, commenting that they wanted to do the right thing.

Chairman Thompson felt the proposal was pretty straight forward - as well as the fact that the owners agreed to the modification.

Ms. Schloss asked if there was a better location for the float.

Ms. Dorey referred to the plan, explaining the bare space they see on the plan was not part of their property.

Ms. Schloss told members she was still waiting for comments from the Div. of Marine Fisheries.

The hearing was opened to the public - no one spoke.

Before closing the hearing, Ms. Schloss wanted to address 'fees' - stating that this type of project was not on the schedule. She said that it could be viewed as a 'limited project', which is listed for \$200 or a 'minor modification' at \$100. She was suggesting the fee for a 'Limited Project'.

Mr. Hardy wanted to point out that the last five similar projects he brought before the Board paid \$100 fees.

Ms. Schloss agreed, but felt there was an inconsistency there.

Chairman Thompson responded that at this point he was fine with the \$100 fee - but the members could consider charging a consistent/uniform fee of \$200 in the future.

Ms. Schloss asked about the orientation of the dock and Mr. Hardy said it went from east to west. She told him that she would like him to get the revised plan of the 12' centers to her by the next meeting. She added that she would like to see it designed so there would be the least amount of pilings on the salt marsh.

Mr. Hardy responded that it would be six (6) or less and 3 ft. wide per width.

Ms. Schloss commented 'good, that's the minimum width'.

Cmmr. Murphy moved to continue the hearing for File 81-1030 for Mary Dorey, 46 Beach Road to 1/13/08.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

## **22 Plymouth Road**

### **Request for a Certificate of Compliance**

#### **DEP File 81-1019**

Cmmr. Kent moved to approve a Certificate of Compliance for Lisa Stokes, 22 Plymouth Road based on the Administrator's recommendation.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

**210 Tanner Terrace****File 81-1019****Partial Certificate of Compliance**

Ms. Schloss explained that the project was almost complete - the only exceptions being limited landscaping and the need to complete the driveway. Based on that she was recommending a Partial Certificate of Compliance.

Cmmr. Murphy moved to issue a Partial Certificate of Compliance for File 81-1019, 210 Tanner Terrace, Tom Tanner applicant, based on the recommendation of the Administrator.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

**Webb State Park - River Street****Request for a Certificate of Compliance****DEP File 81-933**

Cmmr. Murphy moved to issue a Certificate of Compliance for File 81-933/Webb State Park, based on the recommendation of the Administrator.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

**Tern Harbor Marina****275 River Street****Request for a Certificate of Compliance****DEP File 81-1012**

Ms. Schloss explained that this project was part of the cleanup and went on to explain the details of the site and conditions - adding that she had visited the site and that it looked great.

Cmmr. Murphy moved to issue a Certificate of Compliance for File 81-1012/Tern Harbor Marina, based on the recommendation of the Administrator.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

**Discussion and Vote on Acceptance of Town Parcels**

- **Map 10, Block 128, Lot 13 - off Colonial Road**
- **Map 4, Block 36, Lot 17 - Witawaumet/Paomet**
- **Map 44, Block 504, Lot 2 - Off Forest Street**

Ms. Schloss referred to the property off Forest Street, noting that it was part of a larger wetland system.

Members discussed the merits of the lots and questioned the need to take them off the tax roles and accept them as Conservation land as they were undevelopable and especially at a time when the Town needed all the tax revenue that could be generated.

Cmmr. Coven moved to take approval of the parcels under advisement until the next meeting.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

**Approval of Minutes**

The minutes of the 11/14/07 and 12/12/07 meetings were submitted for signature.

**Other Business and Conservation Report**

Ms. Schloss reported that the MACC Conference was scheduled for March 1, 2008 in Worcester.

**Oil Spill**

The Weymouth Harbormaster informed her about an oil spill in the harbor where a tugboat sank on Monday, 1/14/08. She made a site inspection with Mr. Milone and will keep the Board updated.

**Dunkin Donuts/East Weymouth Update**

Ms. Schloss reported that Dunkin Donuts came in and left a check for \$32,500 as previously promised for the plantings/landscaping plan along the Herring Run. She told members that the landscaping plan called for more plants than just those along the River. In referring to their Order of Conditions (#35) more money might be needed for landscaping oversight.

The Commission encouraged Ms. Schloss to pursue this.

At this point Ms. Schloss distributed New Parking Strategies for Town and Village Center" for the Boards review and comments.

**Meredith Way Site Visit Scheduled for 2/1/08**

Ms. Schloss reminded members that a site visit is scheduled for Meredith Way on Friday, February 1<sup>st</sup> and encouraged all members to attend.

**Adjournment**

Cmmr. Coven moved to adjourn the meeting at 10:05 PM.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

**The February 13, 2008 Meeting will be at 7:30 PM at Weymouth Town Hall.**

Respectfully submitted,

Susan DeChristoforo  
Recording Secretary

APPROVED: \_\_\_\_\_

Scott Coven, Clerk

DATE: \_\_\_\_\_