

WEYMOUTH CONSERVATION COMMISSION

Town Hall Chambers

March 26th, 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 March 26th, 2008 meeting of the Conservation Commission to order at 7:35 PM.

Minutes: 2/13/08, 2/27/08 for Review

Approval of minutes was taken up at the end of the next meeting.

Weymouth Housing Authority - Continued Hearing

25 Water Street

DEP File #81-1036

Cmmr. Murphy moved to open the public hearing for the Weymouth Housing Authority, File 81-1036.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Ms. Schloss reminded members that this hearing had been continued for receipt of the file number, which has since come in. The file number assigned by DEP was #81-1036 and she quickly added that erosion controls are to be in place.

Cmmr. Murphy moved to close the public hearing for the Weymouth Housing Authority, File 81-1036.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Weymouth Housing Authority

25 Water Street

DEP File #81-1036

Order of Conditions

Cmmr. Murphy moved to issue a standard Order of Conditions for the Weymouth Housing Authority, 25 Water Street, File 81-1036, including the requirement of erosion controls.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED (Commr. Kent abstained)

15 Iron Hill Street - Public Hearing

Town of Weymouth DPW

Request for Determination

Mr. Chip Fontaine, Engineer for the DPW came before the Board. He explained the DPW proposal was for work at the Iron Hill Dam. He told members that they had a significant amount of the old dam still there, which included the block wall. Additionally trees were also growing there - one of, which has caused a problem on the spillway that, directs the flow to the Herring Run. The growth of the tree has caused it to tip.

Mr. Fontaine further explained that the resolution was to construct a temporary brace to prevent further deterioration of the concrete wall. Plans also call for removing the trees that are growing out of the dam. Additionally the Army Corps of Engineers has requested the trees located within 10 ft. of the dam be removed. They have also discovered a grate in the inlet which blocks the flow to the Herring Run - so they are constructing a box grate to collect the debris and keep it away from the inlet. While inspecting the site they found a hole in the chain link fence, which they want to replace, then add a new grate. In summary, he felt the latter part of the work was rather minor. The important work was the wall brace and the removal of trees. In summary the work involves clearing the vegetation to protect the dam at Iron Hill.

Chairman Thompson commented that he viewed these as items as maintenance items and Mr. Fontaine agreed.

Mr. Fontaine told members that it is recommended when trees reach a certain size they remove the root structure, but at this time that is not their primary objective. He noted that there were 2-4 trees presently growing between large stone blocks and they will want to remove them before they grow much further. He informed members that the DPW has an Arborist on staff now and he plans to meet with him for his expertise on how to do this.

Commr. Gowen asked if this work would be done by in-house staff or contracted out and Mr. Fontaine told her that the tree removal and box-grate would be done in house, but the balance of the work would be contracted out.

Commr. Kent told members that he saw this Determination as a Negative 3 as long as it is done in conjunction with the Administrator.

Ms. Schloss informed that Board that she visited the site with the DPW, adding she didn't have any issues with the proposed work.

Cmmr. Murphy moved to issue a Negative 3 Determination for 15 Iron Hill Street Dam.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

71 Dorothea Drive - Hearing

Francis Palmer

Request for Determination

Mr. Frank Palmer, Applicant along with his father Mr. Frank Palmer, Sr. came before the Board. The applicant told members that his proposal was to remove the trees on his property to make a nicer yard for his family. The proposal involves clearing the vegetation and creating an extension of an existing fenced yard area, which will be located within 100 ft. of a Bordering Vegetated Wetland, located next to Cranberry Pond.

Ms. Schloss told members that she visited the site and wanted to note for the record that some of the trees were 6"-7" in size (above 6"). She described the area as being wooded, adjacent to Cranberry Pond and proposed the installation of erosion controls.

Commr. Kent asked if the trees were marked.

Ms. Schloss said that the extent of the work has been marked including the trees.

Commr. Gowen asked if fill would be brought in and Mr. Palmer replied just loam and seed.

Ms. Schloss explained that they require no herbicide/pesticide be used within 50 ft. She told members that no continuing conditions were allowed with a Request for Determination, but she would include this comment in a letter to Mr. Palmer for the record.

Cmmr. Murphy moved to issue a Negative 3 Determination for 71 Dorothea Drive.

Commr. Kent seconded.

UNANIMOUSLY VOTED

804 Middle Street - Hearing

Jan Hanzl

Request for Determination

Mr. Don Rosa/Surveyor for the applicant, Jan Hanzl, who was also present, came before the Board.

Mr. Rosa first submitted the green abutter notification cards for the file. Next he told members that the Building Department has issued him a Building Permit for his work. The proposal before them tonight was for an addition to an existing single family house that is located within 100 ft. of the BVW.

Mr. Rosa said more specifically plans call for the removal and replacement of the old addition that is located in the back of the house, because it is in poor condition. Further, he noted the removal has already taken place. The plan for the new addition will be 20' x 40'. He also informed members that Mr. John McGrath, his Botanist, came out to the site and drew up a plan, which has since been submitted.

Mr. Rosa further stated that he has gone to the DPW and created a document that other involved town departments could use. He said that the elevation of the street is 109' and goes down to 99' using Weymouth Town Base. He pointed out that the work area is not in a hazardous area. He told members that the wetland has been identified with flags, and his plan showed the contours. Lastly, the work proposed is outside of the 25 ft. No Disturb Zone - and the plan shows the 50'/100' buffer.

Mr. Rosa went on to explain that his proposal calls for replacement of the part of the dwelling that was removed, adding it will be graded as shown - and with a little loam it should be in good shape. He described the driveway as having a retaining wall comprised of stone/concrete. Plans are for no grade change along the lot line. The location of the site is over 200' from Whortleberry Pond. He noted that the BVW is behind the existing shed, adding it is 50 ft. or so from the BVW. Haybales can be put in place for erosion control as well as a silt fence - whatever the Board requires. The product they propose to use is bio-degradable. He expected Jan Hanzl would be doing the installation that would encompass 60 ft. or so across the property.

Ms. Schloss wanted to point out that sometimes the installation is not done correctly, with Mr. Rosa responding 'we can do whatever the Boards requests'.

Chairman Thompson said he visited the site and described it as rather flat. Based on that he felt staked haybales would be sufficient.

Ms. Schloss reported the older portion of the house had been demolished, adding that she saw a lot of material lying there without any protection. Based on that she wanted to see erosion controls installed as soon as possible. Next, she referred to the shed and asked Mr. Rosa if he had looked into whether the shed had a proper permit.

Mr. Rosa replied he did - from the Building Department.

Ms. Schloss said that if the shed was permitted and it was legal, she did not see it as an issue.

Mr. Rosa told her the shed was raised up on blocks and had been there awhile.

Cmmr. Murphy moved to issue a Negative 3 Determination for 804 Middle Street, Jan Hanzl applicant.

Mr. Kent seconded.

UNANIMOUSLY VOTED

Tirrell Street - Continued Hearing

Ryder Development

PUD/Planned Unit Development

DEP File #81-1033

Cmmr. Murphy moved to open the continued public hearing for Tirrell Street/PUD. File 81-1033

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Mr. Al Trakimas/PE from SITEC represented the applicant Ryder Development Corp/Kenneth Ryder, who was unable to be present this evening. Dr. Desheng Wang, PE, the Commission's consultant was also present.

Mr. Trakimas told members that since the last meeting they have submitted a number of items which were requested by the Board/Administrator. Tonight he expected the Board would want to hear Dr. Wang's comments.

Ms. Schloss acknowledged that more material needs to be evaluated, with Mr. Trakimas replying that it would not be necessary to distribute the handout tonight as they would need to continue the hearing once again.

Dr. Desheng Wang came before the Board, referring to the plan of the site. He said he was before them this evening to review the proposal and would give his viewpoint on how he sees the project. He told members that today he visited the site with the Administrator, adding that he had recently received a new wetland replication plan from the applicant. He stated that the comments he gives this evening would be his initial assessment, as a more in depth review would be needed for the drainage calcs/stormwater management design - after they hear back from the applicant.

Dr. Wang described the proposal before them as a PUD/Planned Unit Development consisting of 48 units on Sportsman's Way. The units are to be located on 5 acres of a 55-acre site. He said there would be a big wetland impact - 230 linear ft. - and there would be a total of 12,033-sq. ft. of fill in the wetland. He told members that the applicant provided a Wildlife Habitat/Wetland report and that this assessment is on hold for now. He pointed out that in 2006 new guidelines were issued and requirements are now much more expanded. He said that he found that most of the area has 2 ft. of water, is flooded and defined as 'land subject to flooding'. He expected it would be part of the mitigation process.

Dr. Wang went on to say that he reviewed the flora in the area and then spoke about the fish in the pond. He noted that there were two (2) detention basins that could handle up to 100-year storm and the design appeared to be appropriate. Additionally test pits were done. He said that he also observed two depressed areas, located partially on town land. He pointed out that there was very good ground water recharge here, but his big concern was the wetland. Plans also call for 6'-8' of fill. He said that in reviewing the plan he saw an easement on the Assessor's plan in regard to the Sportsman's Building/Parking Lot, which he has marked on the plan. He noted the possibility for a reduction of wetland fill if the roadway is moved to the easement, adding for this magnitude of fill a Water Quality Certificate would be required.

Next Dr. Wang referred again to the new guidelines from the Army Corps of Engineers, which called for more than 1:1 replication, but he noted the Weymouth Town regs call for 2:1. Lastly, he stated the applicant proposes (2) 24" culverts which would replace two 18" cross culverts, commented he felt they would not be adequate.

Chairman Thompson asked Dr. Wang if the proponent had a copy of his comments and he replied 'not yet', adding he had just completed them. He noted that the mitigation plan and replication must follow guidelines. He referred to it being a wetland crossing, adding it's defined as a Limited Project. He also pointed out that under the Town's Bylaw; a fee is required from the applicant for resource area impacts. He restated that the applicant would need a 401 Water Quality Certificate, as well as, a Construction Permit. He told the Board that the location of the retention basin looked good, adding he would also like to see a Construction Sequence Plan in reference to the drinking water/water shed.

Chairman Thompson thanked Dr. Wang for all his hard work and opened the meeting to the Board.

Commr. Kent referred to the crossing and asked Dr. Wang if there was a water displacement issue.

Dr. Wang replied 'no', and referred to the applicant's wetland scientist comments and that he said they are impacted by several issues, including the culvert under Route 3. He pointed out that the fill would cause an impact with regard to flooding, adding that the replacement is handled via storage volume.

Commr. Kent asked if culverts would be required.

Dr. Wang said that the architectural type retaining wall with arched openings is much better, adding he sees it as a win-win situation. He felt that the retaining wall was necessary. He also pointed out that there was a lot of sand in the roadway. At this point plans are to add an updated storm water catchbasin for mitigation, and he added that they would save money with the retaining wall.

The hearing was opened to the public.

Ms. Natalie Proctor, 15 Tirrell Street spoke. She told members she took pictures on Monday because she was concerned about the water. The pictures she took were of the retaining wall that failed adjacent to the wetland behind Martin Street. She told members that debris was coming down. At this point she showed the photographs to the Board.

Ms. Schloss asked the applicant if the proposal would require improvements to Sportsman's Way.

First Mr. Trakimas reminded members that he just received Dr. Wang's comments this evening and wanted them to know that he planned to have his responses to Dr. Wang's comments in time for the next meeting. He acknowledged that Dr. Wang had a lot to say but for right now he wanted to comment on his referral to 'land subject to flooding'. He said that he has been involved in this project since 2003 and has seen the culvert pipe fill up over that time period. He stated that he has a copy of a design from the Mass. Highway Dept. that calls for a 36" pipe, adding that when he saw it, it was clear and flowing. He wanted members to know that it is the state's drainage system and not on their property. He said he has observed the area over the years and there were times when there was no flow. Further he saw on the northerly side that it was flowing to the south and north.

Chairman Thompson commented that there was no sense to add drainage pipe if it is not going to be cleaned/maintained.

Mr. Trakimas told members that the Route 3 drainage pipe needs to be cleaned out, wanting to clarify that this was the state's responsibility.

Dr. Wang said he couldn't understand how a 36" pipe could be totally blocked, adding that the ground seemed solid, not soft. He suggested they think about petitioning the Mass. Highway Dept. to get a surveyor to look at the condition of the culvert.

Mr. Trakimas suggested they continue the hearing for 30 days and it was agreed that they would continue it to the April 30th, 2008 meeting.

Ms. Schloss asked about the easement and Mr. Trakimas explained that it served an access to a utility easement that dates back to 2003. He said that originally the plan was to have subdivision and at that time the Sportsman's Club wanted a utility easement - and it was granted. The project was in the preliminary stages and the applicant accepted it.

Chairman Thompson expected all the questions would be ironed out by the 4/30/08 meeting.

Commr. Kent asked if he could clarify the statement that the water was flowing both north and south.

Mr. Trakimas told him that the Sportsman's Club dug the pond and a trench on either side of the pond was at the same elevation. He said that whoever dug it did it at the same elevation and that caused the stream to flow both ways.

Commr. Kent asked about the source and Mr. Trakimas said it was the runoff from the Pond, which he explained was pretty much the high point in the water shed.

Dr. Wang said he would be looking for more detail and that the applicant should take the new guidelines into consideration.

Ms. Schloss asked the applicant if he could have a revised wildlife habitat by the April 30th meeting and he replied 'yes'.

Cmmr. Murphy moved to continue the hearing for the PUD/Tirrell Street, File 81-1033 to April 30, 2008.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Tern Harbor Marina - Continued Hearing

Notice of Intent

DEP File #81-1034

Cmmr. Murphy moved to open the continued hearing for the Tern Harbor Marina, File 81-1034.

Mr. Kent seconded.

UNANIMOUSLY VOTED

Mr. Joe Sugar represented the applicant, along with Cesar Duarte, PE of C L E Engineering.

Weymouth Harbormaster Paul Milone was also present.

Mr. Duarte explained that the proposal was to extend the float configuration area and to install 11 new finger floats as well as 14 new piles in the Back River. He further stated that the installation of 11 piles and 3 bumper piles would impact 'land under ocean' and would be located 500 ft. from 16" diameter piles, the existing mean low water line. Additionally there would be a 42' setback in accordance with the Army Corps of Engineers guidelines for side slopes.

Chairman Thompson asked how they determine the borders on the edge of the channel and was told it was done by the Army Corps of Engineers, which called for 3:1.

Chairman Thompson asked 'how many slips?' there would be and Mr. Duarte told him there were 4 to the West and 7 to the South for a total of (11).

Mr. Duarte said this would allow for the (net) addition of 7 boats.

Mr. Sugar said they would be located parallel to the dock. He showed the line of the channel and set back on the plan.

Commr. Kent noted that in their 1969 application the channel marked was 50' off and Mr. Duarte replied that C L E Engineering was involved and they were assigned the task of locating the existing channel.

Commr. Kent then asked "so that's the state channel now?" and Mr. Duarte replied 'yes'.

Commr. Kent commented that the application looked pretty much covered in regard to marine safety.

Ms. Schloss spoke next, stating that they received the Division of Marine Fisheries comments - and they want to assess the closure area at the finish of the project. She asked about best management practices and spoke about the boat pump out. She said she spoke with Dave Hill re. Chapter 91 and he told her the DEP would likely be requiring a pump out as part of the Chapter 91 Permit.

Mr. Sugar spoke next informing members that they included the boat wash reclamation system in their application and this would be done in 2-3 weeks. Further they would be installing the big wash pad and he continued to explain the process that included how they would remove the elements in the boat wash process. He went on to inform the Board that they also fitted the building so that they would be able to do the grinding and fiberglass work inside the building, which he wanted to point out was a state-of-the-art system. They also added an oil/water separator. He said their intent is to take all the dirty work inside. He wanted to point out that they have more than abided by DEP's stringent regulation. Additionally he stressed they would abide by any regulations in regard to spills. He said that during the past year some boats sank there and the Harbormaster/Coast Guard came and was happy with the system they now have in place.

Mr. Sugar went on to inform the Board that they are also into the next phase of storm water monitoring; that is, they test it and then send the results to the DEP/Weymouth Board of Health.

It was noted that Tern Harbor has also installed their Fire Extinguisher, with Mr. Sugar adding 'they are being pro-active'.

Commr. Kent commented that by his observations the applicant's update was accurate. He then asked the Harbormaster about Tern Harbor's impact on marine safety.

Mr. Milone/Harbormaster responded that at this point the boats at the Marina are not on the piers, but up against the dock. He noted that the channel is 108 ft. wide at the widest point, so they are not affected by the channel.

Ms. Schloss asked about the boat pump out.

Mr. Duarte said it was a good benefit for the customers. He noted that the elevation of the bulkhead is 20 ft. below the elevation of the road. He said they would like to add a portable pump out system, once installed they would bring the septic tank to the sewer connection and pump it out that way.

Mr. Sugar told members that a 'portable' is the best way to go, adding there are no pitfalls - the just need to remember to discharge it when it is full. He said plans are to locate the tank by the bulkhead.

Ms. Schloss wanted to confirm that no 'liveaboards' would be allowed at the marina and Mr. Sugar confirmed this.

Ms. Schloss said that she also received a letter from Jim Clarke/Director of Planning and Community Development where he addressed zoning - noting it requires one (1) parking space for each boat. In regard to tonight's application they would require a total of 7 new parking spaces. She said she also wanted the Building Inspector to confirm that this number of parking spaces would be available for the new slips.

Mr. Sugar confirmed that they have more than adequate parking.

Ms. Schloss asked if the piles would be installed by barge and Mr. Sugar said they would.

The hearing was opened to the public.

Mr. Chet Gillis said that he owned property 150 ft. from the marina and wanted to know if there would be any charge for the pump out and Mr. Sugar replied 'no'. Mr. Gillis then said he was in favor of the application.

Cmmr. Murphy moved to close the public hearing for the Tern Harbor Marina, File #81-1034.

Mr. Kent seconded.

UNANIMOUSLY VOTED

Tern Harbor Marina - Continued Hearing**DEP File #81-1034****Order of Conditions**

Cmmr. Coven moved to issue a standard Order of Conditions for the Tern Harbor Marina/File 81-1034 contingent upon confirmation of adequate parking spaces and inclusion of a boat pump out.

Mr. Kent seconded.

UNANIMOUSLY VOTED

Lot 7 Cardinal Circle - Hearing**AJD Realty Trust****DEP File #81-1035****Notice of Intent**

Cmmr. Coven moved to open the public hearing for Lot 7/Cardinal Circle/AJD Realty Trust, File #81-1035.

Mr. Kent seconded.

UNANIMOUSLY VOTED

Mr. Scott Arnold, PE/Arnold Engineering represented the applicant, Andrew Dignan who could not be present this evening. Mr. Arnold reminded members that this proposal was for a recently approved subdivision with tonight's proposal being for a single family dwelling on Lot 7 of Cardinal Circle. He noted that this application was a little different from the others, adding the subdivision project was originally permitted and they identified a vernal pool on Lot 7.

Chairman Thompson then asked 'so this lot gives us a bigger boundary?'

Mr. Arnold replied 'yes', clarifying that this lot was designed without the knowledge of the vernal pool. He said to construct the dwelling outside of the bufferzone would be impossible, so they moved the house closer to the street as far as possible. He described the restoration area as 4,500-sq. ft. in size, adding that John Richardson provided the design. For landscaping, they are proposing to add large boulders, plantings and to reseed with conservation mix to restabilize the area.

Chairman Thompson asked if they planned to remove the junk/debris.

Mr. Arnold replied 'yes', adding that the applicant wants to do that within the 25 ft. /No Disturb Zone. They also propose a lawn area of 27 ft. so they will have a modest backyard - leaving room for naturalization.

Chairman Thompson asked how they would handle demarcation - so that the lawn wouldn't migrate to the vernal pool or the buffer area.

Mr. Arnold said they would be placing 17 boulders and includes plantings along the border.

Ms. Schloss commented that John Richardson did a good job with the planting plan, which she felt should prevent encroachment, but would like to see it staked out. She told members that she met with Mr. Arnold and John Richardson at the site and she felt she was comfortable with the plan. She told members she heard wood frogs there yesterday. She asked about the trash on Lots 7 and 8. She also had questions about the old wetland flags, noting that John Richardson acknowledged that some were missing. She told members she would like the missing flags replaced and the house staked.

Chairman Thompson asked about the vernal pool certificate paperwork.

Ms. Schloss suggested their wetland scientist compile this material for them.

Mr. Arnold replied that he was not sure how much work that would involve and if he could confirm this could be done until he spoke with Mr. Dignan.

Ms. Schloss didn't feel it would be too much - but would involve a sketch and a topo map.

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

Cmmr. Murphy moved to continue the hearing to April 9, 2008, File #81-1035.

Mr. Kent seconded.

UNANIMOUSLY VOTED

Algonquin Gas Exploratory Borings - Hearing

Algonquin Gas Transmission, LLC

DEP File # not available

Notice of Intent

Cmmr. Murphy moved to open the public hearing for the Algonquin Gas Company, File number still to be assigned.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Mr. Karl Smith/TRC Environmental Corp., Terry Bilodeau, Jon Bonsall/Keegan Werlin and Terry Doyle, Lead Environmental Specialist/Spectra Energy represented the applicant.

Mr. Smith told members they were before them this evening with a proposal relative to the east to west pipeline project, with the objective to get the Board's approval for exploring borings in the Fore River. The pipe will be crossing under the Fore River using a HDD/horizontal directional drill. Again this is part of an exploratory project being done in preparation of the east to west pipeline project.

Mr. Doyle explained to members that Bentonite is used in the process for the drilling bit. He then showed the crossing locations on the plan, adding their intent was to minimize the potential impact to the River. He explained that the pipe would be going through many communities including Weymouth, Braintree, Holbrook and Canton - tying into the other balance of the Algonquin's pipeline. He then pointed out the test boring locations on the plan, explaining there would be a total of 10 local locations - 7 in Weymouth and 3 in Braintree. He noted that (2) were under the buffer zone exemptions. With regard to the Weymouth filing - there will be two landlines including one on Regina Road under Greenbush. Included in the filing is land subject to coastal storm flowage. He said that additionally there would be (3) water borings, which are noted on the plan as: W2, W2 alternate and W3 within the Weymouth coastal zone.

Mr. Smith referred to more detailed drawings showing the Fore River locations. He said there were also (2) land borings noted on the plan; i. e., L2 and L3, which could be accessed by Regina Road. He explained that the boring method is a wash and drive method and explained the process - water is recycled and reused. Lastly he noted the potential for sedimentation would be minimal.

Chairman Thompson asked for the total of Weymouth borings and was told (7) in total - 3 in Fore River and 4 on land - but there would be 2 covered by the buffer zone exemption. He explained that he was before them tonight to determine geologic conditions so they could design the horizontal directional drill.

Mr. Doyle told members he aided in the design of the horizontal directional drill.

Chairman Thompson asked 'so you have leeway?'

Mr. Doyle replied 'yes', adding this will allow us to develop a plan re. profile. Additionally he noted in the event of suspended solids, a silt curtain would be employed. He pointed out that they also addressed comments from the Mass. Division of Marine Fisheries.

Ms. Schloss stated that she forwarded the DMF letter to the applicant as well as the Commissioners. She said that in the Order of Conditions they would include the need for 'a turbidity curtain' - as well as require that there would be no grounding re. barges. She then asked if that would be an issue.

In regard to the timing, Mr. Smith told members that it should be 1-2 weeks in the tidal cycle.

Ms. Schloss commented - so that request would not be feasible??

Mr. Smith replied 'no' but he could speak further with Algonquin Gas. He explained that once you start drilling, you want to get in there, get it done and get out of there. He said that present plans are to use a 40' x 20' barge that would be pushed by another boat. He further explained that the barge would be anchored in place.

Ms. Schloss then asked 'could the other boat be moved?'

Mr. Smith replied there is that potential if it can be done safely.

Ms. Schloss asked for more clarification about the use of Bentonite.

Mr. Smith said it would be used and located on the deck of the barge. He said they could discuss this in detail at future hearings.

Mr. Doyle told the Administrator/Commissioners that they had not had problems in the past.

Mr. Smith wanted to point out that this hearing was not for the use of the lateral drill.

Ms. Schloss asked if they knew the location of the MWRA pipeline and Mr. Smith said it could be researched further and confirmed at the next hearing.

Commr. Gowen asked about their hours of operation and Mr. Doyle told her it would be during daylight hours, beginning around 7-8 AM and going to 4 PM.

Ms. Schloss asked about access from Regina Road and Mr. Smith said it was an existing road.

The hearing was opened to the public.

Ms. Janice Bello, Idlewell Boulevard was the first speaker and asked about the location of this pipeline as compared to the MWRA tunnel.

In response, Mr. Smith explained that MWRA's pipeline was closer to Weymouth/Idlewell area than Algonquin's, adding that their line is another 500 ft. further from Weymouth (at its closest point).

Ms. Bello replied that she had over \$125,000 in damage done to her house because of the work done by the MWRA and due to that unforeseen problem she wanted 'preconstruction' videos taken of her property.

Chairman Thompson emphasized that the public hearing tonight was for the Commission to review and assess the 'borings only' proposed by Algonquin Gas.

Mr. Doyle added that the drilling proposed by the pipeline wouldn't be taking place for some time.

Ms. Bello wanted to clarify there would be no pile driving and Mr. Doyle confirmed that it wouldn't.

Ms. Bello further explained that when the MWRA performed their borings, the vibrations caused a lot of damage to her house, especially to her bathroom.

Mr. Dwyer told her there would be no vibrations with the method they plan to use.

Ms. Bello said that she was still concerned, adding that she couldn't afford any more damage to her property as she has lost her life's savings. At this point she said she wanted to present the applicant with a petition, a copy of which she also gave to Mayor Kay and Senator Hedlund.

Chairman Thompson told her that the applicant would give her their address.

When asked when the borings would take place and how long they would last, Mr. Doyle said the work could last from a couple of weeks to a couple of months. He said that once the work is approved, they would ask their contractor to draw up a schedule. He noted that they are also requesting approvals from the federal and state government as well as the local government agencies. In closing he said the actual work wouldn't begin until April/May of 2009.

Paul Murphy of Soper Ave spoke next. He asked if the test borings would be taking place under the tension lines and Mr. Doyle confirmed that they would be done along the Edison property line.

Next Mr. Murphy asked if the applicant would be bringing the equipment down his street and Mr. Smith told him they would be using the access road off of Commercial Street and took a moment to point the area out on the map.

Ms. Doyle explained that he expected the process would be similar to MWRA's, once they commence with pipe pull back.

Mr. Bonsall wanted to point out that MWRA's project was much larger than theirs, and in addition they used a much larger structure in doing their work than Algonquin plans to use. He felt in this instance they most likely weren't comparing apples to apples. He assured those present that they would look into the type of work MWRA did, compare it to theirs and would report back on their findings.

Janice Bello asked about the time involved in the process and Mr. Doyle told her that actual drilling project is expected to take 2-3 months.

Mr. and Mrs. Rankin asked the applicant if they would do a 'walk-through' with the residents to discuss the potential impact of their project. He felt once the process was explained and they had an open forum to discuss their concerns, those in the area would be happy with it.

Chairman Thompson thanked all Weymouth residents present for taking the time to come to the meeting and for expressing their concerns. He felt the applicant would be happy to work with them in an effort to allay their concerns, taking into consideration the residents past experience with MWRA. He added that he believed the MWRA was a much larger project and hopefully the residents wouldn't experience similar problems again.

Cmmr. Kent questioned the test borings.

Mr. Smith explained the process, and that what they had planned would generate minimal noise.

Mr. Bonsall said as he recalled, the MWRA used different technology and again affirmed that they were only there this evening for the test borings; more specifically to determine the method - one that would produce minimal affects to all.

Mr. Doyle commented that the MWRA might have gone down deeper with their borings, adding they were about 65 ft. below although he believed the geology was the similar.

Ms. Schloss noted that MWRA borings were done in 2004.

Mr. Doyle took a moment to explain the MWRA process. He said they planned to use Bentonite, along with a clay/water mixture. He further explained that Bentonite takes the path of least resistance.

Julie Woods, 16 Arlington Street spoke next. She asked if the MWRA and Algonquin could share their information, as it appeared it was the same type of work.

Mr. Smith explained that because their locations were 500 ft. apart in their closest area it would not work out, adding he didn't think they could trust MWRA's data.

Michael Woods, 16 Arlington Street asked if the test borings would be used in the future and Mr. Smith replied 'no'.

In response to a question about the location from Ms. Woods, Mr. Doyle told those present that at this point he was not sure where they would do the staging. He then offered to give his business card to Ms. Woods so that the residents could contact him about setting up a neighborhood meeting.

Ms. Bonsall took a moment to explain the timing of the project, adding they have over a year to go. He further explained that their filing, etc. was available to the public and copies could be found in the town libraries, Conservation Commission and Mayor Kay's office.

With regard to the notification of abutters, Mr. Smith stated that they used a larger radius than required when they drew up the list to notify the abutters in regard to the public hearing that would address the boring locations.

Mr. Doyle wanted to point out that they have held several public hearings already.

Mr. Blake said he only received one weeks notice re. tonight's hearing and Ms. Smith affirmed that the notices were mailed out on 3/13/08 - per the post office receipt.

Ms. Mike Richardi/Weymouth resident asked if they had an alternate plan and Mr. Doyle told him they didn't have one for crossing the Fore River, adding that a lot depends on what they discover with the borings.

Ms. Richardi asked if their proposed work would affect the cycle of the Herring/Herring Run (by Cranberry Pond).

Ms. Schloss questioned the work and the proximity of the stream.

Mr. Smith showed Mr. Richardi the location on the plan re. Lots 2 & 3, adding they are on high, dry land. He said if there were any concerns, erosion controls would be put in place.

Cmmr. Murphy stated that there appeared to be many questions without answers and wanted the applicant to know that he appreciated the extra effort put forth by them/their representatives in communicating with the residents. He felt that working together collectively the concerns could be addressed and taken care of.

Mr. Doyle wanted to point out that they abided by the regulations with regard to informing all appropriate residents, and for those who were not on that list he wanted them to know that he understood their concerns.

Ms. Bonsall said he would be happy to take the 'contact' information and follow up with the residents, adding he did not know about the background with the MWRA.

Mr. Smith wanted to note for the record that the law states they are required to notify the abutter(s) within 100' of the project - and the applicant went above/beyond that requirement. He further stated they took the liberty to notify anyone along the shoreline within 1,000 ft. - a much larger radius than what is required.

Cmmr. Murphy understood, adding that he encouraged the applicant to continue to make every effort to work with the abutters.

Cmmr. Coven referred to the exploratory borings, asking 'if the line is not feasible, can they be shifted?'

Mr. Doyle told him that is where they plan to put the pipeline, but if the information shows it differently, they would look at it. He further informed them that they are following N-Star through Canton.

Cmmr. Murphy moved to continue the hearing for Algonquin Gas Transmission, LLC, (file number still to be assigned) to April 9, 2008.

Cmmr. Kent seconded.

UNANIMOUSLY VOTED

Minutes: 2/13/08, 2/27/08 for Review

Cmmr. Coven moved to approve the minutes of the 2/27/08 meeting as amended (spelling of McCulley).

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

Meeting Dates

The April 9, 2008, Meeting will begin at 7:30 P. M. at the Weymouth Town Hall, and the following meeting will take place on April 30, 2008 - instead of the 4th Wednesday of the month for April.

The Chairman will finalize the location of the meetings - tentatively the meeting might take place at the Whipple Center due to Town Council budget hearings scheduled for Town Hall.

Adjournment

Cmmr. Coven moved to adjourn the meeting at 10:08 PM.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

Respectfully submitted,

Susan DeChristoforo
Recording Secretary

APPROVED: _____
Scott Coven, Clerk

DATE: _____