

WEYMOUTH CONSERVATION COMMISSION
Town Hill Chambers
June 25th, 2008 Meeting

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

ABSENT: Cmmr. Jeff Kent

ALSO PRESENT: Conservation Administrator, Mary Ellen Schloss

Chairman Thompson called the June 25th, 2008 meeting of the Conservation Commission to order at 7:39 PM.

Minutes: May 14th and May 28th, 2009 for review and approval

The Chairman tabled the minutes until the end of the meeting.

35 Pheasant Hill Road - Hearing

Map 64, Block 647, Lot 59

Request for Determination of Applicability

Thomas Leonard, applicant came before the Board. He informed members that his plan was to build a 24 ft. above-ground pool in his backyard. The location would be 32 ft. from the wetland line.

Chairman Thompson asked if there would be any tree cutting.

Mr. Leonard responded 'no' and went on to say that they presently had a grass yard, describing it has having a slight slope. He added that they planned no digging.

Chairman Thompson noted that he viewed the work as relatively minor and appreciated Mr. Leonard appearing before the Board to address the project.

Cmmr. Murphy asked about the filtration system and if there would be a back wash, with the applicant responding it would have a cartridge.

Commr. Gowen moved to close the public hearing.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

Cmmr. Coven moved to issue a Negative 3 Determination for 35 Pheasant Hill Road.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

Whitman's Pond, West Cove and Main Basin - Hearing

Town of Weymouth DPW

DEP File # 81-1041

Notice of Intent

Cmmr. Murphy moved to open the public hearing for the West Cove/Main Basin of Whitman's Pond.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Mr. Jeff Bina, representing the applicant DPW, came before the Board.

Chairman Thompson explained to those present that the DPW was proposing to remove vegetation from parts of Whitman's Pond. He then asked Mr. Bina how the vegetation would be removed and if any related studies had been done on the Pond.

Mr. Bina replied that a study had been done by the Beta Group in 2001/02 in regard to the Main Basin (not West Cove) of Whitman's Pond. He said that the subcontractor, Aquatic Control Technology, did the work in 2002 and is familiar with the Pond and its vegetation. He added that Gerry Smith, owner of Aquatic Control Technology, was willing to come out and review it with them.

Chairman Thompson asked if the Town had a \$20,000 grant for this work and Mr. Bina confirmed they did, adding that the total assessment of the Pond including the invasive species was \$2,500 - although the amount might possibly be less for a smaller portion of the Pond.

Chairman Thompson told Mr. Bina that his main interest was to make sure the Pond's resources were protected.

Mr. Bina told the Chairman and members that they would be happy to work with the Conservation Commission.

At this point Mr. Bina gave a little history of the project. He said that the Whitman's Pond Association applied for the grant two years ago and that their proposal was approved by the Community Preservation Committee, Mayor Kay and the Town Council with the stipulation that the DPW be involved.

Ms. Schloss spoke about her support of a study, because she felt the firm needed to understand the species that were in the Pond, adding the species tend to change over time with new ones being introduced into the Pond by boats that use the Pond. She pointed out that different species respond differently to different treatment, adding that some continue to spread; i. e., fragmentation. She asked that a fragmentation screen be used.

Chairman Thompson concurred with the Administrator, adding that was why he also supported a study.

Ms. Schloss interjected that actually the study was viewed as a survey and this would take about a day or so to accomplish. When this was completed, she would like a sketch and a narrative of the proposed treatment for the files. She stated that she has put together a draft set of findings and conditions for the Board's review (distributing a handout to those present), adding that she had also sent a copy to Jeff Bina. She explained that the easiest way to 'permit' this project is by defining it as a 'Limited Project' - which calls for improving the natural capacity of the resource area - referring to the Interests of the Acts. She added that the Ordinance also includes Aesthetics and Recreation. She then addressed her proposed conditions which included:

- Conduct Survey - this will be done by Aquatic Control Technologies/Gerry Smith. Ms. Schloss commented that this firm was well-respected.
- Identify distribution and density of the target - and non-target vegetation.
- Include storage of plant material, equipment and fuel (citing the distance)
- Time/month limitation
- Pre-work survey
- Use of turbidity barriers if needed

Chairman Thompson asked what would be needed to begin the program.

Ms. Schloss replied that she would first like to run her proposed conditions by the contractor for his feedback and Mr. Bina agreed with this.

At this point Chairman Thompson felt they could move ahead once they did some minor tweaking and Ms. Schloss agreed.

Chairman Thompson asked that the Administrator to finalize the paperwork/procedure with the contractor/DPW.

Cmmr. Coven noted that the area they were referring to was formerly a swamp and asked if the contractor was familiar with that type of topography - and Mr. Bina replied 'yes'.

Mr. Bina informed members that many studies of Whitman's Pond have been done in the past, commenting that the primary problem as he saw it was the sediments.

Ms. Schloss noted that the report recommends limiting the things you can do - commenting she wanted to make sure the hydro-raking would be productive.

Cmmr. Gowen asked about the hours of operation and Mr. Bina said he expected them to be 7AM-8AM to 3 PM.

Cmmr. Gowen then asked about the length of the project and Mr. Bina estimated it to be about 2-weeks (80 hours).

The hearing was opened to the public.

Town Councilor Arthur Mathews spoke, stating he was in support of the project. He said that he has been involved in the restoration of Whitman's Pond for many years, originally as a member/Chairman of the Whitman's Pond Committee. He said he has read the draft Order of Conditions and he was in agreement with them. He further explained that the CPC (he is a member of this committee) received this proposal two years ago and approved the \$26,000 expenditure, but Mayor Madden held it up for over a year. Now Mayor Kay and the Town Council have approved it, but due to the passage of time the costs have increased; i. e., the original cost was \$26,000 with \$6,000 for the DPW for their efforts. He went on to commend Bob O'Connor, Director/DPW, stating he has been very helpful throughout this process.

Chairman Thompson was in support of getting the project moving and getting the work done once and for all - but added he was also in favor of the survey to make sure it is done right.

Councilor Mathews agreed. He explained that originally they planned to use two different machines - one for under the water and the other for above the water, but due to escalating costs only one will be used. He noted that in looking at West Cove you can see the work that was done a few years ago, adding now there are more aquatic species because as the temperature rises the vegetation grows and this causes them to lose fish.

Trish Pries of the Whitman's Pond Assn. told members that she was thrilled with this proposal and was grateful for everyone's help, adding that the Association is anxious to have it done now as their Fish Festival is coming up this Summer. She noted it was a multi-year protocol and she was glad to see that it could be renewed in three years.

Cmmr. Murphy moved to close the public hearing for the DPW, work in Whitman's Pond, File 81-1041.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

19 Seaver Road - Hearing

Map 30, Block 389, Lot 3

DEP File # 81-1040

Notice of Intent

Cmmr. Murphy moved to open the public hearing for 19 Seaver Road, File 81-1040.

Cmmr. Gowen seconded.

UNANIMOUSLY VOTED

Ms. Andrea Williams, owner came before the Board along with her representative Shawn Hardy, PE.

Mr. Hardy explained that the project was located on Whitman's Pond, with the front of the house on Seaver Road. Plans are to renovate the rear of the house leaving the front as is. They will be tearing the deck down and replacing it, adding that this portion of the house is located 36' from the Pond. Additionally, he pointed out that the rear of the house is in the Flood Zone, beyond the 25' No Disturb Zone.

Chairman Thompson commented that the project was pretty straight forward and looked 'great', noting that there was no expansion proposed.

Ms. Schloss stated that they might want to remove the existing deck in the front, quickly noting it was beyond 100' of the resource area. She cautioned the applicant to remain outside of the 25 ft. zone, and then recommended a Standard Order of Conditions.

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

Cmmr. Murphy moved to close the public hearing for File 81-1040, 19 Seaver Road.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

19 Seaver Road

Map 30, Block 389, Lot 3

DEP File # 81-1040

Order of Conditions

Cmmr. Murphy moved to issue a Standard Order of Conditions for File 81-1040, 19 Seaver Road.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Request for a Certificate of Compliance (continued)

211 Sheri Lane

DEP File #81-985

Mr. Randy Hill, applicant came before the Board.

Chairman Thompson asked Mr. Hill if he had hired a professional consultant and Mr. Hill replied that he had hired Steve Ivas, who had come out to his property yesterday.

Mr. Hill went on to say that it was agreed that Mr. Ivas would come up with a plan that includes the purchase of 100 wetland plants indigenous to the area. Additionally, the mulch would be removed from the base of the fence and plantings would be placed along the fence line, but he quickly added that if it's necessary to remove some plants they would be happy to do this.

Chairman Thompson appreciated Mr. Hill's efforts and told him he would like to see him enjoy his home. He noted that Mr. Ivas was a responsible wetlands biologist and well qualified to do the work.

Ms. Schloss asked the applicant to have Mr. Ivas provide her with a planting sketch and Mr. Hill agreed to do so, adding he would combine all plans with Steve Ivas' approval.

Ms. Schloss asked about the time frame.

Mr. Hill told her the work would be done as soon as possible, adding that he had the amount of water necessary to accomplish the task. He also noted that Mr. Ivas told him that his plans for the pool would have no adverse affect. He said he planned on returning before the Board at some point, but understood that this work had to be done first. Ms. Schloss was invited to his home to check out the finished product.

Ms. Schloss told the members that she would report back to the Board with her findings after making a site inspection.

219 Sheri Lane/DEP File 81-1022, William Cunningham/Owner - Discussion

Mr. William Cunningham came before the Board. He explained to the Commission that he is putting in a pool, but understood there would be an impact to the resource area/wetlands. Additionally he acknowledged there was fill on the wetland side of the haybale line. He told members that his contractor was also present this evening. He explained that once the trees stumps on his property were removed there was quite a mess in his yard. His plan was to take the fill brought about by the removal of the tree stumps and even off the land.

Chairman Thompson interjected that this was not permissible in a wetland area. He felt that it appeared that Mr. Cunningham's infraction was inadvertent. He then asked the contractor for his input.

Mr. David Mazzulli/Contractor told members there are stakes where the haybales were placed as well as tree stumps there. Further, once the trees were removed, topsoil was added to level off the land (as the removal of the tree stumps/roots caused big holes in the yard) for the haybales, adding they are trying to keep erosion to a minimum.

Ms. Schloss said although she visited the site a number of times in the past (starting 4/18/08), she was unable to get out there prior to the meeting so couldn't report on its present status. Additionally she had observed that more trees were removed than approved - and that all of the wetland flags had also been removed. At this time it is hard to determine the wetland line. She told members that she asked the Cunningham's to have a surveyor come out and restake the wetland/haybale line - and this has been done. She found that there were eight (8) trees greater than 6" that have been removed. She was referring to an area is 80' x 30' = 2500 sq. ft. of additional disturbance, which she commented wasn't insignificant.

Ms. Schloss went on to say that the original Order of Conditions required that 20 shrubs be planted to replace the mature trees that were removed. She said she made repeat visits to view the staked haybale line, but saw instead additional unapproved fill and no 25' buffer. She reminded members that they had granted a 25' Waiver due to the location of the drainage easement, explaining that Mrs. Cunningham wanted to move the swing set, but this was also located in the wetland area. At that time she spoke with the Cunningham's and tried to sort it all out, explaining to them that any work in the wetlands needs to be approved and 'conditioned' and that certain work is not permitted.

Chairman Thompson commented that Sheri Lane is surrounded by wetland, acknowledging Mr. Cunningham's dilemma. He explained that the Commission is charged to protect the resource area - while trying to help them as property owners enjoy their land. He voiced his concern that the wetland flags were gone, noting that he visited their property on June 6th and 12th and found most flags gone.

Mr. Cunningham said he was confused about the vegetation, informing members that he had hired a Botanist.

Ms. Schloss referred Mr. Cunningham to his plan, noting that the vegetation that was removed was not approved on his plan, with the Chairman pointing out that unauthorized trees came down.

Chairman Thompson asked the applicant to utilize his Botanist, John Richardson, and bring him back in to finish the plan/work.

Mr. Cunningham replied that the project was getting very costly for him and asked if the land surveyor could do the recommended work.

Mr. Mazzulli further explained that when the stumps were removed the flags were lost, adding it couldn't be helped.

It was agreed that the applicant, the landscaper and the Administrator could work it out with the introduction of additional plants, seed mix, shrubs, fern and groundcover.

Cmmr. Coven supported this plan adding he was in favor 'as long as the area gets restored'. He recalled that the backyard seemed kind of small for a pool and that was why he was pushing for shrubs.

Mr. Mazzulli suggested adding more haybales.

Cmmr. Coven asked that they made sure the property be marked.

Chairman Thompson reminded the applicant that he also needed to remove the huge pile of fill.

Mr. Mazzulli explained that the fill came from the stump removal, but assured the Chairman that it would be removed.

Ms. Schloss said first she would like to receive a planting plan for her review, adding she would like to see the plantings in by Fall. She also noted that the Cunningham's would need a Certificate of Compliance.

It was agreed that Mr. Cunningham would return on August 13th with an update, with Ms. Schloss stating she would be meeting with him in the near future.

Tirrell Street, PUD/Planned Unit Development - Continued Hearing

DEP File #81-1033

Notice of Intent

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

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Chairman Thompson told the applicant's representative, Al Trakimas, that Commissioner Jeff Kent had not arrived and wanted to hold off on the hearing until he did. He also noted that Dr. Wang, the Commission's consultant on this project, had some questions of the applicant that needed to be addressed - suggesting that they might consider continuing the hearing to the July meeting for those reasons.

Mr. Trakimas informed members that he had filed for the Water Quality Certificate as well as the Army Corps of Engineers Permit, but was also in favor of continuing the hearing so that it would give him additional time to respond to Dr. Wang's questions/comments - some of which the Administrator briefly addressed; i. e., Flood Storage Analysis, Existing Conditions, documentation on the channel, asking does it meet DEP's Stream Crossing Standards?

Mr. Trakimas commented on various items which included that he submitted the 100-Year Flood Analysis, that the applicant was proposing (3) new pipes, allowing for wildlife crossing. He added that a lot of the information the Administrator was looking for had already been submitted or addressed. At this point he felt he just needed a strong Narrative.

Ms. Schloss told Mr. Trakimas that Dr. Wang reported that there was a stream and possibly a channel in that area.

Cmmr. Murphy moved to continue the hearing for Tirrell Street/PUD, File 81-1033 to August 13th, 2008 with the applicant in agreement.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

(Ms. Schloss gave Mr. Trakimas the comments re. wildlife submitted by Dr. Wang.)

9 Bridge Street, Fore River Station - Continued Hearing

DEP File #81-1038

Cmmr. Murphy moved to open the public hearing for the Fore River Station, 9 Bridge Street, File 81-1038.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Mr. Bryan Jones/Consultant representing the applicant came before the Board.

Chairman Thompson noted that the applicant was before them requesting to do additional work that was not part of the original Notice of Intent.

Ms. Schloss noted that she has received the response from the Ma. Div. of Marine Fisheries on the project, which included some comments. Based on those comments she was recommending containment with a silt curtain, adding she already spoke to the applicant about this. At this point she was recommending a Standard Order of Conditions with some specials, adding she would base it on the Commission's Standard Conditions for commercial projects.

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

Cmmr. Murphy moved to close the public hearing for File 81-1038, 9 Bridge Street/Fore River Station.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

9 Bridge Street, Fore River Station**DEP File #81-1038****Order of Conditions**

Cmmr. Murphy moved to issue a Standard Order of Conditions plus Specials as recommended by the Administrator for File 81-1038, 9 Bridge Street/Fore River Station.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Lake Shore Drive - Hearing**Map 30, Block 385, Lot 3****DEP File # not available****Notice of Intent**

Cmmr. Gowen moved to open the public hearing for Lake Shore Drive, DEP file number to be determined.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

Mr. Scott Arnold/PE, representing the applicant, came before the Board. He told members that his proposal was for a vacant lot located 100 ft. from Lake Shore Drive and the southerly side on the bank of Mill River and described the proposal/lot as follows. It is a buildable lot, located within the Riverfront Area. There is a concrete wall on the bank of Mill River, less than 200 ft. from Lake Shore Drive. He explained that the lot was in existence in the early 1900's so it is 'grandfathered' in re. some of the Performance Standards. Presently the lot is mostly grass/lawn and is owned by the McHugh Trust, who also owns the house to the left. Additionally, there are also trees/shrubs on the lot.

In response to the Chairman's question, it was acknowledged that the embankment to the river was a cement wall - so there was no actual riverbank.

Mr. Arnold further described the lot with the existing grade sloping 10%. He stated that he submitted a site plan showing the proposed dwelling, which has been located as close as possible to Lake Shore Drive. Further, they have limited the work so that less than 5,000 sq. ft. is altered and they have also limited the grading/cover re. impervious surface, confirming that they met the required criteria. Additionally they are proposing haybales for erosion control behind the house, which will also serve as the limit of work line. Mr. Arnold went on to say that the lot is within the 100-year Flood Plain, but the proposed work will not impact the Flood Plain activity. The size of the proposed dwelling is 40' x 28' and will include a 2-car garage, with a driveway on the easterly side. The plan shows that the proposed grade in front is pitched to the street. Plans also call for a walkout basement in the rear to meet the existing ground surface.

Chairman Thompson asked how close the dwelling would be to the resource and Mr. Arnold estimated 80 ft., again emphasizing he kept the house as far away as possible to the resource area.

Chairman Thompson then read from the WPA, 310CMR, 10.58 for those residents in the audience, noting the law states the issuing authority shall allow a single family house and driveway as long as the lot was in existence before 1996. He explained to those present that the proposal must be in keeping with the law, which means the property owner has a right to build on this lot.

The Chairman then asked the Administrator how the resources would be protected.

Ms. Schloss asked Mr. Arnold if they proposed to remove any of the mature trees and Mr. Arnold estimated they might possibly remove 3-4 trees.

Ms. Schloss asked Mr. Arnold if he could get this information to them by the next hearing, noting that the hearing would need to be continued for receipt of the DEP file number. She said she was appreciative of the applicant locating the house close to the street, similar to the other homes in the area. She then read the Performance Standards for the information of those present, which included the requirement of being 100 ft. from the resource area with a corridor of natural vegetation - but quickly added the applicant did not have that.

Ms. Schloss further noted that Brook Monroe/Wetland Scientist had been hired to work on this project. She told members that there were some plants on the island and that she would like to get rid of a lot of the 'loosestrife'.

Mr. Arnold discussed the planting along the bank/island, which he felt could enhance the wildlife habitat. He offered to look into that.

Chairman Thompson thanked him and asked that he submit a planting plan for the files - and to remove the 'loosestrife' if possible. He again noted that the hearing would need to be continued for receipt of the DEP file number.

The hearing was opened to the public.

Mr. Arthur Mathews/Town Councilor spoke, stating that he had a number of concerns. He said that the ZBA had determined that it was two separate lots - and was hopeful that Ms. Schloss could speak in detail with Jim Clarke about their ruling - he thought it required a ZBA hearing. He also asked about the status of the 10 ft. access way between the two properties.

Chairman Thompson clarified that the questions regarding the legalities of the lot were not Conservation issues, but zoning.

Next Councilor Mathews told members that he thought developing this lot would increase the storm water runoff and the Chairman explained that the requirements are 'no increase in runoff' is allowed, adding there are methods that are used for this purpose; i. e., drywells, etc.

Ms. Schloss interjected that with construction of a single family house; the property owner is **not** required to meet the storm water management requirements.

Councilor Mathews then referred to Mr. Arnold's statement that they would direct the flow of water to the street, but he commented the street is elevated - how could he do that?

Mr. Arnold explained to him that the top of the foundation of the house was above street level, and that the lot is sloped along side to meet the existing grade in the back -restating that in the front it is sloped to the street.

Chairman Thompson suggested that downspouts be used to direct the flow to the drywells.

Councilor Mathews further noted that the river itself has deteriorated and said it would be difficult for the water to flow through there. He then noted that sometimes it is dry 2-3 months. He said one of his big concerns is the loosestrife. He explained that if it is removed it can increase the flow of water to Whitman's Pond.

Chairman Thompson assured the Councilor that the Commissioners would be visiting the site prior to the next hearing to have a more in-depth understanding of the lot. He further stated that the Board tries to work with the owner and respect their Property rights while saving and preserving the resource areas in accordance with the Wetlands Protection Act.

Next speaker was James Cunningham/member of the Whitman's Pond Assn., WHA & CPC. He explained that the Community Preservation Act is designed, in part, to protect open space commenting that there's very little left around Whitman's Pond, He felt this lot was the nicest lot left on Lake Shore Drive. He was concerned with its proximity to Mill River, adding it was 100 ft. from the River to the Street, noting that the buffer zone goes through the house. He also noted that an easement goes through the property. He asked if it was allowed to put a driveway on top of an easement. In closing, he said he would like to see it left as Open Space.

Chairman Thompson responded that possibly the CPC (Community Preservation Committee) could purchase the land, but pointed out that right now it is privately owned - with that property owner having certain rights.

John Sempler/Abutter spoke next and also questioned the property line, adding it is different than the property line he has documented as an abutter; i. e., 115' vs. 120'.

Again the Chairman pointed out that this was not a Conservation issue, but a Zoning issue. He went on to say that he would like to tour the lot with his fellow Commissioners. He then questioned the water line and runoff.

Cmmr. Coven told members that he visited the site earlier today and did not find the slope very steep nor did he have any major concerns in regard to the proposed construction, adding he realized the area was densely populated.

Mr. Arnold told the members that there is no activity proposed in the 'passageway' - explaining that the existing driveway is the passageway.

The Chairman pointed out that no one would be taking that away.

Councilor Mathews, as the Council's representative on the CPC, explained that if an application comes before the CPC and has an existing Purchase & Sales Agreement, the CPC cannot get involved. He added that he hoped to see the DPW's comments on the proposed drainage plan, if appropriate.

Ms. Schloss said she could ask them to look at it, but again pointed out they don't usually review proposals for single-family homes. Additionally she reiterated a single-family home is exempt from the Storm Water Management Act.

LeeAnn ?/Abutter presented a letter from Don & Louise Buchanan/abutters to the applicant who was in opposition - and questioned the lot being in the FEMA Flood Zone. She said their biggest concern was the potential loss of wildlife, with the Chairman reminding her that the applicant/owner had property rights, which allows him to develop the lot.

Ms. Schloss told members that Atty. Ray Jennings (present) representing the seller: 2002 McHugh Trust, wanted to accept the planting plan.

Chairman Thompson noted that Scott Arnold provided information regarding the mitigation and enhancements to the site that helped the wildlife.

Before the hearing closed, Ms. Schloss told the applicant she would like the following information for the files:

- 1) info on the trees
- 2) see the drywells on the plan
- 3) see the elevation/cross section on the plan

Mr. Arnold noted that in Zone A the flood elevation has not been determined, but for zoning purposes he scaled the flood elevation onto the map and that is what he used.

Cmmr. Murphy moved to continue the hearing for Lake Shore Drive to July 16, 2008.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

File 81-908

84 Essex Heights Drive

Request for a Certificate of Compliance

Ms. Schloss advised members that this house was constructed four years ago and there were some variations in the grading, but she was still recommending approval of this request.

Cmmr. Murphy moved to issue a Certificate of Compliance for File 81-908, 84 Essex Heights Drive.

Cmmr. Coven seconded.

SO VOTED (Cmmr. Gowen was opposed)

Ms. Schloss explained to Cmmr. Gowen that although there was a difference in the elevation of the slope, there were no erosion issues. Additionally the new grade and disturbance were not the same as the plan, but she felt it was too late to rip anything up and all is now stabilized.

Cmmr. Gowen changed her vote for In Favor.
UNANIMOUSLY VOTED

File 81-1008

11 Arlington Street

Request for a Certificate of Compliance

GM moved to approve the Certificate of Compliance for File 81-1008, based on the Administrator's recommendation.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

File 81-982

82 Prospect Hill Drive

Request for an Extension to Orders of Conditions

Ms. Schloss explained that Mr. DeLuca needed more time to complete his project.

Cmmr. Murphy moved to approve a one-year extension to the Order of Conditions for File 81-982/82 Prospect Hill Dr.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

File 81-921

39 Patterson Street

Request for an Extension to Orders of Conditions

Cmmr. Murphy moved to approve a one-year extension for the Order of Conditions re. File 81-921, 39 Patterson St.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

FILE 81-981

17 Beach Avenue

Request for a Certificate of Compliance

Ms. Schloss reported that she approved this request; the completed project was in compliance.

Cmmr. Murphy moved to approve a Certificate of Compliance for File 81-981/17 Beach Avenue, based on the Administrator's recommendation.

Cmmr. Coven seconded.

UNANIMOUSLY VOTED

Minutes: May 14th and May 28th, 2009 for review and approval

Cmmr. Coven moved to approve the minutes of the May 14, 2008 minutes as amended.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

Cmmr. Coven moved to approve the minutes of the May 28, 2008 minutes as amended.

Cmmr. Murphy seconded.

UNANIMOUSLY VOTED

Old Business

Ms. Schloss reported that she heard from Algonquin Gas today regarding the borings in Fore River and based on engineering work they need to reposition the borings, at this time she sees no issues. With regard to the land, she finds that they are getting closer to the wetland, but she felt as long as they were not working in the resource area she thought it would be fine. She then asked the Commission if they were okay with her working with their administrators on this and the Chairman replied 'fine' under those conditions.

Meeting with Mayor Kay

Ms. Schloss told members about the Joint Board meeting with Mayor Kay on June 17th, at which time she updated all present on the status of projects in the Town. Additionally she and Town Solicitor Lane spoke about the Mullin Rule and the Open Meeting Law - as well as rules for Executive Session. At this point she passed out a copy of the Town Solicitor's Report pertaining to the Mullin Law and Executive Session protocols. It was noted that Ms. Schloss, Cmmr. Kent and Cmmr. Gowen attended this meeting, representing the Commission.

Adjournment

Cmmr. Murphy moved to adjourn at 9:45 PM and to meet again on July 16th, 2008 at 7:30 P. M. at the Weymouth Town Hill/Town Council Chambers.

Cmmr. Kent seconded.

UNANIMOUSLY VOTED

Respectfully submitted,

Susan DeChristoforo
Recording Secretary

APPROVED: _____

Scott Coven, Clerk

DATE: _____