

WEYMOUTH CONSERVATION COMMISSIO
JULY 23RD, 2009 MEETING
Weymouth Town Hall - Conference Room

PRESENT: David Chandler, Acting Chairman, Diane Oliverio, Acting Commissioner, George Loring, Acting Commissioner

ABSENT: Cmmr. Gerald Murphy, Cmmr. Adrienne Gowen

ALSO PRESENT: MaryEllen Schloss/Conservation Administrator

File Note: It was noted that due to the recent resignations of John Thompson, Scott Coven and Jeff Kent, there were (3) Acting Commissioners appointed by the Mayor present this evening who agreed to serve as Commissioners for a minimum period of (90) days.

Chairman Chandler called the July 23rd, 2009 meeting to order at 3:00 PM in the Conference Room of Weymouth Town Hall.

Minutes for approval and signature

Ms. Schloss noted that there would be no minutes for approval this meeting; although there was one set ready for Cmmr. Gowen's signature.

180 Essex Street - Hearing

Request for Determination of Applicability

Susan Purtle, Applicant

Map 21, Bl 285, Lot 18

Cmmr. Loring moved to open the Request for Determination hearing for 180 Essex Street, Susan Purtle/ Applicant.
Cmmr. Oliverio seconded.

UNANIMOUSLY VOTED

Ms. Purtle came before the Board. She explained that she has been experiencing a problem with water backup in her back yard. Her intent is to add a catch basin to catch the water and eliminate the backup.

Ms. Schloss told members that she made a site inspection on June 2nd and observed an isolated wetland. She wanted to point out that the Commission has local jurisdiction in this matter. She further explained that the existing 4" clay pipe takes the overflow from the wetland, but it gets blocked with sediment and that causes the overflow. She then asked Ms. Purtle if any changes were proposed by John Cook.

Ms. Purtle responded that Mr. Cook wanted to bring the elevation up on the wall so that the grading would be level, and to do so he proposed they add some loam to even the grade.

Ms. Schloss noted that they would first need to set the wetland line which she viewed as beginning at the wall.

Ms. Purtle told Ms. Schloss that if she was not permitted to add the loam it would not be a problem.

Ms. Schloss felt another site visit would be in order.

Ms. Purtle told her that there were mostly leaves there now and reiterated that she just wanted to even the land out at this location. She acknowledged that it was always a little wet, but she felt the present problem was primarily due to the ineffective drain.

Ms. Schloss explained to her that a 25 ft. setback is required in the local regulation, but quickly added that she realized there was lawn there before the 1997 regulation went into effect.

Cmmr. Chandler commented that in many instances backyards have a 'dip' in them, which makes them wet all the time.

Ms. Purtle informed members that when the new house was added on Grampian Way that was when the problem began. She went on to say when she bought the property in 2001 there wasn't a problem, but when they repaved Essex Street the Town came in and blew the pipe out. When she reported the problem to the DPW, Chip Fontaine told her they were not allowed to go onto private property to clean it out.

Cmmr. Oliverio viewed the disbursement of water due to lack of a proper drain and because of that a wetland has been created.

Cmmr. Chandler asked the size of the area and Ms. Purtle told him it was about the size of the room they were in (Conference Room).

Ms. Purtle further stated that if she was permitted to have a stone drain she would be happy.

Ms. Schloss pointed out that the main question was where the loam and drain would be located.

Ms. Purtle said that the drain would go where the pipe is.

Ms. Schloss asked if there were plans to upgrade the catch basin - if so she didn't have a problem with that as long as it is not closer to the wetland.

Cmmr. Chandler asked if the overflow area was all on her property and Ms. Purtle replied 'yes'.

Cmmr. Chandler then asked "will it drain into the catch basin now without the loam?" and again Ms. Purtle replied 'yes'.

Ms. Purtle felt adding the catch basin would solve the problem. She said she could install the catch basin and then the Commission could come out and look at it - and at that point if the Commission agrees, she could then add the loam.

Cmmr. Chandler and Cmmr. Oliverio both stated they had no problem with her proposal.

Ms. Schloss said she would like some additional information regarding the loam. She added that this information could be included in the Conditions. She told Commissioners that she would also like to have another site visit with Ms. Purtle and Mr. Cook in attendance before any work began - and at that time they would review the plan.

Ms. Schloss asked if any trees would be removed.

Ms. Purtle replied only one small tree in the front - to allow for access to the site, adding that they would also be trimming a few trees - but nothing in the wooded area.

Ms. Schloss recommended a Negative 3 Determination.

Cmmr. Oliverio moved to close the Request for Determination hearing for 180 Essex Street.

Cmmr. Loring seconded.

UNANIMOUSLY VOTED

Ms. Schloss explained that a Negative 3 Determination does not require the filing of a Notice of Intent, although she recommended including conditions that would include:

- a pre-site inspection
- removal of one tree
- placement of loam/seed

Cmmr. Loring moved to issue a Negative 3 Determination with conditions as outlined by the Administrator.

Cmmr. Oliverio seconded.

UNANIMOUSLY VOTED

File 81-902

36 Kings Cove Way

Request for an Extension to Order of Conditions

Cmmr. Chandler noted that 9/12/09 was the completion date for the King Cove project and at this point the applicant was requesting a 1-year extension.

Ms. Schloss noted that the project has taken longer than expected and she was in support of the extension.

Cmmr. Oliverio moved to issue a one-year extension to File 81-902, 36 King Cove Way.

Cmmr. Loring seconded.

UNANIMOUSLY VOTED

File 81-1053

Lot A West Street, Steve Gosselin/Applicant

Request for a Certificate of Compliance

File 81-1054

Lot B West Street

Request for a Certificate of Compliance

Ms. Schloss reported she had no problem with issuing a Certificate of Compliance to Mr. Gosselin for both Lot A and Lot B, adding she made a site inspection and found all to be in order. She explained that the applicant had to construct a sewer line within the 25 ft. No Disturb Area - adding that the seed was coming in.

Cmmr. Loring moved to issue a Certificate of Compliance to Steve Gosselin for File 81-1053/Lot A, West Street and a Certificate of Compliance for File 81-1054/Lot B, West Street based on the Administrator's recommendation.

Cmmr. Oliverio seconded.

UNANIMOUSLY VOTED

File 81-1003

519-527 Columbian Street/Quincy Credit Union

Request for a Certificate of Compliance

Ms. Schloss reported that a Partial Certificate of Compliance had been originally requested, but now it appeared a full Certificate of Compliance was in order, based on receipt of the environmental consultant's report. She explained that the owner was required to do restoration work in two areas - and this work has been done which cost about \$12,000. The work included removing a substantial amount of debris (including asphalt). She commented that a lot of the knotweed has come back, but overall the area looks much better. Additionally the applicant told her they would have their landscaper try to continue to pull the knotweed/plants. Up to this point she feels what they have done to improve the area is very reasonable and at this point she was recommending a full Certificate of Compliance.

Cmmr. Oliverio moved to issue a Certificate of Compliance for 519-527 Columbian Street, File 81-1003.

Cmmr. Loring seconded.

UNANIMOUSLY VOTED

The August 12, 2009, Meeting will begin at 7:30 P. M. at the Weymouth Town Hall.

Ms. Schloss took a moment to review some of the items on the August 12th agenda which included a request to expand Libby Parkway parking, Planet Fitness expansion.

Cmmr. Chandler wanted to know if she expected the hearing(s) would be continued beyond August, as he wanted to point out that the Commissioners serving this evening were filling 90-day appointments.

Ms. Schloss explained that with the new 'Mullen Rule' a board member could participate in a vote even if they missed one of the applicant's public hearings if they listened to the tape of that particular hearing.

Other Business / Conservation Report

Ms. Schloss further reported that there is an outstanding violation with the Weymouth Club/Finnell Drive - and an Enforcement Order would need to be issued. She explained that the owner is supposed to be coming back before the Commission with a Restoration Plan in the near future.

Lastly, in September, the Commission is due to take their annual vote on who will serve as the Conservation Commission's Chairman for the upcoming year.

Adjournment

Cmmr. Oliverio moved to adjourn at 3:50 PM.

Cmmr. Loring seconded.

UNANIMOUSLY VOTED

Respectfully submitted,

Susan DeChristoforo
Recording Secretary

APPROVED: _____
Conservation Commission Clerk