

TOWN CLERK

Weymouth Conservation Commission

Office of the Mayor, Town Hall

November 9, 2011 Meeting

Present: George Loring, Chairman
Steve DeGabriele, Vice-Chairman
Laura Harbottle, Commission Clerk

Not Present: Scott Dowd, Commissioner

Also Present: Mary Ellen Schloss, Administrator

Recording Secretary: Patricia Fitzgerald

Cmmr. Loring called the November 9, 2011 meeting to order at 7:00 PM in the Mayor's Office at Weymouth Town Hall.

Minutes

Cmmr. DeGabriele moved to approve the minutes for September 28 and October 12, 2011 as written and amended, seconded by Cmmr. Harbottle. UNANIMOUSLY VOTED

**Lower Central Interceptor - Notice of Intent - Hearing
Town of Weymouth DPW
Map 9, Bl 136, Lot 10
DEP File #81-1093**

Cmmr. DeGabriele moved to open the public hearing, seconded by Cmmr. Harbottle. UNANIMOUSLY VOTED

Appearing before the Commission were Steven Olson and Eric Kelley of Environmental Partners, and Jeff Bina of the Weymouth DPW; Mr. Kelley submitted abutter cards to Ms. Schloss.

Mr. Kelley told the Commission that this project will be to replace 2000 ft. of 30" sewer pipe in order to eliminate sewer overflow. This project will go through salt marsh, coastal bank, coastal beach, Land Subject to Coastal Storm Flowage, Riverfront Area and Bordering Vegetated Wetland.

Mr. Kelley provided the following particulars:

- Newell Park will probably be used as staging area.
- The north end of Newell Park will be improved.
- The contractor will gain access via Circle Drive and will work north to south, going back to Montcalm St.
- Greater than 10,000 sq. ft. of wetland impacts to salt marsh and BVW, coastal beach and coastal bank from Newell Park to Trefton Ave.
- Contractor will restore all disturbed areas to pre-existing conditions.
- Trench will be (6) ft. wide.
- Work will address a total of 9 existing manholes and 2 new manholes.
- Project will work with Con Comm on developing restoration plans.
- Current manholes are covered by high tide of 15 ft. (Weymouth datum).
- Access will be by marsh mats.
- Contractor will be given (1) year to do work and restoration.
- There will be a walk-thru next week.
- Project will be of benefit to the neighborhood and the town.
- The bid will be made public.
- Work will begin in the fall of 2012 and restoration will be done in spring 2013.

Mr. Kelley stated that Newell Park will have the deepest section of pipe and the Town might consider using fiberglass pipe here instead of precast concrete.

Cmmr. DeGabriele asked how the overflow will be addressed by replacing manholes.

Mr. Kelley explained that several 1949 connections have a negative slope and the replacements will have constant slope.

Cmmr. DeGabriele said more details will be needed and asked how the staging area will be accessed and how the impact of the project will be kept to a minimum.

Mr. Kelley said the contractor will stabilize the entrance with washed stone. Geotech borings have been done and the materials in the easement are not well suited to heavy machinery.

Other information provided by Mr. Kelley (unless otherwise stated):

- The contractor will only be able to put in 50-100 ft. of pipe per day, because work will need to be done at low tide.
- The first 1200 ft. by Fore River is the contractor's largest concern and a wetland scientist will be used during stabilization and restoration.
- Mr. Olson said the work hours will be 7am – 7pm (depending on tides) and the noisy work will be done during the winter (when windows are closed).
- Pumping system will be manned 24/7.

Cmmr. DeGabriele asked how the project will be supervised.

Mr. Olson said “by a full time resident engineer (Geo tech) with an office staff” and “whenever the contractor is there, someone from the Town will also be there”.

Cmmr. DeGabriele asked if the wetland scientist will have the authority to stop the project.

Mr. Kelley said a consensus of the town representative, the site supervisor and the wetland scientist could stop the project.

Cmmr. DeGabriele asked how the plantings will be detailed.

Mr. Kelley responded that, flag by flag, they looked for growth and dominant species. He said that whatever goes back will have to be able to survive. He said that they are questioning whether phragmites should be put back or should they plant something of benefit, instead. He said that they want to work with the Commission for everyone’s benefit.

Ms. Schloss asked if the Commissioners had received the local NOI form. She handed out Environmental Partners correspondence with U.S. Army Corps of Engineers, dated Nov. 3rd (Revisions 7A and 8A).

Cmmr. Harbottle asked if they have a wetland specialist on their team.

Mr. Kelley replied that DPW has one and the contractor has to hire someone, but the onus is on the contractor’s wetland specialist.

Mr. Bina said the wetland specialist has to be approved by DPW and the town.

Cmmr. Harbottle asked if anything was factored in to account for sea level rise.

Mr. Kelley stated that no manhole will be below elevation of 15 (high tide line). He added that tidal elevations are based on NOAA’s 18-year tidal epoch for 1983-2001.

Mr. Kelley projected that the work will be mobilized in October 2012, utilities done by April 2013 and will be deemed substantially complete by the fall of 2013.

Alternatives to replacing the sewer system and the manner in which the system will be installed were discussed.

Mr. Kelley also stated:

- No heavy equipment on the easement will be left overnight.
- Turbidity curtain will be used.
- EPA is trying to use the construction general permit and the contractor will have to file a Stormwater Pollution Prevention Plan (SWPPP).

- No open trenches will be left at day's end.
- Army Corps of Engineers considers application complete; comments are due by Nov. 22nd.

Cmmr. Loring asked for questions from the public:

George Martell of 222 Idlewell Blvd. asked how existing sewerage would be treated when pipes were removed.

Mr. Olson answered him, saying all sewerage flows (and contents) will be redirected but admitted he doesn't know how it will smell.

Mr. Bina added that the work will be done in the winter, when windows are closed.

Mr. Olson assured Mr. Martell that if anything is broken by the town or the contractor, "they will fix it".

Mr. Tier of 196 Idlewell Blvd. asked how the bank will be stabilized (outside the easement). He stated that on his property there is a steep, eroding coastal bank close to the construction area.

Mr. Kelley said it is an area of concern as it is "pretty narrow".

Mr. Martell asked about raising the sewer covers, saying that they are under water at high tide.

Mr. Kelley responded that they will be made 1 ½ feet higher.

Cmmr. Harbottle asked if the manholes are water tight; Mr. Kelley said "yes".

Cmmr. Harbottle asked where ground water level is; Mr. Olson replied that, at times, it is completely below water.

Cmmr. Harbottle asked if there was anything to help reduce infiltration and inflow.

Mr. Kelley responded that the pipe will have a joint and a gasket to make it water tight.

Mr. Bina said that after the project, the pipe is tested to confirm that it can hold curtain pressure.

Mr. Kelley explained the placement of the erosion controls and the benefit of coir logs. He added coir matting will be used to prevent sloughing and it will benefit growing vegetation.

Mr. Tier noted that there can be significant ice buildup and asked how bypass pipes would be protected. He also asked about contingency plans in case of a sewer pipe breakage.

Trish Pries (of 15 Woodbine Rd.?) asked about the capacity "just before the MWRA pipe".

Mr. Kelly said they would have to look at the map.

Ms. Pries asked if any additional sewage from the Naval air base was accounted for. Mr. Olson said modeling included full base buildout and Arbor Hill buildout.

Cmmr. Harbottle moved to continue the public hearing until Jan. 11th, seconded by Cmmr. DeGabriele.
UNANIMOUSLY VOTED

21 Woodbine Road – Notice of Intent -Continued Hearing

Cmmr. Harbottle moved to open the public hearing, seconded by Cmmr. DeGabriele. UNANIMOUSLY
VOTED

A continuance was requested by the applicant.

Cmmr. Harbottle moved to continue the public hearing until Dec. 14th, seconded by Cmmr. DeGabriele.
UNANIMOUSLY VOTED

23 Seaver Road – Request for Determination of Applicability – Hearing

Norman Hassan

Map 30, BI 389, Lot 2

Cmmr. DeGabriele moved to open the public hearing, seconded by Cmmr. Harbottle. UNANIMOUSLY
VOTED

Mr. Hassan submitted abutter cards.

This application is for the construction of a (3) car garage. Mr. Hassan said he plans to use crushed stone throughout the garage and there will be no sewer or electricity installed.

Ms. Schloss explained that the distance to the resource area measures (3) ft. from the garage corner to the top of the bank. She said there is some asphalt in the area of the existing driveway and garage, which will prevent infiltration.

Ms. Schloss told Mr. Hassan that erosion controls are needed on the other side of the garage, as close to the garage as possible (no further than (10) ft. out from the garage).

Mr. Hassan what type of hay bales should be used.

Ms. Schloss told him options will be included in the Conditions, but, being flat, any type would be acceptable.

Cmmr. DeGabriele asked Mr. Hassan if the asphalt would be broken up; Cmmr. Loring suggested that it be fractured.

Cmmr. DeGabriele moved to close the public hearing, seconded by Cmmr. Harbottle. UNANIMOUSLY
APPROVED

Cmmr. DeGabriele moved to issue a Negative 3 Determination with conditions mentioned, seconded by Cmmr. Harbottle. UNANIMOUSLY APPROVED

44 Davids Island Road - Request for Determination of Applicability – Hearing

Michael Mulvaney

Map 5, Bl 13, Lot 26

Cmmr. Harbottle moved to open the public hearing, seconded by Cmmr. DeGabriele. UNANIMOUSLY VOTED

Michael Mulvaney, applicant, turned in the abutter cards. He told the Commission he was losing his embankment on the Back River and was hoping to get Con Comm approval to stabilize the embankment.

Cmmr. DeGabriele as if this was to be a temporary or permanent solution.

Randy Johnson responded, saying the plan was to put down filter cloth and armor stone, temporarily.

Ms. Harbottle stated that the project needs a site plan as this is major work being done in a coastal area with waves; the Commission needs to be shown how this will work.

Ms. Schloss explained that Con Comm needs to hear his *temporary* proposal, but the final wall could not be done without a Notice of Intent.

Ms. Schloss told the applicant that coir logs are intended for high energy situations and suggested that Mr. Mulvaney may want to contact a consultant.

Cmmr. Harbottle said the Commission would like to see a couple of options.

After some discussion, the Commissioners agreed that the applicant could be allowed to temporarily stabilize the embankment with coir logs or filter fabric anchored with stakes or large stones, provided that no fill would be allowed and no work would be conducted seaward of the existing metal guard rail. The Commissioners further agreed that the applicant should submit a written description of the proposed work to the Administrator for review and approval before proceeding.

Cmmr. Harbottle moved to close the public hearing, seconded by Cmmr. DeGabriele. UNANIMOUSLY APPROVED

Cmmr. Harbottle moved to issue a Negative 3 Determination with conditions mentioned, seconded by Cmmr. DeGabriele. UNANIMOUSLY APPROVED

81-1043 VCA Animal Hospital

**Columbian Street
Certificate of Compliance**

Ms. Schloss reminded the Commission that this COC required a Performance Bond and, for a final COC, restoration needs to be in place for (1) year. She then explained that there are some existing issues:

- Erosion controls need to be provided in a couple of areas.
- Blankets are needed in a couple of spots.
- Some of the work that was done in the spring is not stabilized.
- Conservation land had been encroached upon in the past.

As part of the Order of Conditions, slope restoration and Japanese Knotweed removal was needed; the slope restoration has been done but the Knotweed keeps coming back and encroaching. Ms. Schloss stated that as long as the slope was stabilized (and no one went into that area) it should be okay.

Cmmr. DeGabriele said that he felt they needed to finish the work so as to comply with the OOC.

Ms. Schloss said that under Condition 18C, the (Operation and Maintenance) Compliance Statement required of the owner has not been received. The maintenance contract has not been provided, just an unsigned proposal.

Cmmr. DeGabriele added that, in addition, the proposal doesn't have a beginning or an ending date.

Cmmr. Harbottle asked if the proposal stated that it was for more than (1) visit.

Ms. Schloss explained that the proposal for \$1,075.00 was for cleaning (3) catch basins and to provide evidence of such.

Cmmr. Harbottle moved to issue a Partial Certificate of Compliance, which is to be held until the proposal is signed and the owner signs (and takes responsibility for) the Operation and Maintenance schedule, seconded by Cmmr. DeGabriele. UNANIMOUSLY APPROVED

Brad Hawes Conservation Restriction – Municipal Certification

Cmmr. Harbottle told the Commission that the wording on the Brad Hawes project has been changed back to read 'Recreation' only.

Cmmr. Harbottle moved to approve the Conservation Restriction for the Brad Hawes Park extension, seconded by Cmmr. DeGabriele. UNANIMOUSLY APPROVED

Ms. Schloss explained that, as part of any Conservation Restriction, Conservation has to certify that it is in the public interest and then needs to sign off on it.

Cmmr. Harbottle moved to approve the language for the Municipal Certificate for Brad Hawes Conservation Restriction, seconded by Cmmr. DeGabriele. UANINMOUSLY APPROVED

**Whitman's Pond Vegetation Management Action Plan
CPC Funding Application**

Cmmr. Loring commented that the Town Council President didn't approve of some parts of the plan, so language was added.

Ms. Schloss said the working group meeting went well and the revisions were sent via e-mail. She said she was hoping for a response from all members the following day and added that Councilor Matthews wanted full pond treatment added to the management alternatives to be considered. No formal vote was taken.

Compliance and Enforcement Procedures Review

This Agenda item was tabled due to lack of time.

Other Business/Conservation Report

MACC Law Day: Cmmr. Harbottle will be attending in Belmont.

Rte. 18 Borings: Work has begun, but the wet area was *too* wet and the borings in wetland areas may be held off until winter.

Weymouth Landing: When work began on the Braintree portion (under Smelt Line Brook), fine-grade turbidity was created in the river, so work had to be abandoned; it needs a pipe on top of a culvert.

Weathervane: The Commission is supposed to get a Certificate of Compliance request; they may want to hire a consultant.

Grant Street: Ms. Schloss and Cmmr. Loring will go out to Grant St. regarding a 2001 Enforcement Order for some fill that has not been resolved.

Bert's Boat Yard: A boat wash has been installed but they never contacted Con Comm.

Super Petroleum Jackson Square: Erosion controls are being installed adjacent to tank removal project.

Adjournment:

Cmmr. DeGabriele moved to adjourn the meeting at 10:00 PM and to meet again on December 14, 2011 at 7pm, Town Hall Council Chambers, seconded by Cmmr. Harbottle. UNANIMOUSLY VOTED

Respectfully submitted,

Patricia Fitzgerald

Approved:

Laura Harbottle, Conservation Clerk

Date