

**Weymouth Conservation Commission
Minutes of November 14, 2007 Meeting
Town Hall Chambers**

Present: John Thompson/Chairman, Scott Coven/Clerk, Commr. Jeff Kent,
Commr. Adrienne Gowen

Also Present: Conservation Administrator, Mary Ellen Schloss

Chairman Thompson called the November 14th, 2007 meeting of the Conservation Commission to order at 7:38 p.m.

**200 River Street – Continued Hearing
Joseph Ciarlone
DEP File #81-1021
Notice of Intent**

A motion was made to open the continued public hearing for 200 River St., DEP File 81-1021. Seconded.
UNANIMOUSLY VOTED.

The applicant's engineer, Shawn Hardy came before the board and discussed changes that had been made to the plan since the last meeting. These included a set of pilings to replace a pair of sonotubes located at the landward end of the pier structure.

Mr. Hardy explained that work would be done from a barge on the water side. No machinery would be placed on the salt marsh. Piles would be driven straight down using a rig located on the barge. The barge would sit on the mud flats if the work was to take more than one tide cycle.

Erosion controls will be placed at the bottom of the coastal bank prior to work.

Ms. Schloss asked whether the pier could be constructed to avoid or minimize construction in the salt marsh. Mr. Hardy replied that sonotubes would be dug down about 4 feet.

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

A motion was made to close the public hearing for File 81-1021. Seconded.
UNANIMOUSLY VOTED.

Members discussed the most recent Order of Conditions issued for a dock and pier project at 78 Prosepect Hill Drive (81-1020) and agreed that the same conditions would be appropriate, along with the addition of erosion controls to be placed at the toe of the slope.

A motion was made to approve a standard Order of Conditions for File 81-1021 with special conditions as discussed by the Administrator and Commission. Seconded.
UNANIMOUSLY VOTED.

**219 Sheri Lane
Erin Cunningham
DEP File #81-1022
Notice of Intent**

A motion was made to open the continued public hearing for File 81-1022, 219 Sheri Lane. Seconded.
UNANIMOUSLY VOTED.

Chairman Thompson stated that he and Commissioner Kent visited the site. He stated that they felt that the 24 shrub plantings recommended by the Administrator was too high. Mr. Kent added that he felt the shrubs would be most valuable on the southern end of the property.

The applicant's engineer, Shawn Hardy, stated that they would be using a cartridge filter that did not require backwash.

The Commissioners discussed the fact that the Certificate of Compliance for the house construction (DEP File 81-659) had never been issued and that the Request for a Certificate of Compliance should be filed prior to the start of pool construction.

The requirement for shrub planting was discussed and Commissioner Coven stated that he felt 20 shrubs would be an appropriate number for the planting.

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

A motion was made to close the public hearing for File 81-1022. Seconded
VOTED UNANIMOUSLY.

Discussion ensued on an Order of Conditions for 219 Sheri Lane, including:

- Standard swimming pool conditions
- Require filing of Request for Certificate of Compliance for DEP File 81-659 prior to start of construction
- Require planting of 20 native shrubs with wildlife habitat value, from list developed by Administrator

A motion was made to issue an Order of Conditions with the above special conditions. Seconded.
VOTED UNANIMOUSLY.

0 Healy Road
Ryder Development Corporation
DEP File # 81-1023
Notice of Intent

A motion was made to open the public hearing for 0 Healy Road, File 81-1023.
Seconded.
UNANIMOUSLY VOTED.

The applicant's engineer, Al Trakimas of SITEC Engineering, came before the board.

Ms. Schloss discussed that she had observed a culvert between wetland flags #50 and #60 which connected the "isolated" wetland to the larger Bordering Vegetated Wetland. She asked that the "isolated wetland" label be removed.

Ms. Schloss stated that the Planning Board had a pending hearing for the project and would be discussing road conditions which might include some changes that would be pertinent to the Commission's concerns.

The Commissioners discussed this and agreed that the hearing should be continued to allow time for the Planning Board to comment on the project. The applicant agreed to a continuation of the hearing.

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

A motion was made to continue the public hearing for 0 Healy Road, File 81-1023, to the next meeting on December 12th. Seconded.
UNANIMOUSLY VOTED.

45 Colonial Road
Joseph McDonald
DEP File # Not Available
Notice of Intent

A motion was made to open the public hearing for 45 Colonial Rd. Seconded.
UNANIMOUSLY VOTED.

Chairman Thompson noted that the Commission had not yet received a file number for the project, which was construction of a new garage. He also mentioned a shed and deck behind the house which were partly or entirely located on adjacent property (town land) and which had apparently never received permits.

Mr. Shawn Hardy, the applicant's engineer, came before the board. He stated that the shed and deck were on the property when the owner bought the house in 1999. He asked whether the sonotubes should be removed if the Commission required the deck to be

removed. Mr. Hardy also explained that the new garage would be raised above the floodplain.

Chairman Thompson asked whether the applicant could request the building department for a permit for the deck and shed, and wondered whether the building department would allow this. Chairman Thompson also stated that the Commission would likely require some plantings to mitigate for the project and prevent continued encroachment into the non-disturbance buffer zone adjacent to the salt marsh.

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

A motion was made to continue the public hearing for 45 Colonial Rd. to the next meeting on December 12th for receipt of the DEP File number, and to allow the applicant and Administrator to research what should be done with the deck and shed. Seconded. VOTED UNANIMOUSLY.

**140 Trefton Ave.
Michael DelVecchio
Request for Determination of Applicability**

A motion was made to open the public hearing for 140 Trefton Ave. Seconded. UNANIMOUSLY VOTED.

The owner and applicant, Michael Delvecchio came before the board to explain his application to construct a new driveway within the buffer zone to the salt marsh. Most of the work was done, so this was an after-the-fact filing. He explained that his roadway, a private road, kept sinking and that he has put dirt and gravel on it over the years to keep it up. He has been there since 1997 or 1998 and has been maintaining it ever since. He stated that he did not know how much fill he has placed there, but that he has been placing fill and crusher run on the roadway every few years. He also explained that he would like to take down one tree.

Chairman Thompson stated that he felt it would be alright to take down the tree but that he did not want anymore fill placed without a permit from the Commission. He also stated that it might be appropriate to move the fill farther back from the beach.

Commissioner Kent stated that he wanted to ensure that slopes are stabilized and naturalized. He stated that he would like a survey done of the property.

Ms. Schloss stated that the Department of Public Works Engineering Division conducted a survey of the Trefton Rd. layout and found that the retaining wall encroached slightly onto the Trefton Rd. layout.

The hearing was opened to the public.

Mr. Bill Pomfret of Idlewell Boulevard, an abutter, came before the board. He stated that he did not agree with what had been said about the work done. He stated that he has seen multiple dump truck loads dumping fill on the property. He stated that the fill has moved the high tide line farther back and that fill had been placed on the beach. Mr. Pomfret said that the cleared area has created a parking area there now and he asked whether the parking area was even owned by the applicant. He stated that the public uses the end of Trefton Road as an access point for the beach for walking, canoeing, kayaking and waterskiing. He stated that it is guaranteed public access. He questioned why Mr. Delvecchio needed such a large parking area. He finally added that the applicant had been dumping fill on the beach for years.

Chairman Thompson stated that it looked to him that the fill placed by the applicant had created a more gentle slope.

Mr. Pomfret stated that the sumac plants would be under water if there had been no filling. He stated that he would like to ensure that public access to the beach is not blocked, that there be no more filling and destruction of the natural setting, and that there be no storage of trucks on the property.

Ms. Lee Derry of the Idlewell neighborhood spoke next. She stated that the placement of fill on the beach has caused weeds to grow up which are difficult to walk through.

Mr. Delvecchio stated that the Administrator told him that he could not cut the weeds.

Chairman Thompson stated that he did not want any more filling on the road or the beach and that he would want a coastal seed mix spread on the fill slope.

A motion was made to close the public hearing. Seconded.
VOTED UNANIMOUSLY.

The Commission discussed issuance of a Negative 3 Determination, with the following conditions:

- The tree would be allowed to be removed
- Require seeding with a native coastal seed mix (e.g., New England Wetlands Plants coastal seed mix)
- No more grading or filling allowed without a filing and approval by the Commission
- The retaining wall between the house and Trefton Road must be moved toward the house and outside of the Trefton Road layout.

A motion was made to issue a Negative 3 Determination with the above conditions.
Seconded.
VOTED UNANIMOUSLY.

9 Colonial Road
DEP File #81-81-988
Certificate of Compliance

A motion was made to issue a Certificate of Compliance for 9 Colonial Road, DEP File 81-988 as recommended by the Administrator. Seconded.
UNANIMOUSLY VOTED.

Meredith Way
Bristol Brothers Development
DEP File # not available
Notice of Intent

A motion was made to open the public hearing for Meredith Way, Bristol Brothers Development. Seconded.
UNANIMOUSLY VOTED.

Due to a scheduling conflict, a motion was made to continue the hearing to the next meeting on December 12th. Seconded.
UNANIMOUSLY VOTED.

519-527 Columbian St
Quincy Credit Union
DEP File #81-1003
Amendment to Order of Conditions

A motion was made to open the public hearing for 519-527 Columbian St, DEP File 81-1003. Seconded.
UNANIMOUSLY VOTED.

Robert Fleming, Esq. came before the board for the applicant. Commissioner Gowen recused herself from the hearing as she has an affiliation with the Quincy Credit Union.

Attorney Fleming explained that the project had been downsized from the original project that received an Order of Conditions under DEP File #81-1003. He stated that all the environmental controls would be the same and the amount of impervious surface to be added would be the same as well. He stated that the Board of Zoning Appeals met earlier in the evening and unanimously approved two special permits and four variances for the project.

Tom French of Cubellis, the applicant's engineer, came before the board and explained that the work is basically the same as previously approved. He stated that there would be the same setback and the same stormwater management system.

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

A motion was made to close the public hearing. Seconded.
UNANIMOUSLY VOTED.

A motion was made to approve an amended Order of Conditions for 519-527 Columbian St, DEP File 81-1003, using the same special and standard conditions but referring to the new set of plans. Seconded.
UNANIMOUSLY VOTED.

**129 Fort Point Road
Certificate of Compliance
DEP File #81-1010**

A motion was made to issue a Certificate of Compliance for 129 Fort Point Road, DEP File 81-1010 as recommended by the Administrator. Seconded.
UNANIMOUSLY VOTED.

**Woodcrest Court Condominiums
Release of Enforcement Order**

Ms. Schloss explained that Woodcrest Court Condominiums had conducted the work required under Enforcement Orders issued by the Commission on January 25 and July 2, 2007. She explained that the Condominium association was looking for a letter stating that the conditions had been met. She recommended the Commission issue a letter to this effect. A motion was made to issue a letter certifying compliance with the Enforcement Order to Woodcrest Condominiums. Seconded.
UNANIMOUSLY VOTED.

Other Business

Lot 5 Duncan Circle - Ms. Schloss explained that Andy Dignan, owner of Lot 5 Duncan Circle, DEP File 81-1004, had asked her whether some minor changes could be made that would reduce the footprint of the house and re-orient the location of the garage. The changes would be less impact on the resource area and less impervious surface. The Commissioners agreed that this could be done without an additional filing.

Conservation Land Trails - Commissioner Coven stated that he walked on the Conservation Land behind the High School and found that there are sufficient trails from this entrance.

Meredith Way – The Commission voted to hire Dr. Wang of Carr Research Laboratories as the Commission’s independent consultant under the Town of Weymouth Wetlands Protection Ordinance. The Commissioners asked Ms. Schloss to contact Gale Associates and have them send a copy of the plans to Dr. Wang.

Adjournment

A motion to close was made at 10:40 p.m. Seconded.
UNANIMOUSLY VOTED.

The December 12, 2007 meeting of the Weymouth Conservation Commission will be held at the Weymouth Town Hall/Town Council Chambers at 7:30 p.m.

Respectfully submitted,

Mary Ellen Schloss
Conservation Administrator

APPROVED: _____
Scott Coven, Clerk

DATE: _____