

**COMMUNITY PRESERVATION COMMITTEE
RECORD OF MINUTES AND PROCEEDINGS
APRIL 2, 2009
MINUTES**

PRESENT:

Walter Flynn, Chairman
Arthur Mathews, Vice Chairman
Stephen Ford
Laura Harbottle
Dan Condon
James Cunningham
Scott Coven, Clerk
Christopher Hannan

ALSO PRESENT:

Robert Luongo, Economic Development Planner

RECORDING SECRETARY:

Christine Callbeck

Chairman Flynn called the meeting to order at 7:00PM.

APPROVAL OF BILLS

Chairman Flynn asked all members to review and sign the various invoices that were being circulated.

RESIGNATION OF THOMAS CURTIS

Chairman Flynn reported that Tom Curtis has resigned from the Historical Commission and thus from the Community Preservation Committee effective March 18, 2009.

RESIGNATION LETTER FROM PAUL TONER

Chairman Flynn also indicated that Mayor Kay received a letter of resignation from Paul Toner, Commissioner on the Board of the Weymouth-Braintree Regional Recreation Conservation District (Pond Meadow Park). Chairman Flynn stated that this leaves an open position on that Board.

REVIEW CEMEMTERY COMMISSION FUNDING REQUEST

Chairman Flynn tabled this item until additional information is provided by the Cemetery Commission including a breakdown of the two cemeteries and the costs per each.

WOODBINE PROPERTY CONSERVATION RESTRICTION

Chairman Flynn stated that he was reluctant to start the discussion on this item on the agenda without the abutters/neighbors present. Mr. Mathews stated that he knows that the neighbors

stand by the letter sent to the Mayor and that if the Town should proceed, the neighbors will pursue it. Mr. Mathews further stated that he advised the neighbors of this meeting.

Chairman Flynn asked Mr. Luongo if he had received any comments from the Committee members regarding items A and B of the Draft Conservation Restrictions.

Mr. Cunningham had questions on the prohibited and allowed uses and wants to make sure that they apply. Mr. Luongo stated that he will talk with Solicitor Lane and report back to the Committee. Mr. Luongo stated that the Grantee is the enforcer of the Conservation Restrictions only and not active in doing things on the site. Mr. Luongo stated that Solicitor Lane will address this issue.

Chairman Flynn suggested taking the document paragraph by paragraph with a vote/show of hands.

Mr. Ford stated that the CPC purchased this land so that the Town's residents can use the land. Now the local residents don't want people using the land.

Mr. Mathews stated that the residents think if you open up a parking area, there will be too many people/vehicles. The residents don't want many vehicles to travel down Woodbine Road. Parking on that street is very limited. Most families in that neighborhood have two parents that drive and a child that drives; that's three cars on their lot. Therefore the street is already crowded and it is not wide enough to have more vehicles. Mr. Mathews further stated that he is sure that the residents will insist on signs that say no parking on the street for park use. Mr. Mathews stated that the ultimate decision on parking comes down to the Traffic Engineer. Mr. Mathews stated that the residents want residents to use the open space with no vehicles on site. Mr. Condon stated that it is a narrow road and he cannot see how there could possibly be any spaces created. Ms. Harbottle agreed with Mr. Condon; the area is small and the people in the immediate area could walk and use the park. Ms. Harbottle has no problem with the fact of no parking. Chairman Flynn stated that the issue is parking at the site, not parking on Woodbine Road. Mr. Cunningham stated that just because it is stated in the document does not mean that the Town will ever create parking spaces. Chairman Flynn reiterated; the parking issue at Woodbine Road is not a CPC issue and the Traffic Engineer and/or Traffic Officer is not present to address the issue. The Committee is rightfully concerned but this is not a CPC issue. Mr. Cunningham and Mr. Ford both stated that the document needs to look to the future; don't make the document too restrictive.

Chairman Flynn stated that he feels that the Grantee verbiage is not necessary. The Committee needs to look and see what Solicitor Lane decides and/or recommends on the language.

Chairman Flynn asked the Committee to answer if they have issue with items A or B:

Mr. Cunningham stated, other than the before mentioned, no.

Mr. Ford stated no.

Mr. Hannan stated no.

Ms. Harbottle stated that she would feel better with the language to include keep trails unpaved. Chairman Flynn stated that the word “unpaved” was deleted and in deleting the word the document is left vague as to paved or unpaved.

Mr. Condon stated no.

Mr. Coven stated no.

Mr. Mathews made a MOTION to MODIFY the document to remove the wording “launching of non motorized canoes/kayaks, horseback riding.” Ms. Harbottle SECONDED the MOTION.

Discussion: Mr. Mathews stated that the residents should not launch from this site or the island. Mr. Cunningham stated that if the language is removed it becomes a moot point, unless you add it to the prohibited list. Mr. Coven suggested that the CPC should not worry about the liability of the Town and to trust our neighbors to use the property respectfully. Mr. Mathews stated that this conservation restriction document is by and large a great document, but, personally, he agrees with the neighbors and does not want a boat launch. Mr. Mathews would like to see it connect with the Back River Trail.

Vote: Motion Defeated. Mr. Mathews voted yes. Mr. Ford, Mr. Condon, Mr. Cunningham, Mr. Coven, Mr. Hannan and Chairman Flynn voted no. Ms. Harbottle abstained.

Mr. Mathews made a MOTION to MODIFY the document to remove the wording “vehicle parking area”. Ms. Harbottle SECONDED the MOTION.

Vote: Motion Defeated. Ms. Harbottle and Mr. Mathews voted yes. Mr. Condon, Mr. Coven, Mr. Hannan, Mr. Ford, Mr. Cunningham and Chairman Flynn voted no.

Mr. Mathews made a MOTION to MODIFY the document to delete in Paragraph B, Sub Paragraph #12, “the construction of boat ramps and/or docks for the use of non-motorized canoes and kayaks.” Mr. Cunningham SECONDED the MOTION.

Discussion: Mr. Ford stated that he does not agree with Mr. Mathews. Mr. Ford stated that residents may want to launch from that spot to get to the island at a later date. Mr. Cunningham stated that residents do just that right now.

Vote: Motion Defeated. Mr. Coven, Ms. Harbottle, Mr. Mathews and Mr. Cunningham voted yes. Mr. Condon, Mr. Hannan, Mr. Ford and Chairman Flynn voted no.

Mr. Luongo stated that this template document was in the prescribed format. The Grantor, the Town of Weymouth, gives rights to the Grantee to enforce the conservation restrictions. The Grantee is given no rights to do anything other than what the Town allows or disallows. Mr. Luongo stated that Solicitor Lane will need to rule on the language in this document. Chairman Flynn further stated that the Grantee cannot make any changes to this document. Mr. Mathews stated that the Grantee’s job is to look at the property once a year and make sure that nothing has been done to the parcel that was not already agreed upon. Mr. Luongo stated that he will get the revised document to Solicitor Lane and then to the Mayor for approval.

Mr. Hannan made a MOTION to RECOMMEND the Conservation Restrictions to the Mayor. Mr. Ford SECONDED the MOTION.

Discussion: Mr. Mathews stated that he will vote no. Mr. Mathews feels that the document is 95% excellent.

Vote: Motion Passes. Mr. Ford, Mr. Condon, Ms. Harbottle, Mr. Cunningham, Mr. Coven, Mr. Hannan and Chairman Flynn voted yes. Mr. Mathews voted no.

OTHER BUSINESS

CEMETERY COMMISSION FUNDING REQUEST

Chairman Flynn stated that the Cemetery Commission came before the CPC and talked about the work being done at Reed and Elmwood Cemeteries. The representatives stated that they would come back and explain the work to be done at both of the cemeteries individually. They would like to pursue the work at Reed Cemetery and then the work at Elmwood Cemetery. They stated that they would come and provide videos from WETC and CD's with information regarding the number of graves and the work to be done at each. Chairman Flynn stated that he would like to see this presentation at the next meeting.

Mr. Hannan asked if while the Cemetery Commission is doing work on the lists, could they prioritize the graves, just in case CPC needs to fund only a part of the work.

Mr. Mathews suggested that the Commission come before the CPC soon in order to get the funding underway before the summer recess for Town Council.

Chairman Flynn stated that CPC budgeted FY10 based on a 30% reimbursement; now DOR says it will be a 29% budget. CPC will no doubt need to submit a supplemental budget later in the year.

WHITMAN'S POND (HERBICIDE TREATMENT)

Mr. Mathews was recently at a meeting with Bob O'Connor and Maryellen Schloss to discuss restoration work in Whitman's Pond. Proposals for the work are being prepared for submission. The Whitman's Pond Association will pick the cheapest proposal, and then they will come in at the next meeting of the CPC to present their project. The work needs to be done in the summer so time is of the essence.

Mr. Hannan asked how effective was last year's work? Mr. Mathews stated that the pond is 205 acres. The work done last year covered only 10 acres. Mr. Mathews stated that most companies have suggested doing a follow up herbicide treatment. The Town is taking care of sewerage overflows that happen. Storm drains that run off the street also affect the pond. Last summer when the weed harvesting was done, close to 50 dump trucks loads of debris were removed from the site and put into compost. There has been discuss on getting two separate proposals one for

half of the pond and one for the other half. Ms. Harbottle asked where this fits with CPC. Mr. Mathews stated that it is restoration and historic value of the pond and preservation of natural resources. This project was approved two years ago. It was held up by the previous administration for over a year. Over that year, the price went up. So, the pond did not receive the full two weeks' worth of work because the Conservation Commission needed to evaluate the type of weeds being considered for removal.

Mr. Mathews stated that right now there is an open conservation permit from D.E.P. to get but it is a time sensitive issue. Mr. Mathews stated that the ideal time to get the most benefit of working on the pond would be in June.

Chairman Flynn indicated that when a proposal is to be presented that the Conservation Commission is interested in a Conservation Commission member should be present to answer questions. Chairman Flynn stated that he is under the impression that the CPC will be presented with a proposal to do work on the pond each year. Such periodic use of funds looks like maintenance. Chairman Flynn stated that he feels that the best way to address the issue is through purchase of a weed harvester.

Mr. Mathews stated that the Whitman's Pond Association (WPA) has always wanted to come forward with a plan that would address efforts for more than one year. Mr. Ford asked Mr. Mathews if the WPA ever asked Braintree if they would share use of a harvester with Weymouth. Mr. Mathews stated that the herbicide discussion is a cheaper way to go. When you purchase a weed harvester, it incurs the expense of DPW to remove the waste to the compost site. If the Town purchases the machine, they would need an operator as well. If the WPA purchased the machine, where would they store the machine? The operator would need to be insured with the Town. Chairman Flynn stated that the Town can purchase a machine and hire a driver. Chairman Flynn stated he will ask Solicitor Lane for his opinion on this issue. Mr. Mathews suggested speaking with Stuart Saginaw before talking with Solicitor Lane.

STORMWATER RETROFIT PROJECT

Submitted by Conservation Commission

Mary Ellen Schloss/Scott Coven

Mr. Coven handed out a funding proposal that he and Mary Ellen Schloss prepared on behalf of the Conservation Commission. This is a proposal to ask for funds to go with a state grant that pays 60% of the costs. An upgraded Storm Water Project in Jackson Square is proposed to considerably reduce pollutant runoff after a rainstorm. The likely site is the Municipal Parking lot behind Toma's which involves a gravel wetland. This Natural Resource Improvement Project will improve the water quality in the Back River and the Herring Run which is an important fixture for Weymouth and the state as it is home to many shellfish beds. By removing 80-90% of sediment, oil and dirt, the project will improve the state of the ecology and provide natural beauty for wildlife and citizens to enjoy. This proposal is contingent upon receiving the grant from the state.

Mr. Mathews asked what the cost of the project is. Mr. Coven stated that it is estimated at \$500,000. The proposed amount to be asked of CPC is \$210,000. If the project is approved and

then the grant doesn't come through, CPC gets the funds back. Mr. Mathews asked what the timeframe on this project is. Mr. Coven stated that Mary Ellen will come to the next meeting and discuss. Mr. Mathews stated this needs to be expedited quickly before Town Council goes on summer recess.

HOUSING

Mr. Luongo asked if the Committee would like to have Roland Moussally back in for questions. Mr. Mathews stated that he believes that he left it with Roland as an open-ended question. Mr. Luongo stated that Roland has the purchase and sale with the Town. The funds will not go for the acquisition but for rehabilitation of the property. Mr. Ford stated CPC wants Roland to purchase and then come and see CPC for the rehabilitation. Mr. Luongo stated that Roland needed to prove that he had a match. Mr. Ford stated that he feels as though it raises too many issues now. Mr. Condon and Mr. Coven both agreed that the CPC should have Roland in again to cover some questions.

Mr. Luongo asked Mr. Cunningham to see if Roland is ready to come back in. Mr. Luongo asked the Committee members to send any and all questions that they would like answers to on this project to him at the Planning Office.

FOGG LIBRARY

Mr. Ford asked what the status of the work is. Mr. Luongo stated that he does not know. Mr. Mathews stated that it was listed in the Weymouth News for bid/RFP. Mr. Cunningham asked can the Whitman's Pond Association get information within two weeks. Mr. Mathews stated that the Committee should not wait a month to meet again.

NEXT MEETING

The next meeting will be held on April 16, 2009 at 7:00PM at the Whipple Center.

Mr. Mathews stated that he will ask the WPA to give their proposal to Mr. Luongo for the Committee's review.

Mr. Ford asked Mr. Coven what would be the estimated pollution levels if the work is not done for the Herring Run? Mr. Coven stated that he plans to show the real need at the next meeting.

ADJOURNMENT

At 9:00PM, there being no further business, a MOTION was made by Mr. Mathews to ADJOURN and SECONDED by Mr. Condon. UNANIMOUSLY VOTED.

Approved by: _____
Walter H. Flynn, Jr., Chairman

Dated: _____