

**CONSERVATION COMMISSION**  
**781-982-2100**

**Minutes**  
**Conservation Commission**  
**March 26, 2013**  
**7:00 p.m.**  
**Buckley Room**

**Members Present:** Denis Bergin, Chair, Joe Feeney, Bill Stone, Jerry Kelliher, Mike Noonan (Assoc.), Russ Forsythe (Assoc.), Kathy Creighton  
**Absent:** Chris Kane, Nathan Elliott

The chairman announced that the open meeting is being videotaped and Ellen Powers is audio taping.

7:00 p.m. Chairman declared under G.L. c.30A, Sec. 21 that the purposes of the executive session will be to discuss strategy regarding litigation known as Powers, et al. v. Park, et al., Plymouth Superior Court, C.A. NO. PLCV2013-00151 because an open meeting may have a detrimental effect on the litigation position of the Commission and with the Commission to return to open session at the conclusion of the executive session.

Moved that the Conservation Commission go into executive session, under G.L. c.30A, Sec.21 for the purposes and reasons declared by the Chairman, with the Commission to return to open session, motion by Bill, seconded by Joe, roll call vote: Joe, Kathy, Bill, Jerry, Denis – aye.

Motion to reconvene to open meeting at 7:50 p.m. made by Kathy, seconded by Joe, with roll call vote: Joe, Bill, Jerry, Kathy, Denis.

Open meeting resumed at 7:52 p.m.

Meeting with Timothy Dexter and Ed Hutchinson, MassDOT, re Route 18 widening and exploratory borings that are exempt by the WPA. As part of traffic and stormwater investigation, they are doing some soil test pits and borings in Abington and Weymouth, a lot of them outside resource areas, and within existing pavement. There are three locations within buffer zone in Abington – Route 18 and Oak Street there are 2 soil test pits and 1 soil boring, with borings going down 20 ft and test pits down 10 ft. It is minor activity in buffer zone, temporary in nature. Cited regulations. Will install erosion control measures - 12-18 inch tube, that doesn't require digging a trench to install. Just laid flat and staked into ground. Can be removed and used in another location, or can be cut and compost can be spread. There will be an excavator and slightly larger machine for borings. Pits and boring will be backfilled and seeded.

Ed Hutchinson reviewed the vegetation in the area. Area has been flagged three times in the last ten years. Line is well defined, and it had been surveyed on the ground. Will be backfilled the same day. Board wanted to know diameter of pits and borings. Test pits and borings will be at least 50' from the wetlands.

Kathy – does board have authorization to go out because there is no filing? Board can contact geo-tech supervisor and contractor will bring out anyone who wants to go out. Board had contacted DEP. Kathy wanted to go out to site and confirm line, feels test pits are significant. Is there access route? Mr. Hutchinson - it isn't as dense out there as it looks. Kathy was concerned with amount of work to be done.

It is negligible work, low impact, fairly open area. Work needs to be done as soon as possible. This is to finish storm water report. They will be bringing in a water truck.

Joe – wanted contact info on contractors. John Testa, MassDOT, can get the information to the board. Site will be stabilized same day as work. Denis – RDA could go on to next meeting. Kathy would be more comfortable with this, would like an RDA. This is more than just minor activity. Joe agreed, wants information on equipment to be used also.

Tim Dexter recapped information. Will cause minimal disturbance. He would come back if board has additional questions, but would like to move forward with project. Denis – wants additional information before it goes forward. Kathy – it is significant enough for filing, wants an RDA.

Tim Dexter – they want transparency. This is being done throughout the state and they go above and beyond as far as coming out to meet with boards and providing the information. It was the consensus of the Board to have an RDA submitted.

84- 465, 0 Adams Street – request by the applicant to continue to April 23 due to Planning Board schedule. Chairman opened the hearing. Motion to continue to April 23<sup>rd</sup> made by Joe, seconded by Jerry, unanimous.

Report on Annual MACC meeting: Joe – very informative, geared to new commissioners. Recommended it to anyone – learned so much. Joe is probably going to take three webinar classes. Kathy enjoyed it – took stormwater class basics and management – very informative.

Old business – Joe drafted a letter for departments regarding work within Commission's jurisdiction. Minor revisions suggested.

New business

Building permits: 11 Warner Road – shed – no wetlands on GIS and Jerry looked at it. 90 Leonard Farm Road – not within GIS wetlands area, but someone will look.

Correspondence:

The next South Shore Conservation Commission Network meeting will be on March 28 – 8:45a.m.–11a.m., at Norwell town Hall.

Letter received from Dan Callahan, Water Department, in response to our letter.

Site visits discussed – it was suggested home owner be called for appointment.

ZBA agenda – Joe will come in and look at plans.

E-mail from Christopher Demars, 101 Dale Street.

Jim Dombrowski e-mailed articles that will be on the warrant for ATM on 6/10/13.

Minutes – March 12, 2013 – motion to approve made by Bill, seconded by Jerry, 4 ayes, 1 abstention (Kathy).

Motion to adjourn at 9:00 p.m. made by Joe, seconded by Jerry, unanimous.

Respectfully submitted,

Nancy Hurst