

# Department of Planning and Community Development

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Mayor Joseph C. Sullivan

## Braintree Conservation Commission

Patrick Flynn, Chair  
Donald Murphy, Vice-Chair  
Diane Francis  
Matthew Hobin  
Daniel J. McMorrow, Jr.  
Gail Poliner-Feldman  
Alan Weinberg

Staff Kelly Phelan

## CONSERVATION COMMISSION MEETING MINUTES THURSDAY, DECEMBER 1, 2011

Members Present: Patrick Flynn, Chair  
Gail Feldman  
Diane Francis  
Matthew Hobin  
Gus Murphy  
Alan Weinberg

Staff: Kelly Phelan

**APPROVED**

### Public Hearings

#### **Notice of Intent DEP File #8-613 825 Granite St./Sealcoating, Inc.**

Attorney Frank Marinelli was present on behalf of Sealcoating, Inc., with the principles of the company, Elizabeth "Biffy" Wuori and Richard Goodick. Also present was Tom French of Highpoint Engineering.

Mr. Marinelli said they revised the basin and will comply with the tree policy. He said at the last hearing stormwater was addressed and that Mr. French would respond to staff report 3.

Tom French provided the Commission with a written response to staff report 3. He said they revised the NOI form relative to the amount of alteration of bordering land subject to flooding. He said they adjusted these numbers down to reflect that the area of trees within the settling basin which will be saved.

Mr. French said that relative to the comment on recharge rate, they would accept confirmation of the rate as a condition and they would confirm prior to construction. He said the basin would recharge the 1 inch storm within 30 hours and the 1.5 inch storm within 50 hours. He also provided historical precipitation statistics to show that frequency of these type of storms; about 10 days a year for the one

inch storm and 3 days a year for a 1.5 inch storm. He said this was not enough to change the hydrologic regime.

Ms. Feldman asked if it met the 80% TSS removal rate. Mr. French said he thought that was reasonable. Staff said the DEP handbook indicated a 50% removal rate for this type of basin. Mr. French said they complying with the redevelopment provisions for stormwater and treating 3 ½ times the amount of the increase in pavement.

Mr. French said he provided the calculations for the size of the stormceptor to show that it provides treatment for the one inch storm. Mr. Flynn asked about larger storms. Mr. French pointed out the overflow from the basin. Mr. Flynn noted there would be some TSS removal between the overflow and the wetland.

Ms. Feldman asked about emergencies. Mr. French said the fuel and asphalt tanks are above the trench drain and water treatment unit. He said they keep spill kits on site. He also said that treatment (stormceptor) unit can capture gas and oil. Staff said the tanks are double-walled or have other containment. Mr. Marinelli said the tanks meet the specifications of the fire department and they are state of the art.

Mr. French addressed the O&M plan and said they changed language to say “no deicing compounds” and to provide for maintenance of the stormceptor two times a year instead of one.

Mr. French addressed the pipe from the asphalt containment to the trench drain and noted that a sump pump would be placed in the tank and the stormwater piped to the trench drain. This is to avoid piping the stormwater from the tank to the town’s storm drain system.

Mr. French said the statement regarding the illicit discharge detection would be provided to the Building Department and the Commission prior to the start of work.

Mr. French said they would file for a 401 Water Quality Certificate from DEP. Ms. Feldman asked if this was for filling in the floodplain or for discharge to critical area. Mr. French said that the local Order of Conditions usually serves as the Water Quality Certification and they will provide the information to DEP and see what they say.

Mr. French said that asphalt will be removed from vehicles on the job site and that vehicle washing would be inside the building.

Mr. French noted the staff report comment relative to another stormceptor for the rear lot and said there was not enough elevation difference between that and the swale. Mr. French said they came up with another option to provide treatment for the back of the parking lot. They proposed a compost filter sock which is a nylon tube filled with compost. It is used in place of haybales but can left in place long-term. It is embedded with grass seed and becomes vegetated. He said it provided upwards of 60% TSS removal and removes oil and grease as well. Mr. Flynn asked about maintenance considerations. Ms. Feldman suggested it be included in the O&M plan.

Ms. Feldman asked if the Town Engineer has commented yet. He has not. Ms. Feldman would like to hear from him. Ms. Feldman also said the conditions should include reference to the emergency protocols.

Staff asked the Commission if they wanted the fence around the wooded area in back to be removed as it was unnecessary. The Commission did not.

Motion by Mr. Murphy, second by Mr. Weinberg, to proceed to draft conditions for the December 15<sup>th</sup> meeting. Vote: 6-0.

### **Request for Determination of Applicability Fore River Railroad/MWRA**

Matthew Horan from the MWRA was present. He said they propose to replace the existing grade crossing at Elm St. to bring it up to code. They will put crossing gates in the travel lanes and sidewalks and replace the road surface and sidewalk.

Ms. Francis noted that there is an elementary school nearby which is a walking school. Mr. Horan said they will do the work in the summer and the addition of pedestrian gates is for safety.

Mr. Horan said that most of the work is within the roadway and running wires down the track. He said they will place haybales around the wetland.

Staff said it doesn't appear to be any new disturbance and is work within the buffer zone. Ms. Feldman asked about the wetland. Staff said it is not associated with any river or stream though there is a drainage channel through it.

Mr. Flynn asked for public comment. Jeff Lawrence from 477 Elm St. asked about the long-term plans for the Fore River Railroad. Mr. Horan said they plan to continue ownership and the use of rail for the sludge fertilizer pellets and the fatty acids for the soap factory at Twin River. He said they don't anticipate any new business.

Lawrence Perfetti from 460 Elm St. said he abuts the easement and asked if the town could clean out the culvert under Elm St. Staff said she would pass this request to the DPW.

Ms. Feldman asked Mr. Horan why they were doing the upgrades. Mr. Horan said that the crossing was built in the 1970s and it is hard to get replacement parts. He said they need to bring it up to code and increase safety because people cut in front of the trains since they are no gates.

Ms. Vadya from 22 Jay St. asked if the tracks would be raised and said there is water way from the tracks to the wetland that needs to be maintained. She also asked if the gates would stop kids from coming down the tracks to her yard and what was stored in the cars when they are parked on the side track behind Jay St. Mr. Horan said cars stored on the side track are usually empty but occasionally there are some with animal fat for the soap factory. He said the fat is solid. The cars are wrapped with steam pipe which is heated when they want to drain the tank at the factory.

Ms. Feldman asked about the water way Ms. Vadya mentioned. Mr. Horan said there was a drainage area to conservation land.

Mr. Weinberg asked for confirmation about the tracks. Mr. Horan said the tracks would not be raised.

Ms. Feldman asked when the work would be done. Mr. Horan said next summer, over a period of a few weeks. He said the neighbors would be notified when they plan to start work.

Motion by Mr. Weinberg, second by Mr. Hobin, to issue the negative determination for the Fore River Railroad crossing at Elm St. with the two conditions suggested by staff on erosion control. Vote: 6-0.

## **Other Business**

### **No Dumping Signs**

Staff said she has received complaints about people dumping yard waste in two different parcels of conservation land. She obtained prices for signs and will talk to the Department Director about paying for them out of the operating budget rather than the conservation fund.

### **Water Quality Samples**

Staff said that per the request of the Commission, she requested quotes from labs which do water quality tests. She said the next phase of NPDES will require municipalities to test every outfall in the community for several indicators (turbidity, conductivity, pH, chlorine, surfactants, temperature, potassium, ammonia, e.coli). She got quotes for these indicators and the total cost would be \$115 per sample.

The members felt that if this is going to be required it is better to wait until the draft permit goes into effect so as not to duplicate cost and effort by having to do the same test again in a year or two.

Mr. Flynn said there was an outfall pipe in his neighborhood which looks questionable. He asked staff about the process for investigating this. Staff said she thought it would be up to the Commission to test the outfall and the Plumbing Inspector to follow up inside the building. Staff will look into this.

### **Approval of Minutes**

Motion by Mr. Weinberg, second Ms. Francis, to accept the minutes of November 17<sup>th</sup> as amended for typographical errors. Vote: 6-0.

### **Adjourn**

Motion by Mr. Weinberg, second by Mr. Murphy, to adjourn the meeting at 8:30 PM. Vote: 6-0.