

Department of Planning and Community Development

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Mayor Joseph C. Sullivan

APPROVED

Braintree Conservation Commission
Patrick Flynn, Chair
Donald Murphy, Vice-Chair
Kevin Bears
Heather Charles Lis
Diane Francis
Gail Poliner-Feldman
Alan Weinberg

Staff: Kelly Phelan

CONSERVATION COMMISSION MINUTES THURSDAY, OCTOBER 1, 2015 7PM TOWN HALL- JOHNSON CHAMBERS

Present: Patrick Flynn, Chair; Donald (Gus) Murphy (* left at point indicated), Vice Chair; Kevin Bears, Heather Charles Lis, Gail Feldman & Kelly Phelan, Staff

Absent: Diane Francis, Alan Weinberg

Public Hearings

8-631 100 River St. /Gabriel

Scott Smyers from Oxbow Associates was present with the applicant, Gary Gabriel, and Shawn Hardy, the engineer.

Mr. Smyers presented the revised site plan. They changed the continuous paving in front of the garage to 3 separate 12 foot ramps with grass area in between them. This equates to less impervious area and less fill. The flood storage calculations were added to the plan. They also changed the straw wattle to silt fence and straw bales. They added the test pit locations to the plans. They added a trench drain in the driveway which will connect to the infiltration chamber.

Staff asked Mr. Hardy about the cut and fill calculations. They will clarify the details before the next meeting.

Ms. Charles Lis asked if there were changes to the restoration plan. Mr. Smyers said there were not. They plan to remove the invasive species with foliar spraying of herbicide and plant with the native species listed in the previous response letter. Ms. Charles Lis asked about consecutive years. Mr. Smyers said they will monitor and respond as necessary with either more spraying or hand-pulling.

Ms. Charles Lis said it was important to use the glyphosate herbicide product intended for use near water. Mr. Smyers said they work with a licensed applicator and would be sure to use the appropriate herbicide.

Motion by Mr. Murphy, second by Ms. Charles Lis, to continue 8-631 to the November 5th meeting for draft conditions. Vote: 5-0.

Notice of Intent

8-633 19-37 Commercial St./Landing Apartments, LLC

David Kelly, PE from Kelly Engineering was present. He said he left the last meeting with a series of comments and they received the comments from Division of Marine Fisheries. He proceeded to respond to both sets of comments.

Mr. Kelly said that they are not able to provide details of the new drainage connection to the Smelt Brook culvert. He asked the Commission to condition that the detail will be provided once a contractor is on board. He said the work will conform to the time of year restriction (March 1 – June 30) to protect spawning smelt and they will provide more specificity on the design and sequence of work when a contractor is on board.

Regarding buffer zone planting, Mr. Kelly said they revised the landscape plan to include plantings near the day lit area near Smelt Brook. He said they intend to work with their neighbors when the daylighting occurs.

He said the latest plans call for the water quality device to include the area drain behind El Sarape. He said there is an existing device, a Downstream Defender, for the existing drainage system to the culvert.

Regarding the question on the curve number analysis, he said they provided the stormwater report to the engineering department. He said the project will reduce runoff.

In response to the request to provide recharge to groundwater, they will add a subsurface recharge system from the existing Downstream Defender. A baffle will divert flow into the cultec unit.

In response to the request to provide TSS removal calculations, he said there is a net reduction in pavement and they should achieve 80% TSS removal.

In response to the comment on erosion control, he said they need to file a SWPPP with EPA because the project involves more than an acre.

Mr. Flynn asked Mr. Kelly to address Marine Fisheries comment to consider daylighting a portion of Smelt Brook. Mr. Kelly said that there was an agreement between the MBTA and Weymouth and Braintree to daylight a portion of Smelt Brook. The Towns have since pursued moving the daylighting location to Weymouth, closer to Commercial St. He said that is a better location for daylighting because it is shallower. He said the Towns brought in a consultant who

said it made sense to daylight near the Deleagas and Papadopoulos properties and Division of Marine Fisheries approved that change.

Staff said that while DMF has approved the new location, it doesn't preclude additional daylighting on this site. Mr. Kelly said that it didn't but that it wouldn't be a good location because of the depth to the culvert on their site.

Mr. Flynn asked about daylighting the portion of the stream close to the property line. Mr. Kelly said that they needed vehicle access to that part of the property.

Mr. Flynn asked about daylighting anywhere else on the property. Mr. Kelly said it would be better on the adjacent property because of the depth to the culvert on this site.

Mr. Flynn asked about the depth to the culvert. Mr. Kelly said it was 12.5 feet down.

Ms. Charles Lis asked if there was an issue with structural stability. Mr. Kelly said that the stream was in a round pipe downstream as opposed to vertical walls visible upstream.

Mr. Murphy asked about the effect of the 8' x 8' box connection to the culvert. Mr. Kelly said that they would have to provide more detail on that when they get a contractor on board.

Ms. Charles Lis asked about the purpose of the box. Does it provide any detention or treatment. Mr. Kelly said it is just for a connection. He said that area of the parking lot currently goes to the pump station behind the MBTA Station. He feels it would be better to rely on a gravity system rather than a pump and that is why they proposed the direct connection to the culvert.

Ms. Charles Lis said that she doesn't see any treatment for the new discharge to Smelt Brook. She understands it is roof runoff and courtyard runoff but it is a large area and would benefit from treatment and detention. Mr. Kelly said that there is no benefit to detention so close to the tide.

Ms. Charles Lis asked if there was treatment provided to the northerly discharges. Mr. Kelly said there are downstream defenders on both discharges presumably, and the owner will maintain the entire drainage system. Ms. Charles Lis asked if there were deep sumps on the catch basins. Mr. Kelly said he assumes there is and they are not changing anything on that side.

Ms. Charles Lis said she was not convinced that there was no benefit to detention or treatment. She said the courtyard is not being recharged into groundwater and suggested they consider adding treatment.

Mr. Kelly said there isn't oil or materials you would get from a parking lot. He said they were conservative with the curve number and they are reducing runoff. Staff said that between the roof runoff and the parking lot runoff it would be more important to ensure there is treatment of the parking lot. Mr. Kelly said they will confirm there is treatment on both existing discharges from the parking lot and add treatment if not.

Ms. Charles Lis asked that they add a note on the plan to document the floodplain elevation for clarification. She also asked that they address the performance standards, including the requirement for an alternatives analysis for Riverfront Area. Mr. Kelly said that riverfront redevelopment is exempt from the alternatives analysis requirements. He said they have a determination from DEP. He will provide a copy.

Ms. Charles Lis noted the DMF comment requesting LID measures and asked if they looked at that. Mr. Kelly said they always look at it and in 90% of new project they use bioswales and rain gardens but in this case it didn't make sense due to the configuration of the parking lot.

Mr. Flynn asked the size of the courtyard. Mr. Kelly said approximately 7200 square feet. Mr. Flynn said there would be fertilizer and melting agents on walkways that would end up in the stream. Mr. Kelly said they could agree to not use salt and to use low phosphorus fertilizer.

Mr. Bears encouraged them to use native vegetation, especially near the day lit portion of the brook.

Motion by Mr. Murphy, second by Mr. Bears, to continue 8-633 19-37 Commercial St. to November 5th for conditions. Vote: 5-0.

Notice of Intent

8-634 Pearl & Congress St./Town of Braintree

John Morse, Assistant Town Engineer, was present with Jim Manganello from LEC Environmental Consultants and Wayne Perry from Fay, Spofford and Thorndike.

Mr. Manganello said that the work was on property owned by the MWRA and a private residence. They are decommissioning a pump station and installing a new sewer line from Congress St. to Pearl St. which needs to cross under an intermittent stream. The project will impact 11 square feet of Bordering Vegetated Wetland, 12 linear feet of Bank and 41 square feet of Land Under Water. He said almost the entire site is lawn, there is very little natural area except along the stream. He said everything will be restored in accordance with the standards.

Mr. Flynn asked about staff's comment regarding the adequacy of the dewatering basin. Mr. Perry gave members a revised plan with a filter bag added and location shown.

Ms. Feldman said they should do the work at a time of low flow. Mr. Manganello said they plan to do so. He said the flow appears to be mostly stormwater.

Ms. Feldman asked if the private property owner had given permission. Mr. Perry said the MWRA had provided permission and they were working to get the signature of the other property owner.

Ms. Charles Lis asked if there was tree removal proposed. Mr. Manganello said one red maple on the MWRA parcel will need to be removed.

Mr. Flynn asked if there was public comment. Mr. Wissam Hanna said he signed the letter to go ahead with the hearing. Staff noted that he is the other property owner and she received the signature page.

Mr. Hanna asked how long the work would be taking place and about the noise from the dewatering pump. Mr. Perry said 60 days from set-up to completion. He said the dewatering pump is just a sump pump and would be much quieter than the pumps used to power the pump station when it flooded a few years ago.

Ms. Feldman asked about channel restoration. Mr. Manganello said they will match the existing substrate of the channel bed which has small stones and gravel. These will be set aside for replacement after construction. They will reform the banks and stabilize with jute netting or coir logs and seed with a seed mix.

Another abutter, Alice Tse from Surry Lane, said that before the pump station was installed they would have sewage in their basements at times. She hoped that the new line would be as good as or better than the pump station. Mr. Morse said that it will work better because it is not a mechanical system but a gravity one.

Ms. Charles Lis asked how far below the stream the sewer pipe would be located. Mr. Perry said about 2 feet below the stream bed.

Staff proposed an amendment to add a condition for oversight by a wetland scientist. Staff also noted that she had not included the requirement for two years of restoration monitoring reports because the area is so small. Ms. Charles Lis suggested that one year would be appropriate. Staff amended the condition to include language for a one-year monitoring report.

Motion by Mr. Murphy, second by Mr. Bears, to issue the conditions as amended. Vote: 5-0.

Notice of Intent

8-635 205 Elm St./RiverWalk Development, LLC

Scott Smyers from Oxbow Associates was present with George Clemens, Riverwalk Development, LLC and Shawn Hardy from Hardy Engineering.

Mr. Clemens said he wanted to point out to the Commission that he was required by the Town to preserve the existing building.

Mr. Smyers presented the site plan and the existing building, parking area and the slope down to the Monatiquot River. He said they flagged the edge of the river and noted there is a great deal of Japanese knotweed on the slope to the river.

Mr. Smyers said they plan to add 7 townhouse units in addition the units to be constructed within the existing building. He said they will be improving water quality by turning areas of parking lot to roof top and pervious surfaces around the units. There is an existing stormwater discharge at the

top of the slope. They will keep that and add a water quality tank. He pointed out the erosion control and said they are trying to stay in the outer riverfront area.

Mr. Smyers said they propose to treat 11,000 square feet of knotweed with herbicide and allow native vegetation to rebound.

Mr. Smyers said there is an overall decrease of 400 square feet of impervious area, they are improving water quality and getting rid of invasive knotweed.

Ms. Feldman said the property drops considerably toward the river and they are adding impervious area closer to the river, right on the edge of the drop. Mr. Clemens said they are working within the existing paved area. Mr. Smyers pointed out the edge of pavement and said there is some expansion into degraded areas but they are compensating for it with the restoration.

Ms. Charles Lis asked about the pathway to the gazebo and potential for public access. Mr. Clemens said they plan to do a stone dust and railroad timber path to a gazebo. He said they are willing to consider public access but would like the Town to make a formal request that they can review and take back to their investors.

Mr. Murphy asked if they are elevating the land at all. Mr. Clemens said no.

Staff said the treatment plan shows that they are not treating all of the knotweed. Mr. Clemens said they are planning to treat it all. Mr. Bears asked them to revise the treatment plan to reflect that.

Mr. Bears asked about the gazebo shown on the landscaping plan. Mr. Clemens said there would be a crushed stone and railroad tie walkway to the gazebo.

Ms. Feldman asked how many units they are proposing. Mr. Clemens said 5 units in the existing building and 7 townhouses. He said the parking complies with zoning. Staff suggested that public access could be pedestrian only if necessary.

Mr. Bears asked about the plan once the knotweed is removed and expressed concern about slope stability if tree roots are removed. Mr. Clemens said they need to assess that once they can see what is there. He said they will rely on an arborist to evaluate the trees. Mr. Smyers said the knotweed roots will provide stability; they don't disappear with herbicide treatment but slowly die.

Mr. Bears requested that they substitute a native species for the Japanese maples. He also asked about long-term maintenance to prevent the knotweed from spreading back into the site. Mr. Clemens said it will be part of the Homeowner's Association maintenance responsibilities.

Ms. Charles Lis asked about the water quality tank and TSS removal. She is concerned that it is not providing sufficient treatment and asked why they chose that over a stormceptor. Mr. Hardy said he will provide the TSS removal calculations. Mr. Clemens noted that they have financial constraints and the cost of stormceptor was close to \$20,000.

Ms. Charles Lis asked why they aren't proposing infiltration. Mr. Hardy said it is fill material and there is brick and glass etc. He said the roof leaders will be directed to lawn areas. Ms. Charles Lis asked if they could do some LID techniques such as a rain garden. Mr. Hardy suggested they could look at this and try to incorporate a sand/gravel layer under the lawn area and slightly depress it to ensure infiltration.

Staff asked for clarification that they will address public access if the Town makes a formal request. Mr. Clemens said they need a proposal.

Motion by Mr. Murphy, second by Mr. Bears, to continue the hearing for 8-635 to November 5th to address outstanding issues and arrange for site visit. Vote: 5-0.

Mr. Clemens asked if the Commission would consider conditions. Staff said that if all items were addressed prior to the next meeting she would draft conditions for the Commission's review.

Other Business

Potential Conservation Land Acquisition- Taber Court parcel

Staff was not able to attend the recent Community Preservation Committee meeting where this was to be discussed. Mr. Bears was present as a member of that committee. He said committee members were strongly against the proposal to fund purchase of the Taber Court parcel and there were questions on the assessed value of the property.

Staff spoke to Linda Raiss, Chair of the committee. Ms. Raiss asked if the Commission would be willing to pay part of the acquisition costs and to pay for improvements such as seeding it and providing a bench and covering the cost of a conservation restriction (required by the Community Preservation statute). Staff suggested that she bring the offer of up to \$20,000 for the improvements and Conservation Restriction. Commission members supported this.

Staff suggested that enlisting support from Sustainable Braintree to attend the next meeting and offer support for the proposal could be helpful, as well as the Commission's offer of up to \$20,000 for associated costs.

*Mr. Murphy left the meeting at this point.

Open Space Area Brochure- Templates & Format

Tabled until the next meeting.

Open Space and Recreation Plan Update- Process/Schedule

Tabled until the next meeting.

Other

The DPW requested the Commission purchase trees for a few areas (police station, French's Common, Adams St .and Elmwood Park). Staff requested the Commission spend \$1600 from the tree account for this purpose. The balance will come from the Department's operating budget.

Motion by Mr. Bears, second by Ms. Charles Lis, to approve \$1600 from the tree account for tree planting. Vote: 4-0.

Approval of Minutes – August 6, 2015 & September 3, 2015

Motion by Ms. Charles Lis, second by Mr. Bears, to approve the minutes of August 6, 2015 and September 3, 2015. Vote: 4-0.

Adjourn

Motion by Mr. Bears, second by Ms. Feldman, to adjourn the meeting at 10:10 pm. Vote: 4-0.