

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

APPROVED

CONSERVATION COMMISSION MEETING MINUTES THURSDAY, MARCH 21, 2013

Present: Patrick Flynn, Chair; Gus Murphy, Vice Chair; Gail Feldman, Diane Francis; Matthew Hobin; Daniel McMorrow, Jr. Alan Weinberg & Kelly Phelan, Staff

Public Hearings

Request for Determination of Applicability

Watson Park River Walk/Department of Planning & Community Development

The Commission voted at the February 7th meeting to issue a negative Determination of Applicability with conditions. Staff drafted conditions for inclusion in the Determination, including erosion control and bank stabilization with native plants.

Motion by Mr. Weinberg, second by Mr. Murphy, to issue a negative determination of applicability with conditions as drafted for the walking path & slope stabilization project. Vote: 7-0.

Motion by Mr. Weinberg, second by Mr. Murphy, to close the public hearing. Vote: 7-0.

Other Business

Discussion on 175 Campanelli Drive

David Kelly from Kelly Engineering Group was present with Grady Sargent and Skip Coppola from Prologis.

Mr. Kelly explained that an Order of Conditions was issued in 1985 for construction of an office building at the site of the Bradlees warehouse building at 175 Campanelli Dr.. The project was built but not done in accordance with the plans. The plans noted that three areas of pavement were to be removed but this was never done.

In 1997 Campanelli Company who owned the site sold it to AMB company. AMB owns a portfolio of warehouse properties. AMB recently merged with Prologis and Prologis is seeking to sell some of the properties that don't fit with their airport-based portfolio. The 175 Campanelli Drive property is one they are seeking to sell and it was discovered that the property had never received a Certificate of Compliance. They would like to address the outstanding issue of the pavement removal so that they may receive a Certificate of Compliance.

The property is currently leased to United Liquors who run an active distribution business. Mr. Kelly said that the tenant would be greatly impacted by pavement removal because these areas are necessary to access loading docks and other areas of the building. He said the tenant would sue if their operation became unusable due to pavement removal.

Mr. Kelly said they would like to address the situation by providing other improvements to the site such as a bioswale and stormwater Operation & Maintenance plan rather than removing the pavement.

Ms. Feldman said the Farm River is right at the edge of the site and asked how much distance there is between the building and the river. Mr. Kelly said there is about 90 feet between the building and the river. He said there is about 25 feet between the edge of pavement and the river. He said an earthen berm of about 6 inches has been built up between the edge of pavement and the river and the runoff slowly filters through the berm.

Mr. Weinberg said that he understands they can't comply with the pavement removal. He said a new Notice of Intent would have to be filed for the other measures they propose.

Mr. Kelly agreed and said they still need to figure out what they will need to do instead of removing the pavement.

Ms. Feldman said the ensuring the site is protected for the future is very important, especially because the river supplies the drinking water reservoir.

Ms. Francis asked if they were impacted in the 2010 flood. Mr. Coppola said the parking lot of the office building was flooded but otherwise they were not impacted.

Staff said she supported the concept that they provide stormwater management improvements instead of removing pavement but she questioned whether the bioswale was enough.

Mr. Flynn said he would like the Commission to do a site visit.

Ms. Feldman said she would like to see a proposal that protects drinking water.

Ms. Francis asked where the roof runoff goes, nothing that it is a huge building with a flat roof. Mr. Kelly said that it runs off the site.

A site visit was tentatively scheduled for 6:15 PM the evening of the next meeting, April 4th.

Discussion on 825 Granite St. As-Built Release

Staff said that Tom French, the representative for the Sealcoating project (8-613) at 825 Granite St. had requested the Commission considering releasing part of the as-built guarantee. He was expected to attend the meeting but was not present.

Staff said the issue was that there is a two-year monitoring requirement for the vegetation in the forested area. They are directing runoff to that area and there was a concern that it would flood out the mature trees and impact the area. Mr. French asked if the Commission would consider releasing half of the as-built guarantee now and the rest when the monitoring is complete. Staff scheduled it on the agenda for him to make the request.

The Commission discussed the issue. Noting that the as-built guarantee was \$4000 they did not see a reason to release half of it.

Request for Certificate of Compliance 8-606 Sun Valley Estates/Sun Valley Homeowners Association

Staff said the applicant had completed the project which consisted of driveway widening and retaining wall repair. Staff reviewed the as-built plan and the conditions and did a final site inspection with the applicant, Anthony LaPuma. Staff recommended issuing the Certificate of Compliance and releasing the \$1000 as-built guarantee.

Motion by Mr. Weinberg, second by Ms. Francis, to issue the Certificate of Compliance and release the \$1000 as-built guarantee. Vote: 7-0.

Clarification of Previously Issued Certificate of Compliance 8-527 – Commerce Park Housing/Commerce Park Housing, LLC

Staff said the Certificate of Compliance issued in 2006 did not have the “complete certification” box check. An attorney representing the LLC requested a new form be issued to clarify that this was, in fact, complete certification rather than a partial certification. Staff reviewed the file and minutes and determined that the intent was to issue a complete certification. She recommended the Commission issue a new form to clarify this. The Commission signed the prepared form.

Clarification of No-Salt Restriction

Staff raised a question for the Commission regarding the no-salt restriction. Some properties have a general “no-salt” restriction and others have a “no sodium-based deicers” restriction. In some cases the Commission has allowed sites with “no-salt” restrictions to use calcium chloride. Staff received another request for calcium chloride use and wondered if the Commission wanted to consider making that a blanket provision. The Commission discussed the issue and felt it should remain on a case by case basis.

Verifying Compliance with Stormwater Operation & Maintenance Plan

Staff said she compiled the list of properties with Operation & Maintenance Plans and there are about 50 of them. Going forward she will request recordkeeping from at least two of them every month. If there is not a response she will schedule them on the Commission's agenda.

Approval of Minutes

Motion by Mr. Weinberg second by Ms. Francis, to accept the minutes of February 7, 2013. Vote: 7-0.

Adjourn

Motion by Mr. Weinberg second by Mr. Murphy, to adjourn the meeting at 8:30 PM. Vote: 7-0.