

# Department of Planning and Community Development

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Mayor Joseph C. Sullivan

## 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, SEPTEMBER 3, 2015 7PM TOWN HALL- JOHNSON CHAMBERS

Present: Patrick Flynn, Chair; Donald (Gus) Murphy, Vice Chair; Kevin Bears, Heather Charles Lis (\* left at point indicated), Diane Francis, Alan Weinberg & Kelly Phelan, Staff

Absent: Gail Feldman

**APPROVED**

### Public Hearings

#### Notice of Intent

8-632 530 West St./Textron

Mr. Flynn asked staff to give an update. Staff said the last hearing had been continued to allow for additional information to be provided. The applicant provided the information, including the area of disturbance created by using the alternate access route (down the sewer easement).

Mr. Murphy said he was satisfied with the additional information.

Ms. Charles Lis suggested additional clarifying language be added to a few of the conditions.

Condition #26 add a sentence to say "Where feasible smaller vegetation shall not be cut except for width necessary for the passage of the drill rig."

Condition #29 add a sentence to say "If 75% coverage is not achieved within two years, planting and/or seeding will be required, as determined by the Conservation Agent."

Condition #30 add "and the Conservation Commission" to the list of those receiving the groundwater sampling results.

Motion by Mr. Weinberg, second by Mr. Murphy, to accept the conditions as amended for DEP File # 8-632. Vote: 6-0.

Motion by Mr. Weinberg, second by Mr. Murphy, to find the project significant to the Wetland Protection Act and the Braintree Wetland Bylaw. Vote: 6-0.

**Notice of Intent  
8-631 100 River St./Gabriel**

The applicant, Gary Gabriel, was present with Scott Smyers from Oxbow Associates.

Mr. Smyers noted that they had filed a few months earlier but had delayed the hearing to address the concerns of the agent regarding floodplain and riverfront area. He presented the site plan. The applicant plans to demolish the vacant building on the property and build commercial garage bays. He said there is an existing concrete slab and shed which will be removed, reducing impervious area. The bank of the Monaquot River was flagged in the field and shown on the plan. They propose restoration of an area along the river. Infiltration of the roof runoff is proposed.

Mr. Smyers said considering 63 feet to be the elevation of the floodplain on the site may be inaccurate but they used that number at the request of staff. They plan to fill in the existing basement and pour a new slab on top of it. The first floor elevation will be at 64 feet.

Mr. Smyers said they propose about 1020 square feet of mitigation plantings. They plan to remove invasives using herbicide and plant native species such as willow, alder and dogwood approximately 7 feet apart.

Mr. Murphy asked what the basement would be filled with. Mr. Gabriel said it would be clean, compacted fill.

Mr. Weinberg said calculations are needed for compensatory flood storage. Mr. Smyers said they will be provided.

Staff questioned the amount of impervious surface to be added. Ms. Charles Lis said there was a discrepancy on that number. Mr. Smyers said they would clarify that.

Mr. Flynn suggested a site visit. He said there is an outfall pipe about 100 feet down the river and wondered if it was from this property.

Mr. Weinberg asked about the demolition debris. Mr. Gabriel said it would be loaded into trailers and removed from the site. Also the building department requires that they check for asbestos.

Mr. Weinberg asked about the expected tenants of the building and if they would be doing vehicle maintenance inside. Mr. Gabriel said the tenants would probably be landscapers. He said the building department requires gas traps in commercial buildings.

Mr. Weinberg asked about snow removal and trash. Mr. Gabriel said he had not thought about snow removal. He will remove it from the site if necessary. He said tenants will have roll-outs for trash.

Ms. Charles Lis asked if they had done test pits for the stormwater infiltration system. Mr. Smyers said he believed they were in the application. Staff said they were included.

Ms. Charles Lis asked about mitigation for the driveway runoff. Mr. Smyers said that infiltrating the roof runoff was an improvement and they hadn't looked into doing something with the driveway. Ms. Charles Lis suggested they consider a trench drain.

Ms. Charles Lis noted that TSS removal calculations are needed, as is a drainage area plan and that a straw wattle may not be enough erosion control for the project.

Ms. Charles Lis asked about the proposed restoration. Mr. Smyers said they propose to use herbicide to get rid of the invasive vegetation along the river and to plant native shrubs. They will monitor and provide additional treatment as necessary. Mr. Flynn said the best time to spray Japanese knotweed is August when it is flowering. Mr. Smyers said they work with skilled applicators and will use foliar spray. Mr. Flynn noted the importance of watering the plantings in the first year.

Mr. Smyers summarized the information they will provide before the next hearing; calculations on flood storage and impervious area (pre and post), snow removal plans, test pit data, driveway treatment/trench drain, TSS calculations, drainage area plan, erosion control, seeding and watering of the restoration area.

Motion by Mr. Weinberg, second by Ms. Charles Lis, to continue the hearing to October 1.  
Vote: 6-0.

**Notice of Intent**  
**8-633 19-37 Commercial St./Landing Apartments, LLC**

David Kelly, PE and Garret Horsfall from Kelly Engineering were present. Mr. Kelly said the applicant, Josh Katzen, had another commitment and was not able to be present. Mr. Kelly presented the site plan for the project. It is about 2 acres and includes the Chair Fair site, the municipal parking lot and the H&R Block building. Smelt Brook travels through the site in a 72 inch culvert. A small section of the culvert is open. There was an agreement as part of the Greenbush mitigation to daylight a portion of the culvert in the municipal lot but the location for that has been moved toward Commercial St.

The proposal is for 172 apartment units with retail uses on the first floor. A portion of the public lot will remain public. There will be a parking structure under the building with 198 spaces. There will be a pathway from the parking lot out to Commercial St. and a commitment to the Planning Board to connect to the canoe launch behind the Greenbush station.

Mr. Kelly said the benefit relative to Smelt Brook is that they are reducing the paved area by approximately 30,000 square feet and adding landscaping. They are also adding water quality devices for the new paved area.

They propose to connect a storm drain into the Smelt Brook culvert with a large box at the junction point. The contractor will work out the details of this connection and provide them to the Commission. They expect that a pre-cast structure will be used.

They sent a copy of the Notice of Intent to Marine Fisheries. They anticipate that no work will be allowed in the culvert during smelt season.

Mr. Flynn asked about the tidal influence of Smelt Brook. Mr. Kelly said the culvert is a gravity pipe. During high tide it is expected to back up about midway through the site. They will work on the culvert during low tide.

Mr. Kelly noted that they had not provided TSS removal calculations but there will be a substantial decrease as they are taking away pavement and adding water quality structures.

Mr. Flynn asked about snow storage and deicer. Mr. Kelly said they will have to remove snow from the property as it becomes a problem. He expects they will use calcium chloride as deicer.

Mr. Flynn asked what is happening on the Weymouth side of the town line. Mr. Kelly said that Mr. Katzen tried to put all of the properties together but that didn't work out. Mr. Flynn asked for clarification that daylighting is not part of the proposal. Mr. Kelly said it was not.

Mr. Bears said that the daylighting project around the Delagas property should happen within the next few years and consideration of that area should be given. Mr. Kelly said that the area provides access for El Serape and they did not want to block that. Mr. Kelly said they see an opportunity for enhancement in the future when the daylighting moves forward.

Other concerns noted in the staff report had to do with the lack of pre and post runoff calculations. Staff said they used a short cut (weighted curve number) and did not provide back-up information on that. Mr. Kelly said he would provide that information and respond to staff comments.

Ms. Charles Lis asked about recharge/infiltration. Mr. Kelly said they would not owe any recharge and the area surrounding the building is busy with utilities. He added that they didn't see the benefit so close to the mouth of the river and with tidal flows. Ms. Charles Lis encouraged them to consider providing recharge.

Ms. Charles Lis asked about the new discharge to the culvert. Mr. Kelly said it is a complex drainage system. The parking lot connects to a pump station behind the Greenbush train stop. The 100 year floodplain elevation is 10 feet and the site is above 10 but they felt it was important to use the gravity system of the culvert rather than the pump station. They are worried about overcharging the pump station. Ms. Charles Lis asked about water quality treatment for the connection to the culvert. Mr. Kelly said it is mostly roof runoff but the paved areas will be

treated. Ms. Charles Lis asked about runoff from the courtyard and potential for fertilizers or sediment to be discharged. Mr. Bears suggested they minimize turf to avoid the need for excessive fertilizer. Ms. Charles Lis said consideration of treating the runoff should be given.

Ms. Charles Lis asked for clarification on the floodplain. Mr. Kelly said an area of the parking lot is mapped as floodplain but the elevations within the parking lot are above the floodplain elevation of 10 feet.

Mr. Bears asked for more information about the corner near the daylighted section of the brook and whether it would all be paved. Mr. Kelly said it includes the access to El Serape as well as service area for this building; such as moving trucks and trash removal. He said the trash will be wheeled out the morning of pick-up; it won't be outside all of the time.

Mr. Weinberg asked about the condition of the culvert. Mr. Kelly said they were told that it was in good shape but they plan to camera it to verify.

Ms. Charles Lis asked if they plan on any dewatering. Mr. Kelly said they did not expect to.

Motion by Mr. Weinberg, second by Mr. Murphy, to continue the hearing for 8-633 to October 1<sup>st</sup>. Vote: 6-0.

\*Ms. Charles Lis left the meeting at this point.

## **Other Business**

### **Potential Conservation Land Acquisition- Taber Court parcel**

Staff received a call from Attorney Marinelli in response to Mr. Weinberg's letter to Mr. Quirk regarding the Taber Court land. Mr. Marinelli said that Mr. Quirk was not interested in donating the land but would entertain a reasonable offer to purchase. Staff suggested that she attend an upcoming Community Preservation Committee meeting to inquire on their interest in funding an offer. The Commission agreed.

### **Open Space Area Brochure- Templates & Format**

Staff provided a draft of the brochure to date, based on the Lexington template. Mr. Flynn said we should incorporate more photos.

Mr. Weinberg said he had provided his write-up on Cranberry Pond.

Staff will continue to work on the draft and add photos. Some members still need to provide their sections to staff.

Staff provided a draft schedule for updating the open space and recreation plan.

### **Eaton's Pond Area- Kiosk Sign & Cameras**

Staff asked the Commission to approve the printing cost of the sign/map board for Eaton's Pond area. An eagle scout recently completed a kiosk and will install the sign board. The cost is \$328. Mr. Flynn suggested staff ask if the company if they will discount the price of a second sign if printed at the same time.

Motion by Mr. Weinberg, second by Mr. Murphy, to approve up to \$500 for two sign boards. Vote: 6-0.

During on-site discussions about the kiosk with the scout, his father, Mr. Bears and staff, the possibility of installing a camera was raised. The ranger did detailed research on the options and recommended a "best value" camera. The Commission discussed the difficulty with retrieving and using the images from a camera and decided not to move forward with a camera at this time.

### **Approval of Minutes – August 6, 2015**

Ms. Charles Lis provided edits /corrections. Staff will incorporate and revise for the next meeting.

### **Spectra Pipeline**

Mr. Weinberg noted the correspondence received from Mike Lang of East Braintree Civic Association regarding the proposed Spectra pipeline and compressor station. Staff said she had attended the Spectra open house in Weymouth earlier that evening. A half mile of new pipeline is proposed parallel to Route 3 from Pond Meadow Park to the Weymouth town line.

### **Adjourn**

Motion by Mr. Weinberg, second by Mr. Murphy, to adjourn the meeting at 9:20 pm. Vote: 6-0.