

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, AUGUST 6, 2015 7PM TOWN HALL- JOHNSON CHAMBERS

Present: Donald (Gus) Murphy, Vice Chair; Kevin Bears, Heather Charles Lis, Diane Francis, Alan Weinberg & Kelly Phelan, Staff

Absent: Patrick Flynn, Chair; Gail Feldman

Public Hearings

Notice of Intent
8-632 530 West St./Textron

APPROVED

Ed Van Doren and Andrea Steele were present from CB & I Environmental & Infrastructure, Inc. Ms. Steele said they had filed the RDA in the fall to install wells on the site but they were not able to do the installation because of conditions and the need to install them deeper. They were planning to install them by hand but they were not able to do that. They filed the Notice of Intent to seek permission to flush cut the vegetation to the ground to allow access by a drill rig. A 10 foot wide swath would be cut. The drill is a direct push so no spoils are brought to the surface.

Mr. Murphy asked what depth they want to reach. Mr. Van Doren said up to 44 feet. That is based on review of historic information.

Ms. Charles Lis asked why these locations were chosen for the well. Mr. Van Doren said the site was investigated in the 1990s when drive point wells were put in with ATV access. There is contamination in the wetlands and since the regulations have changed more modeling is needed. The locations were chosen to bound the extent of the contamination.

Ms. Charles Lis noted that as a limited project an alternatives analysis was required. Ms. Steele said they could talk about the alternatives analysis now and follow up with a written response.

Mr. Van Doren said other options were to put wells only in the uplands but they have already done that and have that data or hand-drive wells which they tried to do but found the soil was too difficult to achieve that result.

Mr. Weinberg noted that the site is within the watershed area. He asked about dewatering and mitigation for what is removed. Ms. Steele said no material except the sample is removed. Water will be pumped and contained in drums. Only a few gallons of water per well would be pumped.

Mr. Weinberg asked about other permits. Ms. Steele said they need an Army Corps of Engineers permit, a 401 Water Quality Certification and a MEPA ENF. Ms. Steele said the use of swamp mats triggered the need for an Army Corps permit which then triggers the need for the other permits.

Mr. Weinberg asked how long it would take for installation and sampling. Mr. Van Doren said it would be 2-3 weeks for well installation and to collect the samples and another 2 weeks for the results, which are reported to DEP. He said they are sampling for volatile organic compounds and heavy metals. Mr. Weinberg said the results should be sent to the Health Department because of the proximity of the water supply. Mr. Van Doren said they could send the results to the Health Dept.

Mr. Weinberg asked what the business was that was located in the building. Mr. Van Doren said it was currently vacant. It had been an electrical equipment company historically and later it was divided into smaller spaces for various other businesses. Mr. Van Doren said that Textron doesn't own the building; they are responsible for the environmental conditions.

Mr. Bears asked how long the access routes would be left. Ms. Steele said that after the samples obtained the mats would be removed and it would all grow back. She said they had been looking at another option for access down the sewer easement which was previously disturbed. They could potentially come in that way and cut over to the well locations.

Staff asked for clarification from Ms. Steele regarding the mats. Ms. Steele said they were pursuing the other permits but if they don't need to use the mats, they won't need the permits. She said they would stop work if they mats were needed and continue the process of getting the other permits.

Mr. Weinberg asked about the old wells. Mr. Van Doren said they were probably decommissioned. They are trying to locate the new wells in the same general area.

Ms. Charles Lis suggested they could drive over small shrubs and saplings rather than cutting them as many will spring back. This may work better with the mats in place.

Mr. Murphy asked if there was any public comment. There was none.

Ms. Steele said she would provide a written alternatives analysis before the next meeting. Mr. Weinberg asked that she address mitigation as well. Ms. Steele asked what that meant in this case. Mr. Weinberg said the vegetation removal should be addressed; will it be removed from the site? Also, equipment maintenance should be addressed. Ms. Charles Lis said the area of disturbance for the alternate route should be calculated.

Mr. Bears asked if the alternate route involved less elevation change. Mr. Van Doren said it is all pretty flat but the sewer easement and area around it is more like a meadow and there are less mature trees in that area. It is also drier.

Ms. Charles Lis noted that revegetation within two growing seasons would likely be a condition.

Staff asked if they were asking the Commission to not condition the use of mats. Ms. Steele said they were. Ms. Charles Lis said it could be conditioned that staff decide if the mats are necessary.

Motion by Mr. Weinberg, second by Mr. Bears, to continue the hearing for 530 West St. to September 3rd with draft conditions to be reviewed and discussed. Vote: 5-0.

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

The applicant was not present.

Motion by Mr. Weinberg, second by Mr. Bears, to continue the hearing to the September 3rd meeting. Vote: 5-0.

Other Business

Enforcement Order- 162 Walnut St./Lydon

Teresa Lydon was present. Ms. Lydon said they cut down a hollow tree and put up a shed beyond their fence and a neighbor reported them. Staff said they are next to Town Brook and in the floodplain. She suggested they move the shed to a location higher in the yard and elevate it on blocks to be above the floodplain.

Ms. Lydon said they would like to take down an existing shed within the yard and replace it with the new shed. Staff will send a letter confirming this arrangement and include a date to complete it.

Mr. Weinberg said it was important to keep structures and fill out of the floodplain because they displace floodwaters and make flooding worse downstream.

Motion by Mr. Weinberg, second by Ms. Francis, to lift the enforcement order on 162 Walnut St. and that work can commence under the supervision of staff. Vote: 6-0.

Potential Conservation Land Acquisition- Taber Court

Based on discussion at the Commission's June meeting, Mr. Weinberg gave a letter to Mr. Quirk asking for a meeting to discuss the Taber Court parcel. He is going to ask if Mr. Quirk will gift all or part of it to the Commission.

Staff suggested keeping it as an agenda item as they await a response.

Open Space Area Brochure

Staff obtained templates from two Towns of two different style brochures. One is a fold-out brochure and the other spiral bound. Mr. Bears said the spiral bound was sturdier and something that would not be thrown out after a few uses. It would be primarily for reference and detailed trails maps would be available at the trailheads.

Staff and members will continue working on this project.

Staff also suggested that a volunteer stewardship program would be worthwhile. She will work on getting the word out to solicit volunteers.

Approval of Minutes – June 4, 2015

Motion by Mr. Weinberg, second by Ms. Francis, to accept the June 4 minutes. Vote: 6-0.

Adjourn

Motion by Mr. Weinberg, second by Ms. Charles Lis to adjourn the meeting at 8:55 pm. Vote: 6-0.