

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 4, 2014

APPROVED

Present: Patrick Flynn, Chair; Gus Murphy, Vice Chair; Gail Feldman, Diane Francis & Kelly Phelan, Staff

Absent: Matthew Hobin, Alan Weinberg

Public Hearings

Request for Determination of Applicability 530 West St./Textron, Inc.

Edward VanDoren from CB&I was present with Andrea Steele, also from CB&I, on behalf of their client, Textron, Inc.

Mr. VanDoren said they propose to install 12 monitoring wells on the site. Wells would be installed in both paved areas and within the wetland. A geoprobe drill rig would be used in the paved area while a manually operated slide hammer would be used in the wetland. The wells are for sampling the groundwater for environmental purposes.

Mr. Flynn asked what they expect to find. Mr. VanDoren said heavy metals and chlorinated compounds.

Ms. Feldman asked what the purpose was. Mr. VanDoren said they are trying to find a permanent solution under the Massachusetts Contingency Plan which regulates contaminated sites. The last data they have are from the 1990s and early 2000s so they are looking for more up to date information. Textron, as the tenant there for 50 years is responsible for the environmental issues.

Ms. Feldman asked about the potential to spread the contamination. Mr. VanDoren said they drive a slotted pipe into the ground so very little soil is removed. They can then pull groundwater samples through the pipe.

Mr. Flynn asked how they would access the wetland. Mr. VanDoren said that they would just walk out there. There would be no vehicle access.

Mr. Flynn and Ms. Feldman asked about soil removed from the drill hole. Mr. VanDoren said it would be placed in a 55 gallon drum and removed from the site. They will also place a straw wattle around the work areas for sedimentation control.

Ms. Feldman asked if long-term maintenance is required. Mr. VanDoren said if the wells get damaged they would be repaired or replaced.

Motion by Mr. Murphy, second by Ms. Francis, to issue a negative Determination of Applicability for 530 West St. with conditions for sedimentation control and soil removal. Vote: 4-0.

Motion by Ms. Feldman, second by Ms. Francis, to close the public hearing. Vote: 4-0.

Other Business

Request for Certificate of Compliance 8-609 700 West St./Blue Hill Cemetery

Dave Crispin, BSC Group, was present on behalf of the cemetery.

Staff said that she received the as-built plans for the crematory project and after reviewing the plans and the conditions noted outstanding issues. Most of the issues had been resolved with Mr. Crispin, the project engineer however there was a conflict with condition # 37. This condition specifies that no less than 375 cubic feet of flood storage be created. The a-built plans indicate that only 250 cubic feet of surplus flood storage were created. She also noted that there is approximately 400 sq. ft. more impervious surface than proposed.

Mr. Crispin said the discrepancy in the volume of flood storage created would equal only a 3/8 of an inch increase in depth of floodwater spread over the project site. He said it was difficult to grade with that level of accuracy. He feels that the project meets the flood protection standards.

Ms. Feldman asked about the effects of the additional impervious surface. Mr. Crispin said that the rain gardens functioned as designed during the large storm a month ago when over 3.5 inches of rain was received. He said the site was constructed in conformance with the intent of the design.

Mr. Crispin also noted that the Town Engineer, Bob Campbell, had commented on the flood storage issue for the Planning Board, who had the same concern. He said Mr. Campbell had found the decrease in flood storage insignificant. Staff verified that she had received the email.

Mr. Flynn asked staff if she was comfortable with accepting the changes. She said she was.

Motion by Mr. Murphy, second by Ms. Francis, to issue the Certificate of Compliance with surviving conditions and to find the change relative to condition #37 insignificant. Vote: 4-0.

Motion by Mr. Murphy, second by Ms. Francis, to release the \$4000 as-built guarantee. Vote: 4-0.

**Request for Certificate of Compliance
8-617 20 Pond St./MSMM LLC**

Staff said she had reviewed the as-built plans, the conditions and made a site visit and recommended that the Commission issue the Certificate of Compliance and release the \$4000 as-built guarantee.

Motion by Mr. Murphy, second by Ms. Francis, to issue the Certificate of Compliance for 8-617 and release the as-built guarantee. Vote: 4-0.

**Request to Amend Condition
8-621 177 Commercial St.**

James O'Leary, applicant for and developer of the 177 Commercial St. project was present.

Staff said that there is a condition which requires monitoring of the riverfront restoration plantings for two growing seasons and the landscape was planted this past September. Mr. O'Leary wished to have his as-built guarantee returned but that would not be possible until the two growing seasons have passed.

Mr. O'Leary said he invested \$12,000 in landscaping and he has a contract with the botanist for two years. He showed the members a copy of the contract with the botanist.

Ms. Feldman asked if the nursery guaranteed replacement of the plants. Mr. O'Leary said they did.

Mr. Flynn said that he works in the landscape business. He said the first year is critical to the plant's survival and that it is 98% watering and they must be deeply watered. He noted that the contract with the botanist covered only pruning and mulching.

Mr. Flynn said he would be open to one year of monitoring to ensure the plants survive the first growing season. He advised Mr. O'Leary to come back then.

Cranberry Pond- Update on Deer Browse Monitoring

Staff provided a copy of the report prepared by Tom Rawinski, the USDA Forest Service Botanist, who is doing vegetation monitoring at Cranberry Pond to document impacts of deer browse. Mr. Rawinski's summary discussed the height of American Beech sprouts of two areas around the pond. He noted that there has been little net increase in the height of the sprouts which indicated that the deer are suppressing the beech. He stated that this is concerning given the fact the beech is a low preference species for the deer.

Ms. Feldman said she had returned from California where she saw deer everywhere. She said they are managing the population by giving the deer contraception instead of allowing hunting.

Members wondered about the cost and method of application of contraception.

Mr. Flynn said he was interested in hearing about what was going on within the exclosures. Mr. Rawinski did not report on those. Staff suggested a field trip in May or June to look at the exclosures.

Mr. Murphy said he had heard that Devon Woods was going to allow bow-hunting on their property. Staff said that the Commission has a conservation restriction over 240 acres of their property. She doesn't believe it addresses hunting but noted that they should post signs where their trails intersect the trails at Cranberry Pond area.

Mr. Flynn said that any consideration of allowing hunting would have to be done on a townwide basis to make an impact on deer population.

Mr. Flynn asked staff to look at what Canton, Milton and Hingham are doing in terms of allowing hunting.

Update on Kayak Launch

Staff said after a long process they finally have a design for the kayak launch but it is very expensive, close to \$100,000. The design is ADA compliant. The engineer originally proposed stone dust but both staff and the Town Engineer were concerned about erosion of this material as well as maintenance so the design was revised to include a concrete mat for the section closer to the water. The project is going back before the Community Preservation Committee, probably in January to seek funding.

The Commission discussed the navigability of the river and how much the launch will be used. Staff said she and the ranger will put kayaks in and get a better sense of the navigability.

Approval of Minutes – November 6, 2014

Motion by Mr. Murphy, second by Ms. Feldman, to approve the November 6 minutes. Vote: 4-0.

Release of August 7, 2014 Executive Session Minutes

These minutes were approved at the November 6 meeting but a vote is needed to release them from their confidential status.

Motion by Mr. Murphy, second by Ms. Francis, to release the August 7 Executive Session Minutes. Vote: 4-0.

Eaton's Pond Trail Walk

Staff reminded members about the Eaton's Pond Trail Walk scheduled for that Sunday, December 7th.

Adjourn

Motion by Mr. Murphy, second by Ms. Francis, to adjourn the meeting at 8:30 pm. Vote: 4-0.