

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, JUNE 12, 2014

APPROVED

Present: Gus Murphy, Vice Chair; Gail Feldman, Matthew Hobin, Alan Weinberg & Kelly Phelan, Staff

Absent: Patrick Flynn, Chair; Daniel McMorrow

Public Hearings

Notice of Intent

8-627 385 Quincy Ave./Citgo Petroleum

Christine Player from CLE Engineering was present. She said the Citgo berth was last dredged in 2007 so this project is maintenance dredging. There is also a component of improvement dredging as they are widening the berth seaward by 20 feet. They propose removal of 3100 cubic yards of material within the dredge footprint. Most of this is material which has shoaled in since the last dredging project.

Ms. Player said they plan to dredge to -38 Mean Lower Low Water (MLLW) with an allowable overdredge depth of -40 feet (MLLW). The dredging operation will take approximately two weeks. It will be water-based; a barge with a crane will dredge and dump into an adjacent dump scow. They plan to dispose of the material at the Massachusetts Bay Disposal Site (MBDS) and are having the sediment analyzed to determine its suitability for the MBDS. The Army Corps of Engineers makes that determination. They expect to wrap up the testing analysis by the end of June.

Ms. Player said several permits are required for dredging, including a Special Permit from the Planning Board, 401 Water Quality Certification and Chapter 91 permit from DEP as well as Army Corps approval. Also, Division of Marine Fisheries puts a time of year restriction on dredging activities in fish run areas.

Mr. Weinberg said that past dredging had encountered ledge under the water. He said it was important to understand if there was ledge and asked if they had done borings. Ms. Player said they weren't deepening the berth, just moving it out. She said if they encounter ledge they will just stop as they aren't going to do any blasting.

Ms. Feldman asked about the impacts of marine life. Ms. Player said they checked MA DEP's shellfish suitability maps and the area is not identified as being suitable for shellfish. It is not mapped as eelgrass area either. She said the Division of Marine Fisheries recommends a time of year restriction to limit work to the fall and winter when fish aren't migrating.

Mr. Murphy asked how many times it has been dredged. Ms. Player said the last time it was dredged was in 2007 but she didn't know the history before that.

Mr. Weinberg mentioned the need to notify the Coast Guard. Ms. Player said the contractor notifies the Coast Guard as part of the Army Corps permit. She added that the Army Corps requires GPS monitoring of the dump scow to ensure it dumps in the right location.

Staff noted that the previous dredging project required turbidity monitoring and asked about the efforts to control turbidity during dredging. Ms. Player said that silt curtain was impractical given the depth of the area but that turbidity monitoring was often required as part of the 401 Water Quality Certification. The contractor must take mitigative measures if the turbidity exceeds 25 NTU (plus background). These measures might include a slower dredge or a different bucket. If it exceeds twice that amount the dredge must stop. The turbidity is monitored by an independent field engineer.

Ms. Feldman questioned the objectivity of a monitor hired by Citgo.

Motion by Mr. Weinberg, second by Mr. Hobin, to continue the hearing to July 10th for draft conditions. Vote: 4-0.

Other Business

Conservation Land Management Update

Staff noted that they had recently discovered a few instances of encroachments by abutters onto conservation land. Staff recommends reviewing all of the approximately 170 conservation parcels for encroachment. She noted that most of the parcels are well under an acre and scattered throughout Town. She will start with a review of the recent aerial photos with the property lines since property lines are not as visible on the ground. Any questionable parcels will be followed up by a site visit. She hopes to have a list for the July meeting.

Mr. Murphy agreed that they should compile a list and address them all at the same time.

Minutes

Motion by Mr. Weinberg, second by Mr. Hobin, to accept the May 29 minutes. Vote: 4-0.

Adjourn

The meeting was adjourned at 7:30 pm.