

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, MAY 29, 2014

APPROVED

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

Absent: Patrick Flynn, Chair; Daniel McMorrow

Public Hearings

Notice of Intent

8-626 Staten Road & Dickerman Lane/Braintree Department of Public Works

Per the Commission's vote at the May 1 meeting, staff prepared draft conditions for the project.

Ms. Feldman asked if the flooding question had been addressed. Staff noted that the Town Engineer had provided a letter at the last meeting to address the concern about downstream flooding.

Motion by Mr. Weinberg, second by Ms. Feldman, to issue the Order of Conditions for 8-626 Staten Rd. & Dickerman Lane culvert replacement project. Vote: 5-0.

Motion by Mr. Weinberg, second by Mr. Hobin to close the public hearing for 8-626. Vote: 5-0.

Request for Determination of Applicability

50 Grove St./Corsini

Paul Corsini was present. He said he wanted to build a shed in his yard and the only location was in the buffer zone. He said staff visited the site and felt it was acceptable.

Ms. Francis asked about the slope of the site and erosion control. Mr. Corsini said it was level and he would install erosion control.

Ms. Feldman asked about clearing vegetation. Mr. Corsini said it was lawn area.

Mr. Murphy advised Mr. Corsini to call staff to inspect the erosion control and when the project is done.

Mr. Murphy asked if there was any public comment. Chuck Kokoros, District 1 Councilor, said he wanted to let the Commission know that staff had received a citation from the Council for her work on the Monatiquot River clean-up.

Motion by Mr. Weinberg, second by Mr. Hobin, to find the project insignificant to the state Act and local bylaw and issue a negative Determination of Applicability with conditions. Vote: 5-0.

Motion by Mr. Weinberg, second by Mr. Hobin, to close the public hearing for 50 Grove St. Vote: 5-0.

Other Business

Discussion on 530 West St.

Staff said that at the last meeting, the Commission had discussed an offer for a seven acre land donation at 530 West St. The land would provide access to a landlocked parcel of conservation land along the Farm River. Because of contamination and monitoring requirements, the Commission requested an opinion from the Town Solicitor as to whether the Town would be accepting any liability for the monitoring or future clean up, if they were to accept the land.

Staff said she met with the Town Solicitor and discussed it and provided the documentation. The Town Solicitor then looked into the matter and responded that the deed would include language that Textron was responsible for the contamination and monitoring. Staff said this cleared the way for the Commission to accept the land, should they wish to.

Mr. Weinberg said it is watershed land provides access. He said clean-up was previously done. Staff noted that the worst areas were cleaned up but the determination was made that it was better not to disturb the extensive area of wetland. This is part of the 21E process with DEP.

Ms. Feldman said she had concerns about accepting the land and asked about the monitoring. Staff said that DEP had accepted the premise that it was not worth disturbing the wetlands for soil removal/remediation but the site must be monitored every five years by a Licensed Site Professional.

Mr. Weinberg felt it was beneficial for the Commission to accept the land and noted it is part of the water supply. Ms. Feldman said that was a concern. Mr. Weinberg said the Water Department regularly tests the water supply and would address it if the water was contaminated with heavy metals. Ms. Feldman wondered how much they need to treat the water; perhaps they need to do more treatment because of this.

Motion by Mr. Weinberg, second by Ms. Francis, to accept the land pending Planning Board approval of the ANR plan creating a separate seven acre parcel. Vote: 4-1 with Ms. Feldman opposed.

**Request for Certificate of Compliance
8-615 385 Quincy Ave./Citgo Petroleum**

Staff said this was the dock refurbishment program. She received the as-built plans, reviewed the conditions and made a site visit. She recommended issuing the Certificate of Compliance and returning the as-built guarantee and balance of the independent monitor money.

Motion by Ms. Feldman, second by Ms. Francis, to issue the Certificate of Compliance and return the as-built guarantee and the balance of the monitoring money. Vote: 5-0.

Minutes

Motion by Ms. Francis, second by Mr. Weinberg, to accept the April 3 minutes. Vote: 5-0.

Motion by Mr. Weinberg, second by Mr. Hobin, to accept the May 1 minutes. Vote: 5-0.

Adjourn

The meeting was adjourned at 7:30 pm.