Department of Planning and Community Development
90 Pond Street
Braintree, MA 02184
781 794-8230

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

APPROVED

CONSERVATION COMMISSION MEETING MINUTES THURSDAY, AUGUST 7, 2014

Present: Patrick Flynn, Chair; Gail Feldman, Diane Francis, Alan Weinberg & Kelly Phelan, Staff

Absent: Matthew Hobin, Daniel McMorrow, Gus Murphy, Vice Chair

Public Hearings

Notice of Intent 8-628
95 Shaw St./Whyte Realty LLC

Dan and Peter Whyte were present with Zoltan Juhasz, civil engineer.

Mr. Flynn noted that the staff report listed a few issues.

Mr. Whyte showed the revised plan which scaled back the pavers in the "barbeque area" and added more landscaping.

Mr. Juhasz explained the flood storage issues. The floodplain is at elevation 12 and the crawl space of the building will have flood panels installed to allow floodwaters in. No fill will be placed below elevation 12.

Ms. Feldman asked about the issue with the soil noted in the staff report. Staff said the recharge calculations have to be based on the soil group and Town Engineer agreed that sandy loam was not a Group D soil. Mr. Juhasz recalculated the recharge volume and infiltration time to reflect Group B soils.

Motion by Mr. Weinberg, second by Ms. Feldman to continue the hearing to the September 11th meeting for draft conditions. Vote: 4-0.

Notice of Intent 8-630
39 Quincy Ave./Boston Gas Company dba National Grid

Al Trakimas from SITEC was present with Andrea Kendall from LEC Environmental Consultants and Patrick Schmidt from National Grid.

Mr. Flynn asked the other members how the site visit earlier that day went.

Mr. Weinberg said it was very worthwhile to look around and he has concerns about site upkeep. The site needs improvement as well as an Operations and Maintenance Plan.

Ms. Francis said that it looked like there was junk and discarded materials in back of the buildings and right on the river. Mr. Schmidt said that one of the purposes of the new structure is to clean up the site and store materials inside.

Ms. Feldman said the proposed construction isn't as intensive as she thought; the building is going on an existing concrete slab. She said the site needs improvement though.

Mr. Trakimas explained the drainage improvements. They are proposing to install water quality treatment units before all three of the discharge points (one to the Monatiquot and two to Smelt Brook). They will also investigate where the ponded area sitting in the parking lot overflows to and close up the hole in the retaining wall which was cut at a low point in the parking lot. He said these improvements will mean most of the site will meet the standard for TSS removal.

Mr. Flynn asked where snow is pushed on the site. Mr. Schmidt said the thinks that most of it is removed but he wasn't entirely sure.

Staff said she felt the proposed drainage improvements would be a big upgrade for the site. She noted that the revised plan showing these improvements had not yet been received. Mr. Trakimas said they change from deep sump catch basins to water quality treatment units was made earlier day based on staff's request for more than catch basins.

Motion by Mr. Weinberg, second by Ms. Feldman, to continue the hearing for draft conditions provided the revised plans are reviewed and accepted by staff. Vote: 4-0.

Notice of Intent 8-629
372-394 Quincy Ave./Quirk Auto Dealerships

Attorney Frank Marinelli was present with Jim Burke from DeCelle-Burke Associates.

Mr. Marinelli said the project includes demolition of the existing 2500 square foot building at 372 Quincy Ave. and construction of a new 16,000 square foot building which will be in conformance with zoning. He said they will be adding landscaped areas. He said only a small area of work is within Commission jurisdiction.

Mr. Marinelli said they had met with the abutter who spoke at the last meeting, Mr. McMahon who had concerns about leaning trees. They agreed to remove these trees and replace sections of his fence.

Mr. Marinelli also said there is an Activity and Use Limitation on site from contamination from Citgo which spread down gradient across the street. He said they have an opinion letter from the Licensed Site Professional (LSP) which states that excavation below four feet requires a soil management plan. Because of the contamination the LSP recommends against installing subsurface recharge units. He said they are revising the plan and Mr. Burke would speak to that.

Mr. Marinelli added that they had removed accumulated silt from the detention basin and requested the Commission consider directing staff to write draft conditions for the next meeting.

Mr. Burke said the detention basin has silted up and filled in with phragmites so much since it was constructed in 2003 that the required reduction in peak rate of runoff could not be shown. After talking with staff who agreed that it could be done, They excavated the phragmites and silt out of the basin to get the depth back. This allows them to meet the design rate from 2003. It also allows them to eliminate the subsurface recharge systems from the new proposal as recommended by the LSP.

Mr. Flynn asked how many years before the basin fills up again. Mr. Burke said it shows the importance of O&M plans. They weren't typical in 2003 when the basin was constructed.

Ms. Feldman asked about adding landscaped areas to balance the impervious surface being added. Mr. Marinelli said they comply with zoning. Mr. Burke said they aren't really adding much impervious area. The rip rap area will be replaced with a retaining wall. Staff said the rate of runoff will have to addressed. Mr. Burke said they very close to complying. Staff said she was sure they could find a way to fully comply.

Motion by Mr. Weinberg, second by Ms. Francis, to continue the hearing for 372-394 Quincy Ave. to the September 11 meeting for draft conditions provided that revised plans and information is reviewed and accepted by staff. Vote: 4-0.

Request for Determination of Applicability
142 Alida Rd../Hellested

Catherine Hellested was present. Ms. Hellested said they would like to install an in ground pool in their backyard. The area is within the 100 foot buffer to Cedar Swamp.

Staff said the area is existing lawn area and recommended issuing a negative Determination with a condition for erosion control.

Motion by Mr. Weinberg, second by Ms. Feldman, to issue a negative Determination for the pool installation at 142 Alida Rd. with a condition for erosion control. Vote: 4-0.

Request for Determination of Applicability
Blue Hill Cemetery- West St./Boston Environmental Corporation

Jaime Anderson from RJ O'Connell Associates was present representing Boston Environmental Corporation. He noted that the area which is the subject of the RDA is part of the cemetery expansion. They received a letter from staff requesting that the wetland be flagged and work within the 100 foot buffer zone be addressed. He said they had raised the gravel roadway by 10 feet which created a steeper side slope. The slope is now about 1.5-1 slope and they propose to make it a 2-1 slope by shifting the road to the east. He added that the road now drains toward the wetlands and they propose to regrade it so it will drain to the east, away from the wetland.

Mr. Anderson indicated the hatched area on the site plan. It represents the area that will be regraded. Topsoil will be added and it will be hydro seeded and mulched. He said it is all within previously disturbed area. He noted that straw wattles were installed in the spring at staff's request. They will install another layer of wattles before the regarding starts. They request the Commission issue a negative Determination of Applicability for this work.

Mr. Flynn asked if there was any comment from the public.

Karen Nolan from 15 Brierwood Rd. asked if there was any work where the road extends back towards the neighborhood. Mr. Anderson there is ongoing work in that area.

Christine Hager said they had encroached on conservation land. Staff said that about two years ago they had encroached on conservation land. The engineering department went out to locate the property line and the Commission required trees be planted and the area restored.

Elizabeth Flynn from 114 Addison Rd. said the cemetery is not a good neighbor and noted the granite dust and noise and said they are breaking the law.

Mr. Flynn said the Commission's jurisdiction is limited to the wetlands. They cannot regulate dust or noise.

Barbara Ross from 22 Brierwood Rd. asked why the cemetery needs this road and why they are shoring it up. Mr. Anderson said it is the access road to the expansion area.

Elizabeth Percio from Brierwood Rd. asked if it was the paper road. Mr. Anderson said it was not; it is a road within the cemetery.

Mr. Flynn asked when the road was regraded. Mr. Anderson said it was about six months ago.

Ms. Percio said they should have come before the Commission then and it shows they don't follow the rules. Mr. Anderson said they only raised the road level up.

Ms. Hagar asked why the neighbors weren't notified that there would be a landfill behind their houses. She said they encroached on the wetlands and only stopped when she called staff. Staff said this was the issue with encroachment into the conservation land two years ago.

Ms. Feldman said to Mr. Anderson that the correct identification of property lines and wetlands is very important and work shouldn't be done without it.

Mr. Flynn suggested that the Commission do a site visit.

Karen Buonpane from 39 Brierwood Rd. asked why she wasn't notified. Staff said to contact her at the office and she would review this.

Jim Glynn from 147 Eleanor Dr. asked where the water drains. Mr. Anderson said to the existing sedimentation basin which then overflows to the wetlands. Mr. Glynn said the Commission should take any watershed into any wetlands into consideration. He said during rain his entire back yard floods because they removed all the vegetation.

Mr. Flynn asked if there was any representative from the cemetery present. Jerry Ridge Jr. was present. Mr. Ridge said he was not happy to hear all the complaints. He said the project should be complete within a year.

The Commission discussed a date for a site visit. A site visit was scheduled for September 6 at 8am. Mr. Ridge suggested meeting at the cemetery office on West. St.

Mr. Glynn suggested the Commission invite other boards and councilors to the site visit and said he would write to them to invite them if the Commission wasn't going to. Mr. Flynn suggested he do that.

Motion by Mr. Weinberg, second by Ms. Francis, to continue the September 11th meeting. Vote: 4-0.

Request for Determination of Applicability
Grove St. Substation/Braintree Electric Light Department

Sean Murphy from Braintree Electric Light Department was present. Mr. Murphy said the propose a new pumping plant at Station 9 on Grove St. The pumping plant supports the 115k volt system which runs throughout town. They are replacing a 2000 gallon capacity with a 6000 gallon tank. The work area is about 90 feet from the intermittent stream. An excavation of about 30' x 14' x 4' will be done and a foundation poured. The tank will be contained to 125% capacity. Once built the old pumping plant will be removed. They will use erosion control.

Mr. Flynn confirmed that this is within the existing footprint of the substation. Mr. Murphy said it is.

Motion by Mr. Weinberg, second by Ms. Francis, to issue a negative Determination of Applicability with conditions. Vote: 4-0.

Other Business

Request for Certificate of Compliance 8-616
79 Shepard Rd./Connolly

Staff reviewed the as-built plan, conditions and made a final site visit and recommended issuing the Certificate of Compliance for this project and releasing the as-built guarantee. Vote: 4-0.

Request for Certificate of Compliance 8-242
20 Sheffield Dr./Previte

Staff said this was a subdivision permitted in the late 80s. It was appealed to DEP who issued a superceding Order of Conditions and eventually issued a Certificate of Compliance to close out the project. The original Order is still recorded against the title and needs to be cleared. The property is for sale and the attorney requested a Certificate of Compliance be issued. Staff recommended issuing a partial Certificate to release 20 Sheffield Dr. from the Order.

Motion by Mr. Weinberg, second by Ms. Francis, to issue a partial Certificate of Compliance for 20 Sheffield Dr. Vote: 4-0.

Minutes

Motion by Ms. Feldman, second by Ms. Francis, to accept the July 10 minutes. Vote: 4-0.

Executive Session

An executive session was scheduled on the agenda to discuss acquisition of real property.

Mr. Flynn stated that the purpose of the executive session was to discuss the acquisition of property and that do so in open session could have a detrimental effect on the Town's negotiating position.

Motion by Mr. Weinberg, second by Ms. Feldman, to enter into executive session.

Note: Executive session minutes recorded separately.

Adjourn

Motion by Mr. Weinberg, second by Ms. Feldman, to adjourn the meeting at 8:50pm. Vote: 4-0.