

Department of Planning and Community Development

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Mayor Charles C. Kokoros

APPROVED

Braintree Conservation Commission

Heather Charles Lis, Chair
Christopher Hayward, Vice Chair
Kimberly Kroha, Clerk
Joyce Albrecht
Diane Francis
Peter Williams

Staff: Kelly Phelan

CONSERVATION COMMISSION MINUTES MARCH 4, 2021 MEETING (7PM) REMOTE MEETING

Present: Heather Charles Lis, Christopher Hayward, Kimberly Kroha, Joyce Albrecht, Diane Francis, Peter Williams

Absent: none

Ms. Charles Lis opened the meeting and noted the MA COVID – 19 State of Emergency and the Town’s Remote Participation Policy. Meeting materials such as plans will be displayed on the screen and are available on the Commission’s website. Ms. Charles Lis asked if anyone other than the Town was recording the meeting. No one indicated that they were recording the meeting. Ms. Charles Lis noted that, for clarity, she would make the motions and that votes would be done by roll call.

PUBLIC HEARINGS

Notice of Intent DEP File # 8-683 40 Arnold St. (71 Adams St.)/Adams Street, LLC*

Attorney Brian Palmucci was present with Chi Man, project engineer from Hardy +Man Design Group and Garrett Tunison, wetland scientist from Tunison Environmental Consultants. Phil Paradis, peer review engineer from BETA Group was also present.

Attorney Palmucci said they believe they have addressed all of the outstanding issues and are here to present the latest version of the plans. Mr. Man said they added infiltration; roof runoff from the westerly buildings will go to the galley system. They also calculated the TSS removal of the Stormceptor 450i at 25% as requested and doubled them up to achieve 90% overall TSS removal. They increased frequency of street sweeping in the O&M Plan and added mowing meadow areas as well as the restriction on sodium chloride use.

Ms. Kroha said they did a job of responding to all of the comments. Ms. Charles Lis agreed.

Ms. Charles Lis asked for public comment. There was none.

Ms. Charles Lis noted that the staff had prepared draft conditions of approval. Ms. Kroha suggested editing condition #71 to require trash and litter removal as reasonably required but not less than a weekly basis.

Ms. Charles Lis suggested amending condition #53 to clarify that the meadow shall be mowed not more than once annually.

Motion: by Ms. Charles to issue the Order of Conditions for 8-683 as drafted and amended.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Motion: by Ms. Charles to close the public hearing for 8-683.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Notice of Intent DEP File # 8-687 75 Harness Lane & Jensen Farm Rd. /Allman*

Garrett Horsfall, project engineer from Kelly Engineering Group was present with Ken and Dacia Allman, owners of the property. Mr. Horsfall said that he and the owners had met with Mayor Kokoros, the Assistant Town Solicitor and Kelly Phelan, the Conservation Planner. Mr. Horsfall said that given the history of the area and the opposition to use of the shared driveway for access, the Mayor determined that pursuing the variance was not the best option. Mr. Horsfall said they obtained the signatures opposing the use of the driveway from the two other owners who have rights in the driveway. He said the only option is to access the lot from Harness Lane. They will revise the plans to span the driveway and minimize the impact. They will also coordinate a site visit between their wetland scientist and staff to review the delineation location.

Crystal Huff, Assistant Town Solicitor, was present. She said it was not feasible to use the common driveway for access since the other owners of the rights in the driveway are not amenable to this.

Ms. Charles Lis said the Commission has to ensure that impacts are avoided if possible. If that is not possible then they look at minimizing and mitigating the impacts. Since the abutters have formalized that they are not willing to grant access through the common driveway, it is not possible to avoid the impact and she is willing to move forward.

Ms. Kroha agreed. She said she was hesitant because the lot was being divided and there was another option but that has been ruled out. She supports taking a closer look at the replication area.

Mr. Hayward said the project is heading in a positive direction by spanning the wetland with the proposed driveway.

Staff will meet with the wetland scientist on site to look at the replication area. She also suggested a yard area to go with the house be laid out now so that the limit of the project is clearly defined.

Ms. Charles Lis asked for public comment. There was none.

Motion: by Ms. Charles to continue the hearing to the April 1st meeting.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Notice of Intent DEP File # 8-690 175 & 185 Campanelli Dr./AG-EIP Campanelli LLC*

Garrett Horsfall, project engineer, was present with John Hennessey of AG-EIP Campanelli, LLC. Mr. Horsfall said they had a meeting with staff from Conservation, Planning, Stormwater and Public Works to discuss comments and review the plans. They revised the plans and have provided a written response to the comments received from staff and the Commission. The revisions include: providing pretreatment for the stormwater runoff from the loading dock area, providing a peastone filter strip for the bioretention area, plantings for the bioretention area, using concrete curbing instead of Cape Cod berm, planting shrubs in the 25 foot buffer zone and updating the O&M plan and including annual mowing of the restored areas.

Ms. Kroha said she appreciates the comprehensive response.

Ms. Charles Lis asked that the 25 foot buffer zone be excluded from annual mowing of the seeded areas. Mr. Hennessey said that would not be a problem. Ms. Charles Lis suggested adding a condition that the O&M Plan be revised prior to the start of work to specify no mowing along the westerly edge of the site.

Ms. Charles Lis asked for public comment. There was none.

Motion: by Ms. Charles to issue the Order of Conditions for 8-687 as drafted and amended.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0,

Abstain: 0. Motion: by Ms. Charles to close the public hearing for 8-687.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Notice of Intent DEP File # 8-689 19 Avon Place/Giessow and McGee

Brad Holmes, wetland scientist from ECR Consulting was present with Randy McGee, owner. Mr. Holmes said the property was a single-family house lot with Bordering Vegetated Wetland and Bordering Land Subject to Flooding. The property is mapped as Zone A which has no Base Flood Elevation. A Letter of Map Amendment was filed with FEMA which determined that the existing structure was out of the flood zone. The lowest adjacent grade to the structure is 31.1 so it was interpreted that anything above that elevation would be out of the flood zone.

Mr. Holmes they are proposing an addition on piles. The piles will be out of the flood zone. An erosion control and limit of work is shown on the plan. They worked with staff to clarify the flood zone issue and amended the plan to note the Letter of Map Amendment clearly.

Staff agreed that the flood zone issue had been resolved.

Mr. Williams asked if the first floor elevation would match the exiting house. Mr. Holmes said it would.

Ms. Charles Lis said it was a small scope of work and the piles make sense.

Ms. Charles Lis asked for public comment. There was none.

Motion: by Ms. Charles to issue the Order of Conditions for 8-689 as drafted.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Motion: by Ms. Charles to close the public hearing for 8-689.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Notice of Intent DEP File # 8-691 930 Liberty St. /Duong

Brad Holmes, wetland scientist from ECR Consulting was present with Hank Duong, owner. Mr. Holmes said the property is a two-family house with a garage. There is Bordering Vegetated Wetland and the buffer zone is degraded with debris. They propose to extend the existing driveway and add parking as well as a 3 foot wide gravel drip strip along the proposed driveway. They also propose restoration along the wetland to consist of removal of the debris and revegetating the 25 foot buffer with native shrubs. An additional area that staff had questioned between the house and the garage will be loamed and seeded. The plan was revised to indicate this treatment rather than the gravel area originally shown.

Staff said that the revised plan had addressed her question.

Ms. Charles Lis said that the project looks like a major improvement. She asked that the gravel drip strip have a minimum depth of one foot and suggested amending condition #37 to specify that depth. Mr. Williams agreed.

Ms. Charles Lis asked for public comment. There was none.

Motion: by Ms. Charles to issue the Order of Conditions for 8-691 as drafted and amended.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Motion: by Ms. Charles to close the public hearing for 8-691.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Request to Amend Order of Condition 8-641 128 Town St. /E Street LLC

Phil Cordeiro, project engineer, was present with Paul Cokinos from E Street LLC. Mr. Cordeiro said the Order of Conditions for the Petersen Pool Sports Complex was issued in 2018. The project was designed by a different engineering firm. Mr. Cokinos had concerns about the adequacy of the previous stormwater management design. They did new test pits and determined that the restrictive nature of the soil was not adequately modeled and the water table is high. They worked with the Planning Board and the Stormwater Division to revise the stormwater design. They are requesting the Commission issue an amended Order of Conditions for the changes. The design was peer reviewed by Merrill Engineers.

Mr. Cordeiro presented the revised plans. He said the subsurface chambers originally proposed were undersized. They have moved to an open air surface detention basin system with some underground chambers. They basins will be readily visible for DPW staff to maintain. The basins will connect to the existing pipes that drain out beyond the ball field. The rain gardens originally proposed for the parking lot islands were eliminated due to the high groundwater. The amended design keeps the same limit of clearing. Mr. Cokinos said he feels confident the design will work and they can move forward.

Staff noted that there was a severe sedimentation issue last spring that had not been resolved. The Commission had required that the cross country drainage pipe be vactored and monitored and that was not done. Mr. Cokinos said there were severe storm events when they were installing the pipe. Water rose and went over the manhole. They also found water entering into a drain in the ballfield. He said they mitigated the issue as they went along. Ms. Charles Lis noted that there had been a question on the pipe gaskets. Staff said the plans called for a watertight gasket but a different gasket was used. This was discussed at the time with Mr. Cokinos, his former engineer and the former Town Engineer and the recommendation was to vactor the pipe and monitor it, which is what the Commission required. Ms. Charles Lis suggested this be added as a condition to the amended Order of Conditions. She suggested the following condition, "prior to the start of work, the cross-country drainage pipe shall be vactored and monitored for ongoing siltation. If siltation occurs a remedy shall be presented the Conservation Commission."

Ms. Charles Lis said she was extremely disappointed by the condition of the site and sedimentation issues. She is happy to see that this will be addressed.

Ms. Charles Lis suggested amending the O&M plan to specify that the catch basins be cleaned four times a year. Mr. Cordeiro suggested doing this for the first two years and then reviewing the frequency that was needed. The DPW will be maintaining the stormwater system. Ms. Charles Lis said that seemed reasonable. She suggested a condition to specify that the "catch basins shall be cleaned four times a year for the first two years. After the first two years the catch basins shall be

cleaned as necessary to ensure the sump is never more than 50% full but cleaned not less than two times a year.”

Mr. Hayward suggested a site visit. Ms. Charles Lis agreed. Staff will schedule this. The Commission discussed whether the hearing should be continued for the site visit. Mr. Cordeiro said they are on the verge of rainy season and would prefer not to delay. Staff suggested the Commission issue the amended Order since the revised design for the basins is not related to the ongoing problem with siltation at the cross country drainage line.

Ms. Charles Lis noted that the applicant had also requested an Extension Permit and suggested action be taken on that.

Motion: by Ms. Charles Lis to issue the Extension Permit for 8-641 to March 6, 2024.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Mr. Williams asked Mr. Cordeiro for the output printout for the proposed conditions of the detention/infiltration basin routing calculations for the 2, 10, 50 and 100-year rain events. Mr. Cordeiro said he gave staff a copy of the drainage calculations. Staff said that was the same material as originally received.

Ms. Charles Lis asked Mr. Cordeiro about the SWPPP. Mr. Cordeiro said it is in place and did not need updating.

Ms. Charles Lis asked for public comment. Barbara Coogan from Anderson Rd. said she walks at High School and there are wetlands and the area has been completely flooded. There is nowhere for the water to go. Mr. Cordeiro said the open air basins will discharge to the wetlands though the drainage pipe. Ms. Coogan said the area is a sponge for days and her house is shifting because of the water. It is not a good idea to put this project where it is. Ms. Charles Lis said the project is not necessarily going to fix the situation but it shouldn't make it worse.

Members Kroha, Hayward and Charles Lis said they were comfortable issuing the Amended Order of Conditions prior to making the site visit.

Motion: by Ms. Charles Lis to issue the Amended Order of Conditions as drafted and modified.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0,

Request for Determination of Applicability 60 Albee Dr. /Vo*

Dan Armstrong, project engineer, was present with Khanh Vo, owner. Mr. Armstrong said they had received a variance from the Zoning Board. They reduced the size of the deck and propose pervious pavers. He said they have no intention of removing any trees and will upgrade the silt sock as staff requested in the staff report. Staff noted that there is grading shown around some of the trees which

is why she recommended a condition for replacement in accordance with the Tree Protection Regulations. If the trees are not removed, no replacement will be required.

Motion: by Ms. Charles Lis to issue the negative Determination of Applicability as drafted.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Notice of Intent DEP File # 8-684 345 Grove St. /Liden Corp.*

Staff noted that the applicant requested this be continued to the April 1st meeting.

Motion: by Ms. Charles Lis to continue the hearing for 8-684 to the April 1st meeting.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

OTHER BUSINESS

Plain St. Cemetery Update

Chris Trudel, Engineering Manager was present with Chris Griffin from the Recreation Department. Mr. Trudel said they plan to file a Notice of Intent next month to expand the cemetery. There are open Orders of Conditions for work at the cemetery. They would like to do one as-built plan for all of the Orders, including the one they are preparing to file. The work they will be proposing includes a roadway and space for 500 new burial plots. The road will be pitched to a peastone diaphragm along its edge and they propose a detention basin with a sediment forebay. Ms. Charles Lis suggested they provide a baseline of what has been done. Staff requested they show the entire site, at least on one sheet of the plans. Mr. Trudel said that the Stormwater Manager had flagged the wetland. Ms. Charles Lis encouraged them to avoid work in the 25 foot buffer zone and to keep the Tree Protection Regulations in mind. Mr. Griffin thanked the Commission and noted that the project is needed as they are only a year away from being out of burial space.

70 Wayne Ave. Discussion

Staff said that the owner requested that this be continued to the April 1st meeting.

1209 Washington St. Enforcement Order Discussion

Franciso Perez, one of the owners of the Ceilo Restaurant was present. Staff noted that the Commission had voted to issue an Enforcement Order for the property at their July meeting. The Enforcement Order directed the restaurant owners to file a Notice of Intent for the patio expansion that had been completed without approval by the Commission. The owners have not filed the Notice of Intent and requested the opportunity to discuss this matter again with the Commission. Mr. Perez said they had met with staff on site recently to discuss their options. She suggested they remove an area of pavement to compensate for the patio expansion. They noted that there had been

asphalt under the area of the patio expansion prior to the expansion. The asphalt had been covered in mulch and not visible in aerial or other photos. They dug up a corner of the patio to reveal the asphalt. Staff visited the site and confirmed that there was asphalt under the area and took photos. Ms. Charles Lis that in light of this new information, a Notice of Intent may be excessive. She suggested some mitigation planting could be done under an Amended Enforcement Order. Ms. Kroha agreed that an NOI would be excessive. She suggested continuing the discussion to allow members to visit the site.

Motion: by Ms. Charles Lis to continue the matter to the April 1st meeting.

Second: by Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Watson Park Educational Plan Proposal

Staff said that Ms. Israel from Climate Creatives had sent an image of the proposed sculpture with the date on it, as requested at the last meeting. She had advised Ms. Israel that she did not need to attend the meeting given the lengthy agenda. Ms. Kroha said she likes the date on the sculpture because it is more of a conversation starter. Ms. Francis said it is difficult to determine without the proposed signage. Mr. Williams agreed with Ms. Kroha that it is a good discussion item. Mr. Williams asked how big the sculpture would be. Staff will ask Ms. Israel to attend the April 1st meeting.

Approval of Minutes – February 4, 2021

Motion: by Ms. Charles Lis to approve the February 4th minutes with edits circulated by herself and Mr. Williams.

Second: Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

Adjourn

Motion: by Ms. Charles Lis to adjourn at 10:05 PM.

Second: Mr. Hayward.

Roll Call Vote: For: 6 (Charles Lis, Hayward, Kroha, Albrecht, Francis, Williams), Against: 0, Abstain: 0.

*continued from February 4, 2021 meeting