

APPROVED



Mayor Joseph C. Sullivan

Department of Planning and Community Development

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**CONSERVATION COMMISSION
MEETING MINUTES
THURSDAY, OCTOBER 22, 2009 7PM**

FLETCHER HALL – TOWN HALL

Members Present: Patrick Flynn, Chair
Gus Murphy, Vice Chair
Gail Feldman
Matthew Hobin
Daniel McMorrow, Jr.

Staff: Kelly Phelan

**DEP File # 8-593
Bestick Road Area Flood Control Project/Robert Campbell**

Staff noted that Robert Campbell, Town Engineer, requested a continuance to December 17, 2009.

Motion by Ms. Feldman, second by Mr. Murphy, to continue to December 17, 2009. Vote: 4-0.

Other Business

Members Present: Patrick Flynn, Chair
Gus Murphy, Vice Chair
Gail Feldman
Matthew Hobin
Daniel McMorrow, Jr.

Staff: Kelly Phelan

Hazard Mitigation Assistance Grant Application

The Planning and Community Development Department Director has been working with the Engineering and Health Departments on three grant proposals for funding from FEMA to address flooding. The three locations are: the Union Street rotary area, Dickerman Lane and Staten Road, and the Weymouth Landing area. Staff noted these are requests for funds to develop engineered plans. If funded the Conservation Commission would have the opportunity to review the projects as part of the permitting process.

Motion by Mr. Murphy, second by Mr. McMorrow, to support the Town's efforts to obtain Hazard Mitigation funds from FEMA. Vote: 4-0.

Conservation Land Hunting Policy

Mr. Flynn noted the emails received from the Chief of Police, Recreation Director and Animal Control Officer in response to a series of questions on hunting and deer management.

Mr. Murphy said he did not see the need for the Commission to reinvent the wheel when it comes to the hunting issue, it is highly regulated by the state. The Commission can open up areas for hunting under the framework of state regulations and reevaluate after a year.

Ms. Feldman said there needs to be a ranger and enforcement first so that the Commission can manage the land and enforce the regulations it makes.

Motion by Mr. Murphy to allow limited bow-hunting under the framework of state hunting regulations on land managed by the Conservation Commission. Discussion ensued.

Ms. Feldman said the illegal hunters will still be a problem and how will the Commission enforce it's permits. She said the Commission heard from many people who want to be able to walk at Cranberry Pond.

Mr. McMorrow noted the email from the Animal Control Officer which stated that 21 deer carcasses were removed from the road last year. He said that seemed quite high. He also said that if the Commission continues to prohibit hunting, there would still be problems enforcing that.

Ms. Feldman noted Ms. Manning's letter and said there are other enforcement issues and that the area needs to be patrolled on occasion. She said it is a recreation park and there needs to be a ranger.

Mr. Murphy said that Cranberry Pond is a woodland, not a park.

Mr. Flynn asked for staff's recommendation. Staff said she supported hunting as way to manage the deer population but that she agreed with Ms. Feldman that a ranger and enforcement should be in place before moving forward with a hunting policy. She recommended hiring the ranger as soon as possible and developing the hunting policy in time for next year's season.

Mr. Flynn asked for public comment. Dr. Nedelman said he was at the presentation last year and found it interesting. He asked for clarification of which land the Commission manages and Mr. Flynn gave him the map. Dr. Nedelman that putting another layer of regulations on top of the state regulations seems redundant. He said the Commission has no business having hunters in places where there are trails and said a hunter in Vermont killed another hunter who was in a tree. He also said it was ludicrous to think you can decrease the deer population by allowing hunting because the deer will just go to another area. He said the Commission should either allow bow-hunting within the state regulations or don't allow it at all, that having a permit system on top of state licenses is impractical.

Mr. McMorrow said that the deer biologist who came to the meeting last year recommended hunting as a way to reduce deer populations.

Mr. Flynn said it was interesting that no Braintree residents other than hunters have asked for hunting to be allowed.

Mr. McMorrow said that might be because people don't make the connection between hunting and reducing population and they might not be aware that there are areas of woods in Braintree in which you can be 500 feet from a house.

Staff said that the rangers at Pond Meadow Park have expressed concern about the large deer population because of the deer ticks which come along with them. She has also heard from the developers of the Lenox Farms project that the deer are eating all their landscaping and that there are many deer in that area.

Mr. Murphy re-stated his motion to allow limited bow-hunting and to create regulations for it. Mr. Murphy then modified his motion. Motion by Mr. Murphy to begin the active process of creating hunting regulations to be set in place by the 2010 archery season. Second by Mr. McMorrow. Vote 3-1 with Ms. Feldman opposed.

Mr. Flynn said he would entertain a motion clarifying that hunting is not allowed this season.

Motion by Ms. Feldman to restate that hunting is not allowed on conservation land this season. Second by Mr. McMorrow. Vote: 3-1 with Mr. Murphy opposed.

Staff recommended advertising for a ranger within the next few weeks. Mr. Flynn agreed.

Project Database

Per the Commission's request of several months ago, staff began going through old files to pull out the surviving conditions and requirements for stormwater system operation and maintenance. She has gone through files as far back as 2000 and has a list of the outstanding issues, maintenance requirements, etc. She will begin contacting people to request their stormwater system maintenance records. She will also schedule agenda time for several people she has been chasing for project closure.

Bradley Road Water Line Extension

Staff noted a request from the DPW Director, Tom Whalen, to extend a water line from the end of Bradley Road through the "paper street" portion of the road. This area is wooded with wetlands on either side which are connected by a swale. The DPW will install haybales, clear a 6 foot wide swath and install the pipe. The work should not take more than a day or two. Staff recommended allowing the work without the formal application process because of its limited scope. Mr. Flynn asked if staff would be notified of the work and inspect the site during the work. Staff said she would.

Motion by Mr. McMorrow, second by Mr. Murphy, to allow the water line installation through Bradley Rd. without a formal application. Vote: 3-0, with Ms. Feldman abstaining.

Fore River Railroad Work

Staff noted a request from the MWRA regarding the Fore River railroad (which runs from the Fore River shipyard to join up with the main rail tracks). The request concerns maintenance of the tracks and signal installation within the footprint of the tracks. The location of the work is along (and includes) the Commercial St. crossing. There is a wetland area about 150 feet from the Commercial St. crossing at the bottom the tracks and ballast. Haybales will be installed along the top of the ballast and the work will take place within that area only. Staff felt that it is maintenance type work and does not require an application.

Motion by Mr. Murphy, second by Mr. McMorrow, to allow the MWRA maintenance work at the Commercial St. crossing without an application. Vote: 3-0, with Ms. Feldman abstaining.

Minutes of September 24, 2009

Motion by Mr. Murphy, second by Mr. Hobin, to approve the minutes of September 24, 2009. Vote: 4-0.

Adjourn

Motion by Mr. Murphy, second by Mr. McMorrow, to adjourn the meeting [8:20 PM]. Vote: 4-0.