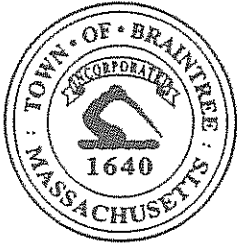


Department of Planning and Community Development

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

CONSERVATION COMMISSION  
MEETING MINUTES  
THURSDAY, MAY 5, 2011

APPROVED

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

Staff: Kelly Phelan

**Public Hearings**

**Request for Determination of Applicability – 44 Allen St./Braintree Electric Light Department**

Keith Sullivan from ACT Associates was present with Don DeCristofaro from Braintree Electric Light Department (BELD). Mr. Sullivan presented the proposal to remove an underground storage tank from the 44 Allen St. property.

Mr. Sullivan said the tank is made of concrete and formerly contained number six fuel oil. They plan to pump out the water which has gotten into the tank and transport it to a treatment facility. Two 10,000 gallon tankers will be used to do this. Then they will scrape the sides of the tank and drum the contents and transport that to a treatment facility. Then they will break up the concrete and remove that from the site and fill the tank grave with clean fill.

Ms. Feldman asked about test results from the soil and water sampling done. Mr. Sullivan had a copy of the 1997 site assessment report which indicated very low total petroleum hydrocarbons. He said they retested the water on March 30, 2011 and those results were also low.

Ms. Feldman asked if testing would be done during removal. Mr. DeCristofaro said that another Licensed Site Professional (LSP) would be on site to monitor the tank removal activities. Mr. Sullivan noted that he is also an LSP but his contract is for demo and removal.

Motion by Mr. Murphy to issue a negative Determination of Applicability and not require a Notice of Intent. Vote: 4-0.

**Request for Determination of Applicability – 109 Lisle St./McDonough**

Ms. McDonough said they would like to put either an 18' or 21' pool in their backyard in existing grass area in the buffer to a wetland.

Mr. Murphy asked about draining the pool, noting that the chlorinated water shouldn't go to the wetland. Ms. McDonough said they would not drain it to the wetland.

Motion by Mr. McMorrow, second by Ms. Feldman, to issue a negative Determination of Applicability with conditions as drafted. Vote: 4-0.

**Notice of Intent DEP File # 8-606 915-1001 Liberty St./Sun Valley Estate's Homeowner's Association**

Staff said the applicant has not been in contact and their engineer did not respond to an email as to their presence that evening. Staff suggested continuing four weeks and if the additional material has not been provided, the Commission vote to deny for lack of information.

Motion by Mr. Murphy, second by Mr. McMorrow, to continue to June 2<sup>nd</sup>. Vote: 4-0.

**Request for Determination of Applicability – MBTA Right of Way Vegetation Management/TEC Associates**

Staff said that the site visit (via the railroad vehicle) had not taken place but is scheduled for the following week and recommending continuing to the May 19<sup>th</sup> meeting.

Motion by Mr. Murphy, second by Mr. McMorrow, to continue to the May 19<sup>th</sup> meeting. Vote: 4-0.

**Request for Determination of Applicability – MBCR Right of Way Vegetation Management/TEC Associates**

Staff said that the site visit (via the railroad vehicle) had not taken place but is scheduled for the following week and recommending continuing to the May 19<sup>th</sup> meeting.

Motion by Mr. Murphy, second by Mr. McMorrow, to continue to the May 19<sup>th</sup> meeting. Vote: 4-0.

## **Other Business**

### **Discussion on Site Visit to Conservation Land**

Ms. Feldman said she missed the April 30<sup>th</sup> visit but had gone that day with staff. She said she liked the South St. property because it has some elevation. She said that having the trails lead to a destination, such as a waterfall or other interesting feature was important and she is concerned with the needs of the town for passive recreation.

Mr. Flynn said he is concerned about the ability to maintain a parking area with possibilities for dumping and other undesirable activities.

Mr. McMorrow expressed similar concern.

Discussion ensued on the similar concerns with remote parking and undesirable uses at Cranberry Pond.

No additional parking will be pursued at this time.

### **Land Donation - Weymouth Town Line**

Staff said that the Commission has been offered two parcels of land behind Devon Wood on the Weymouth town line. They are long and narrow. One (identified as Assessors Map 1113, Plot 6) ranges has a total area is 12,225 square feet. The other (Assessors Map 1113, Plot 33) has a total area of 4250 square feet.

As well as abutting Weymouth, the Map 1113, Plot 6 parcel abuts conservation land and the Devon Wood conservation restriction land.

Motion by Mr. Murphy, second by Mr. McMorrow, to accept the land for conservation purposes and recommend the Town Council approve the acceptance. Vote: 4-0.

### **Update Letter to Devon Wood Association**

Staff drafted a letter to the Devon Wood homeowner's association. The letter is intended to establish communication with them about the conservation restriction land.

### **Request for Certificate of Compliance- 8-563 15 Columbus Ave./Schneider**

Elliot Schneider was present.

Staff said this was construction of a single-family house. It has been completed, the site stabilized and the as built plan received. Staff recommended issuing the Certificate of Compliance.

Motion by Ms. Feldman, second by Mr. Murphy, to issue the Certificate of Compliance. Vote: 4-0.

## **Minutes**

Motion by Mr. McMorrow, second by Ms. Feldman, to accept the April 7 minutes. Vote: 4-0.

## **Adjourn**

Motion by Mr. Murphy, second by Mr. McMorrow, to adjourn the meeting at 8:10 PM. Vote: 4-0.