

Department of Planning and Community Development

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Mayor Joseph C. Sullivan

Braintree Conservation Commission

Heather Charles Lis, Chair
Donald Murphy, Vice-Chair
Alan Weinberg, Clerk
Joyce Albrecht
Diane Francis
Christopher Hayward
Gail Poliner-Feldman

Staff: Kelly Phelan

**CONSERVATION COMMISSION MINUTES
THURSDAY, AUGUST 16, 2018, 7PM
TOWN HALL- FLETCHER HALL**

Present: Heather Charles Lis, Gail Feldman, Diane Francis, Christopher Hayward, Alan Weinberg (*arrived at point indicated) & Kelly Phelan, Staff

Absent: Joyce Albrecht, Gus Murphy

APPROVED

Public Hearings

Request for Determination of Applicability 218 Alida Rd./Boussy

Ms. Charles Lis said the applicant was not able to make the rescheduled date since the August 2nd meeting was cancelled and they had requested a continuation to the September 6th meeting.

Motion by Ms. Feldman to continue the hearing to the September 6th meeting. Second by Ms. Francis. Vote: 4-0-0.

Notice of Intent DEP File # 8-664 2 Garden Park/2 Garden Park Realty Trust

Ms. Charles Lis noted the applicant had requested a continuation to the September 6th meeting.

Staff said that she had heard from the applicant's engineer that additional fill needs to be removed. She said that because this is an enforcement situation she will let the applicant know that if the work is not completed before the September 6th meeting daily fines will begin again.

Motion by Ms. Feldman to continue the hearing to the September 6th meeting. Second by Ms. Francis. Vote: 4-0-0.

Notice of Intent DEP File # 8 -661 144 Allen St. /Bogan Property Management

*Mr. Weinberg arrived.

Chi Man, engineer from Hardy Man Design Group, was present with Mark Bogan and Mr. Bogan's counsel Dave Johnson.

Mr. Man reviewed the plan. Ms. Francis asked if there had been any changes since the last meeting. Mr. Man said no. Mr. Man said he wanted to discuss condition #41 for the restoration area and #48 for the as-built guarantee.

Staff said she included a condition that a riverfront restoration plan be provided to restore not less than 1200 square feet of planting area closer to the river and that the plan be prepared by a wetland scientist or ecologist. She said this was based on extending out the existing, raised planting area along the railroad berm. It is also roughly the size of the restoration areas proposed on the sides of the proposed building. She said locating the restoration area along the rear of the site will provide more ecological function than adjacent to the building.

Mr. Man said that would require them to loss rentable area in the back of the site. He said the configuration of it to be within the inner riverfront area would require a large area in an unworkable location. Staff said the intent of the condition was to widen the proposed strip along the back of the site.

Mr. Bogan asked if the existing vegetated railroad berm would count toward restoration. Ms. Charles said it would not be considered restoration.

Mr. Man said what they have proposed meets the riverfront redevelopment standards. Ms. Charles Lis said the standards are subjective and open to interpretation by the Commission as to what is appropriate given the scale of a site and project and existing conditions.

Ms. Feldman said the Commission is looking for more betterment. Mr. Bogan said he was not willing to provide more since his engineer tells him it meets the standards.

Ms. Charles Lis asked the members how they would like to proceed. Mr. Weinberg asked about parking lot sweeping and staff notification on stormwater BMP maintenance. Staff said the standard condition is to say inspection and maintenance records must be kept and made available upon request.

Ms. Feldman asked staff about the as-built guarantee. Staff said it is high due to the restoration plan requirement. A separate condition could be added to reflect the restoration work.

Ms. Francis said it would make sense to divide the guarantee funds between restoration work and the as-built plan. She said she also supported changing the wording of condition #41 to remove "inner riparian" but still require the additional restoration.

Mr. Hayward asked about the surface treatment in front of the proposed raised planting area (in front of the proposed block wall). Mr. Man said pavement. Mr. Hayward said he would be amenable to approving this if a two foot gravel strip was placed in front of the wall to slow stormwater runoff. Mr. Bogan said that would mean he would lose additional two feet of rentable area. The function of the block wall was discussed. If the block wall is eliminated, a five-foot wide planting strip could be created instead of the three-foot wide strip. Mr. Bogan agreed that he could do that. A guardrail would be placed at the outer edge. Staff said that ledge had been mentioned as a concern. Mr. Bogan said he could hammer it out if necessary.

Staff amended condition #41 to reflect a 600 square foot planting area (based on a planting strip 5 feet wide by 120 feet long). Also a condition will be added to require a \$2000 restoration guarantee and the as-built guarantee reduced to \$3000.

Motion by Mr. Weinberg to issue conditions as amended for 8-661 144 Allen St. Second by Ms. Francis. Vote: 5-0-0.

Motion by Ms. Feldman to close the public hearing. Second by Mr. Hayward. Vote: 5-0-0.

Notice of Intent DEP File # 8-666 531 Pond St./Franmar Properties

Don Rose, engineer with CHA was present. Mr. Rose said they had reviewed the draft conditions and did not have any issue with them.

Motion by Mr. Weinberg to issue the Order of Conditions for 8-666 531 Pond St. Second by Ms. Francis. Vote: 5-0-0.

Motion by Mr. Weinberg to close the public hearing for 8-666. Second by Mr. Hayward. Vote: 5-0-0.

Notice of Intent DEP File # 8-667 175-185 Campanelli Dr./Amazon.com.dedc.LLC

Dwight Dunk, wetland scientist with Epsilon Associates, was present. Mr. Dunk said he had read the conditions and had no problem with them.

Staff noted one change to the condition regarding the dumpster had been requested. Since the dumpsters are contained and connected directly to the building the enclosure is not necessary. Mr. Dunk said a chute from the building is attached directly to the dumpster. Staff changed the wording of that condition to remove the enclosure reference.

Motion by Mr. Weinberg to issue the conditions as amended for 8-667 175 -185 Campanelli Dr. Second by Mr. Hayward. Vote: 5-0-0.

Motion by Mr. Weinberg to close the public hearing for 8-667. Second by Mr. Hayward. Vote: 5-0-0.

Notice of Intent DEP File # 8-668 262 Forbes Rd./Massport Authority

Staff said the applicant had requested a continuation to the September 6th meeting.

Motion by Ms. Feldman to continue the hearing to the September 6th meeting. Second by Mr. Weinberg. Vote: 5-0-0.

Notice of Intent DEP File # 8-669 50 Liberty Park Rd./Kippenhan

Jim Hanlon, relative of Ms. Kippenhan, was present with Ms. Kippenhan. Mr. Hanlon said they had relocated the pool to be out of the 30 foot buffer (to the open space zoning district). Staff said the retaining wall location had not been changed, just the location of the pool. For the purposes of the Conservation Commission review, the limit of work is the same.

Ms. Charles Lis noted that an email from a DEP environmental analyst had been received which contradicted information received from the DEP circuit rider and the DEP Northeast region relative to new development versus redevelopment. In any case, the project addressed the alternatives analysis.

Staff prepared conditions and Mr. Hanlon said they did not have any problems with the conditions.

Motion by Mr. Weinberg to issue the Order of Conditions as drafted for 8-669 50 Liberty Park Rd. Second by Ms. Francis. Vote 5-0-0.

Notice of Intent DEP File # 8-671 50 Christina Dr./Chaplain

Steve DesRoche, Land Surveyor was present with Del Costa from Goddard Consulting and Jack Chaplain, the applicant. Mr. DesRoche updated the plan to show the trees over 4" in caliper and those to be removed (27 trees). They propose to replace the trees with arborvitae for privacy screening .

Staff said it is difficult to comply with the tree policy on a small wooded lot and the intention is to minimize unnecessary clearing. Ms. Charles Lis suggested shrubs be planted in the buffer zone to additionally serve as the demarcation line of the 25 foot no-disturb buffer. Mr. Del Costa said it is heavily shaded. Mr. Hayward suggested they plant some deciduous trees for shade around the house rather than all arborvitae. Mr. Del Costa said there are deciduous trees there now, some of which will be left.

Staff prepared conditions and Mr. Chaplain said he did not have an issue with the conditions.

Motion by Mr. Weinberg to issue the Order of Conditions as drafted for 8-671 50 Christina Dr. Second by Ms. Feldman. Vote 5-0-0.

Notice of Intent DEP File # 8-670 536 Granite St./Peabody Properties

Rhianna Sommers, wetland scientist with Epsilon Associates, was present with Cory Cormier, PE with SGH. Ms. Sommers said they had updated the old Operation and Maintenance Plan for the site and provided additional information as to how they will comply with the tree policy.

Staff prepared conditions and Mr. Cormier said they had no problem with the conditions.

Motion by Ms. Feldman to issue the Order of Conditions as drafted for 8-670 536 Granite St. Second by Mr. Weinberg. Vote: 5-0-0.

Motion by Ms. Feldman to close the public hearing for 8-670 536 Granite St. Second by Mr. Hayward. Vote: 5-0-0.

OTHER BUSINESS

Approval of Minutes – June 28, 2018

Motion by Mr. Weinberg to approve the May 3rd minutes. Second by Ms. Feldman. Vote:4-0-0.

Other

None

Adjourn Motion by Mr. Weinberg to adjourn the meeting at 9:18 PM. Second by Ms. Feldman. Vote: 5-0-0.