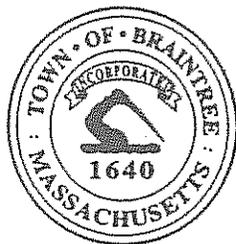


Department of Planning and Community Development

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, MARCH 3, 2011

APPROVED

Members Present: Patrick Flynn, Chair
Gail Feldman
Diane Francis
Matthew Hobin **arrived at point indicated*
Alan Weinberg

Staff: Kelly Phelan

Public Hearings

Request for Determination of Applicability 2-10 Commercial St./S& H Family Realty Trust

Documents: Draft Conditions dated March 1, 2011

Brian Donahoe from Goldman Environmental Group was present on behalf of the applicant.

Staff said the hearing had been continued from the last meeting to allow time for Weymouth Conservation and the Division of Marine Fisheries to comment. Neither party had issue with the revised proposal for building renovation.

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

* Mr. Hobin arrived.

Request for Determination of Applicability - Fore River Railroad Right of Way Vegetation Management/TEC Associates

Documents: Request for Determination Application dated February 16, 2011 and revised map dated February 17, 2011

Kyle Fair from TEC Associates was present. He gave the Commission copies of the revised map. He said the map shows the right of way and the limited-spray and no-spray areas. He also showed photos of the herbicide application by truck with a boom.

Mr. Flynn asked if they used glyphosphate. Mr. Fair said he believes that is on the DEP approved list.

Ms. Francis asked about the map, noting that the wetlands overlap the blue, "limited-spray" zone. Mr. Fair said that the right of way width is exaggerated by the scale of the map. In the field, it measures 10' from the buffer zone.

Mr. Flynn said it looked like the spray bar in the photos were shooting down and asked if they only sprayed the ballast. Mr. Fair said yes.

Mr. Weinberg asked about guidelines for spraying in weather conditions. Mr. Fair said it is all spelled out in the Vegetation Management Plan which is under review and should be issued within the next two weeks.

Staff said she had an issue with the scale of the map provided. The Commission is being asked to approve a wetland delineation however the maps do not show a delineation. A delineation involves field marking the wetland boundary and showing that on a plan at a scale which allows the boundary to be located and reviewed. In this case, a delineation was not provided.

Mr. Weinberg suggested issuing the determination contingent upon staff verification of the wetland. Mr. Flynn agreed.

Mr. Fair said he would arrange with the railroad to have a vehicle available to access the tracks with staff once the snow melts.

Motion by Mr. Weinberg, second by Ms. Feldman, to issue a negative Determination for the Fore River Railroad Right of Way contingent upon site inspection by staff. Vote: 5-0.

Notice of Intent DEP File # 8-607 off Birchcroft Rd./Algonquin Gas Transmission, LLC

Documents: Notice of Intent application dated February 17, 2011

Kelly Kippenberger, wetland scientist with TRC Environmental Company, was present with Jamie Serpas, engineer with TRC Environmental Company. Ms. Kippenberger presented the site plan included in the NOI application. As part of a maintenance and inspection program, Algonquin Gas proposes installation of a receiver barrel at the meter station off of Birchcroft Rd. The receiver barrel

receives an inline inspection tool called a "pig". The pig is launched into the pipeline from another station and inspects the condition of the pipe along its length before being discharged to the receiver barrel. A concrete pad will be poured to enable access to the receiver barrel.

Ms. Kippenberger said that TRC delineated the resource areas. There is a bordering vegetated wetland associated with a perennial stream which is a tributary to Smelt Brook. She pointed out the proposed construction workspace area on the plan, 435 sq. ft. of the workspace will be within the 25 foot no disturb buffer. She said they will take down the existing fence around the equipment and install erosion control around the workspace.

Ms. Feldman asked if they are working entirely within their easement. Ms. Kippenberger said they have temporary workspace outside of the easement area and they are working with the property owner (Pond Meadow Park) on an agreement to use this area.

Mr. Flynn asked for public comment.

Jim Delaney from 56 Stonewood Lane asked if they are replacing or enhancing what is there. Ms. Kippenberger said it is a maintenance project consisting of just a receiver barrel. Mr. Delaney also asked if the fence was going back up in the same location. Ms. Kippenberger said it was. Mr. Delaney also asked about the duration of construction. Ms. Kippenberger said it would be 5 to 7 weeks.

Staff said her only concern was that the workspace was 8 feet from the wetland at its closest and asked if this could be moved back. Ms. Kippenberger said it was needed for construction access but that environmental inspectors would be on site to monitor. Staff also asked where the stockpiles of soil would be located. Ms. Kippenberger said at least 25 feet from the wetland. Staff will condition this.

Motion by Mr. Weinberg, second by Ms. Francis, to continue to March 24th for draft conditions. Discussion ensued with the applicant regarding their plan to start construction on March 28th. Vote: 5-0.

Other Business

Minutes

Documents: Minutes of 2/17/11 meeting

Motion by Ms. Feldman, second by Ms. Francis, to accept the February 17th minutes. Vote: 5-0.

Adjourn

Motion by Mr. Weinberg, second by Mr. Hobin, to adjourn the meeting at 8:45 PM.