

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, APRIL 5, 2012

APPROVED

Members Present: Patrick Flynn, Chair
Diane Francis
Matthew Hobin
Gus Murphy
Daniel J. McMorrow, Jr.
Alan Weinberg

Staff: Kelly Phelan

Public Hearings

Request for Determination of Applicability – 75 Shepard Rd./Pitts

Mr. Flynn opened the public hearing for 75 Shepard Rd. Walter and Judy Pitts were present.

Staff provided an overview. The applicant's property is within the floodplain of the Monaquot River. They propose to remove an existing enclosed porch and replace it with a sunroom and deck. The addition will be on sona tubes and elevated above the floodplain. His surveyor provided calculations on the amount of flood storage lost from the seven 12 inch diameter sona tubes and it is 0.42 cubic yards.

Ms. Francis asked the applicants if they had problems with flooding. Ms. Pitts said that they were flooded two years ago during the big flood.

Mr. Weinberg noted staff's recommendation to issue a negative determination with conditions and asked if erosion control was necessary. Staff said she did not feel it was necessary because of the minimal excavation involved.

Motion by Mr. Weinberg, second by Mr. Murphy, to issue a negative Determination of Applicability with conditions for an elevation certificate and use of open lattice to allow flood storage. Vote: 6-0.

Motion by Mr. Weinberg, second by Mr. McMorrow, to close the public hearing for 75 Shepard Rd.
Vote: 6-0.

Mr. Pitts asked about storage under the addition but above the floodplain elevation, since he has several feet to work with. The Commission agreed that was acceptable.

Other Business

Encroachment onto Conservation Land – Blue Hill Cemetery

Staff explained that, as previously discussed, Blue Hill Cemetery's fill pile had encroached onto conservation land. Staff sent Mr. Ridge, Jr. a letter in December requesting the fill be removed and the area restored by May 15, 2012. Since that time, the town engineering department had gone out to stake the property line so that "conservation land markers" could be installed. Once the line was staked, staff was able to observe the full extent of the impact and felt the Commission may wish to require more than simply seeding the area (such as planting trees there and/or a fine or payment to the tree fund).

Mr. Murphy said they should plant trees on the site.

Mr. Weinberg felt the fine was not necessary at this point if the cemetery comes into compliance and replants the area to staff's satisfaction.

Mr. Flynn suggested the fine be issued if they are not in compliance by May 15th. Mr. Flynn suggested staff inspection in the fall to ensure the trees they plant survive the summer. The cemetery will have to water the trees as necessary.

Motion by Mr. Weinberg to send a letter stating to Mr. Ridge, Jr. stating that replanting trees and watering them through the summer is required and if they do not replant by May 15th a substantial fine will be issued and staff will inspect trees the first week of October for survival. Second by Ms. Francis. Vote: 6-0.

Beautification Day

Eaton's Pond Area

Staff said the New England Mountain Bike Association (NEMBA) had been planning to tackle the cliff dump site at Eaton's Pond for beautification day. However, the town has safety concerns about sending volunteers to the site and NEMBA will not take the project on without a pool of volunteers from the town. NEMBA will continue to work on trail improvements that day instead.

Sunset Lake

Staff is organizing planting of the rain gardens at Sunset Lake. There will be about 100 perennials and small shrubs to plant. She is looking for about 5 or 6 volunteers. Mr. Hobin said he would volunteer.

Mr. Weinberg said that he will be at the Thayer House that day doing some plantings with the Historical Society.

Approval of Minutes

Motion by Mr. Weinberg, second by Ms. Francis, to accept the minutes of March 1, 2012. Vote: 6-0.

Adjourn

Motion by Mr. Weinberg, second by Mr. Hobin, to adjourn the meeting at 7:35 pm. Vote: 6-0.