

## Department of Planning and Community Development

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Mayor Joseph C. Sullivan

### Braintree Conservation Commission

Donald Murphy, Vice-Chair  
Kevin Bears  
Heather Charles Lis  
Diane Francis  
Gail Poliner-Feldman  
Alan Weinberg

Staff: Kelly Phelan

## CONSERVATION COMMISSION MINUTES THURSDAY, JUNE 30, 2016 7PM TOWN HALL- JOHNSON CHAMBERS

Present: Kevin Bears, Heather Charles Lis, Diane Francis, Alan Weinberg & Kelly Phelan,  
Staff

Absent: Donald (Gus) Murphy, Vice Chair; Gail Feldman

Ms. Charles Lis chaired the meeting.

### Moment of Silence

Ms. Charles Lis called for a moment of silence in memory of the recently passed Chair of the Commission, Patrick Flynn.

### Public Hearings

#### Notice of Intent

#### 8-640 Great Pond Dam/Tri Town Board of Water Commissioners

Scott Landgren, landscape architect from CDM Associates was present with Maggie Lofstedt, wetland scientist, also from CDM Associates. Mr. Landgren said the Great Pond Dam is listed with the state Office of Dam Safety (ODS) as a high hazard dam; in the event of failure it could cause loss of life as well as property damage. In 2009 it was rated as being in poor condition due to an inadequate spillway and heavy vegetation on the embankment. The corrective actions proposed include armoring the downstream slope with articulated concrete mats, removing vegetation within 20 feet of the toe of the slope (required by ODS), replacing the stoplogs with aluminum for ease of operation, widening the walkway over the dam, replacing rip rap, etc. Also, an Alaskan steep pass fish ladder will be installed in the spillway as part of the river herring restoration efforts.

**APPROVED**

Mr. Landgren said that there is currently a gravel road on the top of the dam. They are adding a bituminous concrete road instead to prevent rutting and erosion from the DPW vehicle and allow access to the spillway at all times of the year.

The fish ladder will be installed within the existing spillway outlet. It will be anchored to a 5' x 5' concrete pad and there will be a plunge pool at the bottom to create a deeper area for the fish as they exit the ladder.

Ms. Lofstedt said the bordering vegetated wetland is at the toe of the slope. There will be temporary impacts of 7200 square feet associated with the project and permanent impact of 1200 square feet around the low level outlet. There is replication proposed at a 2:1 ratio.

Staff asked for clarification of the vegetation removal within 20 feet of the toe of slope. Mr. Landgren said it is out toward the wetland.

Mr. Weinberg asked how the lost vegetation would be replaced. Ms. Lofstedt said they will seed with a seed mix because they aren't allowed to have trees and shrubs within 20 feet of the toe of the dam. Mr. Landgren said they will need to keep it mowed. Mr. Bears asked if it is an area of full sun. Ms. Lofstedt said yes.

Ms. Charles Lis said that a site visit would be helpful.

Mr. Weinberg asked about the elevation at the top of the dam. Ms. Lofstedt said it is 121 feet at the crest and 118 feet at the wetland.

Ms. Charles Lis asked about the wetland delineation and if the flags had been replaced as requested in the staff report. Ms. Lofstedt said it was very time consuming to replace the flags and asked that if in lieu of that she could show members the wetland line during the site visit. She said the wetland line was basically at the toe of slope. Staff will meet with Ms. Lofstedt prior to the Commission's site visit.

Mr. Weinberg asked if there is water quality data for the reservoir. Ms. Lofstedt said it is drinking water supply. Ms. Francis said an insert comes in the water bill.

Staff asked for clarification on the vegetation removal and reseeded 20 feet out from the toe of slope. It sounds like it will mean the conversion forested wetland to a wet meadow. Ms. Lofstedt said that it is an ODS requirement. Mr. Landgren said the Chapter 253 Permit issued by the ODS requires follow up reports to verify maintenance such as mowing. Ms. Lofstedt said the ODS requires the stumps be pulled out. Mr. Landgren said that the root mass around the stump will be cut before pulling to limit disruption.

Ms. Charles Lis noted that the description for wetland 3 noted that it had been recently mowed. Ms. Lofstedt said that ODS requires mowing.

Ms. Charles Lis asked about the replication areas. Ms. Lofstedt said they are in area that will be disturbed by the project. Mr. Bears requested they be marked for the site visit.

Ms. Charles Lis asked about post-construction monitoring of the replication areas and invasive species management. Ms. Lofstedt said DEP 401 Water Quality Certification permits usually require 5 years of replication monitoring. The 401 Water Quality Certification permit is required because the reservoir is an outstanding resource water (ORW). Ms. Charles Lis asked for information on the invasive species management to be provided.

Ms. Charles Lis noted she was following the outline of the staff report and asked about bordering land subject to flooding. Ms. Lofstedt said the base flood elevation 120 feet (datum NAVD 88). The crest of the dam is 120.8. Compensatory flood storage will be provided for the 11 cy of fill by lowering grades in the replication areas to provide 94 cy of storage.

Ms. Charles Lis asked about the fish ladder. Mr. Landgren said they have been working with Brad Chase from Marine Fisheries. The ladder is an aluminum structure and will be anchored to the existing structure at the top and to a 5' x 5' concrete pad at the bottom. There will also be a 5' x 10' plunge pool at the bottom to allow the fish to land in deeper water. Mr. Bears asked if Water and Sewer would be managing the fish ladder. Mr. Landgren said they would.

Ms. Charles Lis noted that alterations to Land Under Water can be permitted if they don't impact wildlife habitat and in this case it is for fish passage, which is an improvement. She noted that comments from Natural Heritage and Endangered Species program were received and will be conditioned.

Moving on to sedimentation and erosion control, Mr. Weinberg asked if timber mats would be used. Ms. Lofstedt said they would be used if needed and suggested conditioning that.

Staff asked if the turbidity curtain would only be used in front of the spillway. Ms. Lofstedt said it would. Staff clarified that the cofferdam detail and dewatering process would have to be provided by the contractor and would need to be conditioned.

Mr. Weinberg asked how long the construction process would take. Mr. Landgren said it would take about 3-4 months.

Ms. Charles Lis said there should be oversight of installation of the fish ladder by a qualified individual. Mr. Landgren said Marine Fisheries is donating it and he assumed they would want to be present to oversee its installation. Ms. Lofstedt suggested conditioning it.

Ms. Charles Lis asked about construction sequencing. Mr. Landgren said sequencing depends on the time of year the construction is started. Ms. Lofstedt suggested conditioning it.

Ms. Charles Lis asked why there were different materials used to armor the dam in various places. Mr. Landgren said it was because of the differences in slope. The regulations require the dam be able to safely pass the ½ probable maximum flood. They use articulate concrete block in the higher velocity areas.

Ms. Charles Lis asked about paving the access road noting that the project doesn't meet the stormwater standards. She asked if they had considered other materials such as pavers. Mr. Landgren said they don't want water to infiltrate into the core of the dam. He said it is being paved to prevent ruts from developing. He said only the DPW vehicle travels on the crest. Ms. Lofstedt said there is no room to attenuate or treat flows because the wetland is at the toe of the slope.

Mr. Bears said the site visit will be helpful. The date will be Saturday, July 9<sup>th</sup> at 9 am at 300 King Hill Road.

Motion by Mr. Weinberg, second by Ms. Francis, to continue the hearing to August 4<sup>th</sup>. Vote: 4-0.

## **Other Business**

### **Suggestions for Commemoration of Patrick Flynn**

Mr. Weinberg said he spoke with a man who worked with Pat at Hartney Greymont and they are donating a tree. Mayor Sullivan is in touch with Pat's wife, Joyce about identifying a location for this.

Staff suggested finishing the Open Space guide that Pat and initiated last year and dedicating it to him. Members agreed that would be a good project.

The discussion on this will be continued at the next meeting.

### **Enforcement- Allen Street**

Staff has not heard back from the owner of 94 Allen St. She will reach out to him to follow up on the required action on the vehicle lift (remove or file a Notice of Intent to keep it).

### **Approval of Minutes – June 2, 2016**

Motion by Mr. Weinberg, second by Ms. Francis, to approve the minutes of June 2. Vote: 4-0.

### **Other**

Mr. Bears suggested dates for open space activities in the fall.

Cranberry Pond Walk – September 10 or 17. Staff has to confirm her availability before finalizing and we need to figure out a carpooling location.

Eaton's Pond Walk – October 22 with October 29 as rain date.

Pond Meadow Park – confirm with ranger, maybe 12/3.

Also, Thursday, August 11 is the Smith Beach concert. We will try to have the kayaks available.

### **Adjourn**

Motion by Mr. Weinberg, second by Mr. Bears, to adjourn the meeting at 8:30 pm. Vote: 4-0.