

# 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, NOVEMBER 18, 2010

**APPROVED**

Members Present: Patrick Flynn, Chair  
Gail Feldman  
Diane Francis  
Matthew Hobin  
Daniel J. McMorrow

Staff: Kelly Phelan

### Public Hearings

#### **Notice of Intent 8-600 75 Granite St./Herb Chambers**

##### *Documents:*

- 1) *Plan set*
  - Cover Sheet* 2/4/10 Revised 11/2/10
  - Existing Conditions* 2/4/10 Revised 11/2/10
  - Site Plan* 2/4/10 Revised 11/2/10
  - Detail Sheet* 2/4/10 Revised 11/2/10
- 2) *MA Highway Permit w/cover letter from Attorney Marinelli, dated October 4, 2010*

Attorney Frank Marinelli was present with David Mackwell of Kelly Engineering and Scott Lewis, the manager of the 75 Granite St. Ford dealership. Attorney Marinelli said the store was purchased in 2001 and had a wide open swale at the back of the site. In 2002, Chambers filed a Notice of Intent to enclose the swale in a box culvert. The work wasn't done until several years later and two 24" pipes were installed instead of the box culvert. In 2009 staff requested that Chambers address the change in design and they retained Kelly Engineering to file a new Notice of Intent reflecting the work which was done and how they would provide the required compensatory flood storage. Attorney Marinelli added that the location of the former swale is within a MA Highway easement. They recently got MA

Highway (now MA Department of Transportation) approval for the project. They also filed with the Planning Board for the floodplain Special Permit.

Dave Mackwell addressed the original staff report from March (before the hearing was continued several times while awaiting MA Highway approval). He said that two deep sump catch basins were added to the plan to address the concern about the drop inlets connecting directly to the pipes. He said they added curbing to control runoff and added a stockade fence to prevent parking over the property line near the wetland. He said there were no snow storage areas because of limited space. They push snow to the back of the parking stalls and put the cars back in. They agree to no snow storage in the resource areas. They don't have room to store deicer on site and will work with staff to come up with an acceptable deicer.

Ms. Francis asked when they plan to complete the work. Attorney Marinelli said the Department of Transportation permit expires at the end of the year so they have to request an extension. Once they have the extension they plan to do it as soon as possible pending the weather.

Ms. Francis asked about the resource areas. Mr. Mackwell said drainage comes from under Granite St., through the site and discharges at the property line and becomes the Town Brook at that point. Mr. Mackwell said that the proposal corrects the filling of the floodplain and brings the site back into compliance with performance standards. Mr. Mackwell also said the old Order of Conditions would have to be closed out.

Ms. Feldman said the maintenance plan will be very important. Mr. Mackwell said they provided an Operation and Maintenance Plan and records will be kept on site.

Mr. Flynn asked if the catch basins were deep sump basins. Mr. Mackwell said they are.

Mr. Flynn asked for comment from the public, there was none.

Motion by Mr. Hobin, second by Mr. McMorrow to proceed to draft conditions for the December 2<sup>nd</sup> meeting. Vote: 5-0.

## **Notice of Intent 8-605 69 & 81 Common St./Mento Enterprises, Inc.**

### *Documents:*

- 1) *Plan: Notice of Intent Site Plan in Braintree, Massachusetts*  
*Dated: August 12, 2010 and revised 11/2/10*

Greg Bunavicz from Boderland Engineering presented the project proposal. He said DEP issued the file # online (8-605) and he developed a mitigation planting plan. He said the site is currently 4 lots totaling 3.3 acres. The Town Brook crosses under Common St. near the property and there is a large bordering vegetated wetland on site. He said he revised the plan per the staff comment to address floodplain. He said there is a note on the FEMA flood map that the floodplain is contained within the channel at elevation 34. They plan to demolish the two existing houses and build 3 houses. He pointed

out the haybale/silt fence line around each site. As for mitigation they propose plantings, removal of irrigation wells and installing a fence at the 25 foot no-disturb buffer with boundary markers.

Mr. Flynn asked about the fence material. Mr. Bunavicz said it would be wooden. Mr. Flynn requested it be black vinyl chain link so that it would last longer.

Ms. Feldman noted that the owners wouldn't be able to use most of the lots because of the wetlands. Mr. Bunavicz agreed. Ms. Feldman also asked about frontage. Mr. Bunavicz said the lots will have the required frontage.

Ms. Francis asked about the demolition methods. Mr. Bunavicz said that they would use an excavator with a grapple so it would be controlled, they will dig the foundation out and dispose of all materials properly.

Mr. Flynn asked for public comment.

Ed Dowd from 57 Common St. said he lives two houses away and there was recently 30" of water behind the pool on one of the lots. He said it would be wrong to put in a cellar and the ground water is within 6 inches of the surface. He said it is buildable but it has to be done right.

Mr. Bunavicz said the houses will have a walk out basement and that groundwater is the elevation of the wetland.

Ms. Feldman asked if they are displacing water with the new houses. Mr. Bunavicz said each house would have a drywell to recharge their roof runoff so there should not be an increase in runoff. Ms. Feldman said she was concerned about flooding and how they would compensate for it.

Staff said that if the area were mapped floodplain, they would have to provide compensatory flood storage for any filling. However, it is not mapped as floodplain so that performance standard is not triggered.

Staff asked Mr. Bunavicz if he had calculated the change in impervious surface with the new proposal. Mr. Bunavicz said he had not but that recharging the roof runoff should make up for the additional driveway. Mr. Bunavicz will provide these calculations.

Roger St. Peter from 51 Cherry St. said that his backyard is already low and squishy and he often can't use it. He is worried about where the additional water will go and worried that it will go toward his yard.

Mr. Flynn said to Mr. Bunavicz that he may have to consider permeable asphalt.

Mike Radigan said that there was standing water behind house #69 and he is concerned about getting more water. He suggested diverting the water to Town Brook.

Staff said she went out to the site after a few days of heavy rain to see what was going on and the area behind the pool at #69 was dry.

An unidentified man from across Common street said that he has been in his house since before the expressway was constructed and the area was marshland. He also said the Army Corps moved Town Brook.

Mr. Flynn suggested a site visit for Commission members and asked staff to set one up.

Motion by Ms. Feldman, second by Mr. McMorrow, to continue the hearing to December 2<sup>nd</sup> and make a site visit prior to that. (Mr. McMorrow added that information on impervious surface should be provided.) Vote: 5-0.

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

### *Documents:*

*Plan Set: 2-10 Commercial St. Existing and Proposed Building Section 10/28/10*  
*2-10 Commercial St. Proposed Floor Plan and Elevation 10/28/10*

Brian Donahue, Architect was present with the Soros family members (Jr. and Sr.) who own the Landing Pub. Mr. Donahue said that the building is a couple hundred years old and they want to do a renovation. He said a stream runs through the bottom of the building. The owners reached out to the Town to see if there are plans to relocate the stream to under the road instead of under the building but there is not funding. The owners would like to move forward with their renovations.

Mr. Donahue said that the stream is 10 feet wide and was a trickle when he saw it in April. The stream is contained on one side by the support wall for the building and by grade on the other side. He said there is an upstream diversion and that they need to get a civil engineer involved and study the structural integrity of the existing wall.

Mr. Flynn said he is unqualified to comment on this. Staff agreed that a civil engineer needs to be involved.

Motion by Ms. Feldman, second by Mr. Hobin, to continue to December 16<sup>th</sup> for more information as to adverse effects from enclosing the stream. Vote: 5-0.

## **Other Business**

### **Deicers**

*Documents: Excerpt from MA Highway Department Snow & Ice Control Generic Environmental Impact Report Dated May, 2006*

Chris Wharton from LaRosa landscaping was present. He is the contractor for snow removal at 175 Campanelli Drive. The site has a prohibition against salt use from an old Order of Conditions. They have been using sand but have asked to be able to use an alternative such as magnesium chloride or calcium chloride. He said they like a product called Ice Ban which is a mix of calcium chloride and paper lignin from paper mills.

Staff said she contacted MA Highway (now MA Department of Transportation) and they said they use both calcium chloride and magnesium chloride as an alternative to sodium chloride. She also made calls to other conservation commissions to ask what they allow and calcium chloride was the common answer. She also provided an environmental review document from MA Highway which discusses various deicers.

Ms. Francis said she read that it is important to put the deicer on the pavement before the storm starts because it takes less energy to prevent the ice from forming than to melt it.

Ms. Feldman said that this river (the Farm River) leads to the drinking water supply and this concerns her. She also said that stormwater standard #4 requires proper management of deicing chemicals and snow.

Mr. McMorrow said that it sounds like calcium chloride is the best option based on the document from MA Highway. He said information on the paper lignin is needed.

Mr. Flynn said that given the alternatives, he doesn't have a problem with calcium chloride.

Ms. Feldman said that the new stormwater laws require new projects to have treatment but that because this is an existing project, they should try to provide treatment.

Motion by Mr. McMorrow, second by Ms. Francis, to allow usage of calcium chloride for 175 Campanelli Dr. Vote: 4-1 with Ms. Feldman opposed.

**Request for Certificate of Compliance  
8-577 71 Adams St. /Graziano**

*Documents: Operation and Maintenance Procedures for Storm Water Controls  
Dated: November 10, 2010*

Staff said they had revised the stormwater system Operation and Maintenance Plan to provide more detail, as requested and provided a copy to the Commission.

Motion by Ms. Francis, second by Ms. Feldman, to issue the Certificate of Compliance for 8-577. Vote: 5-0.

**Proposed 2011 Meeting Schedule**

*Documents: Proposed 2011 Meeting Schedule*

Accepted.

**Minutes**

*Documents: Minutes of 10/21/10 meeting*

Motion by Ms. Feldman, second by Mr. Hobin, to approve the minutes of the October 21<sup>st</sup> meeting.  
Vote: 5-0.

**Motion to Adjourn**

Meeting adjourned at 8:40 PM.