

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, OCTOBER 6, 2016 7PM
TOWN HALL- JOHNSON CHAMBERS**

Present: Donald (Gus) Murphy, Vice Chair; Gail Feldman, Heather Charles Lis, Alan Weinberg & Kelly Phelan, Staff

Absent: Kevin Bears, Diane Francis

APPROVED

Public Hearings

Notice of Intent

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

Barbara Mello from the Mayor's Office was present on behalf of the Tri Town Board.

Staff said the hearing had been continued to this meeting to clarify language in the conditions. She noted the changes were in red on the revised draft condition document and reviewed the changes. Condition #44 allowed for the possibility of herbicide treatment to control invasive species. Ms. Charles Lis said in this case because of the proximity to drinking water she hesitated to call it out as allowed. Mr. Weinberg said they should be required to check with the Health Department because it is drinking water. Ms. Charles Lis suggested the language of the last sentence of condition #44 be changed to read "if manual removal is not feasible the applicant shall confer with the Conservation Commission as to appropriate next steps and confer with the Health Department."

Mr. Murphy asked if there was any public comment. There was not.

Motion by Mr. Weinberg, second by Ms. Charles Lis, to issue the conditions as amended. Vote: 4-0.

Motion by Mr. Weinberg, second by Ms. Charles Lis, to close the public hearing. Vote: 4-0.

**Request for Determination of Applicability
9 Hickory Rd./Christian**

Mr. and Mrs. Christian were present. Staff said the hearing had been continued to this meeting so that the Commission could make a site visit. Ms. Feldman and Ms. Charles Lis attended the site visit with staff. She said the issue was whether they could fill and grade as proposed without infringing on the 25 foot buffer.

Mr. Christian said he came before the board about 20 years ago to get permission to fill, which they received, but they weren't able to complete the project. He said the drainage area on the adjacent property has expanded and the phragmites has expanded. He thinks there is more water going in there since other developments were done. He said their property has always been a lawn. Ms. Charles Lis said that is why they get to maintain it as lawn.

Ms. Charles Lis said fill changes the runoff from the area which is why staying away from the 25 foot no-disturb buffer to the wetland is important. Staff suggested she mark out the 25 foot buffer on the property and the Christians can see what they can work with.

Motion by Mr. Weinberg, second by Ms. Charles Lis, to continue the hearing to November 3
Vote: 4-0.

**Request for Determination of Applicability
162 Walnut St./Lydon**

Joseph Hannon, PE was present. Frank Harkin, husband of the property owner was also present.

Staff said the hearing had been continued to this meeting for two items. The Commission requested a notarized letter from the applicant stating that she agreed to the conditions; which was received. Also, Mr. Hannon was to address protection of the resource areas and roof run-off. Mr. Hannon said they would use silt fence and haybales around the work area to protect the brook and wetlands. For roof runoff he proposed either directing the downspouts to splash pads and letting the water run off over the lawn or piping it horizontally in perforated pipe to allow infiltration into the soil. Ms. Charles Lis asked what length of pipe was proposed. Mr. Hannon estimated 25 feet from one corner and 100 feet from another corner. Ms. Charles Lis asked about the soils. Mr. Hannon said they had not investigated the soils but they appeared to have topsoil. Ms. Charles Lis felt infiltrating the runoff through the perforated pipes would be a positive approach.

Motion by Mr. Weinberg, second by Ms. Charles Lis, to issue a negative Determination of Applicability with conditions as amended (to include roof runoff to be discharged through perforated pipes). Vote: 4-0.

Motion by Mr. Weinberg, second by Ms. Feldman, to close the hearing for 162 Walnut St. Vote: 4-0.

Notice of Intent

8-641 128 Town St./BSC Partners LLC and Town of Braintree

Staff said they had requested the hearing be continued to the November 3 meeting.

Motion by Mr. Weinberg, second by Ms. Charles Lis, to continue the hearing to November 3rd.
Vote: 4-0.

Request for Determination of Applicability
304 Common St./Tran

Jack Tran was present. He said he wants to extend the house on the side. He wanted to add a two-car garage but he scaled it back to a one-car garage. He had the wetland flagged and added to the site plan and the reduced garage is up to the 25 foot no-disturb buffer.

Staff recommended he have the wetland scientist provide a restoration plan since the area will be disturbed by construction and will need to be restored. Mr. Tran said his wetland scientist said the project was small and he could just make the area grass. Staff said he cannot make the area lawn with the exception of a few feet for access around the garage. Ms. Charles Lis said it is critical to know how much encroachment into the 25 foot buffer zone there would be.

Staff will come up with a limit of how far off the garage may be maintained as lawn and the rest of the 25 foot buffer will have to be planted with native shrubs or trees. Ms. Charles Lis noted that the tree policy would apply for the trees he is removing.

Motion by Mr. Weinberg, second by Ms. Feldman, to continue the hearing to the November 3 meeting. Vote: 4-0.

Request for Determination of Applicability
470 Middle St./Penn's Hill Development

Frank and Joseph Boncaldo from Penn's Hill Development were present. Joseph Boncaldo said they are proposing to tear down the existing garage and rebuild it with a 13' x 34' addition to the rear. He said they are within the 100 foot buffer zone which is why they filed with the Commission.

Mr. Weinberg asked if there was any change in elevation. Joseph Boncaldo said they are building on the same level.

Staff said the addition is approximately 40 feet from the wetland.

Mr. Murphy asked if there was any public comment. Richard Ingles from 442 Middle St. asked how much further back toward the property line they were going. Joseph Boncaldo said they are squaring of the back of the house.

Motion by Ms. Charles Lis, second by Mr. Weinberg, to issue a negative Determination of Applicability with condition for erosion control for 8-470 Liberty St. Vote: 4-0.

Motion by Mr. Weinberg, second by Ms. Charles Lis, to close the public hearing for 470 Liberty St. Vote: 4-0.

Other Business

Open Space Guide

Joyce Albrecht, Pat Flynn's wife, was present.

Staff said the next steps were to review the latest draft before sending to the printer to work on layout. Ms. Albrecht said the content of the guide is lacking and the overall map is confusing and needs a legend. Staff asked for specific suggestions on the content.

Other information to include in the guide include conservation land rules and regulations, note to bring a bag to pick up trash, contact information, website address, possibly adding more details to the maps (though several maps were created by other entities and not available for editing) and perhaps adding photos to section on Sunset Lake.

Reorganization

Tabled until all members are present.

Ms. Charles Lis said she had a conversation with Mayor Sullivan and she is willing to serve as Chair if voted by the Commission.

Approval of Minutes – August 4, 2016

Motion by Mr. Weinberg, second by Ms. Francis, to approve the minutes of September 1, 2016. Vote: 4-0.

Adjourn

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