

# Department of Planning and Community Development

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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, SEPTEMBER 13, 2012

**APPROVED**

Present: Patrick Flynn, Chair  
Gail Feldman  
Matthew Hobin  
Gus Murphy

Absent: Diane Francis  
Daniel J. McMorrow, Jr.  
Alan Weinberg

Kelly Phelan, Staff

### Public Hearings

#### Notice of Intent

**8-616 79 Shepard Rd./Connolly**

Staff said the Connolly's are still in the process of revising their plan to comply with Zoning Bylaw requirements for floodplain and recommending continuing the hearing to the October 4<sup>th</sup> meeting.

Motion by Mr. Murphy, second by Ms. Feldman, to continue the hearing to the October 4<sup>th</sup> meeting.  
Vote: 4-0.

#### Notice of Intent

**8-617 20 Pond St./MSMM LLC**

Carl Johnson, attorney, was present with Ron Marshall, attorney for F.X. Messina and Jennifer Turcotte, project engineer.

Mr. Johnson said the property at 20 Pond St. is a former nursing home. They propose to demolish the rear addition to the building and renovate the building to residential use. The Monaquot River is in the rear of the property. A previous Order of Conditions was issued for the site in 1993 and a Special Permit from the Planning Board. The project includes stormceptors to treat runoff as well as roof drains and infiltration.

A portion of the front of the site is within the Watershed Protection District. This area flows to toward Pond St. to the town's storm drain system.

Ms. Turcotte gave an overview of the project and noted where the 200-foot Riverfront Area and 100-foot buffer zone fall on the site. She said there is no work proposed beyond the existing guardrail at the back of the property. No impervious area will be added and they are removing impervious area at the front of the building.

Ms. Feldman asked Ms. Turcotte to address the staff report comment to clarify the amount of impervious surface. Ms. Turcotte said there is additional contributory impervious area on the adjacent Congregational Church site. This is included as impervious area for the drainage calculations but it is included on the zoning table on the site plans. She said the area from the church parking lot which drains onto the site is 5200 sq. ft. The total contributory impervious area is 47,350 square feet.

Ms. Turcotte responded to the additional items in the staff report. She clarified the recharge calculations to reflect hydrologic soil group A. The test pits revealed very sandy soil which is considered an A group soil requiring .6 inches of recharge multiplied by the impervious area on the site. They meet the recharge standard to 88% which is a significant improvement over current conditions which includes no recharge.

Ms. Turcotte said that under existing conditions, the front of the site drains and roof drains discharge to the municipal storm drain system on Pond St. The back of the site discharges toward the Monatiquot River without any treatment. Under proposed conditions roof runoff will be directed to the back of the site and the pavement in the back will be pretreated by a Stormceptor before infiltrating to groundwater. Overflow from infiltration will still discharge toward the river. Under proposed conditions the rate and volume of runoff will be reduced in all but the 100 year storm. In that storm event, the rate of runoff is not increased but the volume is. The rate and volume discharged to Pond ST. is substantially reduced in all storms.

Mr. Flynn asked if the O&M Plan has been revised. Ms. Turcotte said it has. Staff noted that the catch basin cleaning needed to be added.

Ms. Feldman asked about the trench drain noted in the staff report. Ms. Turcotte said the trench drain is not functioning but they plan to restore it so that it collects what it is supposed to collect.

Mr. Flynn asked if there was additional comment from the Commission. There was not. Mr. Flynn asked if there were comments from the public. There were no additional comments.

Staff recommended continuing the hearing to the October 18<sup>th</sup> meeting for draft conditions, provided the plans have been revised to reflect the latest comments.

Motion by Mr. Murphy, second by Ms. Feldman, to continue the hearing to October 18<sup>th</sup> for draft conditions. Vote: 4-0

## **Request for Determination of Applicability 6 Sunset Rd./Montillo**

Francesco Montillo was present with his wife, Karen. They propose to demolish an existing garage and 2500 sq. ft. of pavement and demolish a shed. They will rebuild the garage and driveway on the south side of the property to be outside of the 100 foot buffer zone to the lake. The shed will be rebuilt in the same location but on a smaller footprint. This will increase the distance from the lake from four feet to twelve feet. The area from which the driveway and garage are removed will be restored to lawn.

Mr. Flynn clarified that there would be less impervious area in the buffer zone under the proposed conditions. Mr. Montillo said yes.

Staff said there was a question as to whether a building permit could be issued for the shed since it is within the paper street. Mr. Montillo said that he had talked to the building inspector and felt that he would be able to demonstrate ownership and obtain a permit.

Staff said if it turns out the shed has to go in another location he would have to come back to the Commission.

Mr. Flynn said that Mr. Montillo would have to act quickly if he wanted to seed the area to lawn this fall.

Mr. Flynn asked for public comment. Joe Cerilli from 4 Sunset Rd. said he had no problems with the proposal to move the garage as long as there aren't any conservation issues.

Motion by Ms. Feldman, second by Mr. Hobin, to issue a negative Determination of Applicability with conditions as drafted for 6 Sunset Rd. Vote: 4-0.

## **Other Business**

### **8-564 14 Columbus Rd. Return As-Built Guarantee**

Staff said the Commission had issued the Certificate of Compliance for this project but she had forgotten about the return of the as-built guarantee. A vote to return the as-built was needed.

Motion by Mr. Murphy, second by Mr. Hobin, to return the as-built guarantee for 8-564. Vote: 4-0.

### **Conservation Areas - Updates**

Staff updated the Commission on a few items. The title search for Eaton's Pond was completed and there is no access easement through the apartment complex. Staff had requested this be done before inviting the public to access the land this way. An alternative option for providing public access is from the back of Ross School but safety concerns would have to be considered and addressed.

The Eagle Scout, Colin Foley, completed two deer exclosures at Cranberry Pond. They are well-built and the US Forest Service Botanist continues to be involved in monitoring the vegetation impacts from deer browse. Over time the exclosures will provide examples of how the forest understory would grow if the deer browse pressure was decreased.

The third update has to do with the canal from Sunset Lake. Staff has received a few complaints about it not flowing. Mr. Flynn suggested looking at it from an engineering perspective because of the dam and asking for the Town Engineer's opinion.

### **Approval of Minutes**

Motion by Ms. Feldman, second by Mr. Hobin, to accept the August 9, 2012 minutes. Vote: 4-0.

Motion by Mr. Hobin, second by Ms. Feldman, to accept the July 12, 2012 minutes. Vote: 4-0.

### **Adjourn**

Motion by Mr. Hobin, second by Mr. Murphy, to adjourn the meeting at 8:20 pm. Vote: 4-0.