

Department of Planning and Community Development

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Mayor Joseph C. Sullivan

Braintree Conservation Commission

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

Staff: Kelly Phelan

CONSERVATION COMMISSION MINUTES THURSDAY, MARCH 1, 2018, 7PM TOWN HALL- JOHNSON CHAMBERS

Present: Heather Charles Lis, Gail Feldman, Diane Francis, Alan Weinberg & Kelly Phelan, Staff

Absent: Joyce Albrecht, Kevin Bears, Gus Murphy

Public Hearings

APPROVED

**Notice of Intent 8-641 128 Town St/BSC Partners LLC & Town of Braintree
(continued from 12/717 without testimony)**

Scott Lacy, Attorney for the applicant was present with Nick Facendola, Level One Design. Mr. Lacy said they re-notified abutters about the hearing and will run through the presentation they did at the February meeting. The building size has been reduced by 50%. The stormwater system is between the football field and the proposed building and will connect to an existing drain line.

Nick Facendola addressed the stormwater standard. The system will connect to an existing headwall. There are bioretention areas in the new parking area as well as an underground drainage system to recharge groundwater. The project meets all of the stormwater standards and the Town's peer review consultant signed off that the system meets the standards, including that there is no increase in runoff from the site.

Mr. Lacy addressed the Operation and Maintenance Plan for the stormwater system. He said BSC partners will maintain it for the first year and then the Town will take over. He said the Town Engineer is reviewing the language in the revised O&M and they will provide it to the Commission as conditioned.

Motion by Mr. Weinberg to issue the Order of Conditions for 8-641 and find the project will not have an adverse impact to the interests of 310 CMR 10.00 and the Braintree Wetland Bylaw Ch. 12.20. Second by Ms. Feldman. Vote: 4-0-0.

Motion by Mr. Weinberg to close the public hearing for 8-660. Second by Ms. Francis. Vote: 4-0-0.

Notice of Intent 8-660 Washington St. Sports Complex (Map 1053, Plot 12H & Map 1050, Plot 14)/Edge Sports Group

Paul Maddow from Allen & Major Associates, Inc. was present on behalf of the applicant, Edge Sports Group. Mr. Maddow reviewed the project which consists of an 80,000 square foot building. The Commission had discussed at the last meeting the issue of reserved parking to be decided by the Planning Board. The reserved parking area has been removed from the site plan for the Conservation Commission. If the parking is determined to be required in the future the applicant will request an amendment to the Order of Conditions to construct 43 spaces in the riverfront area and buffer zone.

Ms. Feldman said the Planning Board should determine the parking issue prior to the Commission deciding on the project. Mr. Maddow said they provided documentation on the parking and the planning staff indicated that it would be sufficient.

Staff said it would be clearer to require an amendment or new Order of if the parking is determined to be necessary in the future rather than to leave it on the plans now.

Ms. Charles Lis said she would prefer the Planning Board close their hearing first but that what the Commission is being asked to approve is not something that would be denied.

Ms. Feldman clarified that the applicant cannot put the reserve parking in without coming back to the Commission. The applicant agreed. The number of reserve spaces in the Commission's jurisdiction is 43.

Ms. Charles Lis said the Commission had requested at the last meeting that the applicant address improvements to the Riverfront Area. Mr. Maddow said the planting plan had been revised and includes the area at the top of the existing rip rap slope to be planted with a native plant palette. Ms. Feldman said that should be defined now. Staff included a condition that a detailed planting plan be provided prior to the start of work (condition #41).

Motion by Mr. Weinberg to issue the Order of Conditions for 8-660 and find that the project will not have adverse impact to the interests of 310 CMR 10.00 and the Braintree Wetland Bylaw Ch. 12.20. Second by Ms. Francis. Vote: 4-0-0.

Motion by Mr. Weinberg to close the public hearing for 8-660. Second by Ms. Francis. Vote: 4-0-0.

**Request for Determination of Applicability
209 Commercial St./Francis**

Giovanni and Diana Francis were present. Mr. Giovanni said they would like to build a detached garage at their residence.

Staff noted that the site is existing lawn area adjacent to the house. The location is outer riparian of the Monatiquot River, a little over 100 feet from the river. She recommended a negative Determination of Applicability with conditions for erosion control, management of roof runoff and planting native shrubs between the lawn area and the slope down to the river.

Ms. Charles Lis said Riverfront is 200 feet from the river and it is a resource area. She told the applicant that if they were proposing work closer to the river it would be a larger process. She said they should be aware that any work on the property, including removing vegetation, would be subject to the Commission's approval. She said suggested adding a condition for a follow-up inspection by staff.

Motion by Mr. Weinberg to issue a negative Determination of Applicability for 209 Commercial St. with conditions as drafted and amended to include a condition #5 for a follow-up inspection by staff. Second by Ms. Feldman. Vote: 4-0-0.

Motion by Mr. Weinberg to close the public hearing for 209 Commercial St. Second by Ms. Feldman. Vote: 4-0-0.

OTHER BUSINESS

Enforcement Order Update/Restoration Plan- 2 Garden Park

Brad Holmes, the project wetland scientist, was present with the property owner, Brian McGourty. Mr. Holmes revised the plan since the last meeting when the Commission had questions on Buffer Zone B area of the plans. Buffer zone B is between the 2004 limit of work (erosion control) and edge of pavement from the 2004 plans for site and is proposed to be restored to grade and covered in wood chips. Eight conservation markers on posts have been included on the plan within Buffer Zone B to protect the Buffer Zone A and wetland areas. He said the area will be utilized for storage.

Staff said not much has changed since the last meeting except for the markers Mr. Holmes said it was a redeveloped site and the area up to the limit of work was already disturbed. He said if the markers were at the edge of pavement it would be hard to maintain the area.

Ms. Feldman said they have done a lot and she is satisfied.

Mr. Weinberg said that prior to redevelopment the land had been a storage area and had hazardous materials and vehicles. Mr. McGourty said Armstrong Cork had owned it previously and they cleared and filled it.

Mr. Holmes said three years of monitoring is included in the restoration plan.

Ms. Charles Lis said the site may not have been pristine but the regulations require restoration and the area would have been shown as a mulch area on the 2004 plans.

Staff suggested if they want to use the area they include it, or part of it, in the Notice of Intent they are filing for the unpermitted work which was done.

Mr. Weinberg said he has no major concern with using wood chips. Ms. Francis said wood chips deteriorate over time and need to be replaced.

Ms. Charles Lis asked why they don't move the markers closer to the edge of pavement. Mr. Homes said they are trying to mirror the 2004 conditions and are already investing in a couple hundred plants.

Motion by Mr. Weinberg to amend the existing Enforcement Order to authorize the proposed restoration work which must be completed by May 30, 2018. Second by Ms. Feldman. Vote: 3-1-0 with Ms. Charles opposed.

Motion by Mr. Weinberg to require the filing of a Notice of Intent for unpermitted work at 2 Garden Park for the April 5, 2018 meeting. Second by Ms. Francis. Vote: 4-0-0.

Open Space and Recreation Plan Update

No discussion

Discussion on March Meeting for Potential Hunting Policy

Staff prepared a draft agenda for the March 14th meeting.

Ms. Charles Lis noted that two members had submitted written comments on the hunting topic. She said staff had distributed these by email. Ms. Charles Lis said she leaves it up to the individual members to raise their comments during the discussions.

Ms. Feldman said there should be maps of the three conservation areas under discussion and speakers should provide information on urban areas and safety. She said the setback areas should be shown on the maps.

Brian Shaban, Newton Ave. was present and said the state setbacks are 500 feet from dwelling.

Staff will make a handout with the maps of three areas and the trail maps for those areas. She will also convey to the speakers that the Commission has already voted that if hunting is allowed, it will not be left to state law; there will be additional, local regulations. Also, the safety and hunting in densely populated, urban areas should be addressed.

The Commission discussed the length of the agenda and will increase the time for public comment.

Approval of Minutes – February 1, 2018.

Motion by Mr. Weinberg to approve the February 1, 2018 minutes. Second by Ms. Feldman. Vote: 4-0-0.

Other

None

Adjourn

Motion by Mr. Weinberg to adjourn the meeting at 9:15 PM. Second by Ms. Francis. Vote: 4-0-0.