



Mayor
Charles C. Kokoros

Department of Planning and Community Development

Melissa M. SantucciRozzi, Director
1 JFK Memorial Drive
Braintree, Massachusetts 02184
msantucci@braintreema.gov
Phone: 781-794-8234

CONSERVATION COMMISSION

Christopher Hayward, Chair
Peter Williams, Vice Chair
Heather Charles Lis, Member
Diane Francis, Member
Giles Parker, Member
Hung Pham, Member

APPROVED

CONSERVATION COMMISSION MINUTES MARCH 30, 2023 MEETING (7PM) JOHNSON CHAMBERS

Present: Heather Charles Lis, Christopher Hayward, Diane Francis, Peter Williams and Kelly Phelan, Conservation Planner

Absent: Hung Pham, Giles Parker

PUBLIC HEARINGS

Request for Determination of Applicability 38 Stonewood Lane/DaSilva

Jose DaSilva was present.

Mr. Hayward said that members had made a site visit. He said it was helpful to see the property and some of the historical impacts. He said there is material, such as grass clippings, on the town property which need to be removed. Ms. Charles Lis agreed. She said the flat lawn would be helpful for infiltration and suggested two rows of shrubs as mitigation since the patio had been installed prior to permitting. Mr. DaSilva said he hired a company and didn't know the rules.

Mr. Hayward asked for public comment.

Rosemary Penzo from Stonewood Lane asked where the shrubs would be planted. Mr. Hayward said along the back of the property.

Dave Crispin from 45 Stonewood Lane said he believes the project warrants a Notice of Intent. He said everyone in the neighborhood has a sump pump and it is better for the roof drains to go into the drainage system. He discussed the roof drain connection with DPW and said there is a contradiction in their regulations. Mr. Crispin suggested the roof drain issue be subject to the approval of the DPW.

Mr. Hayward said that he did not feel that the project requires a Notice of Intent. Ms. Charles Lis said that she was ok with the RDA. Ms. Charles Lis said the Commission would not be likely to approve the connection of the new roof to the drain system. She suggested modifying the condition to allow the existing roof to be connected if approved by the Stormwater Division but the runoff from the new roof be discharged to a vegetated area.

Mr. Williams proposed clarifying the number of shrubs to be planted to say “two rows of shrubs planted five-feet on center”. Ms. Charles proposed adding a timeframe for the planting, specifically, “by the end of the 2023 growing season” and that staff be contacted to verify.

Motion: by Mr. Williams to issue a negative Determination of Applicability with conditions as discussed.

Second: by Ms. Charles Lis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Motion: by Mr. Williams to close the public hearing.

Second: by Ms. Francis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Request for Determination of Applicability 10 Plain St./Hollingsworth Pond, LLC

Rob St. John and Joe Harnan, both representing Hollingsworth Pond, LLC, were present. Mr. St. John said the lease for the Registry of Motor Vehicles is up. They are staying on in the short term but need additional, temporary space. They are proposing installation of 10’ wide by 40’ long trailer on a gravel pad. Mr. St. John said that no tree removal is necessary.

Ms. Charles Lis asked if they had considered putting it on the pavement. Mr. Harnan said that the parking area near the building is always full and they need utility connections from the building.

Ms. Charles Lis suggested adding a condition to the draft condition prepared by staff to say that the area shall be restored to a vegetated condition upon removal of the trailer.

Mr. Hayward asked for public comment. There was none.

Motion: by Mr. Williams to issue a negative Determination of Applicability with conditions as discussed.

Second: by Ms. Francis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Motion: by Mr. Williams to close the public hearing.

Second: by Ms. Francis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Notice of Intent DEP File # pending 245 Elm St./245 Elm St. LLC

Ms. Phelan said that the applicant had requested a continuation to the next meeting.

Motion: by Mr. Williams to continue the hearing to the May 4th meeting.

Second: by Ms. Francis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Request for Amendment - Order of Conditions DEP File# 8-661 144 Allen St.

Shawn Hardy, project engineer from Hardy+Man Design Group, was present with Mark Bogan, applicant.

Mr. Hardy said they are requesting two modifications. One is to direct the roof leaders from the back of the building to a separate system of leaching galleys. The contractor expressed concern about the weight of directing

the roof leaders to the one system in the front of the building. Mr. Hardy proposed adding nine leaching galleys to the back of the building and keeping the 25 galleys in the front of the building.

Mr. Hardy said the second change they are requesting is approval of the revised design of the water quality basin. They want to leave more room for the exit from the adjacent building. The change creates an additional 120 square feet of pavement. They are also proposing to use 3-foot blocks to construct the boundary of the riverfront restoration area, rather than constructing at-grade with the guardrail. The area has a lot of ledge and the blocks will retain soil for planting media.

Mr. Hayward asked Mr. Hardy if they had reviewed Ms. Phelan's comments. Mr. Hardy said they had not. Ms. Phelan said they had discussed the comments and the revised plan was in response to the comment about the riverfront area. Ms. Phelan asked for confirmation that the plan will be revised to indicate the full planting area of the riverfront restoration area, the impervious barrier between the infiltration system and sewer line (requested by DPW) and the test pit to confirm site conditions of the proposed location for the infiltration galleys.

Mr. Hayward asked for public comment. There was none.

Motion: by Mr. Williams to continue the hearing to the May 4th meeting.

Second: by Ms. Francis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Notice of Intent DEP File #8-717 Sunset Lake/Town of Braintree

AJ Reyes, certified lake manager and aquatic ecologist with GEI Consultants, was present on behalf of the Town. Mr. Reyes said the proposal is for herbicide (diquat) treatment of up to 15-acres of invasive aquatic vegetation on a rotating basis. A pre-treatment vegetation survey will be done each year to inform the treatment plan for that year. If a whole-lake treatment is needed for control of species such as fanwort, fluridone herbicide will be used. In either case, post-monitoring treatment will also be done to test water quality and residual herbicide concentration. There will also be a follow up vegetation survey approximately 4-6 weeks after the treatment to assess results. Treatment will be targeted for early to mid-June before the maximum biomass is reached.

Mr. Hayward asked when the beach opens. Ms. Phelan said it generally opens in mid-June. They try to do the treatment prior to the beach opening. Mr. Hayward asked about toxicity. Mr. Reyes said there are no toxicity issues at these concentrations and there is no restriction on swimming.

Mr. Williams asked about drift. Mr. Reyes said that herbicide application in water is unlike aerial spray. The herbicide drops and binds to clay particles and becomes inert. Diquat is a contact herbicide and fluridone is a systemic herbicide which moves within the plant.

Ms. Charles Lis asked Ms. Phelan if mechanical or other methods had been considered. Ms. Phelan said they had Northeast Aquatic Research do a comprehensive assessment of the lake and make management recommendations. Their recommendations were to continue monitoring and herbicide treatment. They did not recommend an alum treatment at this time. Ms. Phelan mechanical methods are problematic since these species can spread through vegetative cuttings. Mr. Reyes said the Diver Assisted Suction Harvest is sometimes used on small infestations or in clear water. The activity can cause temporary sedimentation and is not suitable for larger infestations or lakes with soft substrate.

Ms. Francis asked how often the treatment would be done and Mr. Hayward asked about the success rate. Ms. Phelan said that, in the past, treatment of up to 15-acres was done once a year and every five years or so a full-lake

treatment was needed due to fanwort. Mr. Reyes said the diquat takes about 4-6 weeks to impact the plants and fluridone takes 90-120 days because it is a low concentration over a period of time.

Ms. Charles Lis asked if only invasive vegetation is targeted. Mr. Reyes said that it is primarily invasive vegetation. He said that only in the beach area would natives be targeted in an effort to keep the swimming area clear. He added that the native plants Nitella and Vallisneria are hard to impact.

Mr. Hayward asked for public comment. There was none.

Ms. Phelan said that she would draft conditions for the May 4th meeting.

Motion: by Mr. Williams to continue the hearing to the May 4th meeting for draft conditions.

Second: by Ms. Francis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

OTHER BUSINESS

Staff or Commission Updates

Ms. Phelan said that there a significant patch of Japanese knotweed at the Middle St. trail property. She is considering how to manage it; whether trying to find volunteers for repeated cuttings is practical or if herbicide treatment should be done. Ms. Charles Lis suggested the possibility of goats. Ms. Phelan will look into the cost and feasibility of both options.

Approval of Minutes – March 2, 2023

Motion: by Mr. Williams to approve the March 2, 2023 minutes.

Second: by Mr. Parker.

Vote: In favor: 4, Opposed: 0, Abstained:0.

Adjourn

Motion: by Mr. Williams to adjourn at 8:30 PM.

Second: by Ms. Charles Lis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

*continued from March 2nd meeting