



Mayor
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CONSERVATION COMMISSION

Heather Charles Lis, Chair
Christopher Hayward, Vice Chair
Joyce Albrecht, Member
Diane Francis, Member
Peter Williams, Member

APPROVED

**CONSERVATION COMMISSION MINUTES
JULY 1, 2021 MEETING (7PM)
CAHILL AUDITORIUM**

APPROVED

Present: Heather Charles Lis, Christopher Hayward, Kimberly Kroha, Joyce Albrecht, Diane Francis, Peter Williams

Absent: none

Ms. Charles Lis noted that this would be Ms. Kroha's last meeting as a member of the Conservation Commission and acknowledged her contribution over the last year and a half. Ms. Kroha is moving to the Planning Board.

PUBLIC HEARINGS

Notice of Intent DEP File # 8-692 255 Plain St. (Cemetery)/Town of Braintree* (requested continuation to August 5th meeting)

Motion: by Ms. Albrecht to continue the hearing to the August 5 meeting.

Second: by Mr. Hayward.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

Notice of Intent DEP File # 8-694 201 Commerce Dr. and 600 Grove St./Marr Scaffolding Company*

Attorney Frank Marinelli was present with Dan Marr and Dave Hughes of Marr Scaffolding and Karlis Skulte, project engineer. Attorney Marinelli noted the recent site visit with members of the Commission. He said that the plans have been revised in response to the peer review letter by Merrill Engineering. Merrill Engineering has provided a final letter noting that they are satisfied.

Mr. Skulte presented the changes to the plans in response to the peer review. The peer review requested they model the drainage for the entire site using the NOAA Atlas 14 precipitation data (required by the Town's Stormwater Regulations). The use of this data was not required at the time the first phase of the project was permitted and it showed the infiltration basins would overflow in a 100-year storm. They are proposing to upgrade those basins to subsurface culvert systems which can accommodate the volume. They are also increasing the size of pipes to convey the 25-year storm. They propose a wetland replication area to compensate for the removal of the

infiltration basin. Staff had questioned whether the hydrology would work and they will have Lucas environmental evaluate that. If they are able to replicate they will. If not, they will just do supplemental planting.

Ms. Charles Lis noted that she was not able to make a site visit.

Mr. Hayward said it was helpful to see the site and the infiltration basin which is not draining. The site is well-maintained.

Ms. Kroha agreed that it was helpful to see the site and noted the limitation of the transmission line easement.

Mr. Williams said he was glad to see that the peer-review issues were resolved.

Ms. Charles Lis asked if they had evaluated the possibility of infiltration between the buildings as she had asked at the last meeting. Mr. Skulte said they looked at it but it was not efficient because of the way the site drains.

Ms. Charles Lis noted that the area of the proposed replication looks vegetated on aerial photos. She asked that the final location be determined in the field. She is pleased that the replication is proposed as a replacement for the infiltration basin since it will enhance the ecological function that is being lost.

Ms. Charles Lis asked if there was any public comment. There was none.

Staff noted that the draft conditions included several conditions to allow for flexibility with the proposed wetland replication. Staff will evaluate the area with the wetland scientist. A detailed replication plan will be required if the hydrology can be created. If the hydrology does not allow for replication, buffer zone enhancement planting will be done. Ms. Charles Lis noted that it was unusual that the applicant had not determined whether a wetland replication could be accommodated in this area, but because there is no wetland alteration proposed, the flexible approach was adequate.

Motion: by Mr. Hayward to issue the Order of Conditions as drafted.

Second: by Ms. Francis.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

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

Second: by Ms. Francis.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

Request for Determination of Applicability 40 McAndrew Rd./Sullivan

Joey Sullivan, applicant, was present. He said they never knew there were wetlands behind their house. They are proposing an addition to the living room of 8' x 15' on footings. Ms. Charles Lis noted that the staff report recommendation included draft conditions of approval. Mr. Sullivan said he had received the conditions. Mr. Williams asked if he was aware of the 25' no disturb buffer zone. Mr. Sullivan said he was aware of it.

Motion: by Mr. Hayward to issue the Order of Conditions as drafted.

Second: by Ms. Francis.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

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

Second: by Ms. Albrecht.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

Notice of Intent DEP File # 8-695 42 Hayward St./Lu

Chi Man, project engineer, was present with Mr. and Mrs. Lu. Mr. Man said that the Lu's purchased the house in 2020. They did not know about the wetland and started widening the driveway and filling the slope. Staff issued a cease and desist on the work because of the wetland. Mr. Man said they surveyed the existing conditions and they have the as-built plan for the house. Approximately 150 cubic yards of fill has been brought in. They also propose to expand the deck and create a patio with pervious pavers. Prior to the stop work order, fill had been placed in the 25-foot buffer area. They propose to stabilize it with a Vmax erosion control blanket and seed it with New England Wildflower Mix. The existing driveway is grass. They are proposing a turf stone surface.

Ms. Charles Lis said she was happy to see the turf stone proposed. She does not want to see activity in the 25-foot buffer zone. She asked about the Vmax. Mr. Man said it is matting which can be seeded. They propose seeding and planting to stabilize the side slope of the driveway. Mr. Man said the driveway is just outside the 25-foot buffer and it is just the side slopes which will be vegetated that would be in the 25-foot buffer. Ms. Charles Lis asked why they didn't propose to pull the fill back. Mr. Man said it is already in place and they don't want to disturb the area any more. Ms. Charles Lis said the Commission has more flexibility with the 25-foot buffer on residential lots but since they are grading in there anyway it would be an opportune time to remove fill.

Mr. Williams asked the location of the original driveway. Staff said it was in line with the sewer line.

Mr. Hayward said the grading looks excessive. He said a site visit would be helpful.

Ms. Charles Lis said they could use a retaining wall to limit the impact to the buffer. Mr. Man said they could pull the grading back 10'. Mr. Hayward said that was going in the right direction.

Ms. Charles Lis asked for public comment. There was none.

Commission members will make site visits on their own, if they would like. Staff is available to arrange site visits with the owners.

Motion: by Mr. Hayward to continue the hearing to the August 5th meeting.

Second: by Ms. Francis.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

Notice of Intent DEP File # 8-696 371 Grove St./371 Grove St., LLC

George Clements, owner, was present with Garret Tunison, wetland scientist and Chi Man, project engineer. Mr. Clements said they had been before the Commission last month for an informal discussion and had revised the plan in response to the Commission's feedback.

Mr. Tunison said they pulled back the play area and propose a 7252 square foot ecological restoration area along in the wetland buffer area. He proposes installing markers along the boundary of the restoration area and planting it with 74 native plants. They will plant in the fall. Since wildlife may eat the seed mix over the winter, they will wait until spring to seed it with the restoration mix.

Mr. Man presented the plans and addressed the comments from the staff report. 1. He noted that Mr. Tunison clarified the timing of the planting and it will be done after the retaining wall construction. 2. The design points

were added to the existing conditions watershed plan. 3. They will remove unsuitable material under the infiltration system locations and backfill with suitable material. They also revised the infiltration system on the front corner of the site. It is the existing utility corridor and they believe it has the depth for a narrow system. 4. The Rawl's rate they used is 2.41 inches (for loamy sand). They are raising up the system in the back of the building and will have enough separation to groundwater. 5. They changed the line weight to make the existing contour lines visible on the plan. 6. They removed the reference to the Plymouth River in the O&M Plan.

Mr. Man noted that he received comments from the Chair which were forwarded to him by staff. 1. They connected the lines of the wetland delineation and added note on the source of the delineation. 2. They added an isolator row to the culvert system. Ms. Charles Lis asked if they could do the same for the galley system in the front. Mr. Man said they could not but the catch basin that connects to it is a deep sump catch basin. 3. They explored potential for LID but due to the shallow bedrock and snow storage area there is not space. 4. They updated the O&M plan to add maintenance per the manufacturer's recommendation for the infiltration system. 5. There is a reveal on the retaining wall at the play area which will serve as a barrier for debris between the play area and the restoration area.

Ms. Kroha said she was glad to see the project pulled out of the 25-foot buffer zone and she supports the restoration plan.

Staff asked for clarification on the location of the proposed 4-5' lawn strip noted in the narrative. Mr. Tunison said it was proposed only along the building, not the retaining wall.

Staff noted that she had prepared draft conditions. She included several conditions regarding the stormwater management system. Specifically, that test pits be done in the location of the proposed infiltration, that staff be notified in advance for the opportunity to witness the test pits and that documentation (including photo documentation) by the project engineer of removal of unsuitable material be provided.

Ms. Charles Lis noted that Assistant Solicitor Huff was present. Assistant Solicitor Huff said the project as proposed had been thoroughly reviewed and was legally appropriate.

Ms. Charles Lis asked if the Town's Stormwater Division had reviewed the project. Staff noted that they had and did not raise any major concerns.

Ms. Kroha suggested amending condition #40 to note that the boundary markers would be installed at the wetland. Staff said she thought they should be installed at the edge of the restoration area. Ms. Charles Lis suggested the applicant add the proposed locations and language of the markers to the plan for review and approval. Ms. Kroha also suggested amending condition #42 to require a fence around the play area in addition to the curb or barrier.

Ms. Charles Lis suggested amending condition #35 to require the O&M Plan be amended prior to the start of work to require: infiltration system maintenance specifications, inspection of the infiltration system twice per year as recommended by DEP, gutters and roof leaders be inspected, snow and ice be stored only in areas which drain to the stormwater system and not to the ecological restoration area, prohibition on sodium based deicers, prohibition on herbicide and pesticide, recordkeeping log and a BMP location plan.

Motion: by Mr. Hayward to issue the Order of Conditions as drafted and amended.

Second: by Ms. Francis.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

Motion: by Ms. Kroha to close the public hearing.

Second: by Mr. Hayward.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

OTHER BUSINESS

Great Pond Reservoir Tree Removal Discussion - No action.

70 Wayne Ave. Discussion – No action.

Request for Certificate of Compliance 8-652 55 Hemlock St./Gauthier - No action. Staff is waiting for additional information from the applicant.

Approval of Minutes – June 3, 2021

Staff sent minutes with edits from Ms. Charles Lis.

Motion: by Ms. Francis to approve the minutes as amended.

Second: by Mr. Hayward.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

Emergency Certification

Staff sent information to the members regarding an application from Massport to breach beaver dams and install flow control device at the Logan Express Parking lot at 262 Forbes Rd. and the adjacent property at 220-222 Forbes Rd.

Motion: by Mr. Hayward to issue the Emergency Certification.

Second: by Ms. Francis.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

Next Meeting

Ms. Charles Lis asked members if they were comfortable continuing to meet in person. Mr. Williams said that if the Delta variant of Covid-19 becomes an issue the Commission should consider going to back to remote meetings.

Staff asked for clarification as to what members would like for paper copies. Members discussed and concluded that they would like two full size sets of plans and one set of staff memos and conditions. Staff will look into making the large monitor screen available for applicants to share their plans if they would prefer.

Adjourn

Motion: by Mr. Francis to adjourn the meeting at 9:30PM

Second: by Mr. Hayward.

Vote: In favor: 6, Opposed: 0, Abstained: 0.

Continued from June 3, 2021 meeting