

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
Diane Francis
Christopher Hayward
Peter Williams

CONSERVATION COMMISSION MINUTES THURSDAY, JULY 11, 2019, 7PM TOWN HALL- JOHNSON CHAMBERS

Present: Joyce Albrecht, Diane Francis, Christopher Hayward, Peter Williams, Alan Weinberg (Acting Chair) & Kelly Phelan, Staff

Absent: Heather Charles Lis (Chair), Gus Murphy

Public Hearings

Request for Determination of Applicability 20 Bramblewood Lane/Williams (continued from June 6th meeting)

Robert Crowell, project engineer, was present with the owners, John and Sinead Williams. Mr. Crowell said that since the last meeting, staff had met with the wetland scientist and the area is a wetland. He presented a revised plan which pulls the retaining wall back from the property line and shows spot grades as requested. The pool is now just about 25 feet from the wetland boundary. He also provided the drainage calculations.

Ms. Francis asked about storage of pool chemicals. Mr. John Williams said it will be a salt water pool. Mr. Weinberg asked about winterizing the pool. Mr. John Williams said the pool company will do it.

Mr. Hayward asked about the elevation of the wetland relative to the final grade and displacement of groundwater. Staff said the Commission had asked for a test pit to be done. Mr. Crowell said they had not done the test pit. Mr. Peter Williams said it would be in about two feet of groundwater and the groundwater should easily flow around it.

APPROVED

Mr. Peter Williams asked about restoring disturbed areas. Mr. John Williams said he would leave the fence in place while building the wall and then relocate the fence to the top of the wall.

Public comment

The neighbor to the rear of the site at 115 Cain Ave., Joe Nabstedt, said he was fine with the project but would appreciate the pool being drained toward the street, not toward his property. It was noted that salt water pools are not typically drained. Salt water should not be directed toward the wetland nor the street since that drains to catch basins which drain to wetlands.

Greg Ranieri, abutter to the rear at 127 Cain Ave., said he was concerned about the displacement of groundwater by the pool since the water will go to his yard. Mr. Peter Williams said it would not be a significant amount of water.

Staff has not prepared conditions for this project as the revised plan was not received prior to the meeting.

Mr. Hayward said he would like the test pit to be done and noted the Commission had asked for that to be done at the last meeting. Mr. Peter Williams agreed, noting that seasonal high groundwater indicators should be noted in the test pit log.

Motion by Mr. Hayward to continue the hearing to the August 8 meeting. Second by Mr. Williams. Vote: 5-0-0.

Request for Determination of Applicability 14 Plain St. /Hollingsworth Pond, LLC Request for Determination of Applicability 0 Hancock St. / Hollingsworth Pond, LLC

Rob St. John from Messina Enterprises was present for both of these applications. Joe Montalto, Earth Exchange, was also present.

Mr. St. John started with the 0 Hancock St. application which is for demolition of the Armstrong building. He provided the Commission with a sequencing plan. Siltation barrier will be installed and the building demolished section by section. He said they have concerns about safety and want to start work as soon as possible. Steel and wood will be removed from the site. Bricks and blocks will be crushed and stockpiled and used to backfill the existing foundations. He toured with the site with staff who can attest to the condition of the building and that vagrants are getting in the building. He also toured the site with members of the Historical Commission who requested that a guard tower and granite blocks be saved for reuse on the future walking path to be developed along the river. He said the southern end of the building is very close to the pond so they will use floating turbidity curtain there.

Mr. Weinberg asked is they have removed asbestos from the building. Mr. St. John said they have spent the last five years removing asbestos and other material from the building.

Mr. Hayward asked about access to and from the site. Mr. St. John said the access is across the railroad tracks and they have a license for that from the MBTA.

Mr. Williams asked if they should use a tracking pad at the entrance. Mr. St. John said they could but the entire site is paved and they are leaving the slabs in place so there should not be any sediment.

Mr. Hayward asked about the note in the staff report that the plans should be revised to indicate the correct flood zone. Staff said the plan had been revised.

Staff noted that the draft condition on siltation control should be revised to include the use of turbidity curtains. Mr. Williams suggested adding a condition for monitoring the integrity of the curtains (and all sedimentation control).

Motion by Mr. Hayward to issue a negative Determination of Applicability with conditions as drafted and amended. Second by Ms. Francis. Vote: 5-0-0.

Mr. St. John explained that the sewer for the health club building on the other side of the pond and river is piped across the river to a pump station in the building to be demolished. They are proposing to install a new package pump station at the health club building and tie into an existing sewer manhole in front of the RMV building. **This is the subject of the 14 Plain St. RDA.**

Mr. St. John said they propose to use a ditch witch to excavate the trench. It is mostly open lawn area around the RMV building. They are proposing this location because they want to save the mature trees around the building and prevent disruption to the RMV operations.

Mr. Williams asked about the space between the health club building and the bank of the pond. Staff said it is a few feet between the tree line and the building. One of the conditions is that no vegetation other than invasive vines and plants in a landscaping bed may be removed.

Motion by Mr. Hayward to issue a negative Determination of Applicability with conditions as drafted. Second by Ms. Albrecht. Vote: 5-0-0.

Other Business

Update on 8-635 205 Elm St. Restoration Plan/Clements

Staff noted the Order of Conditions for the project was issued in 2015. The project was conversion of the former Elks Club to twelve condo units and required extensive riverfront restoration to eradicate knotweed. The applicant, George Clements of Riverwalk, LLC, has done several herbicide treatments and planting but there is more to be done. She requested he provide the Commission with an update on the project.

Mr. Clements said there was a problem with the first consultant for the project and he brought Tunison Environmental Consultants in. They have done three treatments to date and are at about 60% coverage with native species. He said they know they have more to do and are working through it. They plan to treat again the fall when the knotweed is flowering.

Mr. Hayward asked if the Order is still current. Staff said it had expired. Mr. Clements said they need to do the as-built and evaluate the project.

Nancy Christoferi, one of the condo owners, said there is construction debris on the slope to the river and asked that it be removed. Staff took photos of three areas from which debris needs to be removed. Mr. Clements said they know they know they need to remove the material.

Staff noted that Tunison Environmental Consultants had recommended a fence to separate the back decks of the units from the restoration area. Mr. Clements said they plan to put the fence up but don't want to dig in the area until the knotweed is under control.

Juan Carlos Garcia, also a condo resident, said there are many tree stumps and trunks which should be removed. Mr. Clements said they were left in place to stabilize the steep slope.

Nancy Christoferi said they don't fully understand the boundary between the landscaping and the restoration area. Mr. Clements said his consultant sent a letter to the residents with a detailed explanation. Staff said the fence would help.

Mr. Weinberg said the Order of Conditions should be extended. Mr. Hayward said expired Orders cannot be extended. Staff agreed. Mr. Hayward said a new Notice of Intent should be filed. Staff said the conditions provided for long-term monitoring and treatment of the invasives and the late summer treatment should go forward so as not to lose the progress that has been made on the knotweed. Mr. Hayward agreed. Staff suggested this be scheduled for the October agenda to ensure the treatment has been done. Mr. Clements said he will come back in October and file a Notice of Intent in the meantime.

Update on 8-633 19-37 Commercial St. /Landing Apartments, LLC

A revised landscaping plan has been received however the applicant's engineer had a conflict and requested this be rescheduled to the August meeting.

Discussion on Compliance with Tree Policy 50 Christina Dr. /Chaplain

John (Jack) Chaplain was present. Staff said the Mr. Chaplain was having trouble complying with the tree policy and had a proposal to present to plant native shrubs instead. Mr. Chaplain showed the Commission photos of the property. They preserved a lot of the trees on the lot and there is not room to plant additional trees. Staff noted that it can be very difficult to comply with the tree policy on a wooded single-family lot and the intent of the policy was to discourage excessive and unnecessary tree removal. Since this project left as much of the surrounding trees as possible she was supportive of the proposal to plant native shrubs.

Motion by Mr. Hayward to accept the plan to incorporate seven native shrubs per the proposal and not require compliance with the Tree Policy. Second by Mr. Williams. Vote: 5-0-0.

Update on 8-664 2 Garden Park/McGourty

Staff said that she and the Commission Chair made a site visit to 2 Garden Park to confirm the work had been done in compliance with the Order of Conditions as well as the enforcement order. It was noted at the site visit that a few items had to be addressed; garden plants removed from the restoration area and two boulders relocated to better define the limit of work line. Staff received photo documentation that those items had been done. She will put the request for a Certificate of Compliance on the August agenda.

Request for Certificate of Compliance 8-676 81 Lake St./Jernegan

Staff recommending issue the Certificate of Compliance for this project with the two surviving conditions for directing roof runoff to lawn area and the restriction on herbicide, pesticide and fungicide in the buffer zone.

Motion by Mr. Hayward to issue the Certificate of Compliance for 8-676 with the surviving conditions. Second by Ms. Albrecht. Vote: 5-0-0.

Update Wetland Rules and Regulations

Nothing new since the last meeting. Will schedule for August.

Conservation Fund

A reminder to be thinking about funding needs for the Commission over the next four years.

Other

None

Approval of Minutes – June 6, 2019

Mr. Williams provided a mark-up of minor changes to staff regarding names for the 20 Bramblewood Lane hearing. Staff will make those minor edits.

Motion by Mr. Hayward to approve the June 6 minutes. Second by Mr. Williams. Vote: 5-0-0.