

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
Joyce Albrecht
Diane Francis
Christopher Hayward
Peter Williams

APPROVED

Staff: Kelly Phelan

CONSERVATION COMMISSION MINUTES THURSDAY, OCTOBER 3, 2019, 7PM TOWN HALL- JOHNSON CHAMBERS

Present: Joyce Albrecht (*left at point indicated), Diane Francis, Christopher Hayward, Heather Charles Lis (Chair), Peter Williams & Kelly Phelan, Staff

Absent: Gus Murphy

Public Hearings

Request for Determination of Applicability 355 Elm St./Nguyen (cont'd from 9/5)

Tung Nguyen was present. Mr. Nguyen said his contractor was not able to attend that night but that he gave him paperwork on the materials and plants to give to the Commission. He also had a revised drawing to show existing and proposed conditions.

Ms. Charles Lis said the paver detail seems to meet the requirements. Mr. Williams said a detail on the gravel under the paver should be provided.

Staff suggested that similar to what was required for the recent project at 20 Bramblewood Lane, a depressed area be added to slow runoff and allow it to infiltrate to the ground. It could also be planted with native shrubs.

Ms. Charles Lis asked for public comment. Anya Zola from 349 Elm St. showed the Commission an aerial photo to indicate the low spot in the back corner where water stands. She is concerned that the project will make flooding worse on her property and requested the patio not be graded toward her yard but be level.

Mr. Williams suggested downspouts from the roof be directed into drywells near the walking path.

Ms. Charles Lis said that since the additional materials had just been received the Commission was not ready to issue a decision. She requested the applicant include the swale and number of plants, detail on the gravel and discuss the use of drywells with the contractor. She suggested the applicant provide the additional material to staff well in advance of the next meeting so that a decision can be voted upon at that meeting.

Motion by Ms. Francis to continue the meeting to the November 7th meeting. Second by Mr. Hayward. Vote: 5-0-0.

Request for Determination of Applicability 260 Liberty St./Town of Braintree (cont'd from 9/5)

Dan Armstrong, project engineer, was present on behalf of the applicant. He addressed comments raised at the last meeting and in the staff report. The only trees over 4 inches in caliper they propose to remove are standing dead or structurally unsound trees. The surface treatment has been shown on the plan and includes wood fiber mulch and seed mixes. The planting plan for the bioretention area was added. A note was added to the plan to review fill location in the field and incorporate tree wells as needed. He also added an emergency overflow from the catch basin.

Staff asked about the method of removal of poison ivy and invasive species which was mentioned in the narrative. Mr. Campbell said probably by machine but it will be up to the contractor. Most of the invasive species are in the work area. They do not plan to use herbicide. Ms. Charles Lis suggested adding a condition that a removal plan for invasive species and poison ivy shall be provided to the Commission for review and approval prior to the start of work.

Mr. Campbell said the staging area will be behind the school and marked with orange fencing. He clarified that no vegetation will be removed to create staging areas. He provided an O&M Plan and added a note that the Stormwater Manager shall be contacted to inspect the erosion control.

Ms. Charles Lis asked that the O&M Plan be amended to state that sodium chloride may not be used. This will also be included in the conditions.

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

The Town's Stormwater Manager, Cynthia O'Connell, was present on another matter and said she is also reviewing the plan as the site disturbance triggers the need for a stormwater permit from the Stormwater Division of the Department of Public Works.

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

Motion by Mr. Williams to close the public hearing. Second by Ms. Francis. Vote: 5-0-0.

Request for Determination of Applicability Hollingsworth Park –Pond St./Town of Braintree
Request for Determination of Applicability Stetson St./Town of Braintree
Request for Determination of Applicability Daugherty Gym/Hollis Field – Washington /St.
/Town of Braintree

Note: The three hearings above were opened together as they are all for installation of tree box filters.

Cynthia O’Connell, the Town’s Stormwater Manager, was present. Ms. O’Connell said the Town received a grant from the Metropolitan Area Planning Council for the installation of three tree box filters. The boxes were intended to be installed on Allen St. but that project is behind schedule. The boxes must be installed by the end of December in order to be covered by the grant. Three alternate locations were found rather than lose the funding.

Ms. O’Connell reviewed the detail for the tree box filters. A catch basin is connected to the box with the soil and tree where pollutants are captured and nutrients absorbed. There is an emergency overflow in case of heavy flows through the tree box. Mr. Williams asked about sediments clogging up the tree box filter. Ms. O’Connell said the catch basins have to be cleaned. Ms. Charles Lis asked if there was a hood on the catch basin outlet. Ms. O’Connell will check with the manufacturer.

The tree box filter at **Hollingsworth Park** is proposed to be installed in place of an existing catch basin grate in the access drive at the edge of the gravel parking lot. Mr. Hayward said the area is extremely busy and the tree will need to be protected as noted in the staff report. Ms. O’Connell said they will install bollards. Ms. Charles Lis suggested amending the draft condition #3 to specify that “multiple bollards or a comparable method” will be used to protect the tree.

Ms. Charles Lis asked about impact of high flows to the tree box filters. Could high velocity or volume wash out the soil media? Ms. O’Connell said the manufacturer looked at the proposed locations with them and they chose locations which are relatively flat and should have lower velocities.

Ms. O’Connell discussed the tree box filter at **Stetson St.** which will discharge to Smelt Brook and be located on land owned by the Weymouth Braintree Regional Recreation Conservation District (Pond Meadow Park). The Stormwater Division received a grant to evaluate the Smelt Brook culvert under Stetson St., which experiences a lot of erosion at the headwall. Mr. Williams asked if they considered locating the box at the ponding area of the road. Ms. O’Connell said it is privately-owned land. Ms. Charles Lis asked about the overflow pipe. Ms. O’Connell said some vegetation may need to be removed to install the overflow pipe but not for the box filter. Ms. O’Connell said they can try to work around the vegetation and she can consult with staff. Mr. Williams suggested condition be added that the field location of the emergency outflow pipe be verified with staff prior to the start of work.

Ms. O'Connell discussed the tree box filter at **Daughraty Gym/Hollis Field**. The tree box filter is proposed to be installed in an area of the parking lot between the paved lot and the gravel area which is used for snow storage. The emergency outlet pipe will discharge to an isolated wetland. Mr. Hayward noted that, similar to Hollingsworth Park, this area gets very populated with the gym and field events. A condition for bollards and educational signage will be added.

All three locations will have a condition that native species be used in the tree box filter. Mr. Hayward suggested smaller trees will do better in the box.

Ms. Charles Lis asked for public comment on the three applications for tree box filters. There was none.

Motion by Ms. Francis to issue negative Determinations of Applicability with conditions as amended for the tree box filters at Hollingsworth Park, Stetson St. and Daughraty Gym/Hollis Field. Second by Mr. Williams. Vote: 5-0-0.

Motion by Mr. Williams to close the public hearing. Second by Ms. Francis. Vote: 5-0-0.

Request for Determination of Applicability 31 Gale Ave./Smith

Susan Smith was present. She said she needs to do an addition to the existing garage on her lot for storage. The lot is in the buffer zone to the Braintree reservoir.

Ms. Charles Lis asked Ms. Smith if she had seen the staff report and was comfortable with the suggested conditions. Ms. Smith said she was.

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

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

Wetland Bylaw Rules and Regulations

Ms. Charles Lis did the final proofreading and editing of the draft Rules and Regulations of the Braintree Wetland Bylaw. She summarized the final changes, including formatting changes, adding "Purpose" to the new categories such as tree protection, adding all wetland values, strengthening buffer zone protection language, etc.

Staff noted that, once voted by the Commission, the amended Rules and Regulations, become effective five days after being provided to the Town Clerk.

Mr. Williams asked about the use of NOAA Atlas 14 rainfall data. Staff noted that it is consistent with what the Stormwater Division requires in their regulations.

Motion by Mr. Hayward to amend the Rules and Regulations as proposed. Second by Ms. Francis. Vote: 5-0-0.

OTHER BUSINESS

Request for Certificate of Compliance 8-673 1177 Washington St./HLB Investor Group

Tuan Le and Josh Brayman, both of HLB Investor Group were present. Mr. Le provided the latest memo from the project engineer, Chi Man, stating that additional plants have been added to the basin and a layer of mulch removed. Mr. Le said they have planted more than what was shown on the approved plan.

Ms. Charles Lis said the basin and plantings are important for water quality. She noted the surviving condition for any dead or damaged plant material to be replaced. She asked the applicant to address any issues or concerns with the basin if they come up, such as the basin holding water more than a few days or erosion.

Motion by Ms. Albrecht to issue the Certificate of Compliance with surviving conditions (#32, 33, 37, 38, 39, 40, 41, 42, and 43). Second by Ms. Francis. Vote: 5-0-0.

Request for Minor Modification 8-669 50 Liberty Park Ave./Kippenhan

Kristen Kippenhan was present. The memo from the project engineer was received which outlined the problem of the eroding swale and proposed solution to add rip rap.

Staff noted that it was important to receive the information from the design engineer as to why the swale is not functioning as designed. Vegetated swales remove more pollutant load than stone lined swales however, since the project is not technically subject to the DEP Stormwater Standards she is willing to accept the proposed solution.

Mr. Hayward said that rip rap would be acceptable in this situation. Mr. Williams noted that it was a limited area of rip rap.

Motion by Mr. Hayward to approve the use of rip rap in the swale as a minor modification. Second by Ms. Albrecht. Vote: 5-0-0.

Update on 8-635 - 205 Elm St. /Riverwalk Development, LLC

Garrett Tunison, wetland scientist, was present to give an update on the restoration work at 205 Elm St. Mr. Tunison said the Japanese knotweed has been greatly reduced. They did another herbicide treatment on September 26th. There is significant herbaceous growth coming in on the site. They took out the granite blocks on the slope and need to rake it out and seed it with rye. They also need to break up a concrete slab and spread topsoil and seed it. Mr. Tunison will submit a fall monitoring report to document the condition of the site.

Ms. Charles Lis noted that the Commission is still holding a bond but it does not seem any action needs to be taken at this time.

Mr. Hayward said he and Ms. Francis had visited the site on Tuesday. He noticed some broken concrete in the right corner of the site which should be removed. He also asked about rip rap at the downspouts. Mr. Tunison said there was scour at some of the downspouts so stone was placed.

Ms. Charles Lis said she also made a brief site visit and the restoration area looks dramatically different than it had prior to the start of work when it was a monoculture of knotweed.

Ms. Francis asked about the plans for a path to the river. Mr. Tunison said it did not seem like that would happen.

Ms. Charles Lis asked for public comment. Resident of 205 Elm St. said progress only happens before these meeting and asked the Commission to keep following up with the developer. Another 205 Elm resident said it was unclear who was responsible for installing a fence at the top of the slope down to the river. Mr. Tunison said he had proposed it in his restoration report so it would be the developer.

A resident of 205 Elm St. asked for clarification on how the 75% coverage by native species is determined. Ms. Charles Lis said the applicant's wetland scientist would do a detailed report.

*Note: Ms. Albrecht left the meeting at the conclusion of this topic.

Conservation Fund

No action taken. The vote taken at the September meeting to withdraw \$40,000 prior to the renewal of the four-year CD will stand.

Update on Eaton's Pond Area

Staff said the new ranger for Eaton's Pond Area is working out well.

Staff is interested in increasing activity and use of the area. One idea is to create a "food forest" by planting native edible plants. She has been talking with Russ Cohen who is an expert in native edibles. Mr. Cohen walked with the site with staff and the ranger in June with an eye toward how this concept could work. There is a small open area near the pond which would be a good area to start with. She will follow up with Mr. Cohen as he may have some plants available.

Ms. Charles Lis noted that Long Pasture Wildlife Sanctuary in Barnstable has a food forest. She will follow up with her contact there for more information.

Overall, the Commission supports the idea of planting native edibles at Eaton's Pond Area.

Other

Braintree Golf Course

The Braintree Golf Course has a collapsing culvert at a stream crossing of the Farm River for a golf cart bridge. The metal pipes under the crossing are rusted out. The Golf Course Manager and Town Engineer discussed the possibility of acquiring an Emergency Certification to replace the culverts in kind. Staff feels the stream crossing standards need to be addressed and a Notice of Intent should be filed.

Mr. Williams suggested they span the crossing on a temporary basis until they can file a Notice of Intent to upgrade the crossing.

Members felt the situation does not qualify as a public health and safety emergency which is the standard to be met and that a Notice of Intent should be filed and the stream crossing standards should be addressed.

Town Forest

Ms. Charles Lis spoke with Mayor Sullivan about the possibility of transferring the management of the Town Forest to the Conservation Commission. He is supportive of protecting the forest in perpetuity and will follow up on the best means to achieve this.

Approval of Minutes – September 5, 2019

Ms. Charles Lis noted minor edits to the minutes.

Motion by Ms. Francis to approve the minutes as amended. Second by Mr. Williams. Vote: 4-0-0.

Adjourn

Motion by Ms. Francis at 10:00 PM to adjourn the meeting. Second by Mr. Williams. Vote: 4-0-0