

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

APPROVED

CONSERVATION COMMISSION MINUTES THURSDAY, APRIL 4, 2019, 7PM TOWN HALL- JOHNSON CHAMBERS

Present: Joyce Albrecht, Diane Francis, Christopher Hayward, Heather Charles Lis, Gus Murphy, Peter Williams & Kelly Phelan, Staff

Absent: Alan Weinberg

Public Hearings

Notice of Intent DEP File # 8-677 - 175 Campanelli Dr./EIP Campanelli Parkway, LLC (cont'd from March)

David Kelly from the Kelly Engineering Group was present with Greg Cataldo from Fireking Bakery and John Hennessey from EIP Campanelli Parkway, LLC. He reviewed the project presented at the March meeting. The building needs retrofit to accommodate Fireking Bakery including a new entry with ramp and stairs, landscaping beds, flour silos and utility pads. This work is within Bordering Land Subject to Flooding. Compensatory flood storage is proposed adjacent to the wetland in the northwest corner of the site.

Mr. Kelly said he counted the trees to be removed in the compensatory storage area and many more will be replaced. One landscape island is bigger but there is sufficient compensatory storage to accommodate that increase. They plan to remove an area of pavement in the northwest corner as requested and updated the snow storage areas. Lastly the datum of the plan was clarified; it is in NAVD 88.

Staff said her concerns have been addressed.

Staff had prepared draft conditions. Mr. Kelly said he reviewed the draft conditions and is fine with them.

Mr. Hayward noted a gingko tree on the landscape plan for the entryway. He said gingko becomes a large tree and will not do well in a small island. Mr. Hennessey said he will discuss this with the landscaper. Ms. Charles Lis noted the condition that plantings must be replaced.

Ms. Charles Lis thanked the applicant for removing pavement and asked if the fence could be relocated in that area to align with the edge of pavement noting that it would be more beneficial to the wetland to have the area protected. Mr. Hennessey agreed to relocate the fence.

Ms. Charles Lis suggested adding a condition to prohibit use of pesticide, herbicide and fungicide and limit fertilizer use to slow-release, low phosphorus.

Ms. Charles Lis asked if they had proceeded to start work as was discussed at the last meeting. Mr. Kelly said they did not; the Planning Board also has jurisdiction over work in the floodplain and they are not before the Planning Board until next week. Mr. Kelly said below grade work had started which does not affect the floodplain. Mr. Kelly said staff noted that the stockpiles were located within the floodplain and they removed those this week.

Mr. Hennessey said the \$7000 check for the as-built guarantee had already been issued, as discussed at the prior meeting. The condition will be changed to \$7000.

Motion by Mr. Hayward to issue the Order of Conditions for 8-677 with conditions as drafted and amended. Second by Mr. Murphy. Vote: 6-0-0.

Motion by Mr. Hayward to close the public hearing for 8-677. Second by Mr. Murphy. Vote: 6-0-0.

Notice of Intent DEP File #8- 530 West St./ADG 530 West St. LLC

David Kelly from Kelly Engineering Group was present on behalf of ADG 530 West St. LLC. Mr. Kelly gave an overview of the site which has a large warehouse type building and is within the floodplain and surrounded by wetlands. The Planning Board is requiring the applicant to install water quality treatment units as part of a Special Permit (for use). As this is work within the bordering land subject to flooding and buffer zone, the applicant has filed the Notice of Intent. The Commission had recently reviewed a Request for Determination of Applicability for the site for filling potholes in the pavement which is in the floodplain.

Mr. Kelly addressed items in the staff report. Mr. Kelly said they have made a visual inspection of the property and there is not an increase in elevation from filling in the potholes. They will update the Operation and Maintenance Plan to prohibit sodium chloride on the site. Ms. Charles Lis said chemical use should also be prohibited on the site since it is part of the Zone A drinking water supply. They investigated the headwall which is not shown on the plans and it is roof runoff. Mr. Kelly also said the sewer department signed off on the Recycleworks portion of the building.

They will provide an illicit discharge statement. Mr. Williams asked how they determined that it was roof runoff coming out at the headwall. Mr. Kelly said they did a dye test. Mr. Kelly said they will need to dewater to install the water quality units. They intend to ask the Planning Department if this work can be delayed until August when the groundwater will be lower. The contractor would be the one to prepare a dewatering plan.

Ms. Charles Lis asked about the area of pavement removal. Mr. Kelly said they will loam and seed it with an erosion control mix. Ms. Charles Lis noted that it is in the 25 foot buffer and suggested including a marker to indicate that it should not be mowed.

Staff asked if they confirmed there are not any floor drains draining to the headwall which was recently identified. Mr. Kelly said the site is flat and there is sewer so it would be unlikely.

Ms. Charles Lis asked about the seal coating of the pavement which was also required by the Planning Board. She said asphalt sealant is preferable to coal tar sealant which is harmful to the environment; not only for air quality which is not the Commission's purview but it can abrade over time and get into the water. Mr. Kelly said he will find out what they were planning to use. Ms. Charles Lis said she would prefer to prohibit coal tar sealant.

The hearing needs to be continued for several reasons. The DEP file number has not been received, information on the pavement seal coating is needed, the O&M plan needs to be updated and detail on the seed mix provided.

Motion by Mr. Hayward to continue the hearing to the May 2nd meeting. Second by Mr. Murphy. Vote: 6-0-0.

Request for Determination of Applicability – 116 Grove St./Osman

Aman Osman was present. He said he plans to construct an extension to the house. It will be 25 feet x 35 feet. The area is lawn now and there is a deck which will be removed. There will also be subsurface drainage of roof runoff.

The staff report included a recommendation to issue a negative Determination of Applicability with conditions.

Ms. Charles Lis suggested adding a condition to leave the erosion control up until the site is stabilized.

Motion by Mr. Murphy to issue a negative Determination of Applicability with conditions as drafted and amended. Second by Mr. Hayward. Vote: 6-0-0.

Motion by Mr. Murphy to close the public hearing. Second by Ms. Albrecht. Vote: 6-0-0.

Request for Determination of Applicability – 0 Hancock St./Messina Enterprises

Dan Armstrong, from Strong Civil Design was present with Karl Youkstetter, the demolition contractor. Mr. Armstrong gave an overview of the site. They intend to take down the entire building but will do it in phases. The first phase is the outer portion, closest to Mahar Highway. It is outside the Riverfront Area but they are proposing a stockpile area for crushed brick within the riverfront area. They plan to demolish everything inside with the walls still standing to minimize dust. They will also spray to minimize dust. The walls will come down last. They propose erosion controls around the stockpile area and silt socks in the catch basins. All utilities will be capped at the building.

Mr. Armstrong noted the issue which was raised in the staff report about the flood zone line. He updated the plan to reflect its accurate location. The stockpile area will be outside of the flood zone.

Staff asked about the septic tanks shown on the plan. What is the plan for those? Mr. Youkstetter said they are empty with a sand bottom and manhole covers. They can be filled if necessary.

Ms. Charles Lis asked about hazardous material in the building. Mr. Youkstetter said the roof has asbestos. They will process that inside the building wall the walls are still up. They will cover the floor with plastic and cover the material each night until it is removed.

Judy Linscott from Plain Ave. said she is concerned about contaminants on the site. She said it is on the EPA watch list and wants to know what precautions will be taken. Mr. Youkstetter said they are not touching the soil. The building was checked and there is asbestos in the roof which they will process inside the walls. They will also spray to minimize dust. Ms. Linscott said the owner removed trees between Plain St. and the building which would have protected the neighborhood.

Staff said there is an Activity Use Limitation (AUL) on the site from DEP.

Ms. Charles Lis asked if there was a dust control plan. Mr. Youkstetter said they use fog machines to wet down the material to prevent dust and keep the walls of the building up. Mr. Hayward said the Health Department and/or Building Department would be the ones to address the dust control plan.

Ms. Charles Lis asked about the note that they plan to hydroseed the brick pile. Mr. Armstrong said it is just enough to prevent dust.

Ms. Charles Lis suggested an additional condition regarding proper disposal of construction debris.

Motion by Mr. Murphy to issue a negative Determination of Applicability with conditions as drafted and amended. Second by Mr. Hayward. Vote: 6-0-0**Other Business**

Morrison School Outdoor Classroom Project

Dan Armstrong, Strong Civil Design, is working on this project for the Town. He asked to be on the agenda to give a brief overview. The project is an outdoor classroom and preliminary design includes a water feature which will be created by redirecting a catch basin to a rain garden and eliminating an asphalt walkway. It will be ADA compliant and include interesting features and movable seating. He is designing around the large trees in order to keep them in place. The design can incorporate new features in phases if there is not funding to do it all at once.

Commission members agreed that it is a good project. Staff will schedule a site visit.

Update Wetland Rules and Regulations

Staff spoke with the Stormwater Manager. It sounds like it could be several months before those regulations are adopted. Staff also asked the Town Solicitor to review the regulations. If he is able to review in the next week or two the public hearing could be held at the May meeting.

Ms. Charles Lis suggested a reordering of language in the introduction to the Tree Policy to move aesthetic concerns to the end of the list.

Staff suggested eliminating the applicability section (D) of the Erosion and Sedimentation Control section of the regulations. In practice the Commission applies these as needed rather than based on threshold of disturbance. Ms. Charles Lis suggested leaving it in place until the Stormwater Regulations are in place.

Staff will clarify whether the 1" of infiltration requirement only applies to sites with disturbance of greater than an acre.

Open Space Matrix

Staff requested this be tabled until the next meeting as she wants to clarify the process with the Town Solicitor.

Sewer Easement Maintenance

Staff said she recently received a call from a resident who was concerned about disturbance on conservation land behind their house. The sewer department had gone out to clear the easement and knocked over all of the trees. Ideally the easement would be mown every year or two to prevent trees from growing and prevent situations like this one. Mr. Hayward noted that Needham has a general Order of Conditions for DPW projects. He will obtain a copy. Staff will ask the DPW Director to attend the May meeting to discuss how they can better work together.

Other

Staff asked for clarification from the Commission on repaving projects. If it is in Bordering Land Subject to Flooding she requires an application however when it is just in the buffer zone, she does not. Commission members agreed with that including in cases of mill and overlay. In cases of full depth rebuild, an application should be required.

Approval of Minutes – March 7, 2019

Ms. Charles Lis sent staff some minor edits of typos and one additional sentence on the Open Space Matrix.

Motion by Mr. Murphy to approve the March 7 minutes. Second by Ms. Francis. Vote: 6-0-0.

Adjourn

Motion by Mr. Murphy to adjourn the meeting at 8:55 PM. Second by Mr. Hayward. Vote: 6-0-0.