

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
Kevin Bears
Diane Francis
Gail Poliner-Feldman

Staff: Kelly Phelan

CONSERVATION COMMISSION MINUTES THURSDAY, MARCH 2, 2017 7PM TOWN HALL- JOHNSON CHAMBERS

Present: Joyce Albrecht, Kevin Bears, Heather Charles Lis, Diane Francis, Alan Weinberg & Kelly Phelan, Staff

Absent: Donald (Gus) Murphy, Gail Feldman

Public Hearings

APPROVED

Notice of Intent

8-641 128 Town St. /BSC Partners LLC and Town of Braintree

Ms. Charles Lis said the applicant had requested the hearing be continued to the April meeting.

Motion by Mr. Bears to continue the hearing for 8-641 to the April 6 meeting. Second by Mr. Weinberg. Vote: 5-0.

Notices of Intent

8-646 70 Jensen Farm Rd./LF Properties, LLC

8-647 80 Jensen Farm Rd./LF Properties, LLC

8-648 60 Jensen Farm Rd./LF Properties, LLC

8-649 50 Jensen Farm Rd./LF Properties, LLC

8-650 40 Jensen Farm Rd./LF Properties, LLC

8-651 30 Jensen Farm Rd./LF Properties, LLC

Staff said the applicant had requested these hearings be continued to the April meeting.

Motion by Mr. Weinberg to continue the hearings for 8-646 through 8-651 to the April 6 meeting. Vote: 5-0.

Notice of Intent
8-652 55 Hemlock St./Gauthier

Shawn Hardy, project engineer, was present with John (Jack) and Joanne Gauthier. Mr. Hardy said the proposal is for a 20' x 40' in-ground pool with a 10' concrete apron, a pump house, re-grading the lot to make it more flat for mowing, and retaining walls. He said the project will balance cut and fill on the site. He said at the closest point the wall is 16.5 feet from the wetland

Ms. Charles Lis noted the staff report and asked Mr. Hardy to address comments raised in the report. Mr. Hardy said he understood that the wetland scientist had spoken with staff and they would be meeting on site to review the delineation. He said there is a potential vernal pool but it is not jurisdictional with the Army Corps of Engineers. He said the owner took down trees around the perimeter but it is within the scope of this project. He said the 25 foot no-disturb buffer doesn't apply to single-family house lots. He said the bocce court was there since the house was first built.

Ms. Francis asked where the vernal pool is located. Mr. Hardy said it is off the site and indicated the direction (northwest).

Mr. Weinberg asked about the wall impacting drainage and flow to the wetlands and if the wall would have weepholes. Mr. Hardy said the wall is a versa lock wall so there are gaps to let water through. He said it will not impact flow to the wetland.

Mr. Weinberg asked about the drainage structure noted on the plans. Mr. Gauthier said it was there when they bought the property.

Mr. Weinberg asked about if the cut and fill were balanced. Mr. Hardy said they were balanced because the fill is coming from the excavation for the pool. Mr. Weinberg asked about erosion control. Mr. Hardy said they propose a sock around the perimeter. Ms. Charles Lis said a straw wattle would not be sufficient; it should be haybales and silt fence or a compost sock. Mr. Hardy said it would be a compost sock.

Mr. Bears asked about the trees which were removed. Mr. Hardy said it was done before he was retained but that it is within the footprint of what was proposed. Mr. Bears asked how it would be addressed. Mr. Hardy said they could plant trees below the wall. Mr. Bears said a restoration plan was in order. Ms. Charles Lis said she agreed. She said the trees were removed without permission and need to be replaced. She said the wetland scientist should prepare a restoration plan and the tree policy for replacement followed.

Mr. Hardy said the requirement for the 25 foot no-disturb buffer does not apply to single-family lots. Staff said that is not the intention of the bylaw and regardless the Commission has discretion over the entire 100 foot buffer and are not required to approve something up to the wetland line. Ms. Charles Lis said maintaining and restoring a 25 foot buffer would be consistent with other projects. She said the project should be scaled back.

Ms. Charles Lis asked about the intermittent stream and whether it was flagged. Staff said it was not flagged but contained within the wetland.

Ms. Charles Lis asked if there was any public comment.

The abutter from 61 Trainor Dr. said they would like assurance on where the water is going because they have experienced flooding. Mr. Gauthier said they are maintaining the flow. Mr. Hardy said the water which currently drains to the front of the house will still drain that way and that drainage stays the same.

Tim Lynch from Trainor Dr. asked who would be responsible if there was a problem. Ms. Charles Lis explained that the process to close out a project requires an as-built plan and a site visit and any deviations would be picked up at that time but ultimately the owner is responsible.

John Ronan from 53 Trainor Drive also expressed concerns about flooding.

Kelli Dow from Trainor Drive asked about the project up the hill. Ms. Charles Lis said that project is not before the Commission; the Commission previously issued an Order of Conditions for 1091 Liberty St.

Ms. Charles Lis suggested making a site visit after staff reviews the delineation with the wetland scientist. She said the additional information which should be provided is to scale back to provide a 25 foot buffer to the wetland and a restoration plan.

Mr. Gauthier expressed concern about the costs of the project. Ms. Charles Lis said the Commission tries to get all of their concerns on the table up front to avoid prolonged permitting and to help keep the costs down.

Motion by Mr. Bears to continue the hearing to the April 6th meeting. Second by Mr. Weinberg. Vote: 5-0.

Other Business

Open Space Guide

Staff passed around the latest draft. She has been working on making the maps consistent and adding the content suggested by the members.

Public Lands Preservation Bill

Ms. Charles Lis explained that there is a bill to increase protection of public lands by requiring replacement acres if acreage is converted to another use. She expects there will be changes made and suggested the Commission comment at that time.

**Request for Extension Permit
8-596 Sunset Lake Weed Treatment**

Staff recommended the Commission issue an extension permit for aquatic weed treatment at Sunset Lake.

Motion by Mr. Weinberg to extend the Order of Conditions for aquatic weed treatment at Sunset Lake for three years. Second by Ms. Francis. Vote: 5-0.

8-597 Pond Meadow Weed Treatment

Staff recommended the Commission issue an extension permit for aquatic weed treatment at Pond Meadow.

Motion by Mr. Weinberg to extend the Order of Conditions for aquatic weed treatment at Pond Meadow for three years. Second by Ms. Francis. Vote: 5-0.

Approval of Minutes – February 2, 2017

Motion by Mr. Bears to approve the February 5 meeting minutes. Second by Ms. Francis. Vote: 5-0.

Adjourn

Motion by Mr. Weinberg at 8:15 pm to adjourn the meeting. Second by Mr. Bears. Vote: 5-0.