

Brookline Conservation Commission Meeting
Tuesday, January 19, 2016 7:00 PM
Town Hall, School Committee Room

Commissioners Present: Marcus Quigley (Chair), Werner Lohe, Gail Fenton, Roberta Schnoor, Pallavi Kalia Mande, Pamela Harvey

Commissioners Absent: Matthew Garvey, Deborah Myers, Marian Lazar

Staff Present: Tom Brady, Conservation Administrator, Brittany Bonney, Conservation Assistant

Guests Present: See attached.

AGENDA REVIEW/MINUTES

R. Schnoor moved to approve the minutes from 1/5/16 with minor modifications as discussed.

W. Lohe seconded. All in favor

CONTINUED PUBLIC HEARING FOR THE NOTICE OF INTENT UNDER THE BROOKLINE WETLANDS BY-LAW FOR 25 SEARS ROAD, LOT 17, TO CONSTRUCT A STORM WATER INFILTRATION BASIN, SUBMITTED BY APPLIED ECOLOGICAL SCIENCES ON BEHALF OF THEIR CLIENT ENGLISH ROSE REALTY TRUST C/O MICHAEL J. BURKIN

M. Quigley opened the continued public hearing by asking for an update on the Enforcement Order. T. Brady explained that abutter notifications have been updated and resent for tonight's hearing. Russ Waldron explained that in regards to the Enforcement Order, the brush piles on site have been properly pulled apart and dispersed throughout the wetland; the orange snow fence is also in place. T. Brady showed pictures of the site currently. G. Fenton asked for clarification on Condition #3, and said that egg masses should be specifically mentioned. T Brady asked R. Waldron to make that modification to the language and resubmit.

Russ Waldron asked in regards to Condition #4, what kind of schedule the Commission wants for project monitoring (daily, weekly, monthly, etc.) He explained that the foreman on site is much more conscientious and on top of his crews, they are keeping distance from the snow fence. R. Schnoor asked for a construction sequence. Michael J. Burkin said the part of construction concerning the Commission, the detention area that will be cleared out, won't happen for months, it will most likely be a spring project. He said that he has spoken with the contractor and it will be a quick process for construction. T. Brady said he is satisfied with the work which has been completed thus far; the Commission will dictate a schedule in the Order of Conditions.

M. Quigley noted that we will now proceed to the original NOI.

R. Waldron explained that the NOI was submitted for the emergency outflow and for creating the detention basin (pointed out location on map). He explained that it will be a basic drainage system with catch basins and pipes. Depending on the rain event, runoff may or may not reach all the way down to the lower retention basin, whatever water enters will remain there so solids can settle out. Overtime, water infiltrates the system. The system is designed to handle up to the 100 year storm

before it goes out the spillway, and if water does exit, it will flow through rip rap and end up as sheet flow into the wetland below.

T. Brady asked how many catch basins are tied into the manhole; R. Waldron said they are shaded out on the plan. T. Brady said he believes he only sees one off the roadway. M. Quigley asked R. Waldron to more broadly walk them through the actual design, pointing out the drainage area and storage volume. R. Waldron said he is not the design engineer but the drainage calculations were submitted. T. Brady said he is not seeing inverts or outlets, construction details on the basin or rip rap pad. M. Quigley said they do not have calculations and he cannot see on this plan if untreated discharge will flow into the wetland area; there is a general lack of basic information. P. Harvey said it would be helpful to have contouring and grading on the plan. M. Quigley agreed and added he needs to see storage capacity as well. T. Brady said the Commission needs to be provided with a full set of plans so they can determine if the system works with the design.

M. Quigley asked if the public had comments.

- Joseph Freeman presented the Commission with photos which he took of the site from over his fence. He described how ledge is being blasted out, the 35 ft. mound of fill sitting in the middle of the property, and alteration of terrain. He explained that the area floods with significant rainfall, therefore the basins will need to be large.
- Julian Fisher said that she believes the Commission should take a walk through the site. T. Brady said it is important to note that all laws have boundaries; the Commission's jurisdiction is only within the 150 ft. buffer of the wetland. T. Brady said he has been out to the site about 10 times. He said that there is no dispute that woodland area is being disturbed and rebuilt on the property, but where that is occurring, is outside the jurisdiction of the Conservation Commission.
- J. Freeman asked who has jurisdiction over the roadway, T. Brady said the Planning Board. J. Freeman also asked where the fill pile will go when it is removed from the site; T. Brady said we do not get involved with that, the pile is far enough away from the wetland.

M. Quigley added that if an area greater than 1 acre is disturbed on site, they would need to get a National Pollutant Discharge Elimination System (NPDES) permit. M. Quigley asked for a total disturbed area to date for this construction project. R. Waldon said he is unsure but said that the design engineer will be present at the continuation hearing. T. Brady wanted to clarify that this Commission does not have jurisdiction over nor do we administer NPDES permits.

T. Brady mentioned to members of the public that they will not be notified by mail of the continuation date for this public hearing.

R. Schnoor moved to continue the public hearing to Tuesday, February 2, 2016 at 7:05pm. P. Kalia Mande seconded. All in favor.

OPEN SPACE PLAN DISCUSSION

- The next public meeting/information session is on Wednesday, January 27th.
- T. Brady asked P. Kalia Mande and W. Lohe to set up a pre-meeting with Selectman Greene on Tuesday, January 26th.
- There will be a meeting on Thursday with Greer Hardwicke and Tracey Michienzi.
- T. Brady said he has not heard back from the B.O.S. or School Committee since sending our communication regarding the 9th School study. M. Quigley will reach out to the chairs.
- Town Counsel has been looking for deed information on new open space parcels.
- There will be a joint meeting Thursday night with the B.O.S. and School Committee.

MUDDY RIVER UPDATE

- There was a meeting with the Army Corps. at their Concord, MA office to go over value engineering for Phase II of the project. They are looking at a 38 month schedule. They discussed things like how to deal with excess water and how to deal with fisheries. This is a completely internal process. Plans should be completed by 2017 and construction should start in 2018.
- There will be another site visit with the Commission this Friday, January 22nd at 8:30am to look at how the old Sears parking lot is being excavated.

STAFF UPDATE

- Complete Streets – W. Lohe commented on the response we got from Scott Englander regarding the Commission’s suggestions to the draft Complete Street Policy. He explained that the policy is very general, which works for him, and is glad to see our suggestions incorporated. T. Brady said he thinks the updates are good; he likes the list and thinks the language is good. He mentioned we will make a note to follow up with them after their meeting on February 3rd to see if any language has changed.
- P. Kalia Mande mentioned that this would be a good topic to add to the agenda for the next Open Space Plan public meeting on January 27th.
- T. Brady said he will conduct a walk on Sunday at 10am for tree identification at Hall’s Pond.

R. Schnoor moved to adjourn. P. Kalia Mande seconded. All in favor.

Documents/Exhibits used at the meeting:

- Meeting Agenda
- Draft Minutes from 1/5/16
- NOI for 25 Sears Rd., Lot 17, BWB 15-08

Submitted by B. Bonney