

**Brookline Conservation Commission Meeting**  
**Tuesday, October 4, 2016 7:00 PM**  
**School Committee Room, Town Hall**

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

**Commissioners Absent:** Marcus Quigley, 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 9/20/16. G. Fenton seconded. All in favor.*

**ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION FOR SARGENT POND,  
SUBMITTED BY HANCOCK ASSOCIATES ON BEHALF OF THEIR CLIENT SARGENT ROAD  
TRUST**

W. Lohe opened the public hearing. David Cowell, Wetland Scientist with Hancock Associates, introduced himself. He explained that he conducted the wetland delineation of Sargent Pond in either April or May. He presented a drawing with the different wetland boundaries represented. The resource areas he determined were:

1. Land Under Water and Inland Bank: He pointed out the associated DEP 100 ft. buffer zone and Town Bylaw 150 ft. buffer zone. He explained that anything internal of the bank is the pond itself, which is a manmade feature, built at the turn of the century.
2. 100 year Flood Plain Elevation: digitized to scale from FEMA's website. There are no buffer zones associated with this.
3. Bordering Vegetated Wetland: An island on the south side of the pond, the perennial stream enters the pond by the BVW. The island is full of wetland vegetation and hydric soil.
4. Riverfront Area: There are 2 streams on the property, one exits at the concrete weir and 1 enters at the BVW, both have inland bank.
5. Bordering Land Subject to Flooding

- T. Brady asked about the hydric soils found on the island. D. Cowell said it was definitely disturbed and had sediment deposits on the southern side of the island and wetland indicator plants.
- D. Cowell mentioned that both streams were observed flowing under drought advisory conditions (in April or May) which is indicative of a perennial feature.
- Al Fine, Owner's Representative for the project, said that APEX is the engineering firm who will be conducting a study on the possibilities of dredging the pond.
- T. Brady said in regards to the island, there seems to be a fair amount of depositional material; it has almost taken the form of a delta. He said there will have to be special consideration with the design and asked about historical conditions. A resident said he has seen historic photos from 100 years ago and it appears the island was not there. Al Fine said they will have APEX look into it.
- T. Brady reminded everyone that the Act states that relocation and replication of a resource is allowed and this may be a rare time when it makes sense to do so.

- D. Cowell said when he looked at the island, it effectively looked like a detention basin and he said he has seen it occur in many man made ponds in this area.
- A. Fine said that APEX will begin testing after the middle of October to sample the soils. He said they will be coming to the Commission in two weeks to have an informal discussion about the pond.
- W. Lohe asked D. Cowell how many sediment samples he took. D. Cowell said he took 1 sample.

W. Lohe asked the public if they had any questions or comments.

- Julie Coxin, abutter to the pond, said that the island is full of nettles, poison ivy and ticks. She said it has gotten larger over the 40+ years she has lived there.

*R Schnoor moved to close the hearing. P. Kalia Mande seconded. All in favor.*

### **PUBLIC HEARING: DISCUSSION OF WARRANT ARTICLES 7, 9, 10**

Andy Martineau, Economic Development Planner, gave a presentation on the River Road Planning Study. The study examined the area known as the “Emerald Island” from Brington Road to the Brookline/Boston line and focused on adding pedestrian amenities. MIT students identified the area as a potential site for redevelopment in a study they conducted. The River Road Study Committee was created to come up with rezoning for the area. They first identified physical restraints such as the flood zone, a stormwater easement (existing parking lot) and River Road being identified as Article 97 protected parkland.

The Committee took a Complete Streets approach to the public realm and aimed to create an attractive gateway district for the Town. They decided early on that there would not be any parking on the ground level at any site on the island- only structured parking. A. Martineau showed a fully redeveloped plan for the area which includes the Emerald Necklace Crossing. He explained that the Committee prioritized having wider sidewalks and after a conversation with the hotel developer, came up with a standard minimum width of no less than 8’ in limited areas known as “pinch points”. The Committee felt strongly about pushing the hotel as far away from the park as possible and having the sidewalk space be for both hotel and park users. A. Martineau discussed the zoning of all buildings, heights and lot coverage.

- P. Kalia Mande asked about underground layers. A. Martineau said the water table on site wouldn’t allow it.
- P. Kalia Mande asked what complete streets attributes fit into this development plan. A. Martineau said in regards to the hotel, zoning specifies requirements for street trees, and says that when you can’t have street trees it is required to have additional landscaping and hardscaping on site, with the approval from the Parks & Open Space Director.
- P. Harvey asked about the overhang of the 2<sup>nd</sup> floor of the building. A. Martineau said the second and third floors cantilever out and have 92% lot coverage. It would be a 4 ft. overhang. This amount of overhang does not require structural columns.

- A. Martineau said the existing floodplain starts to impact the Brookline Ice & Coal site; it does not cover the hotel site at all. They would have to replace flood volume on site if they were going to build inside the existing flood zone.
- P. Kalia Mande asked about LEED. A. Martineau said it is in the zoning that all new buildings must be LEED Silver or higher.
- A. Martineau said he will circulate the design guidelines to everyone.

#### Article 9, 10

- Article 9 pertains to a restricted covenant or tax certainty agreement and seeks authorization from Town Meeting for the Board of Selectmen to enter into a restricted covenant to guarantee the property tax for 75 years for the hotel only. The amount is \$1 M annually, which will incrementally grow.
- Article 10 is for Town Meeting to authorize the Board of Selectmen to enter into a Memorandum of Agreement for \$376,000 for offsite improvements including some in the adjacent Emerald Necklace Park (and ongoing shared maintenance), offsite bike, and pedestrian improvements, landscaping improvements, shared parking ramp access, etc.
- Joe Gellar, Stantec, said he is working with Claremont on the hotel project and is excited about the possibilities of incorporating green infrastructure. He said there are a lot of constraints but also opportunities; River Road could become the first green street in Brookline.
- R. Schnoor asked for further explanation of the pinch point and cycle track on Washington Street. A. Martineau explained that the Gateway East improvements were being designed in tandem with this project; their cycle track easement cuts into the sidewalk on Washington St. River Road is more of a shared use space.

*W. Lohe moved to close the hearing. R. Schnoor seconded. All in favor.*

#### **PUBLIC HEARING: DISCUSSION OF WARRANT ARTICLES 8, 11**

- H. Mattison introduced himself and explained that Article 8 addresses a flaw in the proposed zoning of the Emerald Island. The Article is a proposal to require a sidewalk at least 18' wide at 25 Washington Street to include 8' wide sidewalk for pedestrians and a 10' wide planting strip to separate the bicycle track from pedestrian walkway.
- Article 11 is to provide direction to the Board of Selectmen if both Articles 7 and 8 do not pass. If passed, it will mean Town Meeting is in favor of continuing to pursue zoning that allows a safe, green entrance on Washington Street.

*W. Lohe moved to close the hearing. R. Schnoor seconded. All in favor.*

#### **REVIEW FALL TOWN MEETING WARRANT TO DETERMINE WHICH OTHER, IF ANY, ARTICLES THE COMMISSION WILL DISCUSS AT A FUTURE MEETING**

- The Commission agreed that they do not need to hear from any others in the warrant.

### **OPEN SPACE PLAN UPDATE**

- P. Harvey gave an update on the Smith vs. Westfield case. The Attorney General's office wrote a strongly worded letter.

### **MUDDY RIVER UPDATE**

- Bank stabilization in the lower river is nearing completion, a flexible growth medium has been sprayed and looks like concrete. They should be wrapped up by this afternoon.
- There has been talk of a fall opening; T. Brady will keep everyone updated.
- Plans continue to be developed for the next phase.

### **STAFF UPDATE**

- **Issuance of the Order of Resource Area Delineation for 136 Sargent Road (Pond), DEP #120-150, BWB #16-03**  
*R. Schnoor moved to issue the Order of Resource Area Delineation for 136 Sargent Road (Pond). G. Fenton seconded. All in favor.*
- The Commission discussed a draft letter to the Board of Selectmen and School Committee regarding the 9<sup>th</sup> School site selection. The Commission made minor changes and agreed to submit the letter.
- T. Brady said that he had an informal meeting with representatives from Sargent Road Trust and Peter Ditto a couple of weeks ago. They will be coming to the Commission at our next meeting to have another informal discussion.
- The Commission will discuss any further information they receive on warrant articles 7-11 at their next meeting.

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

### **Documents Used**

- Agenda
- Minutes from 9/20/16
- ANRAD for Sargent Pond, DEP 120-150, BWB 16-03
- Presentation from A. Martineau (Articles 7, 9, 10)
- Presentation from H. Mattison (Articles 8, 11)

Submitted by B. Bonney