

APPROVED 12/12/12

**City of Boston Conservation Commission  
Public Hearing Meeting Minutes**  
Boston City Hall, Hearing Room 801  
Boston, Massachusetts, 02201

**February 15, 2012**

**Commissioners Present:** Charles Button – Chairman, Vivien Li, Antonia Pollak, Jeanne McHallam, John Sullivan, John Lewis

**Commissioners Not Present:** Stephen Kunian, Jeanne McHallam

**Staff Present:** Chris Busch, Executive Director

**6:05 PM**      **Notice of Intent from the Massachusetts Department of Conservation and Recreation to conduct geotechnical borings for the design of a pedestrian pathway and pile supported boardwalk, 238 Victory Road, Dorchester, Dorchester Bay (Salt Marsh, Land Subject to Coastal Storm Flowage, Land Subject to Tidal Action, 100-foot Buffer Zone).**  
Owner: Massachusetts Department of Conservation and Recreation  
Representatives: N/A  
Documents: N/A

C. Busch – This matter has been continued from the January 18<sup>th</sup> public hearing. I received a call today from Cathy Garnette, the Neponset Planner from the DCR, and she noted that the signature page for the Notice of Intent is not yet complete and therefore has requested that this matter be continued to the March 7, 2012 public hearing.

- **Motion made by V. Li and seconded by T. Pollak to continue review of the project Notice of Intent to the March 7, 2012 public hearing (voted 4/0/0).**

**6:15 PM**      **Notice of Intent from the Boston Water and Sewer Commission for the rehabilitation of drainage outfall 061 involving the installation of new 42-inch reinforced concrete pipe at the outfall end and reconstruction of an armored embankment, near Old Ironsides Way, Charlestown, Little Mystic Channel (Land Under Ocean, Coastal Bank, Rocky Intertidal Shore, Land Subject to Coastal Storm Flowage).**  
Owner: City of Boston  
Representatives: Ron Agostinelli, BWSC  
Documents: Photos and plans as presented in the project Notice of Intent

V. Li – For the record the Boston Water and Sewer Commission and Fay Spofford and Thorndike are dues paying members of my employer the Boston Harbor Association.

C. Button – I would also like to add that I currently am involved with contract work with the Boston Water and Sewer Commission so I will recuse myself from this matter.

T. Pollak – I nominate Vivien Li to serve as acting Chair for review of this matter.

J. Lewis – Second (voted 3/0/2).

R. Agostinelli – In 2010 we cleaned the conduit and also put a new tide gate in. We had a diver inspect the end of the pipe which we found had deteriorated and has not been functioning properly. We are looking to repair the end of the pipe by driving in sheeting, excavating the area at the end of the pipe and then placing armoring stone around the rehabilitated outfall. After the work is complete all the sheeting will be pulled.

V. Li – How long will it take to complete the work?

R. Agostinelli – It will take about a week of work to complete the project.

C. Busch – How will the bypass flows be handled during the work and where will the discharge point be?

R. Agostinelli – We actually have another outfall in the area so we will transfer flows to the other line after running the flow through a sedimentation tank.

T. Pollak – Have you contacted the Parks Department?

- R. Agostinelli – I have reviewed the work with David Dederer.  
C. Busch – What will the new outfall look like?  
R. Agostinelli – It will be a standards outlet with armoring stone to prevent scour.  
C. Busch – And all the work will be conducted from the landside?  
R. Agostinelli – The may drive the sheeting from the waterside, but a majority of the work will be done from land.  
C. Busch – I would ask that the draft order include basic conditions specific to waterside work.  
V. Li – Do we have a motion on the draft Order?  
J. Lewis – So moved with the additional conditions.  
T. Pollak – Second.

- **Motion made by J. Lewis and seconded by T. Pollak to issue an Order of Conditions for the project and close the hearing (voted 3/0/0).**

**6:30 PM Notice of Intent from the Boston Parks and Recreation Department for the repair of approximately 270 linear feet of riprap Coastal Bank at the Condor Street Urban Wild, 300 Condor Street, East Boston, Chelsea River (100-foot Buffer Zone, Riverfront Area, Land Subject to Coastal Storm Flowage).**

Owner: Boston Parks and Recreation Department

Representatives: Dwight Dunk, CDM Smith

Documents: Photos and plans as presented in the project Notice of Intent

- T. Pollak – I am recusing myself from this matter as I represent the owner of the property.  
V. Li – For the record CDM Smith is a dues paying member of my employer The Boston Harbor Association.  
D. Dunk – This project involves the Commissions Condor Street Urban Wild. The site is subject to DEP Bureau of Waste Site Cleanup regulations due to prior contamination on the property. As such there are periodic inspections conducted by DEP and on an inspection last fall it was discovered that some of the filter fabric that was installed as part of the containment cap has become exposed along the edge of the property. Some of the riprap stone has also been removed. The necessary repairs involve installing some new riprap, fixing it in place with mortar and conducting repairs on the areas of exposed filter fabric. Basically we are returning the site to the approved conditions.  
V. Li – How long will the work take.  
D. Dunk – Anywhere from a couple of days to a week depending upon the weather.  
V. Li – Will public access be impeded by the work?  
D. Dunk – There may be some temporary closures of pathways, however, there are adjacent pathways and sidewalks around the areas of active work.  
V. Li – Is there signage on the property?  
C. Busch – There is urban wild signage and interpretive signage, but nothing specific to Harborwalk.  
V. Li – We should have a standard condition regarding the maintenance of site signage.  
V. Li – Do we have a motion on the draft Order as amended?  
J. McHallam – So moved.  
J. Lewis – Second.

- **Motion made by J. McHallam and seconded by J. Lewis to issue an Order of Conditions for the project and close the hearing (voted 4/0/0).**

**6:45 PM Notice of Intent from the Massachusetts Port Authority for modifications to a pier fender system at the Black Falcon Cruise Terminal involving the installation of spacers at existing concrete dolphins and the removal of 12 timber piles, One Black Falcon Avenue, South Boston, Reserved Channel (Designated Port Area, Land Under Ocean).**

Owner: Massachusetts Port Authority

Representatives: James Stolecki, Massport

Documents: Photos and plans as presented in the project Notice of Intent

- V. Li – For the record the Massachusetts Port Authority is a dues paying member of my employer The Boston Harbor Association.

J. Stolecki – Back in 2008 we did some work on the Black Falcon Cruise Terminal Pier involving the installation of a fender system and some dolphins. We have found that there is not sufficient space between the sides of the vessels and the pier. We are proposing to install panels along the face of the dolphins, which are about 20-feet in width. We would also like to remove some degraded piles as well. We will install a silt curtain around the piers during the pile pulling operation. The work on the dolphins will be conducted from the pier as well as from barges. We would like to get started in March and anticipating the work being complete by mid-April.

J. Lewis – What are the panels made of?

J. Stolecki – They are comprised of a composite material.

V. Li – I have a question regarding the seating area facing the water to the right of the cruise terminal. We want to be sure the tables and chairs for the public are still there and appropriate signage.

J. Stolecki – I will check on that.

C. Button – Any comments or questions? – No public comment.

C. Button – Does someone care to make a motion?

V. Li – I move the draft Order with the requirement that stamped plans be provided and an update to staff regarding the seating area at the subject property.

J. Lewis – Second.

- **Motion made by V. Li and seconded by J. Lewis to issue an Order of Conditions as amended for the project and close the hearing (voted 5/0/0).**

**7:00 PM Enforcement Order issued to Albert J. Todesca Jr. for the filling and alteration of wetland resource areas and associated 100-foot Buffer Zone without a valid Order of Conditions, Willet Street, West Roxbury.**

C. Busch – This matter was continued from the December 21, 2011 public hearing to allow for Mr. Todesca to complete removal of fill material, debris and conduct site stabilization work.

A. Todesca – Mr. Busch was at the site for an inspection today and we reviewed progress to date. At this point 65 to 75% of the material has been removed and there is currently site grading occurring. There is a screener on the site to separate loam from the construction material and debris. I anticipate another four weeks of work at the site and request another extension to complete the work.

C. Busch – I did visit the site today and it is an active site with fill material being actively removed and processed. I would recommend that Mr. Todesca be allowed to continue with this work to reach a final condition that does not pose a hazard to the adjacent wetland resource areas.

C. Button – Do we have motion.

T. Pollak – I move that we continue review to the March 21<sup>st</sup> public hearing.

J. Lewis – Second.

- **Motion made by T. Pollak and seconded by J. Lewis to issue continue review of the Enforcement Order to the March 21, 2012 public hearing (voted 5/0/0).**

**7:10 PM Request for Certificate of Compliance for Order of Conditions DEP File No. 006-1201 from the National Archives and Records Administration for the expansion of the John F. Kennedy Presidential Library and Museum, at Columbia Point, Dorchester, Dorchester Bay.**

C. Busch – I have received a Certificate of Compliance request which has been signed off on by the project engineer. The work involved site work, stabilization of the coastal bank and Harborwalk. The work has been completed. I recommend issuing a Certificate of Compliance.

- **Motion made by T. Pollak and seconded by J. Lewis to issue a Certificate of Compliance (voted 5/0/0).**

**7:14 PM Motion to adjourn the public hearing made by J. Lewis and seconded by T. Pollak (voted 5/0/0).**