

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

December 7, 2011

Commissioners Present: Charles Button - Chairman, Jeanne McHallam, John Lewis, Antonia Pollak, Vivien Li

Commissioners Not Present: Stephen Kunian, John Sullivan

Staff Present: Chris Busch, Executive Director

6:10 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: National Grid

Representatives: N/A

Documents: Project plans and details as provided in the project Notice of Intent.

C. Busch – The proponent has requested a continuance of this matter until the December 21, 2011 public hearing as they have yet to receive a sign off from National Grid, the property owner, on the Notice of Intent.

C. Button – Do we have a motion for a continuance?

J. Lewis – So moved.

T. Pollak – Second.

- **Motion made by J. Lewis and seconded by A. Pollak to continue review of the Notice of Intent to the December 21, 2011 public hearing (voted 4/0/0).**

6:15 PM **Notice of Intent from DCK Realty Trust for structural repairs to an existing building and foundation repairs, including the replacement of pile caps and installation of helical anchors, at 90 Commercial Wharf, North End, Boston Inner Harbor (Land Under Ocean).**

Owner: DKC Realty Trust

Representatives: Blake Peters, Bourne Consulting Engineering

Documents: Project plans and details as provided in the project Notice of Intent.

V. Li – For the record Bourne Consulting Engineering is a dues paying member of my employer The Boston Harbor Association.

B. Peters – I would like to submit revised plans which represent a reduced scope of work from what was initially presented in the Notice of Intent. The proposed work is specific to structural work. There was a fire inside the building so there are repairs to the floors and walls. We propose a boom and silt curtain around the perimeter of the structure to contain the work. The interior work is strictly an in-kind repair; floor boards and stringers. There is an existing walkway on the outside and we anticipate putting in a barrier lined with mesh and with a solid ply-wood base to contain any work on the exterior. There is only the installation of a single pile and we will upgrade the pile caps.

V. Li – Who is the owner of the building?

B. Peters – I believe it is Peter Karlson.

V. Li – Is this close to Boston Yacht Haven.

B. Peters – They do have floats and docks around the structure.

V. Li – Are you one of the parties involved with the required Harborwalk on the south side of Commercial Wharf?

B. Peters – I am not aware of the owner's involvement in that matter.

V. Li – What is the anticipated cost of the project and how long will it take to complete?

B. Peters – It will cost between 100 to 150-thousand dollars and take approximately three months.

J. McHallam – Will the building be able to rent space upon completion of these repairs?

B. Peters – I would assume so pending inspection by ISD.

T. Pollak – I am confused as to what we are voting on. Are we voting on just pile repairs or pile repairs and interior structural work as well?

C. Busch – The filing covers both aspects of work.

T. Pollak – What is the status of Harborwalk at the property?

C. Busch – There is no perimeter Harborwalk at the site only an area for public passage along the landside of the property to provide access out to Boston Yacht Haven. I will revise the reference in Special Condition number 48 of the draft Order.

V. Li – We have raised a number of questions and the applicant is not present to answer. I would move that the matter be continued to the next hearing so we can learn more about what work is going to occur on the interior and the matter involving the Harborwalk.

C. Button – Do we have a motion?

T. Pollak – I move a continuance to the next hearing.

J. Lewis – second.

- **Motion made by T. Pollak and seconded by J. Lewis to continue review of the Notice of Intent to the December 21, 2011 public hearing (voted 5/0/0).**

6:50 PM Request for Determination of Applicability from Trinity Mattapan Heights Five Limited Partnership as to whether areas of the Mattapan Heights Phase V-A residential development project site are subject to the jurisdiction of the Massachusetts Wetlands Protection Act, 235 River Street, Mattapan.

Owner: Trinity Mattapan Heights Five Limited Partnership

Representatives: Kevin McCarthy, Trinity; Deborah Katz, Nitsch Engineering

Documents: Project plans and details as provided in the request.

C. Button – Any initial staff comments?

C. Busch – I did survey the subject property a few years ago and did review some low lying areas which did not have any hydrophytic vegetation or signs of wetland indicators, however, these areas are mapped by DEP as being wetland resource areas. With the next phase of the development I asked the proponent to file an RDA to clear any issue with what DEP has mapped.

V. Li – For the record Nitsch Engineering is a dues paying member of my employer The Boston Harbor Association.

K. McCarthy – The area in question used to be a car dump and was filled with trash. We are removing the debris and blocking access to prevent further dumping on the property. We will not be disturbing the area other than removing the debris and some invasive plant species. We will be installing roof drain retention and several rain gardens in the areas as well to keep and infiltrate most stormwater flows on site.

D. Katz – With Phase III there was a fence installed to prevent access and dumping onto the property.

C. Button – Is there a motion?

T. Pollak – I move a negative determination provided they remove debris from the property in perpetuity.

J. Lewis – Second.

- **Motion made by T. Pollak and seconded by J. Lewis to issue a Negative Determination with conditions and close the public hearing (voted 5/0/0).**
- **Motion made by T. Pollak and seconded by J. Lewis to approve the July 13, 2011 public hearing meeting minutes (voted 5/0/0).**
- **Motion to adjourn made by T. Pollak and seconded by J. Lewis (voted 5/0/0).**