

**City of Boston Conservation Commission  
Public Meeting Minutes**

Boston City Hall, Hearing Room 801  
Boston, Massachusetts, 02201

**June 22, 2011**

**Commissioners Present:** Stephen Kunian – Acting Chairman, Vivien Li, John Sullivan, John Lewis

**Commissioners Not Present:** Charles Button, Jeanne McHallam, Antonia Pollak

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

**6:20 PM Motion made by V. Li and seconded by J. Lewis to have Stephen Kunian serve as Acting Chairperson, (voted 4/0/0)**

**6:23 PM Notice of Intent from Boston Harbor Industrial Development LLC, for the installation of sheet piling and a rock revetment, construction of two pile supported pedestrian piers, a wind turbine, roadway and stormwater management system improvements, landscaping and Harborwalk, Pappas Way, South Boston, Reserved Channel (Land Under Ocean, Coastal Bank, Coastal Beach, Land Subject to Tidal Action, 100-foot Buffer Zone).  
*Continued from the April 20, 2011, Public Hearing***

Owner: Massachusetts Port Authority

Representatives: Roy Okurowsky, CEC, Inc., Brendan Cambell, Jay Cashman

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

Project proponent submitted a letter to the Commission requesting a continuance of the matter until the July 13, 2011 Public Hearing.

- **Motion made by V. Li and seconded by J. Lewis to continue review of the matter until the July 13, 2011 Public Hearing (voted 4/0/0)**

**6:25 PM Notice of Intent from Trinity River Street Limited Partnership for the reconstruction of a shopping plaza parking lot and installation of a new stormwater management system and outfall, at 90 River Street, Dorchester Neponset River (Riverfront Area, 100-foot Buffer Zone).**

Owner: Trinity River Street LLP

Representatives: John Schmid, Nitsch Engineering; Kevin McCarthy, Trinity Financial

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

J. Schmid – Provided project overview and description of project location. Project to provide stormwater improvements to parking lot and over 12,000 s.f. of landscape improvements. Two catch basins now discharge to Neponset. Project will install a stormceptor water quality unit and an infiltration system. Also introducing a rain garden to allow for additional infiltration. Significant amount of debris on river bank; trash will be removed and an annual inspection will occur.

J. Sullivan – Where does existing drainage go and drainage for the front lot?

J. Schmid – Drainage discharges to the back through an outfall and the front ties into the city system in the street.

J. Sullivan – There is a TMDL for the Neponset how will water be treated from front lot?

J. Schmid – Not proposing anything in addition to sumps and hoods for existing basins, as well as the landscape areas. Not proposing additional recharge capacity.

J. Sullivan – What if there are water quality violations from the site in the future?

J. Schmid – Improvements have been scaled back since project started. If there are issues in the future they will be dealt with at that time.

J. Sullivan – What about the loading dock area?

J. Schmid – There is one catch basin.

J. Sullivan – Is there a sump and a hood?

J. Schmid – Will check and ensure that sump and hood are installed.

C. Busch – Should this be a condition of the order?

J. Sullivan – Should be made a condition.

V. Li – Want to make certain that project will improve water quality of Boston Harbor.

J. Schmid – We will look at the loading dock area and provide an updated plan within the week.

V. Li – The number of parking spots will stay the same?

J. Schmid – Same number of spots.

J. Sullivan – Any renovations to the building and new tenants?

K. McCarthy – No new tenants; the façade of the building has been improved.

S. Kunian – Any comments on the draft Order – No comments

S. Kunian – Any comments from the public?

Paul Ruffo – Attorney for abutter – noted that there have been discussions with the owner and he has come to a better understanding of the project and the commission's position on the project. We have some concerns with traffic flow through the area.

V. Li – Move draft order of conditions with the added condition for a deep sump catch basin with hood.

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

**6:39 PM Notice of Intent from the City of Boston for a soft shell clam restoration project at Thompson Island, Boston Harbor (Coastal Beach).**

Owner: Thompson Island

Representatives: Abi Vladeck, Mayor's Office

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

A. Vladeck – Mayor has had a long standing interest in aquaculture in Boston Harbor. In investigating options found a soft shell clam enhancement project which is publically managed through the MA Division of Marine Fisheries. Currently there are 30 sites along the coast that DMF has as part of the program. DMF views Thompson Island as great habitat for the clam and there are also educational opportunities as well. Project will involve the establishment of predation screens and seeding of clams on northeastern portion of the island. There will be periodic monitoring. The screens will come out before winter. In 2014 the clams should be mature and DMF will open the area for clamming. Impacts are temporary and minimal and the point of the project is to enhance shellfish habitat. We will look at how pilot does and hopefully expand effort to other areas of Boston Harbor.

J. Sullivan – Who is actually conducting the work and is in charge.

A. Vladeck – DMF staff and volunteers, as well as some of the shell fishermen.

S. Kunian – So there are predation nets?

A. Vladeck – Yes, to keep birds out – they do not serve to trap birds or other animals.

J. Lewis – What is growing there now?

A. Vladeck – Nothing. Cannot establish this type of project in areas that already have a healthy shellfish population. DMF will only allow these projects in areas where there are no shell fish or populations have fallen off.

S. Kunian – Any comments from the public or on the draft conditions?

A. Vladeck – No specific comments. There is the issue of possible expansion of the pilot project. Will a new NOI be required for each new plot?

C. Busch – Really an issue of nature and scope. Make a judgment call based upon what is proposed

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

**6:51 PM Notice of Intent from the Massachusetts Department of Transportation for the construction of two sections of bulkheads at the Chelsea Street Bridge involving the driving of 240 linear feet of steel sheeting with supporting batter piles, and test borings, East Boston, Chelsea Creek (Land Under Ocean, Coastal Beach).**

Owner: Massachusetts Department of Transportation

Representatives: Lisa Standley, VHB; Jessica Kenny, MassDOT

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

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

L. Standley – Provided project overview. Proposing to install two sections of sheet pile bulkhead on either side of the Chelsea Street Bridge; batter piles and navigation lighting will also be installed. Sheeting will be installed from barges. Similar work will occur on the Chelsea side of the river. The bulkheads were not originally anticipated as part of the bridge reconstruction project. There were fenders that are to be removed to provide for Army Corps dredging. The ACOE initially proposed to dredge to 140' width; however the pilots felt that this was not safe without a fendering system, so the proposal came forth to dredge to 175', which requires the installation of the proposed bulkhead system to maintain the structural integrity of the existing seawalls and coastal banks. All work will be conducted from the waterside. Probably take about 8-weeks to conduct the work. Also need to conduct two exploratory borings.

V. Li – The work needs to be completed before the Corps starts the dredge work?

S. Standley – Correct.

C. Busch – So, there is no fendering system required on or around the bulkhead?

S. Standley – No, there is adequate width and there will be lighting.

J. Lewis – How many yards of excavates?

S. Standley – No excavation necessary.

S. Kunian – Have you reviewed the draft Order?

S. Standley – There is an issue with the condition specific to refueling in the resource area. This is necessary as there is no landside refueling option. There are also a few conditions specific to landside work that can be modified.

V. Li – Move the draft order with the one change, specific to refueling within wetland resource areas.

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

**7:00 PM Request for Determination of Applicability from the Massachusetts Department of Conservation and Recreation for the installation of a seasonal dock extension and anchoring system at Neponset Park, Dorchester, Neponset River (Land Under Waterways).**

Owner: Massachusetts Department of Conservation & Recreation

Representatives: Cathy Garnett, DCR; James Burke, Civil Engineer, John Reed, Friends of Milton Rowing

Documents: Project plans and details as provided in the project description.

C. Garnett – Here to discuss an extension of an existing dock. Project is the result of a public private partnership where an entity provides some funding and we match it. In this case it is Friends of Milton Rowing that looks to install the dock extension this fall.

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

C. Garnett – We have had a public meeting on the project. The dock will be open to the public at all times. The existing dock grounds out at low tide, so the extension will allow for use regardless if tidal cycle.

J. Burke – The dock extends about 38-feet off of the existing dock. Dock will be anchored with weight anchors as well as tethers to the top of the bank. The dock system is modular and snaps together.

J. Sullivan – Will it come out in the fall? Where will it be stored?

C. Garnett – It will be removed in fall and stored on DCR land

J. Sullivan – When rowing club is using the dock is it off limits for the public.

J. Reed – Only when boarding and disembarking does the crew team need exclusive use. Other than those times the dock is open for public use. We are entering into an agreement with an adjacent private entity for storage of the boats. Boats will be moved by hand; no vehicles are necessary.

S. Kunian – No vehicles needed to move the boats or docks.

J. Reed – No, the boats and materials are light enough to be dealt with by hand. The intent is just to get the dock working; it is useless at low tide.

J. Sullivan – I do not like the cables across the bank as they are an attractive nuisance.

J. Burke – They were chosen for ease of use and installation. Other option is a spud pole.

C. Garnett – We didn't know if that would require a full permit as the spuds are more permanent.

J. Lewis – How big are the spud poles.

J. Burke – Only 4" in diameter, like a fence pole.

J. Reed – The Neponset is a great resource and there are limited options for access. This project will make the river more accessible.

S. Kunian – Any comments from the public – no comments.

V. Li – Move a negative determination with conditions.

- **Motion made by V. Li and seconded by J. Lewis to issue a Negative Determination of Applicability and close the hearing (voted 4/0/0)**

**7:15 PM Request for Determination of Applicability from Emerald Necklace Conservancy for the Kelleher Rose Garden Fountain Rehabilitation Project involving the installation of an underground equipment vault, infiltration bed and supporting utility lines, Back Bay Fens, Muddy River (Bordering Land Subject to Flooding).**  
Owner: Boston Parks & Recreation Department  
Representatives: Julie Crockford, Emerald Necklace Conservancy; Victor Walker, Walker Design.  
Documents: Project plans and details as provided in the project description.

J. Sullivan – I am an ex-officio member of the ENC so I am recusing myself from the hearing.

V. Walker – Rehabilitating an existing fountain so it has a re-circulating system. There will be no change to flood storage capacity; disturbances will be minimal. Intent is to provide erosion and sediment control measures during construction.

S. Kunian – I saw the rose garden before the benefit and it look magnificent.

S. Kunian – Any comments or questions?

V. Li – Move a negative determination with conditions.

- **Motion made by V. Li and seconded by J. Lewis to issue a Negative Determination of Applicability and close the hearing (voted 3/0/1)**

**7:30 PM Request for Determination of Applicability from the Massachusetts Port Authority for a construction laydown area and a temporary access driveway, at 1263-1267 Saratoga Street, East Boston, Belle Isle Inlet (Land Subject to Coastal Storm Flowage, 100-foot Buffer to Coastal Bank).**  
Owner: Massachusetts Port Authority  
Representatives: James Stolecki, Massport  
Documents: Project plans and details as provided in the project description.

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

J. Stolecki – Provided an overview of proposed work. The lay down area will be used by MIG corporation who are reconstructing the bridge over the Belle Isle Inlet. Area subject to a prior Order for the demolition of a building and we were at a point where we were establishing vegetation on the site. Lay down area will be contained by a chain link fence and will also be grading a driveway for a restaurant adjacent to the bridge. Space is limited so the location of the lay down area is a necessity. Anticipate starting in July and project should take two years. Upon project completion the contractor will be required to return the site to the site it is presently in.

S. Kunian – Will the driveway be paved.

J. Stolecki – It will be gravel, it will not be paved.

S. Kunian – Any questions or comments?

V. Li – Move the draft project conditions.

- **Motion made by V. Li and seconded by J. Lewis to issue a Negative Determination of Applicability and close the hearing (voted 4/0/0)**

**7:45 PM Updates and General Business:**

**Request for Certificate of Compliance for Order of Conditions DEP File No. 006-1131 from the Massachusetts Water Resources Authority for work associated with the East Boston Branch Sewer Project, at Bremen, Border, Chelsea, Condor, East Eagle, Gove, Marginal and Orleans Streets, East Boston.**

C. Busch – provided brief overview of the project and note some issues with project staging areas, however, those matters have been resolved. There is a sign-off by a registered engineer, so I recommend voting to approve.

- **Motion made by V. Li and seconded by J. Lewis to issue a Certificate of Compliance (voted 4/0/0)**

Staff also issued an Emergency Certificate to the Boston Water and Sewer Commission for the stabilization of an outfall adjacent to the VFW Parkway. I am awaiting a long-term stabilization plan.

**Motion made to accept the revised April 6, 2011 public hearing meeting minutes by V. Li and seconded by S. Kunian (voted 4/0/0).**

**Motion made by S. Kunian and seconded by J. Lewis to adjourn the public meeting (voted 4/0/0).**