

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

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

**March 2, 2011**

**Commissioners Present:** Charles Button - Chairman, Vivien Li, Stephen Kunian, John Lewis

**Commissioners Not Present:** Jeanne McHallam, Antonia Pollak, John Sullivan

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

**6:15 PM**      **Notice of Intent from Commercial Wharf East Condominium Association for the in-kind replacement of a water main within paved areas along the north and east side of the wharf, 84 Atlantic Avenue, Boston Inner Harbor (Land Subject to Coastal Storm Flowage, 100-foot Buffer Zone to Coastal Bank). *Continued from the February 2, 2011 Public Hearing***  
Owner: Commercial Wharf East Condominium Association  
Representatives: Mike Carney, Seacoast Contractors  
Documents: Project plans and details as provided in NOI

V. Li notes that Commercial Wharf Condominium Trust is a dues paying member of her employer TBHA. M. Carney provided an overview of the project, including a replacement of the water service system around the wharf. Excavation will start on the east side where control of water will occur, and then work on the north side. There is an 8" line right off of Atlantic Ave., so work does not need to occur in the street. Excavation will be about 6' deep and 5' wide and tidal. Excavation will be filled with flowable fill and paved as project proceeds. Parking lot was repaved in 2005 and all the catch basins are new. Filter systems will be installed around the basins for erosion and sediment control. C. Button asked about abandonment of old line. M. Carney noted that the old line will be removed not abandoned. M. Carney noted other utilities present on the wharf. V. Li asked with repaving what will happen with the Harborwalk; raises issue with north side of wharf and Harborwalk off of parking area. M. Carney noted that the area would not be repaved. M. Carney noted that vehicles periodically extend front of car into Harborwalk area. V. Li asked about the southside Harborwalk and status as well as Harborwalk signage on the property. V. Li noted that new Harborwalk signs are needed. M. Carney noted that the Condo was in compliance with prior Orders issued by the Commission. V. Li requests the signoff by the Condo Association on the construction of the southside Harborwalk. V. Li asks for movement of vehicles on north side of wharf back and away from the Harborwalk. M. Carney noted the 4' clear Harborwalk was to maintain the fire lane. J. Lewis asked about distance from seawall. M. Carney noted at least 20' between wall and area of excavation. S. Kunian proposes that if Order is issued it will be subject to an update on parking, signage and Harborwalk.

C. Button opens hearing to public. Phil Pulitzer from George Heihler's office, representing the abutter Buk Lu, noted that prior work around the property and grading has caused problems with access to his property. Objection to work and ask that if work proceeds the asphalt under the gate is graded to allow gate to open. C Busch notes that Inspectional Services has previously placed a lien on the gate as it was structurally unsound. P. Pulitzer notes he is not familiar with the ISD matter. V. Li would like more information on prior city action on Mr. Buk's property. C. Busch also noted the recent sinking of a vessel at Mr. Lu's marina. Noted that an Enforcement Order could be issued as vessel is impacting wetland resource areas. V. Li suggests continuing the hearing. C. Button suggests reviewing the matter again in one month at the April 6<sup>th</sup> public hearing. C. Carney noted poor condition of facilities around Barnacle Marine. S. Kunian would like both representative from Barnacle Marine and Condo Trust present to discuss disposition of the gate.

- **Motion made by V. Li and seconded by S. Kunian to continue the hearing until the April 6<sup>th</sup> hearing, (voted 4/0/0)**

- **Motion made by S. Kunian and seconded by V. Li to issue an Enforcement Order if the sunken vessel is still present at Barnacle Marine, (voted 4/0/0).**

**6:30 PM Notice of Intent from the Massachusetts Port Authority for the East Boston-Chelsea Bypass, involving the construction of an asphalt roadway, retaining walls, utilities, pumping station and stormwater management system between Frankfort Street and Chelsea Street, East Boston, Chelsea River (Land Subject to Coastal Storm Flowage).**

Owner: Massachusetts Port Authority

Representatives: James Stolecki, Environmental Programs, Anthony Guerro, Community Relations

Documents: Plan sections as submitted in the project NOI

S. Kunian notes that Massport is a client of his employer. J. Stolecki requests a continuance of Commission review of the matter to the March 16<sup>th</sup> hearing due to failure to adequately provide abutter notification for the project.

- **Motion made by V. Li and seconded by J. Lewis to continue the hearing until the March 16<sup>th</sup> hearing (voted 3/0/0, S. Kunian recused).**

**6:35 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).**

Applicant: Boston Harbor Industrial Development, LLC

Owner: Massachusetts Port Authority

Representatives: none present at time of hearing

Documents: Plan sections as submitted in the project NOI

C. Busch provided a written request from the applicant to continue the Commission's review of the filing to the March 16<sup>th</sup> public hearing and providing additional material on the filing.

- **Motion made by V. Li and seconded by S. Kunian to continue the hearing until the March 16<sup>th</sup> hearing (voted 4/0/0).**

**6:40 PM Request for Determination of Applicability from Friends of Boston Latin Crew for the installation of a temporary modular dock and ramp system, and boat storage area, 525 Western Ave, Charles River Reservation, Brighton, Charles River (Riverfront Area, Land Under Waterways).**

Applicant: Friends of Boston Latin Crew

Owner: Massachusetts Department of Conservation & Recreation

Representatives: Robert Taylor, Nancy Ludwig, Terry Dougherty, Rick Corsi - DCR

Documents: Plan sections as submitted in the project RDA

C. Busch notes several letters of support for the project to be referenced later in the hearing. R. Taylor provides overview of project and the organization. FBLC has a one year term to use the location for a temporary dock and boat storage area. Previously the FBLC has been at CRI. Dock will come in after season is complete at the end of June. Rowing shells will be stored outside and outside the 100-foot buffer zone. C. Button noted that the dock will go in this year and every year thereafter. R. Taylor noted that is the case until they have a permanent dock, for which they will receive a Wetland Permit. R. Corsi noted DCR is supportive and have been working with FBLC and provides letter of support from Sam Overton, Deputy Director of DCR. V. Li inquired as to how students get to facility. R. Taylor noted that most take public transportation and a few by car. S. Kunian asked if there would be trash barrels in the area. R. Corsi responded that there are trash receptacles in the area. S. Kunian inquired as to whether trees or vegetation need to be removed. R. Taylor noted that only some trimming to gain access to riverbank is needed. C. Busch asked who would be installing the dock. R. Taylor noted parents would be conducting installation. C. Button read letters of support into record.

- **Motion made by J. Lewis and seconded by S. Kunian to close the hearing, accept the project conditions and issue a Negative Determination of Applicability for the project (voted 4/0/0, V. Li absent).**

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