

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

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

May 18, 2011

Commissioners Present: Charles Button –Chairman, Vivien Li, Antonia Pollak, John Sullivan

Commissioners Not Present: Jeanne McHallam, Stephen Kunian, John Lewis

Staff Present: Chris Busch, Executive Director

6:20 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 June 22, 2011 Public Hearing.

6:25 PM **Notice of Intent from East of Air Realty Trust for the installation of temporary structures, associated utilities, and establishment of pathways and landscaping, at 54 Adams Street, Boston, Boston Harbor (Land Subject to Coastal Storm Flowage, 100-foot Buffer Zone).**
Owner: Seymon Dukach, East of Air Realty Trust
Representatives: James Cipoletta, Counsel; Richard Salvo, Alliance Engineering
Documents: Project plans and details as provided in the project Notice of Intent

C. Button – Any initial staff comments

C. Busch – Requested that the proponent provide an update on filing status with Town of Winthrop as half of the site is within Winthrop and half within Boston.

J. Cipoletta – Provided history of ownership an overview of the project components. Site is across from the proponent's home. Current owner purchased the property to prevent development of the site and would like to utilize the property for recreational purposes. NOI has been filed with Winthrop and providing follow up information. On Boston side a carousel and tent are proposed along with walking trails; electrical conduit also has to be installed.

C. Button – Questions and comments?

V. Li – I was present on the site recently and there appears to be hay bales and some work conducted on the site.

J. Cipoletta – Yes, there has been general site clean up and some mowing to improve site conditions. No demolition or construction occurred on the Boston side.

V. Li – How will people access the site?

J. Cipoletta – There is designated parking on the Winthrop side of the site. Need to work out with the Winthrop ConCom as to what the surface material will be, either stone or crushed shell.

A. Pollak – How many parking spaces?

J. Cipoletta – 42 spaces.

V. Li – Will there be any tree removal?

J. Cipoletta – No tree removal and no regrading.

A. Pollak – This sounds like a park. Will it be transferred to the Town or used as a business?

S. Dukach – Have not determined as of yet future use beyond recreation.

A. Pollak – Given the type of use 42 spaces does not appear adequate.

J. Cipoletta – There is also the public landing site where there is a large parking lot. Town is installing bicycles, so intent is for people to take ferry and use bikes as well to access the site.

V. Li – There is parking at the MWRA facility however that location is dedicated for those utilizing the Deer Island pathways and facilities.

C. Button – No abutters list in the application.

R. Salvo – MWRA is the only abutter on the Boston side, and they were notified.

A. Pollak – What about public restrooms.

R. Salvo – There will be porta-johns on the Winthrop side.

C. Button – Any comments from the public?

Winthrop Resident 1 – Parking will be helpful at that location.

Winthrop Resident 2 – The 42 spots are not adequate for the site.

Winthrop Resident 3 – The area floods during coastal storms. Concerns with cars and other fixtures on the site with a flooding event (Commission provided with photos). Do not want changes to direct flooding onto other properties.

Also concerns raised regarding oversight of the property.

C. Button – Any further comment?

C. Busch – With this project we are dealing with buffer zone to wetland resource areas and Land Subject to Coastal Storm Flowage, so there are no performance standards that are at issue. There are temporary structures proposed and there are conditions in the draft Order which address those structures.

R. Salvo – There are no plans to regrade and we wish to maintain natural features of the property.

V. Li – Will the tent have permanent anchors? Will it be removed at the end of every season?

S. Dukach – Tent will be removed at the end of each season and before storms.

V. Li – The carousel, will it be seasonal?

S. Dukach – Yes.

V. Li – How large are the containers and will they be permanent?

S. Dukach – The containers are approximately 20' and the containers can be removed from the site.

C. Button – Have you reviewed the draft Order, any comments?

S. Dukach – No comments.

J. Sullivan – Would like more information on how the structures will be anchored or tied down.

A. Pollak – Do you have to go before the ZBA in Boston?

J. Cipoletta – Do not have to deal with ZBA in Boston, as it is zoned for business/commercial.

V. Li – Would like to have as a Special Condition that the tent and carousel be removed during the off season.

J. Cipoletta – Most of the yacht clubs are seasonal May 1st through October 31st.

V. Li – That is an acceptable time frame. And, the parking at Deer Island is for those using the island.

V. Li – Special Condition for the porta-potties to be cleaned once per week.

V. Li – Should there be additional trees on the project site?

T. Pollak – Trees not appropriate for the property.

A. Pollak – Would just ask that you reach out to area community centers and schools to engage kids.

M. Kelley – Can the proponent proceed with work on the Boston side after issuance of an Order?

C. Button – Yes, work can commence under a Final Order

V. Li – Motion: move a draft Order with the conditions specific to temporary use of tent and carousel, use of parking lot at Deer Island for deer island patrons only, maintenance of porta-johns and an update at a November public hearing.

T. Pollak – Second.

- **Motion made by V. Li and seconded by T. Pollak to issue an Order of Conditions for the project, with the referenced additional conditions, and close the hearing (voted 4/0/0)**

7:20 PM Notice of Intent from the Massachusetts Port Authority for improvements at Fish Pier, including repairs to a fender system, and the installation of ladders and new bollards along the pier, at 212 Northern Avenue, South Boston, Boston Inner Harbor (100-foot Buffer Zone to Coastal Bank, Land Subject to Coastal Storm Flowage).

Owner: Massachusetts Port Authority

Representatives: James Stolecki, Massport

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

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

C. Button – Any initial comment?

C. Busch – No comments.

J. Stolecki – Provided an overview of the project components and location on the pier. There will be some concrete saw cutting and the contractor will be required to contain any wash water.

V. Li – Is there point access – benches at the end of the pier.

J. Stolecki – Site is a DPA, there are no benches provided at the pier.

V. Li – Has there been any new interest with the development of Liberty Wharf for access to the pier?

J. Stolecki – Not aware of any interest to get onto the pier.

V. Li – Will the ice plant be back?

J. Stolecki – No.

V. Li – What is the status of Harborwalk signage on Northern Ave.

J. Stolecki – Signage required under prior Order. Two signs are to be installed.

C. Button – Any further questions, do we have a motion?

V. Li – I move the draft Order with the additional condition that two Harborwalk signs be installed along Northern Ave.

- **Motion made by V. Li and seconded by T. Pollak to issue an Order of Conditions for the project, with the referenced additional condition, and close the hearing (voted 4/0/0)**

6:45 PM Updates and General Business:

Update from Sterling Equipment on Order of Conditions **DEP File No. 006-1253** for salvage inspection reports of sunken vessels in Boston Harbor.

C. Busch – The Commission requested an update on the three non-barge vessels to be removed, including information on fuel onboard the vessels.

J. Keegan – Provided material on the dive inspections on the three vessels. Divers found that all vessels have deteriorated having been in the water over 20 years. The fill pipes are all missing and are open, so any fuel would have dissipated some time ago. Given the amount of silt on vessels accessing them was not possible.

Request for Certificate of Compliance for Order of Conditions **DEP File No. 006-0816** from the Massachusetts Department of Conservation and Recreation for construction of the Nashua Street Park, Boston, Charles River.

Commission staff notes that Cert of Compliance material has been reviewed and all permit conditions have been complied with. Karl Haglund of MA DCR provided an update on the park and park conditions.

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

Request for Certificate of Compliance for Order of Conditions **DEP File No. 006-1148** from Boston National Historical Park for the replacement of an existing floating dock with a new ferry landing facility at Pier 1, Charlestown Navy Yard, Boston Inner Harbor, Charlestown.

Commission staff notes that Cert of Compliance material has been reviewed and all permit conditions have been complied with.

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

Motion made by J. Sullivan and seconded by A. Pollak to adjourn the public meeting (voted 4/0/0).