

Approved 4/30/14

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

February 19, 2014

Commissioners Present: Jacob Kritzer, Stephen Kunian, Vivien Li, Antonia Pollak, John Sullivan, Michael Wilson

Commissioners Not Present: Charles Button,

Staff Present: Stephanie Kruel, Executive Secretary

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- **Motion made by A. Pollak and seconded by J. Sullivan to appoint Stephen Kunian as the meeting chair (5/0/0 6:10 PM).**
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6:00 PM The Program of the Suffolk County Mosquito Control Project

Representatives: Chris Busch, BRA; Davide Henley & Brian Farless, Suffolk County Mosquito Control Board

D. Henley described the composition and funding of the Suffolk County Mosquito Control Commission and the East Middlesex Mosquito Control Commission. Their work is typically exempt from the Wetlands Protection Act, but they coordinate with municipal conservation commission agents anyway. Work must comply with the Clean Water and Endangered Species acts. Mr. Henley described the guidance documents followed and providing a briefing on mosquito biology, behavior and habitat, as well as trapping and testing methods.

J. Kritzer asked how long traps work for and what size area they cover. Mr. Henley replied that 50,621 is the record for trapping, and occurred in a Bedford back yard. Most mosquitos stay within one mile of where they develop. Collection occurs over a one evening/night period. He then described treatment and spraying measures, which consists of spraying with relatively non-toxic chemicals and hormones at very low concentrations. Slightly toxic pesticides are used in truck spraying operations, but at very low concentrations. There is no impact on people or pets. Ditch maintenance is performed with light-weight excavators.

Mr. Henley then reviewed the annual budget. Administration costs are shared between Suffolk and East Middlesex Counties, but Suffolk has an office in Readeville as well as its own field operations. Mr. Henley displayed charts indicating the deviation from normal temperature over the past 18 years, with every year since 1995 above average. Precipitation has also generally been over the century's average in this period. They are now watching the Tiger Mosquito, which can carry dengue fever, as it migrates north from Florida.

A. Pollak asked if spraying occurs along the Muddy River. Mr. Henley replied that the area used to be sprayed, but is no longer sprayed because larvae are no longer found in the phragmites, probably due to better water quality. Ms. Pollak asked what the effects of the dredging project might be on the mosquito population. C. Busch replied that improved flow usually reduces mosquito habitat and development.

S. Kunian recommended that Mr. Henley read last week's Economist article about the spread of polio in Syria. He also suggested that the Mosquito Control Commissions do not defer to Conservation Commissions, and instead move forward with their work as planned. J. Kritzer suggested that Conservation Commissions continue to be consulted so that overspraying does not occur. Mr. Henley noted that in the past he has contacted Boston's agent prior to conducting ditch maintenance work in Hyde Park. He also goes to the Natural Heritage & Endangered Species program if endangered species are found. Mr. Busch noted that many ditches are outside of ConCom jurisdiction.

V. Li asked if the budget presented is for capital or operating expenses. Mr. Henley replied that it is a combined budget.

Ms. Li asked what the half-life of the active reagent is. Mr. Henley responded that BTI kills for 48 hours before it breaks down. Ms. Pollak asked how that relates to the lifespan of a mosquito. Mr. Henley replied that it is dependant on species and ambient temperature, but a brood generally lives for about a month.

Mr. Kritzer asked if there are thresholds to define when to take action. Mr. Henley creates thresholds based on data collected between 1976 and 2013. Mr. Kritzer asked if spraying is done to get ahead of potential public complaints. Mr. Henley replied that spraying activities are based on science, not complaints.

Mr. Busch noted that this is Ms. Pollak's last meeting as a Conservation Commissioner, and he stated that it has been a privilege working for and with her.

6:50 PM Notice of Intent for **DEP File No. 006-1374** from Boston Autoport for Seawall Repair, 100 Terminal Street, Charlestown, Boston Harbor/Mouth of Mystic River (Coastal Bank, Designated Port Area, Land Under Ocean) *Continued from 1/8/14*

Representatives: Tim Carpenter, GHD Consultants; Dennis Kraez, Boston Autoport

V. Li stated that Boston Autoport and Massport are dues-paying members of her employer, The Boston Harbor Association.

- **Motion made by A. Pollak and seconded by J. Kritzer to issue the Order of Conditions (5/0/0 6:52 PM)**

6:52 PM Notice of Intent for **DEP File No. 006-1375** from Boston Autoport for Paving at Medford Street Terminal, Charlestown, Mystic River (Buffer to River Bank, Designated Port Area) *Continued from 1/8/14*

Representatives: Tim Carpenter, GHD Consultants; Dennis Kraez, Boston Autoport

V. Li stated that Boston Autoport and Massport are dues-paying members of her employer, The Boston Harbor Association.

- **Motion made by A. Pollak and seconded by M. Wilson to issue the Order of Conditions (5/0/0 6:54 PM)**

6:55 PM Notice of Intent for **DEP File No. 006-1376** from Match Community Day Charter Public School for Demolition and Construction of New School Facility at 50, 100 & 110 Poydras Street, Hyde Park, Neponset River (Buffer to Inland Bank) *Continued from 2/5/14*

Representatives: Chelsea Christensen, Nitsch Engineering; Tamara Warburg, Studio G Architects

V. Li stated that Nitsch Engineering is a dues-paying member of her employer, The Boston Harbor Association.

C. Christensen described the project and stormwater system. The project meets the stormwater standards for new construction. Work within the 25-foot Riverfront Area includes removal of pavement and replacement of the chain link fence.

Ms. Li asked if the project has funding. Ms. Christensen replied in the affirmative. T. Warburg stated that the project will be bid out in the spring and constructed by August 2015 to open for the 2015 school year. The only demolition involved is the shed and pavement.

Ms. Li asked if there are opportunities to provide landscaping. Ms. Warburg stated there is extensive planting planned for the site. Ms. Krueel noted that the plan calls for planting 121 new trees.

A. Pollak asked what the former use of the site was. Ms. Warburg replied it had housed two box factories which were demolished by the previous land owner. Originally the entire site was slated for residential development, but only one residential building was built before the remainder of the land was sold to the current owner.

Ms. Pollak asked if contamination was an issue at the site. Ms. Warburg replied that a soil study revealed that no soil needs to be removed from the site. The only soil-related issue is the presence of peat along the river's edge. Peat is not able to bear weight, so geopiers will be used to support the River building and the Gymnasium. After Mr. Kunian expressed additional concern about soil contamination, Ms. Christensen directed him to the soil report contained in the Stormwater Report.

J. Sullivan asked if a 21E assessment have been done. It would have to have been done under the previous owner in order to put residential development on the former industrial site.

Ms. Pollak asked if new utilities would be supplied. Ms. Christensen replied that water would come from Neponset Field Lane and sewerage would be pumped up to Poydras Street via a pump station. Stormwater LID & bio-retention would be utilized on site as well.

J. Kritzer noted that the narrative stated that the bank is steep and undercut and asked if there is any potential to stabilize and improve the bank.

Ms. Christensen and Ms. Warburg stated that the bank is in good natural condition. The project will not go past the existing fence line. The landscape architect noted that it is stabilized by existing plant material. The school has no interest in providing physical or visual access to the water's edge. Ms. Warburg noted that when the new fence is put in large debris will be removed, but there is no intention to modify the bank. M. Wilson asked if the bank slope is steep. Ms. Christensen replied that it is gradual.

Ms. Pollak asked if the turf field would be natural or artificial, and if there will be subdrainage. Ms. Christensen replied that the artificial turf field would have a stone underdrain that would only require shallow digging and would act as overflow storage.

Mr. Wilson asked if there would be an educational component to the bio-retention basin. Ms. Christensen replied that the school does not have current plans to do so.

Mr. Sullivan suggested that the SWPPP documents be file early.

Ms. Li asked for clarification regarding the decision to not utilize the environment as an educational component. Ms. Warburg stated that she had raised the issue with the school. This school is focused on the basics, and there is no current interest in an environmental focus. The building will be LEED silver certifiable, and she hopes that over time the school will become interested. She noted that one can hear the rapids of the river from the play space.

Ms. Li noted that representatives from the school were not present at the meeting. Ms. Warburg stated that the CEO had planned to be at the February 5th hearing, which the proponent was not able to attend due to the snow. Ms. Li stated that it is unusual for a school in Boston not to be interested in the environment. She suggested adding a condition that the school consider environmental education in the future. She asked if there is something unique about the student body that would preclude environmental education from the curriculum. Ms. Warburg explained that Match has a high school on Commonwealth Ave. The school is entirely for English language learners K-12. It is focused on intensive catch-up, which results in less emphasis on non-priority (i.e. music, art, theater) subjects. It is aimed toward disadvantaged students.

Mr. Kritzer noted that disadvantage non-english speaking communities are the very ones that suffer from environmental justice issues. He supported a non-binding recommendation as Ms. Li had suggested.

Mr. Sullivan suggested asking the proponent to reconsider environmental education programming one year after opening.

Ms. Li asked the representatives to convey to the proponent that a long discussion was held on the issue of environmental education.

Mr. Wilson asked if the planting palette for bio-retention is compatible with its intended function. The landscape architect assured him that it would be done the right way.

Mr. Wilson asked why no work was planned for the large green triangle on the plans. Ms. Warburg replied that it was outside of the property lines, and belonged to the adjacent single family homes.

- **Motion made by J. Kritzer and seconded by A. Pollak to issue the Order of Conditions with the following amendment (5/0/0 7:24 PM):**
 - **The applicant shall return to the Commission in September 2016 to provide an update on what has been done to take advantage of the on-site environmental education opportunities.**

7:25 PM Notice of Intent from the Massachusetts State Archives for Emergency Generator Replacement at 200 Morrissey Blvd, Dorchester, Dorchester Bay (LSCSF)

Representative: Nick Ferzacca, Architectural Engineers, Inc.

V. Li noted that this is Ms. Pollak's last Commission meeting and praised her for her 11 years of service. She described Ms. Pollak as a diligent, strong advocate for open space and trees, and a key member of the Mayor's Climate Action Team. J. Sullivan stated that a celebration will be held in Ms. Pollak's honor next Wednesday at the Copley.

Mr. Sullivan excused himself from the remainder of the meeting.

N. Ferzacca described the project. S. Krueel pointed out that the project site is not in FEMA's preliminary floodplain, although it is in the current effective floodplain. It is adjacent to GAB 1, which was approved by the Commission last fall.

Mr. Ferzacca explained that the new tank will be further above grade than the existing tank. The generator is capable of being submerged.

A. Pollak noted that the project site is all filled land and could be subject to backwash flooding. She asked if the proponent considered raising the generator, and asked what its life expectancy is. Mr. Ferzacca replied that they had considered placing it on the first-story roof, but it was not structurally suitable. The life expectancy of the generator is 20 years.

Ms. Li pointed out that it could be relocated in the future. She asked Mr. Ferzacca to report back to the State that they should start planning now for sea level rise. Future flooding issues relevant to the generator would actually affect the entire building anyway.

M. Wilson asked if a LOMA had been filed for the site. Ms. Krueel replied that it is about to be mapped out of the floodplain anyway, and she speculated that it probably has not been worth the time an effort to remove this area from the map through a LOMA/LOMR.

Ms. Li asked to add a condition that the proponent review the potential impacts of SLR and storm surge when planning for future emergency generation.

Mr. Ferzacca asked about condition #44. Ms. Krueel replied that it addresses items that could be washed away.

- **Motion made by A. Pollak and seconded by M. Wilson to issue the Order of Conditions with the following amendment (4/0/0 7:37 PM):**
 - **The applicant shall consider the potential impacts of sea level rise and storm surge when planning for future replacement of emergency generators and other work to the facility.**

7:15 PM Updates and General Business

- *Request for Certificate of Compliance for DEP File No. 006-1318, Site Improvements at the Morton Street Compost Site, Canterbury Brook*

Ms. Krueel stated that the proponent requested a continuance to allow time to gather additional information regarding the submission of the Operations & Maintenance log.

- **Motion made by A. Pollak and seconded by J. Kritzer to continue the item to the March 5, 2014 meeting (4/0/0 7:40 PM).**
- *Minutes February 5, 2014*
 - **Motion made by A. Pollak and seconded by M. Wilson to adopt the minutes as amended (4/0/0 7:40 PM).**

- **Motion made by A. Pollak and seconded by J. Kritzer to adjourn the meeting (4/0/0 7:42 PM).**

Respectfully submitted,

Stephanie Krueel

Stephanie Krueel
Executive Secretary