

Approved 5/1/2013

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

**March 21, 2012**

**Commissioners Present:** Charles Button- Chairman, John Lewis, Aldo Ghirin (for Toni Pollak), John Sullivan  
**Commissioners Not Present:** Stephen Kunian, Vivien Li, Jeanne McHallam, Antonia Pollak  
**Staff Present:** Chris Busch, Executive Director

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**6:05 PM**

Notice of Intent for **DEP File No. 006-1299** from the Massachusetts Port Authority for the rehabilitation of existing pier structures and steel piles at Mystic Pier 1 and Moran Terminal, 100 Terminal Street, Charlestown, Boston Inner Harbor and Mystic River (Designated Port Area, Land Under Ocean, Fish Run).

*Representatives:* Jim Stolecki & David Doane, Massport;

C. Busch asked the proponent to explain how this project would be coordinated with the building demolition work that had been recently permitted at the same site.

J. Stolecki explained that Massport will be coordinating with the work of the on-site tenant, Autoport. There will be some overlap of the projects' schedule. The goal is to keep the two contracts separate by working in different areas of the pier.

Mr. Busch recalled an issue of load limitations on the pier apron and wondered if the subject work would raise those limits. Mr. Stolecki replied that the load capacity will be increased.

C. Button noted that the Commission had 30% plans and that the proponent should provide staff with final stamped plans. He asked how falling concrete would be caught, as indicated on S-13. The proponent explained that netting would be installed below the deck for this purpose.

Mr. Lewis asked how old the piles were. Mystic Pier is 60 years old. Two thirds of the pier was built in 1969 and the remaining third in 1974.

The proponent had read the Order of Conditions and had no questions.

C. Busch confirmed that the old timber pile field near the Moran terminal is not within the scope of this project. There are currently no plans to remove it.

- **Motion made by J. Lewis and seconded by A. Ghirin to issue the Order of Conditions (4/0/0 6:10 PM)**
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**6:15 PM**

Notice of Intent for **DEP File No. 006-1296** from the Massachusetts Department of Conservation and Recreation for the removal and relocation of tennis courts, walkways, fencing and landscaping at Constitution Beach, Coleridge Street, East Boston, Boston Harbor (100-foot Buffer Zone to Coastal Bank).

*Representatives:* Mark MacLean, DCR

M. MacLean described existing conditions at the site. He described the reasons for laying out the facilities as planned. While DCR is committed to the 2:1 replacement of trees, residents and police have recently requested that 16 arborvitaes be removed, and DCR is asking the Commission to allow those trees to be replaced on a 1:1 basis. He referenced the existing landscaping plan, which indicates the planting of 46 new trees to replace 23 trees to be removed. He believes the increase in vegetation is possible without compromising the police's ability to monitor the park, but the density of vegetation between the parking lot and the Harborwalk needs to be reduced.

A. Ghirin asked for specifics regarding tree removal and planting. Many of the trees and shrubs will be planted where the tennis courts to be removed are presently located.

Mr. Button asked the applicant to provide final landscaping plans to staff when they become available. He noted that the Commission advocates for a 2:1 tree replacement ratio, but does not require it. Mr. Busch suggested that the Commission prepare a formal guidance policy with input from the Parks Department. The intent is to advance the Mayor's Boston Grow Boston Greener program.

Mr. Ghirin suggested reviewing the planting plan prior to final plan production.

The proponent stated that there is a public meeting on Monday to discuss the plans. The Parks Department and DCR will be in attendance.

Work is proposed to begin as soon as possible and to be completed by the end of June to allow planned summer programs to commence as planned.

Mr. Busch noted that the landscape plan would not hold up issuance of the permit.

The proponent asked for specifics regarding condition #47. Mr. Busch replied that a plan covering general staging logistics was required. Mr. Button described some of the erosion & sediment control measures that would be required.

- **Motion made by A. Gherin and seconded by J. Sullivan to issue the Order of Conditions as amended (4/0/0 6:25 PM)**

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### 6:30 PM

Notice of Intent for DEP File No. 006-1297 from Boston Gas Company d/b/a National Grid for remediation activities subject to the Massachusetts Contingency Plan, 310 CMR 40.00, involving the dredging and excavation of contaminated sediments; the staging and processing of contaminated sediments; and, capping and site restoration work at Commercial Point, 220 Victory Road, Dorchester, Neponset River and Dorchester Bay (Riverfront Area, Coastal Beach, Coastal Bank, Land Containing Shellfish, Fish Run, Land Subject to Coastal Storm Flowage, Land Under Ocean).

*Representatives:* Mark Mahoney & Jaime Harrison Rice, Anchor QEA; Michael Gray & Billie-Jo Thiebault, GZA GeoEnvironmental

C. Busch conducted a site visit last week. Work will be occurring within the Neponset Areas of Critical Environmental Concern (ACEC). Regulations require that no adverse effects on wetlands resources occur: However, this project is also a "Limited Project" which allows for more flexibility. Mr. Busch has received correspondence from the Division of Marine Fisheries.

B. Thiebault described the intent of the project. Approximately 1.2 acres (6,000 cy) of land will be dredged using two removal methods, which she described.

J. Harrison Rice described the capping portion of the project. DEP and CZM are a little concerned about raising the elevation of the beach by one foot, and suggested dredging to accommodate the cap. The cap is designed for wind speeds typical of 100 year storms. The cap is not expected to have any effect on water circulation or flood capacity.

M. Mahoney discussed the wetland resource areas that would be affected, as well as the excavation process and roadway plan. Two additional areas of 150 cy each may need to be excavated in a future phase of the project.

C. Button suggested wrapping the geotextile layer around the bottom and top to prevent soil migration in the customer service area.

Mr. Ghirin asked about the proponent's plan to discharge water off-site. The proponent responded that it would be taken to an industrial wastewater treatment plant approved by National Grid.

J. Sullivan asked where the capping material would originate. It would come from off-site and be stock piled in the staging area.

Mr. Button confirmed that the proponent would recognize the anadromous fish run resource area as well. The proponent discussed previous similar remediation efforts.

An abutting marine-use owner asked the proponent to explain the purpose of the project. It is scheduled to begin this winter (October) to avoid the boating season. He expressed concern about changes to the Neponset River and repeated dredgings. The proponent confirmed that the project would not make the situation any worse and could improve sedimentation conditions. The abutter confirmed the location of the different portions of the project.

J. Lewis confirmed that the boat ramp has not been operational since 9/11/01 when the park closed.

Mr. Sullivan asked how the proponent prepares the water storage tanks for a ten-year storm. The engineer monitors the forecast and clears out the site if a problem is anticipated. The site is graded and temporarily paved, pitched to drain into a pumped basin. Mr. Sullivan confirmed that this information would be submitted to staff.

The abutter noted that 2-3 storms per year present problems for boats.

Mr. Button read from a letter from the Division of Marine Fisheries. A TOY and mitigation for loss of shellfish spawning stock are recommended.

Mr. Busch asked if prohibitions on placement of fill in an ACEC had been discussed with DEP. He also asked for clarification regarding the proposed depth of the cap. The proponent plans to entertain the dredging recommendation proposed yesterday by DEP and CZM. The design will be finalized in the plans that will be submitted to the BCC.

C. Busch reviewed the questions and comments on several of the draft conditions, including conditions 40, 42, 44, 49, 55, and 59.

- **Motion made by J. Lewis and seconded by A. Ghirin to issue the Order of Conditions as amended (4/0/0 7:00 PM)**

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- **The meeting was adjourned at (4/0/0 7:00 PM)**

Respectfully submitted,

*Stephanie Krueel*

Executive Secretary