

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

**August 20, 2014**

**Commissioners Present:** Aldo Ghirin, Vivien Li, Stephen Kunian, John Sullivan Jr., Michael Wilson

**Commissioners Not Present:** Charles Button, Jacob Kritzer,

**Staff Present:** Nancy Girard, Acting Executive Secretary

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- **Motion made by A. Ghirin and seconded by M. Wilson to appoint V. Li as the meeting chair (5/0/0, 6:00PM).**
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**6:00 PM** Notice of Intent for **DEP File No. 006-1403** from Mass DCR for Schaffer Paper Remediation & Park Conversion, 75 Taylor St, Dorchester, Neponset River (Riverfront Area, Coastal Bank, Salt Marsh, LSCSF).  
*Continued from 8/6/14*

*Representatives:* Sean Hale of Epsilon Associates, Inc.; Rob Lowell of DCR; Anne Leifer of GEI

V. Li stated that Epsilon Associates and the Department of Conservation and Recreation are dues paying members of her employer, The Boston Harbor Association.

S. Hale presented comment letters and changes based on DEP comments.

R. Lowell suggested that the project proponent conduct a feasibility study to address the removal of piles.

A. Ghirin stated that the Conservation Commission has regularly required the piles to be removed, and toxic materials should be removed.

S. Kunian stated his concerns about safety with the piles not being removed. S. Kunian stated that it would not improve aquatic life by retaining the piles.

S. Kunian expresses that the proposed feasibility study should address the possibility of removing the piles, and not that it cannot be done. S. Kunian requested that the feasibility study should be done within an acceptable timeframe.

M. Wilson asked about plan to delineate the work so the proponent could address the concern of the wetlands habitat and CZM concerns of the same.

J. Sullivan reinstated the Commission's concern with the pilings.

S. Kunian addressed the possibility of pilings breaking off and floating; impeding water navigation.

V. Li stated that the proposal needs to reflect the 21<sup>st</sup> century development. Land and water issues need to be integrated and addressed together, not separately. V. Li reminded the project proponent that they will have 3 years for compliance and can come back then to ask for a continuance, if needed.

S. Kunian asked when the project is expected to begin work. S. Hale stated the work is expected to begin November/December of this year.

V. Li asked whether the project has received Chapter 91 License. Proponent stated not yet.

S. Kunian asked about the timeframe it would take the project proponent to come back with a proposal for "Phase II" which would include a feasibility study and funding for removing the piles. R. Lowell was unsure.

V. Li asked for comments and questions from the public.

John Lyons (resident of Dorchester) stated that he lives about 300 feet from the site. J. Lyons stated that the community wants to have this site cleaned up; as other areas in Dorchester were getting done and this area was not given attention. J. Lyons stated that this project would bring economic justice to the community, who has lived with this site for decades. J. Lyons raised concern of whether the next state administration will support this project. J. Lyons requested that the Commission not hold this project up for the pilings. J. Lyons argued that the pilings are for navigation purposes.

Ellie Spring (resident of Dorchester) stated that everyone wants the site accessible as a park. Spring stated that there is no real water access. E. Spring stated that the proposal of parkland should happen first and then consider the water access. E. Spring stated that there are maps from the 1800s that show the pilings from previous history. Spring argued for the historic value of the pilings. Spring proposed installing interpretive signs for visitors to understand the value of the piles.

Maria Lyons, Environmental Chair for the Port Norfolk neighborhood association, expressed support for the cleaning up of the land and the river. M. Lyons stressed that the current site has a hazardous waste situation that needs to be remediated. M. Lyons stated that the pilings were not a concern because the proposed hedges at the shoreline will prevent people from going to the water.

V. Li suggested adding a special condition that the proponent removes the piles. The condition being that within 30 days, the proponent will provide to the Commission an outline of the feasibility study to be conducted. The analysis is to start within 60 days. The proponent will also provide a timetable for the permitting and work to complete.

J. Sullivan suggested giving the project proponent 6 months to provide the scope of the feasibility study.

A. Ghirin pointed out that private landowners are required to request COCs but the state does not have this obligation.

Based on Commissioners' feedback, V. Li suggested a special condition requiring that within 6 months of issuance of the Orders, the proponent will come back with a scope of the feasibility study analysis, and within 3 years, the proponent will submit a feasibility analysis (with costs, environmental permitting, and construction methodologies) to BCC.

- **Motion made by A. Ghirin and seconded by M. Wilson to issue the Order of Conditions with the following additional special conditions (5/0/0, 8:00PM):**
  - Provide the Commission with a scope of feasibility analysis to study the cost, environmental permitting implications and construction methodologies toward removal of the piles within 6 months of the issuance of the Order of Conditions.
  - Within 3 years, the proponent submit a feasibility analysis, including costs, environmental compliance and expectation of completion no later than 3 years from the issuance of the Order.
  - Add at least one interpretive signage

#### **8:01 PM Updates and General Business**

- Administrative Approval issued on 8/13/14 for **DEP File 006-1132**, Union Wharf Condominium Trust, 343 Commercial Street, Boston, for ongoing maintenance
- Review & Approval of Meeting Minutes of 8/6/14
  - **Motion made by A. Ghirin and seconded by M. Wilson to adopt the minutes as written (5/0/0, 8:15PM).**
- V. Li presented the Commission a request by Massport for the Logan Runway Safety (Eelgrass mitigation) and the Conservation needs to provide comment within 10 days. V. Li suggested that the staff provide a letter to DEP and Massport, and request Massport to come back to the Commission to present their intentions at the next hearing.
  - **Motion made by S. Kunian and seconded by A. Ghirin to make comments to the case per V. Li's suggestions (5/0/0, 8:30PM).**

- **Motion made by V. Li and seconded by A. Ghirin to adjourn the meeting (5/0/0, 8:30PM).**

Respectfully submitted,

*Nancy L. Girard*

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Acting Executive Secretary