

APPROVED 11/6/13

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

October 2, 2013

Commissioners Present: Charles Button, Stephen Kunian, Vivien Li, Antonia Pollak

Commissioners Not Present: Jeanne McHallam, John Lewis, John Sullivan

Staff Present: Stephanie Krueel, Executive Secretary

6:10 PM Notice of Intent for DEP File No. 006-1362 from Thompson Island Outward Bound Education Center, Inc., Upgrades to Existing Pavilion, Thompson Island, Boston Harbor (Land Subject to Coastal Storm Flowage)

Representatives: Judy Kohn, Fort Point Associates; Arthur Pearson, Thompson Island Outward Bound; Stephanie Gilman, Josslin Lesser

A. Pearson provided a history of the Outward Bound program and a description of current activities. The funding for this project will come from the recent fundraising campaign.

C. Button noted that he is a contributing member of Outward Bound.

J. Kohn described the existing site conditions and the resource areas. Both the existing and proposed buildings will be raised to elevation 17.5 BCB, which is one foot above the Base Flood Elevation for this location. She went on to describe proposed final site conditions, and indicated that there would be no permanent impact to any resource areas.

A. Pollak asked if the proposed erosion and sediment controls would only be erected for the construction period. Ms. Kohn confirmed.

V. Li disclosed that Fort Point Associates is a dues-paying member of her employer, The Boston Harbor Association. She then asked for clarification regarding ADA (Americans with Disabilities Act) accessibility, wondering if it would be through the existing portion of the structure. She also wanted to know what kind of toilets are proposed.

S. Gilman replied that the building is not currently ADA accessible, and will become so via a new ramp to the existing structure. Toilets are still in development, and may be composting toilets or connected to the septic system.

S. Kunian wanted to know if other changes to the project area, including improvements to beach pathways and additional trash receptacles, would be altered in light of the expected increase in the number of people using the facility. Mr. Pearson noted that currently there are no paths to the beach: visitors walk down the grassy slope. Mr. Kunian then inquired about signage. Mr. Pearson replied that \$300 thousand is budgeted for signage, and it is part of the overall fundraising campaign as it serves as their donor acknowledgment system.

Ms. Li noted that the plans do not state that the facility will be ADA compliant. Mr. Kunian suggested that proof of ADA compliance be added to the Order of Conditions.

- **Motion made by V. Li and seconded by A. Pollak to issue the Order with the following additional condition: The applicant must supply the Commission with documents confirming ADA compliance with facility entrance (4/0/0 6:25 PM).**
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6:25 PM Notice of Intent for DEP File No. 006-1363 from The Fallon Company, Park Construction, Fan Pier, 28-52 Northern Ave, Seaport District, Boston Harbor (Coastal Bank, Land Under Ocean)

Representatives: Richard Martini, The Fallon Company; John Schmid, Nitch Engineering Corp.; Richard Burke, Burke, Richard Burke Associates, Inc.; David Porter, Childs Engineering

V. Li disclosed that The Fallon Company, Nitsch Engineering Corp, Richard Burk Associates, Inc., and Childs Engineering are dues-paying members of her employer, The Boston Harbor Association.

S. Krueel relayed that she had met with the project proponents earlier in the day to discuss her concerns, after which they submitted a revised NOI.

R. Martini explained that the project is part of a DEP Chapter 91 Consolidated Written Determination. 60% of the park will be completed in conjunction with the building on Parcel C. It will include a public park and an enhanced Harborwalk.

J. Schmid noted that Ms. Krueel had raised legitimate questions and comments regarding the project, resulting in the corrected NOI. The changes are addressed in a memo dated October 2, 2013.

A. Pollak asked if the fire pit is decorative. Mr. Martini replied that it is a visual feature, and is not intended to be a barbecue grill. Ms. Li asked how safety around the fire pit would be ensured. Mr. Martini indicated that safety would be ensured through design, namely height of the pit and distance from the surrounding benches. Ms. Li expressed her concern about the safety of people who have been drinking. Mr. Martini replied that people will need to exercise good judgement, just as they must near any potential hazard including the waterfront.

C. Button asked if the project had been coordinated with the BWSC, to which Mr. Martini responded in the affirmative.

S. Kunian indicated his expectation that more than just simple way finding signage would be installed. Mr. Martini drew the Commission's attention to the proposed treatment demarcating the historical slip.

R. Burke added that the tidal well and granite strips will mark the historical slips. The tidal well is intended to make tides more visible with a simple fountain using recirculated seawater. The "steps" may be marked with the elevation in some way for instructional purposes. The site provides great views of the City, and the new pier will become a destination. Stepped areas within the park are located in the most visually appealing areas. A tot lot is also included in the plans. Mr. Martini noted that the pavilion is envisioned to be fishing-oriented.

Ms. Pollak inquired about the materials to be used in the playground. Mr. Burke replied that multiple surfaces would be used including composite rubber, landscaping, and wooden decking. Ms. Pollak asked if the same spec will be used for structural soils in the tree pits as the park across the water in Charlestown. Mr. Burke replied that the soil specs would be different depending on the tree to be used and the surroundings. Due to the high activity at this location, the pits will have a sand base. Ms. Pollak agreed that this is a tough environment for new trees. Mr. Burke said that in order to learn more about factors that affect the success rate of new trees he reached out to other landscape architects who had recently completed projects along the waterfront. He learned that the planting season is the best predictor of success, not the tree type or soil conditions.

Ms. Li inquired about the materials proposed for the Harborwalk, and how it would relate to the walk at the courthouse. Mr. Burke stated that concrete pavers measuring 8"X8" in different colors would be used along the Harborwalk, and that the bridge, overlook, and bench tops would be made of IPE (a highly durable wood also known as Brazilian walnut). Ms. Li asked if railings would be similar to those at the neighboring IPA. Mr. Burke replied that there would be a swag rail near the bridge, but the Harborwalk would have granite curbs with no fencing or railing.

Ms. Li wanted to know how much of the watershed would be covered by the proposed pier, because it could have shading impacts to Land Under Water. Mr. Burke replied that the new pier deck would be approximately 900 square feet.

Ms. Li asked how the tidal well would be prevented from becoming a catch basin for debris. Would it have a gate/screen? What would the maintenance program entail? Mr. Martini replied that cleaning out the tidal well would become part of the marina's daily debris removal activities. He also indicated that the tidal well will increase the square footage of the watershed, and will provide potential lobster habitat.

Ms. Li asked if the playground would have fencing. Mr. Martini replied that it would be surrounded by hedges, but would not have fencing. It will be open to the public as per the Chapter 91 license.

Ms. Pollak noted that the tidal well will likely entice young people to jump in. She noted that in parks in Charlestown, kids ride bikes and skateboards along the edge of the seawall and into the water. Mr. Burke noted that a swag railing would be installed back from the harbor edge. Mr. Martini stated that they might have to add a "No Swimming" sign.

Ms. Li asked about benches at the play area indicated on sheet L201. She asked if there was other seating within the proposed park. Mr. Burke explained that there would be seating around the entire

perimeter of the lawn, at the fire pit and on the terraces. There will also be movable tables and chairs on the terraces.

Ms. Li asked how many new trees would be planted. Mr. Burke responded that 20 new trees are indicated in the plan. She asked if any permits are needed for the fire pit, and what are the alternative plans for if/when the fire pit does not function properly? Mr. Martini replied that a plumbing permit is required for the gas connection, and that the fire pit is designed to be attractive with or without the flame.

In response to Ms. Li's question regarding start of work, Mr. Martini replied that work would begin as soon as possible.

- **Motion made by S. Kunian and seconded by A. Pollak to issue the Order as amended (4/0/0 7:00 PM).**

7:00 PM Notice of Intent for **DEP File No. 006-1361** from The City of Boston, Millennium Park Phase II Utility Relocation Project, 1205R VFW Parkway, West Roxbury, Charles River (Buffer to Bordering Vegetated Wetland)

Representatives: Para Jayasinghe, Boston PWD; Glen Howard, Dan Guglielmi, and Magdalena Lofstedt, CDM Smith Assoc.

C. Button and A. Pollak recused themselves from the deliberation.

V. Li disclosed that CDM smith is a dues-paying member of her employer, The Boston Harbor Association.

P. Jayasinghe stated that the purpose of the project is to relocate utilities that are in the way of the proposed landfill cap. D. Guglielmi described existing conditions and the proposed project, which will create a clean corridor for a gas and electrical conduit as well as an empty conduit for future cable, phone and fire alarm relocation. This is a joint project between the Parks Department and Public Works. The planned schedule is to bid the project out in December, award the bid in January 2014 and start work in the spring. Depending on the weather, the project is expected to be complete by the end of June.

- **Motion made by S. Kunian and seconded by V. Li to issue the Order as written (2/0/2 7:10 PM).**

7:10 PM Notice of Intent for **DEP File No. 006-1364** from The City of Boston, West Roxbury Education Complex Field Improvements, 1205R VFW Parkway, West Roxbury, Charles River (Inland Bank, Land Under Waterbodies and Waterways)

Representatives: Para Jayasinghe, Boston PWD; Glen Howard, Dan Guglielmi, and Magdalena Lofstedt, CDM Smith Assoc.

C. Button and A. Pollak remained recused from the deliberation.

V. Li disclosed that CDM smith is a dues-paying member of her employer, The Boston Harbor Association.

G. Howard explained that for stormwater purposes the fields would be made of artificial turf underlain with a drainage system. D. Guglielmi described the proposed cap layers and the construction schedule. The project would go out to bid in March 2014, awarded in April or May, and construction would begin in July of 2014 and last through the Summer of 2015.

Mr. Jayasinghe noted that DEP mandated monitoring protocols would be identical to the current monitoring protocol at neighboring Millennium Park.

Ms. Li asked if there were any lessons learned from the capping or monitoring of Millennium Park. Mr. Jayasinghe did not cite any lessons learned in particular. He noted that there would be a pre-capping surcharge phase to preload the area to be capped and speed up the settlement process, thereby increasing stabilization.

Mr. Howard discussed the wetland impacts.

S. Kunian expressed confusion about the capping, and wanted to know whether or not the landfill had been capped prior to installation of the school's athletic fields. P. Jayasinghe and D. Guglielmi explained that everything was done according to DEP's requirements when the school was constructed in the 1970's. It is not now a health hazard. However, DEP's standards have since become more rigorous and the City is taking the opportunity to bring the cap up to today's standards prior to renovating the athletic complex.

Ms. Li reiterated that on page 82 of the submission it states that a 1997 report confirms that the present system is adequate. Seventeen years later, the standards are more stringent.

M. Lofstedt described the project's temporary impacts to the wetland resource areas. The school detention pond was built prior to 1983, so it is a jurisdictional wetland. She described how the project meets stormwater and TSS removal standards.

Mr. Jayasinghe stated that the cost of the entire project, including the utility relocation, is \$12M-\$14M.

S. Krueel asked the proponent to describe the proposed lighting system. G. Howard described the MUSCO system and assured the commission that no light leakage would affect wetland areas.

Ms. Li inquired as to who is responsible for trash maintenance at the complex. Mr. Jayasinghe responded that trash removal is a joint responsibility between the City Parks Department and West Roxbury High School.

Mr. Howard also pointed out that an 800 person spectator stand will be erected adjacent to the multi-purpose field.

A member of the audience asked if the WREC complex included a school. West Roxbury High School is part of this complex.

Mr. Guglielmi asked the Commission for approval to stockpile soil for surcharging purposes, and noted that no silting would occur and their size and purpose precludes them from being covered. The Commission agreed that they would not need to be covered.

- **Motion made by S. Kunian and seconded by V. Li to issue the order as amended (2/0/0 7:41 PM).**

7:45 PM Notice of Intent for DEP File No. 006-1360 from Massachusetts Department of Conservation and Recreation, Spring Pond Erosion Repair and Drainage Improvements, 156 Jamaicaaway, Jamaica Plain, Spring Pond & Adjacent Stream (Inland Bank, Land Under Waterbodies & Waterway, Bordering Land Subject to Flooding, Riverfront Area)

Representatives: Robert Lowell, DCR; Thomas Keough, AECOM

Ms. Li disclosed that DCR and AECOM are dues-paying members of her employer, The Boston Harbor Association.

T. Keough described the problem and the project, as well as the proposed erosion and sediment controls. 176 square feet of Land Under Water Bodies and Waterways would be affected, and 15 cubic yards of dredge materials would be removed. The proponent has coordinated with NHES, Fish & Wildlife, the Parks Department, and the Conservation Commission on this project.

C. Button noted the importance of protecting the threespine stickleback population.

R. Lowell noted that potential illicit connections to the drain lines were discovered during three televised scopings and they are working with BWSC to address the issue. After the upstream problems are remedied, the project will take 5-7 days to complete.

S. Krueel inquired about the stones at the neck of Spring Pond. Mr. Lowell replied that they do not appear to be part of the original landscape design and are being left as-is.

- **Motion made by S. Kunian and seconded by A. Pollak to issue the Order as written (4/0/0 7:50 PM).**

7:50 PM Updates and General Business

- Requests for Certificates of Compliance (*continued from September 18, 2013 hearing*):
 - **DEP File No. 006-1327** from United States Postal Service for Loading Dock Improvements at 25 Dorchester Ave
- **Motion made by S. Kunian and seconded by A. Pollak to issue the Certificate of Compliance (4/0/0 7:51 PM)**
 - **DEP File No. 006-1245** from Harbor Towers Trustees, Seawall Repairs & Maintenance, 85 East India Row
- **Motion made by S. Kunian and seconded by V. Li to issue the Certificate of Compliance (4/0/0 7:52 PM)**

- **Motion made by S. Kunian and seconded by V. Li to adopt the minutes of the September 18, 2013 meeting as amended (4/0/0 7:56 PM).**
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- **Motion made by S. Kunian and seconded by C. Button to adjourn the meeting (4/0/0 7:57 PM).**

Respectfully submitted,

Stephanie Kruel

Stephanie Kruel
Executive Secretary