

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

November 5, 2014

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

Commissioners Not Present: Charles Button, Jacob Kritzer

Staff Present: Van Du, Acting Executive Secretary

- **Motion made by M. Wilson and seconded by A. Ghirin to appoint V. Li as the meeting chair (5/0/0, 6:05 PM).**
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6:05 PM Request for Determine of Applicability from the Boston Lobster Company, 220 McClellan Highway, East Boston

Representatives: Anthony Zarella and Kevin McGuire of the Boston Lobster Co.

S. Kunian stated for the record that he represents minority owners of the real estate owned by James Hook Company, a competitor of the Boston Lobster Company.

Representative presented the project.

V. Li asked about the time length planned for the construction. K. McGuire stated that the foundation addition should take about a month, but the renovation taking place inside building might take longer.

A. Ghirin asked whether the project proponents have contacted BRA about project. K. McGuire stated not yet, but received wholesale retail permit issued by ISD.

A. Ghirin asked about the changes currently proposed in FEMA map appeal process and whether the project engineer has taken it into consideration. K. McGuire stated that the building is raised up 4 feet as of right now. Current FEMA map is one used for proposed project.

J. Sullivan asked about the set up for drainage, and function of the old building. K. McGuire stated that the building was originally a factory in the 1960s, and was turned into mixed-use after that. He believed that Enterprise—car rental company—was there at one point.

J. Sullivan raised concerns regarding how drainage will be treated, and the project is in resource area so it is unclear whether this project needs a negative determination of applicability. J. Sullivan would like to see more of the construction plan.

V. Li asked about plans for landscaping and parking space. K. McGuire stated that they do not have the plans available yet.

V. Li proposed to continue the hearing on this project, and requested the proponent to bring to the next hearing:

- Drainage plan for both on & offsite
- How infiltration being captured and disposed
- Information on the number of planned parking spaces
- Landscaping plan

- **Motion made by S. Kunian and seconded by A. Ghirin to continue for 2 weeks (5/0/0, 6:25 PM)**
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6:26 PM Notice of Intent for DEP File No. 006-1407 from CLE Engineering, Inc. for the float replacement at Fox Point, University of Massachusetts Boston. *Continued from 10/22/14.*

V. Du received request from the project proponent to extend the continuance for additional two weeks.

- **Motion made by S. Kunian and seconded by A. Ghirin to continue for 2 weeks (5/0/0, 6:28 PM)**
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6:30 PM Request for an Amended Order of Conditions for DEP File No. 006-0991 from Civil Environmental Consultants, LLC., for the revisions to the plan for Born Again Church, Inc. construction of church, additional housing project, and utility infrastructure, Mattapan. *Continued from 10/22 hearing.*

Project representatives did not show up.

No comment from the public.

6:45 PM Notice of Intent for DEP File No. 006-1411 from Nitsch Engineering, Inc., for the new construction of a 13-story building, underground parking garage, and associated improvements at 1 Harbor Shore Drive, Boston, MA 02210

Representatives: John Schmid of Nitsch Engineering, Inc.; Richard Martini of the Fallon Company.

S. Kunian recused himself from this project hearing; he is a member of the ICA Board—ICA is an abutter of the proposed project.

V. Li stated that Nitsch Engineering Inc. and The Fallon Company are dues paying members of her employer, The Boston Harbor Association (TBHA).

J. Schmid presented the project proposal. Project site was utilized as a parking lot. The project proponent is aware of the proposed FEMA map. Underground parking garage access is through Parcel I (to the right of H). Improvements and climate preparedness are done similarly to parcel I's proposal (presented in front of the Commission in January).

A. Ghirin asked about the project's landscaping plan. J. Schmid stated that the plan is being developed, not ready to share with the Commission, but plan to share it for review & comment prior to getting permit from ISD, which is anticipated within the next 6 months.

V. Li suggested to add to the OOCs a condition that require the review of the project's landscaping plan within 6 months

J. Sullivan asked about the existing utilities in existing road. J. Schmid stated that their intention is to leave the existing utilities in place, and design back-ups.

V. Li asked about the building's elevation and raised concern of potential problems during storm surge. V. Li also asked about the design of the garage and whether any strategy for flood prevention has been taken into consideration. R. Martini stated that it is considered in the operations side, and will deal with sandbags if needed.

V. Li commented that the usage of sandbags is inadequate for new construction, and that new buildings should take into consideration adaptation efforts to protect the building from impacts of potential storm surge and flooding. R. Martini stated that they can consider other solutions, but are challenged with safety and ingress/egress issues related to the underground parking.

M. Wilson asked whether there is a reason why H could not be raised to higher elevation. R. Martini referred to ADA compliance and FAA compliance.

V. Li asked about construction period planned for parcel H. R. Martini estimated approximately 24 months—including the building & rest of the green space to the left of parcel H.

A. Ghirin requested that a landscaping plan be submitted by the project proponent within 6 months, and/or within 3 months prior to anticipating start date of project construction.

V. Li suggested an additional condition regarding measures to make this project more resilient (aka other options than sandbags)—add language to condition 74 regarding consideration for climate preparedness.

Remove condition 47 as details already included in 49

V. Li asked for comment from the public.

- **Motion made by M. Wilson and seconded by A. Ghirin to issue the Order of Conditions with the following amendment (4/0/0, 7:12 PM)**
 - Additional condition: Submit landscaping plan within 6 months from the issue of the Order of Conditions, and/or 3 months prior to anticipating start date of the project construction.
 - Removal condition #47
 - Modify condition #74: “interest...applicant **shall continue to examine ways to make the project more climate resilient**, given consideration to future seal level rise...”
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6:45 PM Updates and General Business

- Request for Certificate of Compliance for DEP File No. 006-1383
 - *Representative:* Nick Ferzacca of Architectural Engineering, Inc.
 - V. Du provided details on project and site visit. Documents are missing, and are needed before the certificate of compliance can be issued.
 - N. Ferzacca will submit missing documents
 - Review of meeting minutes: 10/8, 10/22
 - V.Du asked that action on the meeting minutes be postponed until next meeting
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- **Motion made by A. Ghirin and seconded by M. Wilson to adjourn the meeting (4/0/0, 7:17 PM).**

Respectfully submitted,

Van Du

Van H. Du
Acting Executive Secretary