

APPROVED 1/8/14

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

December 11, 2013

Commissioners Present: Aldo Ghirin, Jacob Kritzer, Stephen Kunian, Vivien Li, John Sullivan, Michael Wilson

Commissioners Not Present: Charles Button, Antonia Pollak

Staff Present: Stephanie Krueel, Executive Secretary

6:05 PM Notice of Intent from the Fallon Company for Building Construction at Fan Pier, 100-104 Northern Avenue, Seaport District, Boston Harbor (Buffer to Coastal Bank).

Representatives: Richard Martini, The Fallon Company; John Schmid, Nitsch Engineering

S. Kunian recused himself from the discussion.

- **Motion made by A. Ghirin and seconded by J. Sullivan to appoint Vivien Li as chair for the duration of the meeting (5/0/0 6:05 PM).**

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

J. Schmid described the project as a 17 story office building. He illustrated the orientation of the building on the site and described how the building would address the preliminary floodplain. The first floor will be at elevation 17.8' BCB, with utilities within the buffer zone to the coastal bank. There would be no mitigation of rates and volume of stormwater, but water quality would be improved due to removal of surface parking and addition of landscape features.

J. Kritzer noted that there would be no net change in impervious surface and wondered if it would be possible to increase the amount of landscaping on the site. Mr. Schmid replied that pervious sidewalk pavers are specified where the sidewalk is over terra firma (and not over the underground garage).

J. Sullivan noted that a lot of work is planned for Northern Avenue. He asked if other parties are involved. Mr. Schmid replied that there are separate but concurrent projects occurring around the site. All private utilities are within the buffer zone. All private ways will be over underground garages, but will be open to public access. All sidewalk maintenance- public and private- will be done by the Fallon Company.

Mr. Sullivan asked if the adjacent park is a public or private park. R. Martini replied that it is a private park, but is fully open to the public as per the Chapter 91 license.

Ms. Li expressed concern about the amount of vegetation proposed and whether it is consistent with the City of Boston's efforts to mitigate climate change. A. Ghirin expressed concern about potential salt water inundation of the trees. Ms. Li stated that she would like to see more vegetation around the building as part of the proponent's effort to mitigate climate change. Mr. Schmid replied that 19 new tree pits are proposed, and each would have 18" pervious pavers over the pit.

Mr. Martini pointed out that they are focused on not hiding the ICA, and therefore have reduced the building footprint and allowed for a potential "art park" vista to the ICA. There is no room for additional vegetation due to the underground parking structure.

Ms. Li asked if the roof could be green or reflective. Mr. Martini replied that the majority of the mechanicals are located on the roof, so there is not much opportunity for a green roof. Even the first floor retail is compromised by bringing the mechanicals out of the basement.

Mr. Ghirin asked about the proposed outdoor seating. Mr. Martini replied that it was intended for a future restaurant.

Ms. Li noted that regarding the entrance to the garage, sandbags would be a temporary fix, and wanted to know how the parking garage's vents and grates would be addressed. Mr. Martini replied that in addition to sandbags they are considering a flood log system. In addition, the garage will have doors that would be closed in anticipation of a storm. Ms. Li expressed concern over whether this would be sufficient protection for the building from sea level rise and/or storm surge.

Mr. Sullivan asked about the depth of the garage. It is three stories deep, and will contain 175 spaces. Mr. Sullivan asked if the garage would also be located under building H, because it is not clear from the NOI whether or not that is the case. Mr. Martini replied that building H would be part of the next submission because it is not being built yet. Sheeting will be installed between the two portions of the garage in the interim.

Ms. Li asked about snow removal, and wanted to ensure that snow would not be plowed into Boston Harbor. The applicant assured the Commission that it would not, and S. Krueel pointed out that condition #39 addresses this issue.

Ms. Li asked for comments from the public.

Mike Taubenberger, COO of the ICA noted that he and Mr. Martini have been in discussion regarding a few issues including access to the ICA's loading dock, dumpster locations, and pedestrian access during construction. The ICA has an occasional need for deliveries from 50-foot tractor-trailer trucks, and they cannot be accommodated in the proposed configuration. Access through the drive associated with Pier 4 could work, but there is no established time frame for development at Pier 4 (by another party). Also pedestrian access to the ICA during construction could be a problem. Mr. Martini replied that the existing access road will not be taken out of service until Harborshore Drive is in service, so there will be no problem for trucks or pedestrians. The new road will result in less of a pinch point for trucks because it will be built to city street standards, whereas the existing drive is not up to standard. Mr. Schmid noted that he will examine the roadway for use by 50-foot trucks tomorrow.

Mr. Wilson asked if the trees proposed at the corners of the intersection could be a problem for turning trucks. Mr. Schmid replied that he would take that into consideration.

Mr. Taubenberger raised the issue of periodically needing a dumpster near the loading dock. Mr. Martini discussed several options that could accommodate this need.

Ms. Li added that the ICA is a very compact development and she could see how the proposed configuration could be a problem.

Ms. Krueel noted that the narrative describes use of either scuppers or catch basins for stormwater management and asked Mr. Sullivan if they performed equally. Mr. Sullivan responded that either would lead to a water quality structure, so either is acceptable.

Mr. Kritzer asked how the issues presented by the ICA are related to wetland resources. Ms. Li responded that the Commission wants to ensure that the project works as a whole, and that the Commission has traditionally been comprehensive in its questions. Hearings also provide a good sounding board for project proponents.

Mr. Martini reiterated that the timing of the new road is really the issue, because it could create a difficult interim condition.

Mr. Wilson asked if there is a maintenance protocol for the future for the waterproofed garage, since most waterproofing fails at some point. Mr. Martini replied that there is a three- to four- tier waterproofing system with a very long life.

Mr. Wilson asked for more details concerning the proposed tree pits. Mr. Schmid replied that the trees will be irrigated in boxes that hold 1,000 cubic feet of soil with overflow drains.

Mr. Martini said that these systems and species have all been tested on other nearby properties, and all species are salt water tolerant. He added that 99.9% of the issues discussed this evening would be addressed in the lease with the ICA.

- **Motion made by J. Kritzer and seconded by A. Ghirin to issue the Order of Conditions with the following amendment: (5/0/1 6:53 PM)**
 - **The applicant shall provide to Commission Staff information regarding the ability of trucks to utilize the ICA loading dock and dumpster alternatives.**

6:15 PM Updates and General Business

- Request for Certificate of Compliance for DEP File No. 006-1345 from Massport for Demolition at 1257 & 1263 Saratoga St, East Boston, Boston Harbor

S. Krueel explained that the project included demolition of an old gas station and stabilization and control of the site for FAA safety purposes. She performed a preconstruction site visit on July 26, 2013 and a post-construction site visit September 27, 2013 with a representative of Massport. All conditions have been met.

- **Motion made by A. Ghirin and seconded by J. Kritzer to issue Certificate of Compliance (5/0/0 6:57 PM)**
- Sherrin Street Urban Wild: Mr. Sullivan noted that Ms. Krueel had been made aware of a sanitary sewer overflow incident at the UW on November 25th. It was remediated as per DEP protocol. There also appears to be a squatter living on site.

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- **Motion made by M. Wilson and seconded by J. Kritzer to adjourn the meeting (5/0/0 7:00 PM).**

Respectfully submitted,

Stephanie Krueel

Stephanie Krueel
Executive Secretary