

**City of Boston Conservation Commission
Public Meeting Minutes**

Boston City Hall, Hearing Room 801
Boston, Massachusetts, 02201

June 1, 2011

Commissioners Present: Charles Button – Chairman, Vivien Li, Antonia Pollak, John Lewis

Commissioners Not Present: Jeanne McHallam, Stephen Kunian, John Sullivan

Staff Present: Chris Busch, Executive Director

6:09 PM **Notice of Intent from the Camp Harborview Foundation to extend the height of an existing concrete seawall and construct a gravel and clay berm inland from the seawall, Long Island Road, Long Island, Boston Harbor (Coastal Bank, Land Subject to Coastal Storm Flowage).**
Owner: City of Boston
Representatives: David Porter, Childs Engineering Corporation,
Documents: Project plans and details as provided in the project Notice of Intent

V. Li – Childs Engineering is a dues paying member of my employer the Boston Harbor Association.

C. Button – Any initial staff comments?

C. Busch – No comments.

D. Porter – The project is intended to prevent waves and debris from coming over the seawall and onto the camp playing courts.

C. Button – Questions?

V. Li – Is this related to sea level rise?

D. Porter – Not directly related to sea level rise, but storm surge and heavy wave action are the issue of concern; looking to limit wave run up onto the property.

J. Lewis – Status of the sand on the beach?

D. Porter – The sand beach did not last long. Currently there is a cobble beach; some sand remains in the upper reaches of the beach.

C. Button – Have you reviewed the draft Order and any questions?

D. Porter – No questions.

- **Motion made by V. Li and seconded by T. Pollak to issue an Order of Conditions for the project and close the hearing (voted 4/0/0)**

6:15 PM **Notice of Intent from Forest Hills Cemetery for the management of nuisance aquatic vegetation and algae in Lake Hibiscus, 95 Forest Hills Ave., Jamaica Plain (Land Under Waterbodies).**

Owner: Forest Hills Cemetery

Representatives: Mitchell, Zakrewski, Forest Hills Cemetery; William Stevenson, Lycott Environmental

Documents: Project plans and details as provided in the project Notice of Intent

C. Button – Any initial Comments?

C. Busch – I would ask the proponent discuss what nuisance vegetation is present and the methodology for eradication.

W. Stevenson – Project to manage microscopic algae, purple Loosestrife and lilies. Treatment involves application of Copperquatic, putting it into a small boat and distributing in evenly through the water column and water body; about 7 gallons will be used. Lilies and loosestrife would be treated with glyphosphate with a back pack sprayer applied directly to the plants.

J. Lewis – Is the herbicide applied before the vegetation grows or after, and what happens to the dead plant matter?

W. Stevenson – There is no pre-emergent applications, so applied when vegetation is present. Dead vegetation ends up on the bottom of the pond and decays.

C. Button – Is there much oxygen demand with the decay of the plants?

W. Stevenson – No issue with the plants. Most often there is some oxygen loss with the algae, but not significant. Never observed rapid loss of oxygen in the water column.

J. Lewis. – Does the pond drain anywhere?

C. Busch – Drains to the Canterbury Brook and ultimately the Charles River.

J. Lewis – The dilution does not create issues for waterways further downstream?

W. Stevenson – The products are fast acting and there should be no residual entering the culvert.

C. Busch – Application is consistent with the state GEIR correct?

W. Stevenson – Yes.

C. Button – Schedule?

W. Stevenson – Really depends upon growth. Schedule in NOI represents typical application time frames.

C. Busch - Will this be coordinated with activities on the pond?

W. Stevenson – Yes, will be coordinated and there will be notifications and postings as required.

T. Pollak – Are the products toxic to animals?

W. Stevenson – Products are toxic, but they are very diluted at time of application.

C. Button – Any questions on draft Order?

W. Stevenson – Appear to be focused on construction related activities. May need to fuel next to the pond as there are no other options and a meeting may not be necessary per the conditions. Also, safer to mix material on the boat rather than elsewhere.

C. Busch – Please notify 48-hours before application. Will modify Order to allow for mixing on the boat. Also need to add purple loosestrife as a species to be treated. What about the surfactant?

W. Stevenson – The surfactant is a citrus based product and is non-toxic. Also will not be removing vegetation from the site.

V. Li – Is this a typical filing?

C. Busch – We have had filings for Chandler Pond and the ponds at the Arboretum. Also guided by the state GEIR for treating nuisance aquatic vegetation.

V. Li – How often will application occur?

W. Stevenson – Based upon vegetation growth, once a year.

- **Motion made by V. Li and seconded by J. Lewis to issue an Order of Conditions for the project, as modified, and close the hearing (voted 4/0/0)**

6:33 PM Notice of Intent from the Massachusetts Port Authority for the Seafarer's Way Project at Conley Terminal involving the construction of a paved walkway with fencing and lighting, and removal of a fuel line and guard rail, at East 1st Street, South Boston, Reserved Channel (Designated Port Area, 100-foot Buffer Zone to Coastal Bank).

Owner: Massachusetts Port Authority

Representatives: James Stolecki, Massport

Documents: Project plans and details as provided in the project Notice of Intent

C. Button – Initial comments from staff?

C. Busch – No comments.

J. Stolecki – Reviewed locational aspects of project and project components. Walkway is 10-feet wide and made of existing and new pavement. Purpose is to provide access to and from waterside vessels out to East 1st Street. There is a gate that personnel must pass through. There will be fences on either side of the pathway to provide additional security. Work within resource area involves placement of pavement. Need to also remove a section of old fuel line and guard rail.

C. Button – We need the completed plans when available.

V. Li – Is there a plan to plant any trees in or around the project area.

J. Stolecki – Given limited space and existing uses on site there are no plans or areas to plant trees. Other buffers on Massport property will add additional trees.

V. Li – Can the public take photos of Conley Terminal from across the channel?

J. Stolecki – No restrictions or prohibitions to my knowledge.

C. Button – Any questions on draft Order of Conditions?

J. Stolecki – No comments.

C. Button – Any questions or comments from the public?

- **Motion made by V. Li and seconded by J. Lewis to issue an Order of Conditions for the project, as modified, and close the hearing (voted 4/0/0)**

6:45 PM Notice of Intent from the Massachusetts Department of Conservation and Recreation for the installation of a temporary float dock at Georges Island involving the demolition of portions of existing timber piers, removal of timber pile clusters, construction of a new timber deck and installation of steel mooring piles, Boston Harbor (Land Under Ocean, Land Subject to Coastal Storm Flowage).

Owner: Massachusetts Department of Conservation & Recreation

Representatives: Russel Titmuss, Bourne Consulting Engineering

Documents: Project plans and details as provided in the project Notice of Intent

V. Li – For the record the MA DCR and Bourne Consulting are dues paying members of my employer The Boston Harbor Association.

C. Button – Initial comments from staff?

C. Busch – No comments.

R. Titmuss – The existing conditions of the three piers at Georges Island are deteriorating. The main pier where ferries berth lacks horizontal bracing, so vertical loading from vessels is becoming dangerous. Concept is to take the barge at Lovejoy Wharf and place it on a temporary basis at Georges Island to allow for safe berthing and passenger transfer. The intent is to leave the barge in place for a year. The DCR is developing a longer range plan to replace the main pier. Pipe piles will have to be installed and some demolition work will need to occur to accommodate the temporary system.

C. Button – Referenced as temporary. DCR must file for a full NOI for the final plan.

T. Pollak – What happens at Lovejoy Wharf?

R. Titmuss – Floats currently at Georges will be transferred to Lovejoy Wharf. Longest part of project will be the demolition work. It will only take a week to install the system.

V. Li – Is the Conservation Commission the only permit needed.

R. Titmuss – No, discussing project with Ch. 91 and the Army Corps of Engineers.

V. Li – How long will project take?

R. Titmuss – Will be complete this summer.

V. Li – Next summer the DCR will come forth with a more permanent proposal?

R. Titmuss – That is the intent. The permanent facility should be coming forth in the next twelve months.

V. Li – How long are you asking for a permit.

R. Titmus – We are asking for about twelve months.

C. Button – Does it make sense to have a two year permit in case funding gets held up?

V. Li – Given it is a temporary facility I would move for an 18-month permit allowing for two summers.

C. Button – Questions or comments from the public – no comments

C. Button – Any comments on the Draft Order?

R. Titmuss – Issue with prohibition on fueling within resource area. Need to fuel equipment on barges as part of project.

C. Busch – We can modify that condition accordingly.

- **Motion made by V. Li and seconded by J. Lewis to issue an Order of Conditions for the project, as modified, and close the hearing (voted 4/0/0)**

7:00 PM Request for Determination of Applicability from Shipway Condominiums for the removal of existing concrete paving, replacement of portions of pavement and landscape improvements, at Thirteenth Street, Charlestown Navy Yard, Charlestown, Boston Inner Harbor (100-foot Buffer Zone to Costal Bank).

Owner: Shipway Condominiums

Representatives: Dominic Rinaldi, BSC Group; Barbara Mackey, Shipway Condominiums

Documents: Project plans and details as provided in the project Notice of Intent

V. Li – For the record the BSC Group is a dues paying members of my employer The Boston Harbor Association.

C. Button – Initial comments from staff?

C. Busch – I would just ask the proponent to delineate the extent of the 100-foot buffer zone in relation to the resource areas and the work to occur with the buffer zone.

D. Rinaldi – Reviewed project components within the buffer zone, consisting largely of landscaping improvements. Some existing trees and vegetation will be removed and replaced.

T. Pollak – Is the sidewalk public?

D. Rinaldi – It is a private way owned by the BRA, so it is open to the public. Proponent is working with the BRA on the project.

T. Pollak – I would urge the trees that are replanted are of the same size and caliper that are being removed.

V. Li – The Commission typically requires a 2:1 ration for replacement of trees. Do we know what the ratio for the project is?

D. Rinaldi – Appears that the ratio is just under 2:1.

V. Li – Are the broken pieces of timber to the west of the property on Shipyards property?

B. Mackey – That land is owned by Martin Oliner, not Shipyard.

C. Button – Any questions comments from public? No comment.

C. Button – There is reference to an ornamental fence, will that restrict access?

D. Rinaldi – Will replace existing railing and will not restrict access.

C. Button – Final set of plans must be submitted.

V. Li – Motion: want assurance that BRA approves of the plan and we have 2:1 tree replacement ratio.

- **Motion made by J. Lewis and seconded by V. Li to issue a Negative Determination of Applicability, with conditions, and close the hearing (voted 4/0/0)**

7:15 PM Updates and General Business:

Update from the Massachusetts Port Authority on the Green Bus Depot Project, **DEP File No. 006-1260**, and ongoing meetings with City agencies and community groups on greenway connection alternatives.

V. Li – For the record Massport is a dues paying member of my employer The Boston Harbor Association.

L. Richards – Since the issuance of the Order we have had two meetings with city and Massport staff. Most recent meeting involved a representative of the advocates for the Greenway coalition. Meetings reviewed various alternatives for the extension of the Greenway. There will be another meeting during the month of June where two plausible alternatives will be reviewed. Also, staff has twice briefed the Massport Board with respect to various connection options, which may or may not utilize Massport property, but would provide access to the Wood Isle Marsh by the public. There are different portions of land owned by different entities which need to be coordinated. We have been instructed by the board to continue engagement. We feel we have been responsive to the public's requests to date. There are security concerns which have been raised and need to be satisfied based upon option chosen.

V. Li – Can you discuss the public process moving forward.

L. Richards – We are deferring to the Mayor's Office for guidance on future meetings. We think it is appropriate for the city to determine when and where meetings occur.

C. Button – You mentioned June, any dates?

L. Richards – I believe the Mayor's Office is working on a date at this time.

E. DeAraujo – East Boston Representative from the Mayor's Office of Neighborhood Services. Massport has given an accurate representation of the process to date; very positive state at this point to move forward.

V. Li – What is the Mayor's Office looking for at this point in the way of public process?

E. DeAraujo – Very important for us to build a foundation of understanding of all the property owners involved, responsibilities of all the parties and bring together a team of city staff to review the options. Our initial goal is to flesh out the possible alternatives and then engage the public more broadly.

C. Button – Any comment from the public?

C. Markey – With Air Inc. organization. We recognize that the various parties have engaged in a process and we are eager to get involved. The options are very important to review and will be crucial to our quality of life.

C. Button – Is it appropriate to have an update at the July hearing.

L. Richards – We do anticipate site preparation work for the Green Bus Depot Project in July. Regardless of start of construction work and design can accommodate changes relative to a connection option.

C. Button – There is much interest at this time and it sounds like there will be a more informed process at this time.

T. Pollak – Given the interest I think there will be work on this through the summer months. It sounds like Massport is also making a commitment to continue work as well on this.

V. Li – So there will be a meeting in June and then an appearance before the Commission in July; this sounds like good progress.

Motion made by J. Lewis and seconded by A. Pollak to adjourn the public meeting (voted 4/0/0).