



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**CONSERVATION COMMISSION**  
**JOSEPH A. CURTATONE**  
**MAYOR**

TUESDAY, JULY 24, 2018, 7:00 PM  
**MINUTES**

MEETING AT SOMERVILLE CITY HALL  
93 HIGHLAND AVENUE  
3<sup>RD</sup> FLOOR CONFERENCE ROOM

*Meeting notes prepared by Vanessa Boukili*

**Commission Members in attendance:** Rachel Borgatti (Chair), Aladdine Joroff, Mathias Neuber, Michael Fager, David Turin, Owen Wartella

**Commission Members absent:** Cristina Kennedy

**Others in Attendance:** John Flaherty (Federal Realty), Peter Mara (VHB), Dale Horseman (VHB), Gene Crouch (VHB), Laura Laich (VHB), Ivana Pejatovic (Algonquin Gas Transmission), Tammy McHoyt (Algonquin Gas Transmission)

**Staff:** Vanessa Boukili (Conservation Agent)

Rachel Borgatti called the meeting to order at 7:02 pm followed by introductions.

**New Business:**

- 1) Assembly Square Water Quality Monitoring Report Spring 2018 (7:03 pm)
  - Samples were collected on April 25<sup>th</sup>, 2018.
  - New sampling protocol with automatic samplers, making the timing of the inlet and outlet sampling more consistent and efficient, and ensures the samples are collected during first-flush.
  - Results are much better than before.
  - Details in following document: 2018-04\_WQ\_Monitoring\_Report.pdf
- 2) Public Hearing: *Notice of Intent* for Assembly Row Block 8 (7:11 pm)

Applicant: David Webster (SRI Assembly Row B8, LLC.)  
Representative: Gene Crouch (Vanasse Hangen Brustlin, Inc.)  
Project Location: 301 Assembly Row, Somerville, MA.  
Massachusetts DEP file #287-0063

  - Request: Redevelop Block 8 of Assembly Square (301 Assembly Row) with a building, landscape areas, sidewalks and utility associated infrastructure consistent with the approved master plan.



- **Jurisdiction:** Pursuant to Condition 62 of the Order of Conditions issued by the Somerville Conservation Commission (DEP File No. 287-0028) permitting construction of the 72-inch outfall.
- **Documents Presented:** (1) Notice of Intent – Assembly Row Block 8 (Block8-NOI-wPlans.pdf)
- **Presentation** (Gene Crouch, Dale Horsman, Peter Mara, Laura Laich, John Flaherty) and Discussion:
  - Currently this is a lay-down area for other construction.
  - Proposed construction is a building with residential units and ground floor retail. This will change the runoff from soil into roof-top.
  - Propose to put in new tree wells along street, which will be irrigated.
  - Apart from the tree wells, the entire site will be impervious, as described in the Master Plan.
  - The building will include a roof deck, a courtyard on top of the parking on Level 4. The tower will be 24 floors.
  - There are no plans for rain-water re-use.
  - VHB stated that the project is not subject to the sustainability checklist, and there are currently no plans for extensive climate resiliency standards. There will not be any stormwater credits, but the building will be LEED Silver.
  - Staging area for this project remains to be determined, but will likely be Block 7.
  - Commission requested information regarding the records for the Vortech Unit cleaning, and details about who is responsible for maintenance.
  - COC for roadway network has not yet been filed, but will apply for that in September.
- **Vote:** to close hearing and issue an OOC with the following special conditions added to the Commission's standard conditions [motion – Fager, second – Joroff, vote: 6:0:0 @ 7:38 pm]
  - The Applicant will provide the Conservation Commission with the correct Registry of Deeds book and page number for the recorded property.
  - Operations and Maintenance of Vortech Water Quality Units must be clarified in writing prior to the start of work. Detailed information shall be provided to the Conservation Commission, including the maintenance schedule, the party(ies) responsible for maintenance, and record keeping protocols. Maintenance records for the units must be sent to the Conservation Commission or its Agent on an on-going basis. Records to date will be sent to the Conservation Commission prior to the start of work, and all newly created maintenance records will be sent within 24 hours of performing the maintenance.

3) Public Hearing: *Notice of Intent* for XMBLY (7:38 pm)

Applicant: Ed Nardi (CDNV Assembly, LLC)

Property Owners: Ed Nardi (CDNV Assembly, LLC) and Michael Ades (Somerville Office Associates Limited Partnership)

Representative: Gene Crouch (Vanasse Hangen Brustlin, Inc.)

Project Location: 5 Middlesex Avenue, Somerville, MA.

Massachusetts DEP file #287-0064

- **Request:** Develop XMBLY Block 23 (5 Middlesex Avenue) with a building, landscape areas, sidewalks and utility associated infrastructure consistent with the approved master plan.
- **Jurisdiction:** Pursuant to Condition 62 of the Order of Conditions issued by the Somerville Conservation Commission (DEP File No. 287-0028) permitting construction of the 72-inch outfall.
- **Documents Presented:** (1) Notice of Intent – XMBLY (Block23 NOI wPlans.pdf)
- **Presentation** (Gene Crouch, Dale Horsman, Peter Mara, Laura Laich) and Discussion:

- Preliminary master plan has been approved. Currently undergoing MEPA process as well as special permit review with City. A small piece of Road L is subject to Conservation Commission approval. Any significant changes to the plan will also require Conservation Commission approval.
  - The plan is to create an 8-story residential building. The middle of the building has a green roof. The amount of impervious area contributing stormwater to the 72-in outfall pipe will be decreased compared to original plan. As part of the master plan, the peak rates to both outfalls will decrease.
  - Currently there are catch basins and closed conduits to the 72-inch outfall that collect runoff from parking lot and Foley Street.
  - The plan will result in more treatment of stormwater than there has been. Currently in design phase of Road K, which will have catch basins with deep sumps. Propose to put Filtera tree box filters along Road L to clean the stormwater.
  - Commission stated that the tree box filters do not work well because the plants do not survive. This intervention is not appropriate for the site, especially because they require regular maintenance. The other tree box filters in Assembly Square have not been maintained.
  - Alternatives to tree box filter would be water quality unit.
  - Whichever stormwater treatment is used, it is important to determine explicitly who is responsible for maintenance.
  - Applicant request to continue the hearing until the next Conservation Commission meeting.
  - Vote: to continue the hearing until the Conservation Commission meeting at 7pm on August 28<sup>th</sup> [motion – Joroff, second – Fager, vote: 6:0:0 @ 8:20 pm]
- 4) Request for Certification of Compliance – Assembly Square Block 6 (DEP File # 287-0050) (8:22pm)
- The work has been completed (30,000 square foot retail and residential building). Boukili did a site visit earlier today, and found 2 more trees along Foley Street than were listed on the plans. The CAD files for the project have been sent to the City’s Engineering Department.
  - Vote: to issue the Certificate of Compliance for the Assembly Square Block 6 project [motion – Joroff, second – Wartella, vote: 6:0:0 @ 8:28 pm]
- 5) Request for Certification of Compliance – Assembly Square Block 5A (DEP File #287-0051) (8:28pm)
- The order of conditions applies to the entirety of Block 5. The hotel on Block 5A is complete. The amended project design changing the raingarden area (which was approved by the Conservation Commission) was never built. The development on Block 5B still needs to be done (a new NOI will be submitted). The CAD files for the Block 5A project have been sent to the City’s Engineering Department.
  - Vote: to issue a partial Certificate of Compliance for Block 5A [motion – Joroff, second – Neuber, vote: 6:0:0 @ 8:40 pm]
- 6) Request for Certification of Compliance – Assembly Line Park (DEP File #287-0056) (8:41pm)
- Project is complete. The CAD files for Assembly Line Park have been sent to the City’s Engineering Department. A catch basin across the street (on Revolution Drive) has a silt sack on it still. It will be removed.
  - Vote: to issue a Certificate of Compliance for the Assembly Line Park project [motion – Fager, second – Wartella, vote: 6:0:0 @ 8:45 pm]
- 7) Request for Certification of Compliance – Mystic River Dock Removal (DEP File #287-0061) (8:46pm)
- Dock has been removed, and location has been seeded. However, the vegetation has not yet fully grown in, and thus the stabilization is not yet complete.

- As-built plans were provided by the contractor. They are not stamped by an engineer because there is nothing there to assess (dock has been removed).
- Gene Crouch (the Applicant's Representative) has agreed to wait for the COC until the restoration/stabilization is complete.

## Updates and Discussion

- 1) Algonquin J-1 System Natural Gas Pipeline - Casing Removal Maintenance Project update (8:58pm)
  - During the prior casing removal work, realized that a piece of the pipe needs to be replaced (20-foot section). The wood sheeting for the trench is still in place, but will need to be expanded. The work space also needs to be expanded, and will move closer to the river.
  - The current pipe was put in in 1954. There is no specific life span for this type of pipe. However, this section has an anomaly and that is why it needs to be replaced. Algonquin does a yearly investigation of their pipes.
  - The original hole was about 15 feet by 10 feet, and 8-10 feet deep. It will now need to be 30 feet long. Some additional trees will need to be removed for equipment access (2-3 trees). Also will need a bigger excavator, so will need to remove the guard rail for access.
  - Tree protections will be put in place. Agent Boukili will be invited to the pre-construction site visit meeting.
  - The project has to be completed by August 31<sup>st</sup> because of the outage schedule and the need to rectify the integrity of the pipe.
- 2) Ongoing Projects (9:24pm)
  - a) Algonquin J-1 System Mystic River Crossing Replacement Project (DEP 287-0057) site visit
    - Ivana Pejatovic is doing bi-weekly inspections. The site seems stabilized for now. Will continue monitoring until there is 70% vegetation cover.
    - Additional areas need hand seeding. Will hand seed in the fall, as sprouting is unlikely with the current lack of water and the high temperatures. DCR has also asked them to address this.
    - Ivana confirmed that the Boston Avenue section near the sidewalk was hand-seeded and hydro-seeded.
    - The silt sacks on Boston Avenue should be reinstalled until the grass completely grows in.
  - b) Status of other ongoing projects - *tabled*
- 3) Updates on Eversource Oil spill and cleanup efforts (9:35 pm)
  - Decision memo has been created describing incident and points for the unified command (Eversource, US Coast Guard, Mass DEP, and Federal and State on Scene Coordinators).
  - Reviewed reasoning for spill (pipe had anomaly) and why it took a while to figure out first that there was a leak and then where the leak was.
- 4) Community Gardens review (9:41 pm)
  - a) Lincoln Park Community Garden
    - Commissioner Borgatti has talked to folks in Boston, Chelsea, and Cambridge. As new gardens come on, have placed them on 3-year cycles. Proposes that gardeners at Lincoln Park have 3-year terms. Can assess how well it is working after 3 years. In future can consider additional ways to improve equity.
    - Lincoln Park waitlist has already begun. Before the shovels are in the ground, should open up the waitlist to all other people on all garden waitlists.
    - Need to update gardener agreement for Lincoln Park to state the 3 year (growing season) term limits, explicitly stating the beginning and ending date.
    - Start community garden task force.
- 5) Letter to DCR regarding Draw 7 park - *tabled*

**Other Business (9:51pm):**

- 1) Re-schedule Assembly Square walk through
  - o Will do walk through during August meeting

**Approval of minutes:**

- 1) June 26<sup>th</sup>, 2018 - *tabled*

**Adjourn:**

- 1) Motion to adjourn meeting unanimously approved at 9:58 pm [motion – Fager, second –Neuber].

**Outstanding Action Items:**

**June:**

- o **Action:** Check on status of casing removal project.
- o **Action:** Check on DCR Mystic River Outfall Maintenance project.
- o **Action:** Check on the status of the Charlestown Bus Facility project.
- o **Action:** Commissioners to provide comments on educational brochure.

**April:**

- o **Action:** Talk to DCR about including a check box for Conservation Commission permits on their permit forms (ex. is this project within 25 feet of a wetland? If so, contact local Conservation Commission).
- o **Action:** Send letter to Carli Fence about Conservation Commission jurisdiction.
- o **Action:** Send email to DPW, Planning, Engineering, Capital Projects, and any other departments who might review construction or development projects. Remind them of Conservation Commission jurisdiction and requirements that must be following when working near the river.
- o **Action:** Talk to Garden Coordinators about accounting of garden fees.
- o **Action:** Commission to start a list of suggestions for Garden Coordinators about how to be more open/ inclusive, especially to folks on the waitlist (ex. “garden-sitting” when gardeners are on vacation).
- o **Action:** Commissioner Joroff to revise ConCom Policies document, then Commissioners to read though it again to make sure everyone is willing to follow it.
- o **Action:** Commissioner Borgatti to send letter re: ConCom concerns about high speed boats and wakes and ask about routes.

**List of Meeting Documents** (located here: K:\OHCD\Shared\Conservation Commission\Agenda + Minutes + Legal Notices 2018\2018\_07\_24\_Meeting\_Documents):

- Agenda (2018\_07\_24\_Agenda.pdf)
- Ongoing Project Data Spreadsheet (Ongoing Project Data.xlsx)
- Assembly Square Water Quality Monitoring report, Spring 2018 (2018-04\_WQ\_Monitoring\_Report.pdf)
- *Notice of Intent* for Assembly Row Block 8 (Block8-NOI-wPlans.pdf)
- *Draft Order of Conditions for Assembly Row Block 8 (Block 8 WPA form.docx)*
- *Notice of Intent* for XMBLY Project (Block23 NOI wPlans.pdf)
- Assembly Square Block 6 COC request and Draft COC (Block6-COC-Request.pdf, ASQ Block 6-COC-DRAFT.docx)
- Assembly Square Block 5A COC request and Draft COC (Block5A-COC-Request.pdf, ASQ Block 5A-COC-DRAFT.docx)
- Assembly Line Park COC request and Draft COC (AssemblyLinePark-COC-Request.pdf, AssemblyLinePark-COC-DRAFT.docx)
- Mystic Dock Removal Project COC request and Draft COC (DockRemoval-COC-Request.pdf, Mystic River Dock Removal-COC-DRAFT.docx)
- Eversource Oil Spill End Points Decision Memo (End Point Decision Memo.docx)
- Wait list for Lincoln Park Community Gardens (Lincoln Park garden space requests.xlsx)
- Somerville Special Conditions documents (Somerville Special Conditions - generic\_new Nov 2017.docx, Somerville - Additional Special Conditions.docx)