

**BROCKTON CONSERVATION COMMISSION
WEDNESDAY, DECEMBER 19, 2018 – 7:00 PM
Basement Level – City Hall
MEETING MINUTES**

Members present: David Zaff, Mark Speizer, Ray Henningson and James Cobbs
Also present: Pamela Gurley, Megan Shave, COB, Marta Nover. NAA/Beta Group and Henry Nover

1. Request for Determination
Applicant: Thomas & Katherine Gunthie
Property: 10 Alexandra's Way

Megan Shave said that she visited the property again. She said the neighbor, Mr. Emanuel, did calculations to help determine what the amount of fill might be; since that time however the scope of the project has changed. She said the Gunthie's intent to only put up four panels of fence, they will be grinding the stumps from the trees that were taken down by the prior homeowner and will be evening out the back yard to a certain point so not to affect the existing drainage pattern on the site. (They intend to fill and even out the back yard at markers c & d). She said her suggestion would be a negative 3 (with the installation of silt sock at the agreed upon location); the invasives are to be either removed to a facility or left on site in a covered brush pile. She also suggested a positive 2 b as the area was not delineated.

Action/Decision: Motion to issue a negative 3 (with conditions) and positive 2b
Motion: Speizer
Second: Henningson
In favor: 4
Opposed: 0

2. Request for Certificate of Compliance
Applicant: Donald & Karen Clinton
Address: 115 Talbot St.

Comments: Megan Shave said this was an addition to single family house; she said she conducted a site visit. She said that the house has been shifted slightly to the right (for zoning purposes) but other than that was built in compliance with the OOC and recommends issuance of full COC.

Action/Decision: Motion to issue a full COC
Motion: Speizer
Second: Henningson
In favor: 4
Opposed: 0

3. Request for Extension – Hammond St. Cemetery
Applicant: Douglas King
Representative: Jacobs Driscoll Engineering

Applicant's statement: Greg Driscoll said they are requesting a two year extension to the Hammond Street cemetery project as there have been some delays in permitting.

Comments: David Zaff said he understands that the delay due to the necessary permitting with the state and was told yes.

Action/Decision: Motion to grant a two year extension
Motion: Speizer
Second: Henningson
In favor: 4
Opposed: 0

4. Notice of Intent – Plot 2 Belgravia Avenue – Proposed Subdivision
Applicant: Buskull Properties
Representative: Curley & Hansen – **Continued to January 10, 2019**

5. Request for Determination – Grove, Hudson & Leyden Streets
Applicant: Columbia Gas/Merrill Engineers – **Continued to January 10, 2019**

6. Request for partial Certificate of Compliance
Applicant: Nathan Realty Trust/Shoe City Auto
Address: 2020 Main Street
Representative: Strongpoint Engineering

Applicant's statement: Eric Dias said that the OOC was previously issued for an extension of paved parking area and buffer zone restoration. He said that the stormwater was inspected by Strongpoint and was installed correctly and the limit of pavement was also installed correctly. He said that the buffer zone restoration was not done and they would like to roll that work into the new NOI.

Comments: Megan Shave said that the proposed restoration area has been taken over by invasives. She said that they currently have cars and trucks parked to the edge of pavement and hanging over into the BZ.

Dias said they are willing to install boulders or wheel stops to make sure they are only parking to the limits of the pavement. He said his preference would be boulders.

James Cobbs said he wants to see the boulders on the plan; both Mark Speizer and Ray Henningson said they have the same concerns.

Action/Decision: Motion to issue a partial COC

Motion: Henningson

Second: Speizer

In favor: 4

Opposed: 0

7. Notice of Intent – 2020 Main Street

Applicant: Applicant: Nathan Realty Trust/Shoe City Auto

Representative: Strongpoint Engineering

Applicant's statement: Eric Dias said the applicant is looking to put in additional service bays and a storage area for high end cars. All work is in previously paved areas and there is no change in run off. He said that the flood plain has been confirmed by survey and work is outside the flood plain. He said they intend to complete the BZ restoration approved under the prior project as previously approved. He said his client has no excuse for not completing the restoration except he said he did not fully understand how important that was. He said they agreed to all the comments and request from the agent. They inspected the existing drainage system and it is clean and there is no maintenance needed; he said they will re-inspect after the work is completed and they have prepared a new operation/maintenance plan.

Comments: Marta Nover said that BETA was satisfied with the information except they would like to see recharge of the roof runoff added. She said that there is high groundwater; most of the parking is in the flood plain and with the record rain it appeared that water could not get into the system.

Dias said there is high ground water on the site and did not feel that was necessary as the buffer zone restoration is being designed to hold stormwater.

Shave said she reviewed the wetland line and proposed restoration area and the invasives need to be flagged and removed and disposed of properly and she recommended that there be a special condition to prioritize the restoration.

There was discussion between the parties as to how to effectually condition the prioritization of the restoration area to make sure it actually is done this time. Dias recommended a special condition that the work is to be done within a year and if not the commission could issue an enforcement.

James Cobbs noted that there is no snow removal or storage area showing on the plan. Dias said there is no designated area; but DEP has guidelines for snow removal on pavement. The secretary said that that information is a requirement for site plan approval and it should be added to the plan before he makes his application.

Councillor Dennis Eaniri said he is here in support and want to see project move forward.

Action/Decision: Motion to close the hearing

Motion: Speizer

Second: Henningson

In favor: 4

Opposed: 0

Action/Decision: Issue a OOC with standard conditions and special conditions as discussed

Motion: Speizer

Second: Henningson

In favor: 4

Opposed: 0

Mark Speizer said that he seems to bring up the same thing every meeting; he wants to see the plans in color. The commission agreed that condition in the application should be enforced and asked the staff to make sure applications come in correctly.

8. Notice of Intent -940 Belmont Street (118-718)

Applicant: US Department of Veterans Affairs

Representative: JK Holmgren

Applicant's statement: Josh White said the NOI was filed some time ago; the proposal is for a construction staging area, two stormwater wetlands and pavement of the graveled area. He said he has been working with Henry Nover and is almost at a point that he (Nover) is ok with the plan.

Comments: Henry Nover said that this is an active construction staging area; he said Haggler Way is a dirt road; the NOI was filed over a year ago; JKH has done a lot of work to clear up the existing conditions plan; right now there is no stormwater management; what they are working on is a proposed constructed stormwater wetland to treat the runoff.

David Zaff said there is a lot going on in the plan; he recommended that JKH color in the plan before re-submitting and adds a key.

Hearing was continued to January 31, 2019 by agreement of the parties.

9. Notice of Intent -940 Belmont Street

Applicant: US Department of Veterans Affairs (maintenance)

Representative: JK Holmgren

Applicant's statement: Josh White said that VA would like to conduct annual maintenance around the existing fence; he said that under the security design manual they need 10' around the fence cleared outside and inside the fence line.

Comments: David Zaff asked is any of this work is jurisdictional and was told yes. Megan Shave pointed out to the members all the areas of jurisdiction; she said it involves all the restoration areas, resource areas and BVW. She said that most of the fence that is outside the resource areas is on maintained lawn already. She noted that the restoration areas have signs stating "do not mow". She said she sees no justification for clearing. The chair said he does not see how the commission can permit this work.

Ray Henningson asked when the policy was put in effect and was told 2007 (fence was installed after that time). The chair asked for a copy of the policy. James Cobbs said that there is always an exception to policy and they can ask for a waiver.

Continued to January 31, 2019 by agreement of the parties.

10. Notice of Intent - 130 Elliot Street (proposed condominiums)

Applicant: Joe Savino

Representative: JK Holmgren Engineering – **Continued to January 31, 2019**

11. Certificate of Compliance

Property: Liberty Street

Applicant: US Post Office

Megan Shave said the post office applied for this some time ago and during her inspection she found dumping in the BWV. She said she has been back out to the site and that the postal service cleaned the BVW and posted no dumping signs and she would recommend the issuance of the COC.

Comments: Ray Henningson said he was at the site the other day and could see work has been done.

Action/Decision: Motion to issue full COC with ongoing conditions

Motion: Cobbs

Second: Speizer

In favor: 4

Opposed: 0

Other Business/On-going Projects/Minutes/Discussion/Up-Dates

Motion to accept the minutes from 10-25-18 as submitted

Motion: Henningson

Second: Speizer

In favor: 4

The agent said she was asked to go out to lot 3 Pleasant St. by one of the building inspectors as a result of a complaint. She said she noticed an excessive amount of fill and grading on the site which is compromising the erosion controls. She said she spoke with the contractor and that he did not seem to understand that he could not just fill the site.

At the same time she looked at lot 2 and found the same problem. Upon going back to the office she said she contacted the engineers for both projects to let them know what was happening. She said she heard immediately from the contractor for lot 2 who agreed to remove the fill.

The commission asked that she send letters to the contractors of both properties and asked that they appear on the 10th.

Whitman Force Main Project – The agent said that Whitman expects the project to begin in January; she said she has spoken with them relative to the re-issuance of the emergency cert.

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.