

BROCKTON CONSERVATION COMMISSION
Thursday, January 25, 2018 – 7:00 PM
Basement Level– City Hall
Meeting Minutes

Members present: David Zaff, Ray Henningson and Samuel Ward. Also present was Pamela Gurley (City of Brockton) and Marta Nover, NAA.

1. Notice of Intent

1205 Belmont/820 Pearl Street

Applicant: TMC CF New England (Cumberland Farms)

Representative: Lucas Environmental/Civil Design Group

Matt Leidner/Civil Design

Tom Liddy/Lusas Environmental

Applicant's statement: Matt Leidner said that the property is an existing Cumberland Farms at the intersection of Belmont & Pearl Streets. He said Cumberland Farms will also be purchasing the office building at 830 Pearl St. He said all the buildings on both sites will be raised; and both sites wiped clean. He said the proposal is for a new Cumberland Farms convenience store building and a six pump double loaded gas island (12 filling stations); the old tanks will be removed.

He said they submitted a stormwater report; the majority of the site flows off east of the development; he said they have tried to maintain the existing water sheds and they are retaining as much storm water on site as possible which will allow for infiltration and treatment. The roof top area is being collected and will be infiltrated into the basin; he said there is very little storm water treatment existing there today. He said although this is considered a re development project because they are increasing impervious surface by .09 acres they are treating the site as a new development.

Matt Leidner said they received NAA review; he said it was very comprehensive but there is nothing insurmountable; everything is addressable. He asked if the commission minded if they worked directly with NAA. David Zaff said they would prefer that they do that, but keep the office in the loop.

Matt Leidner explained where they were in the permitting process and said they received a special permit and variance from the ZBA and have filed for site plan approval and have a tech review meeting on Monday.

Comments: Marti Nover said that NAA has done a comprehensive review of this project; she said there is residual contamination that will need to be managed during construction. She said NAA is in agreement with the BVW boundaries. She said there is a large area of yard waste on the property (not from Cumberland Farms); the abutter at 814 Pearl Street encroaches. As part of the project Cumberland Farms will be removing it. The site is in a Zone 2 and there are certain BMP's that need to be addressed. She asked what the "tongue" of fill was. Matt Leidner said that they are trying to balance the earth work along the debris pile. She said they need to make sure that area does not include any of the contaminated soil.

Matt Leidner said that Cumbies has an onsite LSP who will manage the soil; he said they will make the soil management plan available to NAA and the Commission. Marti Nover said that there are no test pits in the infiltration basin area and that they need to determine seasonal high ground water.

David Zaff asked if the pumps were the latest technology and if there was any work within 25' of the wetlands. Matt Leidner said that they were and were dual wall fiberglass tanks and that there would be one small area of grading and a landscape wall with 25'. He said NAA has suggested 18" compost sock and they are fine with that.

Ray Henningson asked about snow storage and removal and said that the neighbors across the street get water. Matt Leidner said that the plan shows snow storage areas but he expects that the areas will be modified. He said that the grading is proposed to reduce areas that flow towards Pearl and Belmont and less water will be leaving the site. David Zaff said that any snow storage at the corner might be a hazard; Matt Leidner said that they don't believe that will be a problem because it is a traffic light controlled intersection. However they will look at it.

Sam Ward said that snow needs to be managed because of pedestrians on site; he said he would like to know what is in the debris pile to make sure it is removed properly.

Cary Snow (827 Pearl St.) asked if the property at 820 Pearl will be flattened out...and if it will be flowing the same way...away from Pearl. Matt Leidner said that from the proposed ridgeline back will not flow into the street.

Continued to February 22, 2018 by agreement of the parties.

2. Notice of Intent

Plot 2 Belgravia Avenue

Applicant: Joe Kulle, Buskull Properties

Representative: Bill Self, Curley & Hansen; Todd Pilling, Pilling Engineering

Applicant's statement: Bill Self said that this is a proposed four lot subdivision; one lot on Herman St. and three on Belgravia Ave. There will be two houses at beginning of Belgravia and one at the end and they will be extending and paving the existing roadway. He said that the existing ditch picks up drainage from Herman and Lawton Ave. and most of the homes on Herman are in the water table. He said they intend to redirect some of the water and add a swale to divert water into the brook. He said they added a turnaround for emergency vehicles at the city's request.

David Zaff asked what elevation causes the water to flow over property; and asked if it was all wooded. He was told that there are wetlands are along the brook.

Todd Pilling said there is no river bank, it is an intermittent stream. He said the road will intercept a portion of the flow; he said the swale is the only reason for filing with the conservation commission and the only reason for the swale is to keep the water from #41. He said that house has addition with a deck over the property line. He said the soils are lousy and probably everyone gets water. They are proposing to infiltrate the roof run off and the basement floors will be above the water table.

Bill Self said they have met with the city engineer and his comments were incorporated. He said that the abutters have made improvement to their properties that are actually on Mr. Kulle's property.

Comments: David Zaff asked how far down the water table was and was told 2-3 feet. He said he would like to schedule a site visit for the commission. He asked if they had a neighborhood meeting about this; Joe Kulle said met many years ago with Michelle DuBois and abutters. David Zaff said that the practicable thing would be to meet with neighbors.

Marti Nover said that they issued their comments about a month ago; they agree with the wetland boundary but they looked at the increase in impervious surface and what impacts it may have on the stream area. She said that NAA determined that not all the area flows to that design point; a big portion flows to Herman; the applicant over estimated their analysis; post development all flows toward stream.

David Zaff said that it looks like NAA feels that not enough information has been submitted. Marta Nover said that they took a look at their response dated 18th and it looks like their original comments stand.

Todd Pilling said that the berm is in an existing lawn area; he said the infiltration system for roof will be added to the plan; the curve number is how much water is running off the site; he said the curve number is higher by one. He said time in concentration did get a little longer because they changed the direction of water; but he said they did not analyze the water going toward Herman St.

Ray Henningson asked about snow removal; Bill Self said that everything is plowed to the end of the road. He said he thinks it is plowed by the COB.

Ray Henningson said he is concerned that all the water will be flowing to the stream and that there were no studies done on Herman; Herman is the area that gets water. Bill Self said they will be intercepting the water with the road.

David Zaff said he would like to see if there is any way to mitigate water going toward the abutter's basements.

Opposed: Ward 6 Councillor Jack Lally said that the residents are concerned about the flow of the water and the "river"; he said the developer says this project will help out; but the residents feel it will hurt.

Danielle Collins, Welsford, (showed a video on her phone of the stream after the rain); she said she is worried that stream is at capacity and cannot take any more water.

Abutter from 38 Herman was concerned about water and said that the street floods now if it rains. Bill Self said there is no maintenance there now.

Abutter at 29 Herman said their yard floods; their basement is in ground water.

David Zaff said that the water is naturally going toward the stream; the applicant is stating that the berm will re direct water away from their properties. He suggested that Pilling might want to do an analysis of the neighbor's properties.

Charles Townsend said that their (new homes) drainage will be going into ground and is worried about his septic tank. Todd Pilling said that the septic system is in front of the home; Bill Self said they got information from BOH for title 5 and were able to locate the septic tank on the plan.

Donna Tilson, 19 Belgravia, said she has a water problem already.

Bill Self said it would make sense to do a site walk when there is not any snow on the ground.

Continuance to March 8, 2018 by agreement of the parties. NAA, the applicant and the Ward Councillor are to arrange a mutually convenient date for a site visit.

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

Enforcement Order - Property: 1288 Pleasant Street – there have been no updates from the LSP.

Advanced Auto – David Zaff said that the store is owned corporately; he asked that NAA draft a letter to include a maintenance program for common area maintenance, they clean the area and there is to be no “work” done on site by customers.

The secretary said that their packets included the information for 113 Southland Terrace (Honeywell)/Brockton Fence Company. Plymouth County Mosquito Control noticed the matter when performing their inspections of the river. NAA to draft a letter to the home owner and the fence company.

Minutes 1-11-18 – No action.

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.