

BROCKTON CONSERVATION COMMISSION
Thursday, January 26, 2017 – 7:00 PM
GAR Room – City Hall
Meeting Minutes

Members present: Ray Henningson, Mark Speizer, Sam Ward, David Zaff and Jim Cobbs. Also present were secretary Pamela Gurley and Caitlin Nover & Henry Nover, NAA.

1. Certificate of Compliance (118-695)
Property: Plots A, B, & C Claremount Avenue
Issued: 4/23/15 (Michael Curtin)

Continued to March 9, 2017 by agreement of the parties.

2. Certificate of Compliance (118-355)
Property: 145 Field Street
Issued: 9/26/97 (Valerie Tom)

Applicant's statement: Scott Faria said this project was approved in 1997. He said not all work was done and no COC was ever requested. He said the owners have completed the work by installing the CB and the discharge. He said the owners were looking to sell and need the COC.

Comments: Henry Nover said NAA looked at the site in May 2016 and determined that the work was not completed and at that time recommended that the Commission not issue a COC. He said the packet came late and NAA did not have a chance to do a site visit before this meeting.

Continued to February 9, 2017 by agreement of the parties to allow NAA to conduct a site visit.

3. Notice of Intent
Property: 32 N. Manchester St. (Lot 6A)
Applicant: (Dan Evans) Evans Machine
Representative: Condyne Engineering

Applicant's statement: Mark Dibb said that based on previous discussions they have identified an area on the plan where they will remove debris and will replicate with wetland seed mix. He said they are proposing to use an 8" composite silt sock and re seed the area with wetlands seed mix. He said they have reduced the size of the infiltration system and removed any reference to using the compensatory storage for credit. He said they have determined that the loss of flood plain in the 100 year storm is less than one inch.

Comments: Henry Nover said the 9,812 cu ft. of lost volume is about 5% of the total storage of the site

David Zaff said his understanding is that the property is not in the flood plain by mapping, but elevation. Henry Nover said that is correct. He said that the Commission

needs to determine if this project will have an impact on flood storage; if they feel it does they need to require compensation. He said in his opinion this project will not cause an increase in the base flood elevation.

David Zaff said that NAA has suggested the following other conditions in addition to the usual special conditions included in an OOC.

Erosion controls shall consist of 8" diameter biodegradable natural fabric cylindrical tubes, filled with clean, natural compost. Bio-solid filled silt socks, silt fence or hay bales shall not be used at any time during the construction of this project unless expressly permitted by the Conservation Commission and/or their representative.

To provide for compensatory flood storage, the Brockton Conservation Commission and/or its representative shall be present to witness the removal of 9,812 cubic feet of historic fill located adjacent to the property.

Areas disturbed by the removal of the historic fill are to be seeded with New England Wetland Plants Erosion Control/Restoration Mix for Moist Sites or an equivalent seed mix.

No herbicides or pesticides are to be used at this site. This condition shall be made part of any and all subsequent deeds conveying the subject parcel.

Jim Cobbs said he would like to see the OOC specify the seed mix. Sam Ward said he would like NAA on site while the excavation work is being done

Decision: Close the public hearing
Motion: Henningson
Second: Ward
In favor: 5
Opposed: 0

Issue a standard OOC with special conditions to include the additional conditions listed above.
Motion: Speizer
Second: Ward
In favor: 5
Opposed: 0

4. Notice of Intent
Property: Plot 42 West Chestnut Street
Applicant: Meadow Woods LLC
Representative: Gallagher Engineering

(Jim Cobbs noted to the chair that he plays basketball with the applicant. The chair felt that would not be an issue as it did not create a financial benefit and or interest for either party.)

Applicant's statement: Frank Gallagher said that this project was previously approved but approval time has lapsed. He said the property is on the south side of West Chestnut Street between Ash and Alexander's Way. He said they are proposing a

roadway to extend to the West Bridgewater/Brockton town line (three lots in Brockton). The project includes crossing the wetland and they are proposing to fill 1090 SF and are providing a 2:1 wetlands replication. He said they need to cross the wetland to get to the W. Bridgewater property where they are proposing to build homes.

Comments: David Zaff asked if the Brockton lots are new and said it looks to him like lot 3 will not be buildable. He said that under the Wetlands Protection Act the applicant has the right to cross a wetland to get to upland.

Henry Nover said this was filed as under the limited project provision of the act which allows for the filling of a wetland to get to an upland area. He said that the majority of the lots are on the other side of the wetland in West Bridgewater. He said the Commission did not open the meeting last time as the application did not have all the parcels correctly identified. The secretary said that the application was corrected and new pages were sent out to the members, the abutters were re-notified and the legal notices were re-run.

Henry Nover said NAA reviewed the original project. He said in reviewing this project NAA noted that there were some details that were not addressed in the first go round and said the project as filed does not meet density guidelines for wetland replication density and NAA is recommending that they add additional plants. He said they are recommending that the culvert be embedded for passage of wildlife (and that NAA be on site for the installation of the culvert), that they add a staging area location; submit a de-watering methodology and although the plan shows hay bales the Commissions' standard is (18") compost silt sock. He said their application states they are not subject to SW management because there are less than four houses in Brockton. He said that NAA feels that since the homes in West Bridgewater are connected to this project it should be considered as one project for storm water management purposes. He noted that all the discharge points are in West Bridgewater. He said they can meet some of the standards and they should be addressed.

Jim Cobbs asked where the snow will be stored and asked if they could use salt in the wetland area. Henry Nover said that DEP regs do address snow storage and it would be a special condition in any OOC issued.

Sam Ward asked that a condition for supervision of installation of the culvert be part of any OOC.

Jessica Moscardelli (property next door) said she has a pipe (and swale) under her driveway for water and asked how close the road will be to her swale; her husband asked how far the road would be from their property as they have 80+ children at their day care and thought there might be a safety issue and asked if they might consider installing a fence. He also said their proposed snow storage area is by their swale and asked if that would create a problem.

Frank Gallagher said he was unaware of the pipe and swale on their property. He said the back of their sidewalk is 10'-15' away from lot line. David Zaff said that the safety issue with the day care may be more of a Planning Board issue.

Mr. Moscardelli asked what the road elevation would be and if water will be sitting there.

Frank Gallagher said that the roadway is going to be above the grade that exists now...the flow pattern is towards the wetland ... he said their concern about snow storage is valid and they will relocate the area.

Henry Nover said that area (Moscardelli property) is outside jurisdiction of the Commission but that the discharge may be in a BZ area and should be added to the plan.

The daughter of the residents at 35 Rachels Way said she was there on behalf of her parents and asked where the road will be in location to her parent's home.

Frank Gallagher asked for a continuance in order to address NAA's comments.

Continued to February 9, 2017 by agreement of the parties.

5. Notice of Intent

Property: 292 Howard Street

Applicant: Beantown Builders

Representative: Webby Engineering

Applicant's statement: Joe Webby said the property is located on Howard Street and right now there is an existing multi dwelling and garage. He said the owners would like to build a commercial building with four bays and parking. He said the property contains two potential vernal pools and most of the property is in the Commission's jurisdiction.

Comments: Henry Nover said that there has been no soil testing and NAA suggests two sets of test holes at the location of the infiltration system. He said there are some discrepancies with the inverts and he would like to see how the roof leaders will get back to the infiltration system. He stated that they know the company that did the wetland line and that they are usually accurate.

Anita Smith, 289 Howard St., said she has concerns because the lot has always flooded. Henry Nover said that all their water will be disposed into a sub surface infiltration system.

David McMann (abutter) said he is also concerned; he said it floods so much there that there are geese when it floods. He also asked what they will do with their snow.

David Zaff said it is possible that post construction build may be beneficial to the area.

The applicant asked for a continuance to the February 9th meeting.

Continued to February 9, 2017 by agreement of the parties.

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

The secretary said that the Planning Department has been contacted by the Wildland's Trust relative to a project Stone Farm Conservation Area. She said they would be applying for a grant to re-establish some of the existing trails and close some off to deter ATV use. The re-establishment of the trails would allow for a connection between that

property and the Audubon Land on Pleasant St. She said they are looking for a letter of support.

Decision: Have the secretary send a letter of support

Motion: Henningson

Second: Speizer

In favor: 5

Opposed: 0

Henry Nover asked if JKH had sent anything further on the VA Hospital parking project (last meeting RDA) and was told that the project was on hold.

David Zaff asked the members if they saw his email on the use of porous pavement. He said that he had used it on several projects. Henry Nover said he was aware of the product.

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.