

**BROCKTON CONSERVATION COMMISSION**  
**Thursday, February 8, 2019 – 7:00 PM**  
**Basement Lobby – City Hall**  
**Meeting Minutes**

**Members Present:** David Zaff, Mark Speizer, Samuel Ward, and Ray Henningson; also present was Caitlin Nover, NAA.

**Applicants Present:** Dana Altobello, Merrill Associates

**Meeting Start Time: 7:00pm**

**Meeting End Time: 8:02pm**

1. Notice of Intent

Property: 940 Belmont Street

Applicant: US Department of Veterans Affairs

Representative: J.K. Holmgren Engineering, Inc.

J.K. Holmgren was not present at the meeting.

2. Request for Determination of Applicability

Property: West Chestnut Street

Applicant: Columbia Gas of MA

Representative: Merrill Engineers

**Presenter:** Dana Altobello, Merrill Engineers

**Comments by Merrill:** Purpose of project is to replace the gas main within the street. The replacement will be done by the open trench method. Mr. Altobello stated that no soils will be stockpiled overnight, no work will be done while it's raining, erosion controls will be placed downgradient of the work area, and filter fabric will be placed in all of the catch basins. Mr. Altobello stated that the Applicant would rather use 9-inch diameter erosion control silt socks as they are easier to work with but would be willing to also use 12-inch diameter silt socks near sensitive areas as recommended by Nover-Armstrong in their letter.

**Comments of Commission:** David Zaff asked where exactly the project is located and confirmed that the project essentially runs from the Route 24 overpass to the Armory. Zaff asked how far exactly this project would take place from the wetlands. Mr. Altobello stated that the exact work area would be determined in the field after the site had been dig-safed. He estimated that the work will be approximately 5 to 10 feet away from the wetlands at its closest point.

**NAA Comments:** Ms. Nover: After hearing Mr. Altobello's explanation of the project, we believe that the use of the 9-inch diameter silt socks would be adequate for the majority of this project. As the Applicant has proposed, they should use additional erosion controls in the more sensitive areas should have additional erosion control measures. Instead of requiring two different size silt socks on the site it might make more sense to instead double-up the 9-inch silt

sock in sensitive areas and areas where work will be taking place close to wetlands. Mr. Altobello agreed that this would be a good compromise and stated that the Applicant would be ok with adding that as a condition.

Ms. Nover stated that a Negative 5 Determination of Applicability (DOA) would be appropriate as the described work is jurisdictional under the WPA, however is an exempt activity. Ms. Nover also recommended issuing a Positive 2b DOA stating that the Bordering Vegetated Wetland line is not confirmed by the decision since Nover-Armstrong did not confirm the flagging in the field.

**Decision:** Motion to issue a Positive 2b and Negative 5 Determination of Applicability with the above-mentioned condition.

**Motion:** Speizer

**Second:** Zaff

**In Favor:** 4

**Oppose:** 0

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

#### 1. 1288 Pleasant Street, Lot 3 Enforcement Order

**Comments of Commission:** David Zaff stated that Nover-Armstrong should reach out to the site LSP as there have been no developments on this EO and it appears that the erosion controls on the site still have not been fixed. Ms. Nover confirmed that she did not believe that the silt sock barrier had been fixed and that sedimentation is a concern. Zaff stated that the Commission should consider getting the City Solicitor's office involved in the issue since all previous attempts to fix the issue have not been addressed and that the last Non-Compliance letter to the owner was ignored.

Mr. Henningson agreed that this issue needs to be handled and expressed concern that the owner seems to be continuing work in other parts of the City while ignoring the Enforcement Orders on this property.

**Comments of the Public:** Anne Beauregard, Ward 5 Councilor stated that she is concerned about the contamination of the environment from this site. Ms. Beauregard also stated she is concerned that the site owner does not appear to be doing anything about the problem.

#### 2. Potential Enforcement Order Property: 113 Southland Terrace Property Owner: Patrick Honeywell

**Comments of the Owner:** Mr. Honeywell stated that he received a letter from the Commission requiring him to come to the meeting. Honeywell stated that a large pine fell from his backyard onto the abutting Kmart parking lot during a storm back in September which broke three sections of fence. Kmart then hired a landscaping company to remove the tree and other debris from the parking lot. Honeywell provided photographs depicting this activity.

He then stated that he hired Brockton Fence Co. to fix the broken sections of the fence, even though the fence actually belongs to Kmart, because of his dog and kids that play in his backyard. He stated that neither he nor the fence company threw debris into the stream that is in the backyard and that debris was left over from the landscaping company who removed the tree.

**Comments of Commission:** David Zaff stated that the main issue here is not the fence installation but rather the fact that the debris was thrown into the stream. Zaff asked that Nover-Armstrong go to the site to evaluate the existing conditions to see whether follow-up with the owner or with the neighboring Kmart would be necessary.

**Decision:** To Adjourn the meeting

**Motion:** Ray Henningson

**Second:** Samuel Ward

**In Favor:** 4

**Oppose:** 0