

**BROCKTON CONSERVATION COMMISSION**  
**Thursday, September 13, 2018 – 7:00 PM**  
**Basement Level– City Hall**  
**Minutes**

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Members present: David Zaff, Samuel Ward, Ray Henningson, Jim Cobbs, and Mark Speizer. Also present were Pamela Gurley & Megan Shave COB; Marta Nover, NAA.

1. Notice of Intent – Plot 2 Belgravia Avenue

Applicant: Buskull Properties

Representative: Curley & Hansen

**Continued to 9-27-18**

2. Request for Determination – Grove, Hudson & Leyden Streets

Applicant: Columbia Gas/Merrill Engineers

**Continued to 10-11-18**

3. Certificate of Compliance

VA Hospital (Restoration) 111-688

Representative: LEC Environmental/JK Holmgren

Applicant's statement: Scott Faria said that this was tabled by the commission several months ago; he said at the prior meeting the chair asked for an as built plan. He said that other than that there were no issues.

Comments: Megan Shave said that the as built plan was submitted and both she and Caitlin Nover looked over the request already and are in agreement that the COC can be issued.

Action: Motion to issue a full COC

Motion: Speizer

Second: Henningson

In favor: 5

Opposed: 0

4. Notice of Intent – Sewer Force Main Easement Clearing

Applicant: Town of Whitman

Representative: Environmental Partners Group

Applicant's statement: Ziad Kary said that the force main was originally built in 1984 (16,000 feet long); the easement crosses into the COB at Alger St; he said that there have been two prior breaks in the force main and emergency repairs were made. The Town of Whitman hired them to investigate the soil conditions around the pipe. In order to retrieve the soil samples they will use a geo probe driven down from 5-15' based on the depth of pipe. They will also be measuring the thickness of pipe by ultrasonic methods through existing Town of Whitman sewer man holes. He said the easement is completely overgrown and they would like to clear and grub the entire easement; they propose to use timber mats to cross over the streams, but there will be no work in the streams. They are not filling, not changing topo just re-clearing the land that was

originally cleared; the same company will be clearing the easement side in Whitman. He said they believe that the existing easement allows them to clear. He said that any issue that requires digging, replacement of the line etc. will require them to come back with a NOI.

Dennis Smith (Whitman Sewer Commission) said that the same work will be done in Whitman. He said that Whitman dropped the ball – should have been maintaining the easement all along.

Comments: Megan Shave said she walked the easement and checked the wetland lines. She said it is densely vegetated and said that any OOC issued needs to accurately address the work that is proposed. She said there is a second un-named stream that is not on the plans and it needs to be flagged and mapped on the plan. She said the area was too flooded to access that area at the time of the survey. She has asked that they clarify how they will be handling the work at the stream crossings.

Marti Nover said she spoke with Larry Rowley and was told that Brockton is expecting that Whitman will find problems and the 30' of cleaning may be necessary in eventually; she said she spoke with him about the stream crossing and about avoiding work in that area; she said that the geo probe work does not need 30' of clearing and noted that the 30' of clearing would be of two acres of wetland impact.

Kary said they can live with 10-20' if that is what the commission would like. He said looking forward he agreed that they may need to clear the entire 30'.

Nover asked for their definition of grubbing and was told they will be “scratching the surface”. She said there was no vegetation management plan submitted and Whitman will need to restore the area. She asked why they were not applying for a 401 Water Quality Cert and was told they believed there was an existing one and they were trying to locate it. Kory said they were getting an opinion from DEP.

David Zaff said that the commission understands the urgency of this and said he would like to find some common ground that would allow the commission to issue the OOC. He asked if they would be willing to continue for two weeks and work with the city and NAA. Ray Henningson and Mark Speizer agreed that this was an issue that needed to be addressed before there was a catastrophe. Zaff said that he would like the applicant to work with both our agent and NAA over the next week to see if they could reach common ground. He asked both NAA and their agent to work with Whitman to come to an agreement on what information was still needed and to draft an OOC that would allow the project to move forward and that the commission would find acceptable.

Continued to October 27, 2018 by agreement of the parties.

5. Notice of Intent - 1854 Main St.

Applicant: Mass Best Motors

Representative: JK Holmgren Engineering

Applicant's statement: Scott Faria said the applicant is looking to relocate and expand his business to this location. He said he has worked with Henry Nover and addressed NAA's comments; he said he adjusted the drainage areas, located the buffer areas and has filed for a LOMA which they should have within a few weeks. He said they are

looking to adjust the flood elevation. He said they have been back to licensing and reduced the used care license to 85 in order to meet the parking requirements.

Comments: Marta Nover said that NAA concentrated on stormwater only; she said that Henry Nover worked along with JKH and he feels that the project now meets stormwater management regulations.

Megan Shave said that she reviewed the wetland portion and has two comments: she would like them to add 25' buffer to plan and the limit of work is currently in back of the fence...the silt sock is on their side of fence, she asked that the plan reflect it correctly. She also said that if the LOMA is not approved the project will need to address flood storage and they will need to amend their filing.

David Zaff said that any OOC issued should contain a special condition that if the LOMA is not issued they must amend the filing.

Decision: Motion to close the hearing  
Motion: Speizer  
Second: Ward  
In favor: 5  
Opposed: 0

Motion to issue a standard OOC with both the standard special conditions and those discussed.  
Motion: Speizer  
Second: Ward  
In favor: 5  
Opposed: 0

6. Notice of Intent - 130 Elliot Street (proposed condominiums)  
Applicant: Joe Savino  
Representative: JK Holmgren Engineering  
**Continued to 10-11-18**

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

Motion to accept the minutes from 8-16-18 as presented.  
Motion: Speizer  
Second: Ward  
In favor: 4  
Opposed: 0  
Abstained: Cobbs (was not in attendance at the meeting)

**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.**

Meeting adjourned.