

BROCKTON CONSERVATION COMMISSION
THURSDAY, JANUARY 10, 2019 – 7:00 PM
Basement Level – City Hall
MINUTES

Members present: David Zaff, Mark Speizer, James Cobbs and Samuel Ward. Also present were Conservation Agent Megan Shave and Secretary Pamela Gurley.

1. Request for Determination – Plot 36 Prospect St & Plot 18 Augusta Ave.
Applicant: Frederick Hebshie
Representative: Curley & Hansen

Applicant's statement: Bill Self said the applicant has owned the land for quite some time and is the site of an old proposed subdivision. He said that the property owner is looking to develop the area into a single family home subdivision and as such they had the area delineated for wetlands; he said that there are two small areas identified on the plan by Brad Holmes.

Comments: Megan Shave said that she went out to the site and also reviewed aerial imagery back to 1960; she said there are isolated areas of low points and that the Salisbury Brook is .3 miles away, but there does not seem to be any connection. She said that there seems to be old fill on the site and to be conservative she calculated the area on the smaller piece of land to the sewer easement and even with that it is still not large enough to hold ¼ acre foot – no connections to water pond or river the onsite; these are just the lowest points on each parcel. She suggested that the commission could issue a negative one.

Jim Cobbs asked if they will be developing both sides of the road and was told they were.

Action/Decision: Motion to issue a negative one determination
Motion: Speizer
Second: Ward
In favor: 4
Opposed: 0

2. Request for Certificate of Compliance - 1020 West Chestnut Street (118-407)
Representative: JK Holmgren Engineering

Applicant's statement: Josh White said that this OOC was issued in June 2000. He said that the existing conditions plan for NOI shows that work was completed as approved.

Comments: David Zaff asked if the work was completed within the three year period of the OOC. Megan Shave said that aerials show that the new pavement existing in 2001. He asked why the COC was not applied for before and why now; the secretary said the building has been sold and they need the COC to build the new building.

Action/Decision: Motion to issue a full COC.

Motion: Cobbs

Second: Speizer

In favor: 4

Opposed: 0

3. Notice of Intent – 1020 West Chestnut Street

Applicant: New England Tortilla

Representative: JK Holmgren Engineering

Before making the presentation Jim Cobbs pointed out that again they received plans that are not color coded.

Applicant's statement: Josh White said that the applicant is looking to construct a building on the existing foundation. He said they are treating this site as a redevelopment project and such have met the stormwater standards to the maximum extent practicable; with two existing CB's being turned into storm sceptors. He said there will be some repaving of the back part of the site.

Comments: Megan Shave said that this plan reflects the comments from the City Engineer and Beta Group from the tech review meeting. She said that Beta has some additional comments; there should be an OM plan; as there is no proposed on site snow storage, they would like to see a budget for snow management.

She said that the BVW is associated with the existing drainage ditch. She said that JKH confirmed that existing drainage system needs maintenance and BETA suggested special condition that maintenance is done before any construction on the new building. She said that will also be a good time to deal with the invasives on the site and dispose of them properly. She said that the NOI needs to be updated to quantify the BVW. She also noted that there is a significant amount of dumping (Josh said that is not on their site); she suggested that they reinstall signage regarding dumping on their property; she also suggested that as there has been no soil test pit, that one is done and that a representative of the commission be on site to view it.

Jim Cobbs said the silos are extremely close to the driveway and he was worried that they would be hit by a truck backing in; he asked that bollards be placed around the silos. (Josh said that the tanks are inside of the concrete sidewalk – there is ten feet between the tanks and road. The commission asked that they show bollards on a revised plan.

Asking about the fry oil storage tanks Cobbs said he was worried about the possibility of a catastrophic event and grease getting into the wetlands. He asked if there was a spill plan.

Zaff asked how close the structures are to the BVW and said he would like to see their maintenance plan for the drainage system.

Shave again stated the importance of the maintenance to the existing system being done first. Zaff asked if it was possible to separate the work and have a separate NOI for drainage maintenance. The secretary said that they may be able to furnish the commission with the requested information for the meeting on the 31st without separating the issues.

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

4. Request for Determination – Grove, Hudson & Leyden Streets
Applicant: Columbia Gas/Merrill Engineers – **Continued to 1-31-19**

5. Notice of Intent – Plot 2 Belgravia Avenue – Proposed Subdivision
Applicant: Buskull Properties
Representative: Curley & Hansen –**Continued to 1-31-19**

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

Lots 2 & 3 Pleasant Street – Discussion/Possible Enforcement

Lot 2 - Jim DeStefano said he just took over the job in the last 24 hours; he said that Danielson Gomes was the old site contractor. He said he has met with Strongpoint and they are putting together a plan to get the site cleaned up; he said the site needs immediate attention.

Megan Shave said that the amount of fill is not in line with approved grading and it is falling on over the erosion control. She said she has spoken with Eric Dias (Strongpoint) and that the limit of work is beyond where it should be; she said that the erosion control has been moved or pushed and needs to be reestablished; the excess fill needs to be removed.

David Zaff said he would like to give the new site contractor leeway to begin work and fix the site. He said the commission would like to see a proposed work plan and was told Eric Dias is working on a plan. DeStefano said he can get the work done within two weeks, weather permitting.

Danielson Gomes said he was not actually the site contractor; he just dug the foundation hole and was contracted to build the house.

The commission agreed to continue the matter until January 31st to allow the new site contractor to address the issues.

Lot 3

Megan Shave said unfortunately this lot has the same issue, but it has been an ongoing problem and the contractor has been before them several other times. She said that additional fill is being brought in; there is too much fill on the site; she said it is three feet high in some places has eroded and is covering silt sock in places.

Danielson Gomes said he had to bring in the fill because there is too much mud.

Jim Cobbs said that if he removed some of the fill out of there it may not be so muddy. Gomes said he had to bring in processed gravel for the driveway because of all the mud. He said he had to raise the elevation of the home because of all the water and then needed to raise the elevation of the property; he said that the property needs to meet the elevation of the street. He said since receiving the letter he has cleared some fill from the erosion control and bought more silt sock and installed it around the front.

The commission asked that the agent get in touch with the engineer and surveyor for the project to meet her on the site. The commission explicitly told the contractor that he cannot keep filling the site; he is to bring in no more fill, gravel, etc. and is not to remove anything or re-grade anything until the agent and his representative meet on the site to come up with a plan to bring this site into compliance.

He was told that if by January 31st there is no plan to bring this into compliance that the commission will take action.

Minutes 12-19-18 – postponed to the next meeting for acceptance.

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.