

**BROCKTON CONSERVATION COMMISSION**  
**Thursday, October 25, 2018 – 7:00 PM**  
**Basement Level – City Hall**  
**MEETING MINUTES**

Members present: David Zaff, Samuel Ward, James Cobbs; also present were Caitlin Nover, NAA/Division of BETA, Megan Shave & Pamela Gurley, COB.

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1. Extension Request – Order of Conditions

Property: 491 Pearl Street

Applicant: Roy Andrade

The secretary said that this request was scheduled for the October 11<sup>th</sup> meeting that was cancelled. She said it was filed within the appropriate time. She said that it is Mr. Andrade's intention to build the home as previously approved. She said that the conservation agent walked the site to see if the flags were still there.

Megan Shave said she found only two flags; she said it was flagged in 2013 and the line is five years old; she said as part of any extension she would want them to reestablish the line, reflag the wetlands and reinstall the siltation as 12" composite silt sock.

Jim Cobbs said that he would like to have them re-file their NOI. He said that conditions may have changed. He said he is not comfortable with granting another three years especially on a line that is five years old. He said that if nothing has changed out there then the commission could just issue a new OOC, but if conditions have changed that needs to be addressed. Sam Ward agreed with him.

David Zaff said that the commission issues extensions all the time; it is a standard practice; he said they intend to build the same home. He agreed that the area needs to be reflagged. If there are any changes to the line they would need to amend their OOC.

Action: Motion to grant a one year with condition with the following stipulations: the wetlands line is to be reestablished and reflagged and the siltation is to be installed as 12' composite silt sock. Changes in the line will require an amendment to the extended OOC.

Motion: Ward

Second: Cobbs

In favor: 3

Opposed: 0

2. Request for Determination  
Property: 10 Alexandra's Way  
Applicant: Thomas & Katherine Gunthie

Applicant's statement: Katherine Gunthie said they bought 10 Alexandra's Way; she said that the property was cleared by the prior owner and is overgrown. She said they would like to fill the property to even it out so that they can have a yard as well as take down a portion of the existing stone wall and fill that it as well as put a fence in that area.

Comments: Megan Shave said that the OOC was for the entire project including the homes. She said that the property edge is 50' from wetlands at its closest point. She said that some work was done by the previous owner (cutting of trees) and the debris was just left. She said that all the work is within the BZ and that she doesn't have a real issue with this request providing that they install siltation and replant edge of fill with a wetlands mix (conservation wildlife mix) and is recommending a negative three determination.

Jim Cobbs asked about the location of the stone wall...whose property it was on. Martha Testa (abutting neighbor) said she is in favor; that the wall is between the two properties. J. Cobbs said he is concerned that if the wall is removed there will be nothing retaining the soil. He said there is a grade change. He said he would like to see more information about the filling of the area; how much fill, limits of the fill. He said that it looks like the stone wall is providing stabilization between the two properties.

David Zaff asked if they would like a continuance to allow the agent to go back to sight and take pictures; M. Shave said that she can take pictures but thinks that they will need actual numbers of runoff. J. Cobbs said he is not sure that there will be no impact.

D. Zaff suggested that the commission issue a neg 3 and allow for clearing and installation of silt sock and re vegetation of the area; the agent said they have already cleared as far as they can go and they still will need to determine how much fill is necessary and what the slope will be.

Continued to November 14, 2018 (no vote was taken).

3. Notice of Intent  
Property: Plots 15-1 & 15-2 Melrose Avenue (single family home) (lot 3)  
Applicant/Representative: Bill Self, Curley & Hansen/Eric Dias, StrongPoint

Applicant's statement: Bill Self said this is two lots that were combined into one to build one single family home. He said that the existing shed needs to be removed; once the structure is removed the land will be brought up to grade and reseeded. He said there will be no change to flood storage.

Comments: Megan Shave said that portions of house, roof drainage and grading are within the 100' BZ. She said she checked the wetland line and the boundary was accurate. Caitlin Nover said she agrees with her findings; and said that the southern portion of site is in BLSF and asked if there will there be any clearing. Bill Self said they left it tight to allow the machine to remove the concrete slab and once removed they will put it back to original elevation and loan and seed.

Caitlin Nover asked how will it be stabilized and was told it will be seeded with native species; she asked that they provide temporary impact calculations for the flood plain and said any order should contain the provision for conservation markers.

Jim Cobbs asked if the shed be removed off site immediately and was told there will be no storage on site at all, that there is no room and that the area will be filled and graded at the same time.

No public comment.

Action: Motion to close hearing.

Motion: Cobbs

Second: Ward

In favor: 3

Opposed: 0

Action: Motion to issue a standard OOC incorporating the recommendations from NAA & agent (to include the requirement for markers.

Motion: Cobbs

Second: Ward

In favor: 3

Opposed: 0

#### 4. Notice of Intent

Property: Plot 13 Melrose Avenue (single family home)

Applicant/Representative: Curley & Hansen

Applicant's statement: Bill Self said that the planning application is for two additional house lots only 13 is jurisdictional to the commission. He said that the back right corner of the lot is within 100' BZ; he said that the lot is currently lawn; that the houses will be walk outs and all construction is outside jurisdiction.

Comments: Megan Shave said that there are some fill piles on the parcels; Self said he told the contractor to stop dumping. She said that the proposed erosion control goes through the iron fence and suggested that they run the siltation along the fence. Caitlin Nover said that NAA had no additional comments and

agreed that the commission has sufficient information to issue an OOC with special conditions can be issued.

No public comment.

Action: Motion to close  
Motion: Ward  
Second: Cobbs  
In favor: 3  
Opposed: 0

Action: Motion to issue a standard OOC incorporating the recommendations from NAA & agent.  
Motion: Cobbs  
Second: Ward  
In favor: 3  
Opposed: 0

#### 5. Notice of Intent

Property: Plot 21 East Ashland Street (construction of a cross country sewer main and gravel access path)  
Applicant/Representative: Curley & Hansen

Applicant's statement: Bill Self said that the Planning Board has previously approved 4 lots across the street on pump systems; he said this sewer line will allow those homes to hook up to gravity sewer. The sewer easement will connect Melrose Ave. to E Ashland St.

Eric Dias said some of the work is within BLSF – there will be an area of fill in the flood plain; he said they need to provide the minimum amount of fill over the pipe. He said there will be two temporary staging and stockpiling areas. Their intention is that the sewer easement will be given to the COB; he said this will also give the remaining homes on Melrose the opportunity to have gravity sewer. He said that the project does qualify as a limited project and they have provided a stormwater check list and have been able to show some compensatory storage to compensate for the filling.

Comments: Megan Shave said that she was only able to check some of the flags; she said that the area densely vegetated and there are homeless living in the area. She said that the original plans had a gravel access road over the pipe and would that would not meet the limited project requirements; the new plan has removed the gravel and shows restoration of wetlands mix.

Caitlin Nover said she has not had a chance to look at the compensatory storage as plans came in late today.

Dias said he worked with both Beta and Megan to come to a resolution.

David Zaff asked if the members were comfortable with issuing an OOC with a contingency that that Beta Group confirms the latest calculations. The commission agreed to move forward with that contingency and stated that if there is any deficiency (with the proposed storage) that there would be additional compensation.

Action: Motion to close hearing.

Motion: Ward

Second: Cobbs

In favor: 3

Opposed: 0

Motion to issue a standard OOC to include standard special conditions with the stipulation that the latest calculations for the compensatory storage area are to be confirmed by Beta Group and any deficiency (with the proposed storage) will require additional compensation. OOC is not to be issued until the agent receives confirmation from Beta Group.

Motion: Cobbs

Second: Ward

In favor: 3

Opposed: 0

6. Notice of Intent – Plot 2 Belgravia Avenue – Proposed Subdivision

Applicant: Buskull Properties

Representative: Curley & Hansen

**Continued to November 14, 2018**

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

A motion was made (Ward), properly seconded (Zaff) and unanimously passed to accept the minutes dated 9-27-18 as presented.

**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.**