

BROCKTON CONSERVATION COMMISSION

August 8, 2019 – 7:00 PM

GAR Room – City Hall

Minutes

Members present: David Zaff, Sam Ward, James Cobbs and Ray Henningson

1. Request for Determination

Project: Erosion Repair Rt. 24 South-Exit 18A

Applicant: MassDOT

Representative: Mass DOT

Applicant's statement: Andrea Coates said they are looking to repair a furrow 20' deep and 30' long along a portion of Rt. 24; she said they might also have to remove and reset the curbing in that area.

Comments: Megan Shave said that all the wetlands are associated with the drainage structures; the resource areas are down gradient and are likely within 100' of the nearest BVW (not delineated); she said she is proposing a negative 3 with a condition that the erosion control barrier (12-18" compost file tubes) be installed up gradient of the drainage structures and a positive 2 as the area was not delineated.

Action/Decision: Motion to issue a negative 3 with the condition for 12-18" filter tubes and a positive 2 determination.

Motion: Cobbs

Second: Ward

In favor: 4

Opposed: 0

2. Notice of Intent – Between DW Field Pkwy & 71 Elwood Ave.

Project: Ellis Brett Dam – Compliance Work

Applicant: Timothy Carpenter,

Representative: Fuss & O'Neill

CONTINUED TO SEPTEMBER 18, 2019

3. Notice of Intent – Plots 2, 3, 4 & 5 Knapp Centre & Plot 59 W. Chestnut St.

Project: Lynch's Towing

Applicant: Lynch's Towing

Representative: JK Holmgren Engineering

Applicant's statement: Scott Faria said that the applicant purchased the property from Baines Electric and the COB. He said the site is an old dump and testing needs to be done. He said he had the area in question flagged and just got the wetlands report today; he said he will send new plans the wetlands report to the

commission. He stated that all the testing has been done and the work was outside the BZ.

Comments: Megan Shave said they she has not been back out to the site since her last visit. Scott Faria said that at this time they have enough information from the testing to submit the whole proposal and said there was no real need for this NOI.

There was a discussion with the agent and commission as to whether or not withdrawing the NOI was the appropriate way to proceed. The agent said that she would contact DEP.

Continued by agreement of the parties to August 29, 2018.

4. Notice of Intent – Lot 1 (part of 738 N. Cary St.)

Applicant: James Morrissey/Kevin Harriman

Representative: JK Holmgren Engineering

Applicant's statement: Scott Faria said that this subdivision was approved by the planning board about a year ago. He said that he received the agent's letter stating that she would like to see the flags extended (flag 20). She asked that they show the existing tree line to see what the extent of cutting would be.

Comments: Megan Shave said that she wants to make sure that fill pile does not get spread; she said she wants some sort of plan for removal of Japanese knotweed.

David Zaff asked how they should address that and Megan Shave said she has conditions proposed. Scott Faria said he will have a mitigation plan for the knotweed done.

Continued to 8-29-19 by agreement of the parties.

5. Notice of Intent – Lot 3 (part of 738 N. Cary St.)

Applicant: James Morrissey/Kevin Harriman

Representative: JK Holmgren Engineering

Applicant's statement: Scott Faria said this is the other lot in the subdivision and the situation is the same so he will be requesting a continuance as above.

Continued to 8-29-19 by agreement of the parties.

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

Updates – Megan Shave said she was contacted by Lino DePina (1330 Pleasant St.) about the removing of dirt. She said there has been improvement to the front of the property; she said she cannot say it matches the plan; the stakes for the

property have been removed; she said the back yard still has substantial fill; the side by the church should be at grade and it is still about 1.5 feet too high; the site still is not graded to plan. She said she has recommended several times that he should bring an engineer in but he has not done so. The commission members wanted to make sure he (Danielson Gomes the builder) understands what is expected of him. The agent stated that she has made multiple trips to the site and he has been before commission many times. She was asked to send a certified letter addressing the commission's concerns and stating that an engineer and or surveyor must be hired to verify the grades and submit a plan to the commission.

A motion was properly made (Ward), seconded (Henningson) to accept the minutes from 7-17-19 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.