

BROCKTON CONSERVATION COMMISSION
Wednesday, January 15, 2020 – 6:00 PM
GAR Room – City Hall
MINUTES

Members present: Stephanie Danielson, Joanne Zygmunt, Bonnie Sparks, Lucia Cerci; also present were Megan Shave (agent) and Pamela Gurley, (Admin. Assist.) Department of Planning & Economic Development.

1. Extension Request
Meadow Woods LLC
Property: Plots 42 & 43 W. Chestnut Street

Applicant's statement: Attorney Benjamin Albanese said this project was originally approved in March 2017; he said there was a protracted lawsuit which suspended progress on the project for 2.5 years; he said that the court recently ruled that the city claim did not have merit. Although he believes that the original approval is still valid due to the lawsuit, he is asking for an extension for an additional two years.

Comments: Megan Shave said that the original OOC is still valid and she has no issue with the 2 year extension but would like a stipulation that the wetlands are to be re-established prior to beginning work.

B. Albanese said that he has filed an ANRAD with W. Bridgewater. Stephanie Danielson said she wants to make sure that if the line has changed that the commission is notified and she said that she also wants to make sure that there has been no change to the proposed crossing area; she said that she would like a (gentleman's) agreement that any changes will require CC approval/or the ability to re-visit. B. Albanese said he had no issue with that.

M. Shave said that she feels that the commission is protected by the special condition in that the the proposed alteration can not exceed the 1900 SF of alteration.

Joanne Zygmunt asked if it was the same road or plan and was told by the applicant that it is the same project.

The applicant agreed that if there is more disturbance or the line has changed significantly that he will return to the commission.

Action/Decision: Grant a two year extension
Motion: Sparks
Second: Cerci

In favor: 4
Opposed: 0

2. Notice of Intent – Buskull Properties - **Continued to February 19, 2020**

Property: Plot 2 Belgravia Ave.

Project: Single Family Homes

Representative: Silva Engineering, Curley & Hansen

The agent said she witnessed the test pits on Monday.

3. Notice of Intent – 56 Oak Hill Way

Project: Building Addition

Applicant: Atlantic Mechanical

Representative: Vertex

Comments from agent: Megan Shave said that there was a previous OOC on the site from 2001 which added the southern parking lot and permitted the installation of a SW management system; she said that the limit of disturbance is right on the wetland line and said she is concerned about new grading which extends past the 2001 line.

Applicant's statement: John Ahearn said they are proposing a 10,00SF expansion to the existing building; all the work is within the BVW; they are proposing to relocate a catch basin and the new roof drains will be connected into the existing SW management system; the existing pavement behind the building will be replaced with landscape. J. Ahern said they are making no changes to the SW management system.

Comments: S. Danielson said that work is being proposed within the 25' to the wetlands; Jack O'Leary said they saw the comments by the agent and may be reconfiguring the building. She asked what the use of the building was and was told food processing and delivery. She asked if they looked at putting the addition on the other side as that would be the preferred alternative. She was told that he believes that is where all the processing is done.

Phil Paradis (BETA) said he walked the site; he said they are not making many changes to the SW management system; he said the basin is not maintained and said that the system is not on their property.

M. Shave said that there is an easement from the prior owner to the current operator; she said at the time of the OOC both properties were owned by the same entity; she said since that time the city took ownership of the vacant parcel through tax title. S. Danielson said there is no reason for them not maintaining the system.

P. Paradis said there are many issues with the basin; oils in the separator are being flushed out and entering the stream; he showed pictures of the site; he said that the new building should have a separate infiltration system.

J. Ahern said they would like to work directly with BETA as there are some remaining funds; Shave said that they had paid only a portion of the quote for the work so BETA can not proceed further than the work proposed up to this meeting.

J. O'Leary said he believes that pond was designed to be a wet basin; Paradis said they took a credit for infiltration; Danielson said that in order to take advantage of what exists it needs to function.

J. Zugmunt asked if the building could be reconfigured? L. Cerci said she was very concerned about the lack of upkeep of the basin. S. Danielson asked that they take care of the necessary basin maintenance prior to the next meeting.

Continued to February 19, 2020 by agreement of the parties.

4. Notice of Intent – Council on Aging
Property: 10 Father Kenney Way
Project: Parking Lot Expansion
Representative: Outback Engineering

Applicant's statement: Janice Fitzgerald said that the COA was hoping to add to their parking lot.

Matthew Grossohedl said that the parking lot extension will allow for an additional 18 spaces; he said the site has two resource areas; (LSF and riverfront area); he said there is no work proposed in the riverfront area; he said all the all SW is directed to one CB and they are proposing to redirect some of that to the CB and the east of the parking lot will go to a new bio retention area; he said the additional 2,000 sf in impervious area will be mitigated by the bio retention area.

Comments: S. Danielson said that they had received a support letter from the mayor. S. Danielson asked what the current conditions of the proposed pavement were and was told some is paved, some is sidewalk and some is lawn. She asked if the parking lot requires planning board approval and was told only DPW Engineering.

B. Sparks asked if removing the second island would allow for more parking and was told there is not enough room and that island has a light.

M. Shave said that they are providing and restoring compensatory storage; they are losing 500 CF of flood storage but creating over 1,000 Cf of flood storage; they are proposing clearing a section of wooded area; she said that bio retention

areas have potential benefit for wildlife; she said they meet the standards for BLSF and said that the city engineer has looked at SW and that the plan was revised to address the city engineer's comments.

J. Zygmunt asked what is stored in the shed; J. Fitzgerald said equipment for lawn work; Danielson asked if there was any gasoline and said she would like a special condition for no storage of fuels. She said they may also want to limit the use of salt as a discharge may make its way to the river.

B. Sparks asked where the snow is stored; they were asked to show a snow storage area on the plan and that they mark the area out on the property. J. Fitzgerald asked if they had a recommendation for where that should be and was told toward the west side.

L. Cerci asked what the dimensions of the bio area were and was told they have the volume but do not know what the area dimensions are.

Continued to February 19, 2020 by agreement of the parties to allow for updated plans to address the snow storage area; the agent was asked to begin to draft the special conditions for the OOC to include no no fuel storage on site and the request for the possible planting additional trees by the commission.

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

Update and Request for Field Change – 2020 Main St (SE 118-0741) - asked to heard at the February meeting to submit additional info to the commission regarding the purpose of the BZ area. The new members were given the background of the project to bring them up to date.

Discussion – Site History Report - 130 Elliot St (SE 118-0733) - Brad Holmes said he assisted JKH with the initial wetland restoration plan; he said that he delineated the property in 2018 for the NOI; excavation was started and 30 truckloads of fill were taken off site; he said the configuration is based on square footage and after removing the fill they did a test pit and found more fill; he said he had aerial analysis done and in 1965 the area was under alteration and filled; the said the area was filled in 1940 when they straightened out Trout Brook; he said that the area was filled prior to wetland protection act and is therefore grandfathered; they are requesting to amend the plan to have a bz restoration.

The commission agreed that before moving forward on this they should conduct a site visit and a date and timer were agreed upon.

M. Shave said that she had made some updates to the Filing Information and Regulations; the 25' no touch for buffer zone work and the 50' no touch for riverfront area were added. The commission agreed to all the changes and asked that they be immediately implemented.

Enforcement Updates

0 Jordan St. - In response to a See Click Fix complaint the agent said that she has sent letters to property owners.

Leach Ave. - The agent said that the home was started, foundation was put in without a building permit; property is located within flood plain; she said she has spoken to contractor and builder and was notified that JKH has filed a LOMA application. The owner was asked to remove the stockpile of soil from the site immediately as it impedes the draining of water from the property in the back and is causing a flooding issue on his property.

A motion was made (Zygmunt), seconded (Sparks) and unanimously passed to accept the minutes from 12-11-19.

Meeting adjourned.

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.