

BROCKTON CONSERVATION COMMISSION
Wednesday, February 19, 2020 – 6:00 PM
MEETING DATE RESCHEDULED TO FEBRUARY 26, 2020
6 PM
GAR Room – City Hall
Minutes

Members present: Stephanie Danielson, Bonnie Sparks, Joanne Zygmunt and Lucia Cerci; also present were Megan Shane, conservation agent and administrative assistant Pamela Gurley.

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

Janice Fitzgerald Director of the COA was present.

Stephanie Danielson said that at the last meeting the applicant was asked to provide a snow storage on the plan which has been done; the commission also asked about storage of material and gasoline in the existing shed. She said that the commission was looking to make sure there was a plan in case of an accident; she said that the engineer provided a cut sheet from DEP and asked the director if she was agreeing to abide by those recommendations and the director said they would.

Action/Decision: Motion to close
Motions: Sparks
Second: Zygmunt
In favor: 4
Opposed: 0

Motion to issue an OOC
Motion: Sparks
Second: Cerci

B. Sparks amended the motion as follows: issue with standard conditions as well as limiting the amount of fuel to be stored in the shed to five gallons; the snow storage area is to be clearly marked with signage.
Seconded: Cerci
In favor: 4
Opposed: 0

2. Notice of Intent – Joe Kulle, Buskull Properties

Property: Plot 2 Belgravia Ave.
Project: Single Family Homes
Representative: Larry Silva & Rebecca Batista, Silva Engineering

Applicant's statement: L. Silva said that he took over this project in 2019; he said they have been progressing well with BETA Group, but there were a couple of items in BETA's last review that they (Silva) are looking to discuss with the commission. He said that this proposal is for a ;roadway with three homes however they are addressing the issue of stormwater and because of that; the collection of water and stormwater becomes problematic. The city engineer is allowing them to expand within the ROW to get more storage in the proposed basin; he said their analysis point was on Herman St.; he said they can satisfy pre and post runoff, but that Beta wants them to intercept another point of interest (point of interest is point of analysis).

Comments: S. Danielson asked why that point was chosen and was told that when they looked at pre development large segments of drainage were not following their natural path; he said that the analysis does show that they are below pre development levels. He said that Beta was concerned about potential impact to #41 and they explained their proposed solution to the commission. S. Danielson asked if BETA asked for an analysis of both points or just that point.

J. Zygmunt asked if they looked at possible impacts to the homes at the left of #41; R. Babtista said they finished their analysis today and it meets pre and post development. She said that TSS is at 44%; BETA is requesting they meet 80%; she said that 80% will be had to meet, that they may get to 55%. S. Danielson asked why they can not meet it; R. Babtista said that groundwater is high and most remedies will not work; they would need proprietary units which are costly.

S. Danielson said she is aware that this is a difficult site and ground water is high. L. Cerci thought it should be up to the city to improve the ditch; she said that the city allowed for homes to be built there but never improved the road.

J. Zygmunt asked what intensity of storms the basin was designed for and was told by R. Batista 2, 10 & 100 and that it should drain within 72 hours.

S. Danielson asked if sediment will be flowing out; R. Batista said no that they are proposing to install a deep sump and oil grit separator, but that maintenance will be important. She said the the city will have to maintain the basin. S. Danielson asked that they speak with the DPW Commissioner and City Engineer about this and that they receive something in writing from them.

B. Sparks asked about other options to improve removal of TSS and was told most will not work because of the water table.

Public comment: Councillor Dennis Eaniri said he is glad this project is making progress as it has been several years.

Property owner at 29 Herman St. said he gets water water now; he said the investor should be made to fix the water problem; he was told that the commission is sensitive about the water issues on the abutting properties.

Joe Kulle said the homes are built in the water table.

Paul Maliawco , 35 Herman St., said that the location of the detention basin is inappropriate; it is directly in his back yard ; L. Silva explained the detention basin and stormwater details and said this design allows for the discharge of water at a controlled rate; he said it has to be dry within 72 hours and is designed to be dry between storm events.

A commission member stated that basements flood during the streams peak and it flows into back yards and asked if this would prolong the peak of the stream; L. Silva said not for a significant time.

P. Maliawco asked if they were adding more water to the stream; S. Danielson said that they are proposing to slow the rate of runoff but that it will be a longer period of time to peak; he said that the stream overflows now.

B. Sparks said the design is intending to hold water back before it is delivered to the stream.

J. Zygmunt said that the stream issues will not be fixed by this project, but they should not be worse.

Continued to March 18th by agreement of the parties.

3. Notice of Intent – 56 Oak Hill Way - **Continued to 3-18-20**

Project: Building Addition

Applicant: Atlantic Mechanical

Representative: Vertex

4. Request for Amended Order of Conditions - **Continued to 3-18-20**

Property: 130 Elliot Street

Project: Multi-Family Units

Representative: Environmental Consulting & Restoration, JKH

5. Request for Certificate of Compliance

Property: 1296 Pleasant Street (1288 Pleasant Street Lot 2)

Project: Single Family House

The agent updated the commission on the history of this project; she said that when she received the request for a COC she went out to the site; she said that the markers were in the wrong place, the site had trash strewed all around, the erosion control was removed from the wrong area and the replication area had been disturbed. She said since that time the erosion control was reinstalled, the markers were reinstalled, trash

was removed and the lawn area has been loamed; she said the site is not stable yet; she said if the commission votes to issue a partial COC she is recommending that some sort of bond be held and that the as built needs to be corrected.

S. Danielson said that any bond should be in form of cash and said they would need an estimate; she said that because of the history of this site she is inclined not to issue a parcel; she asked if there was any monitoring in the original OOC and was told no; she was told that the replication was due to the over clearing by the contractor. S. Danielson said that they need to make sure that replication area takes and the site is stable.

The developer said he has had to fire two contractors; he said he has a buyer and is willing to do a hold back.

B. Sparks asked about the necessity for monitoring of the restoration and S. Danielson said that restoration requires three years of monitoring to make sure it is successful.

J. Zygmunt said that because of the history of enforcement of this site she wants to make sure everything is done correctly.

Action/decision: Motion to deny request for a COC

Motion: Zygmunt

Second: Cerci

In favor: 4

Opposed: 0

The owner was advised to re-file after the lawn and site are stabilized.

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

Update and Request for Field Change – 2020 Main St (SE 118-0741) continued to 3-18-20

Request for Revised Plan of Record – 0 Briarcliff Rd (SE 118-0748) - Gary Bertocci
The agent said that there is an existing order allowing for a single family house; she said they are proposing to change the lot lines. She said she looked at it from the perspective of changes to wetlands bz/ areas; she said that the approved plan entire home within the 100' bz where the on the revised plan only 50% is within; the original OOC approved clearing up to the 25' no touch and the revised plan reduces the amount of clearing; she said although the original OOC approved a 50' wooded upland buffer this plan is maintaining a 20-40' wide upland buffer; she said she considers this plan less impact.

S. Danielson said there is no doubt that this is better project; she said that the issue is that the OOC does not reference this plan and believes this should be an amended order as a lot on the plan has changed; she said that the revised plan needs to be made part of the OOC.

Gary Bertocci said they are actually reducing the impact, this is a better plan, he said that the lot has increased in size by 20,000 SF.

J. Zygmunt asked what the process would be and was told that the commission can vote that the changes are not so sufficient (minor) to require a new NOI or file to amend the OOC.

The commission agreed that this plan is not showing a minor change and agreed that he should file for the amended OOC. The commission agreed to run the legal and add this to the next meeting as the plans were already submitted.

The commission re-signed the Dunbar St. OOC as the original was misplaced by the representative.

A motion was made (Zygmunt), seconded (Sparks) and unanimously passed to approved the minutes from 1-15-20 as submitted.

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.