

20200826 Conservation Commission Raw Transcript. Meeting originally scheduled for August 19, 2020

WEBVTT

1

00:00:49.740 --> 00:00:51.030

Stephanie Danielson: Okay, let me just

2

00:00:51.840 --> 00:00:52.410

Recording

3

00:00:55.020 --> 00:01:01.770

Stephanie Danielson: Okay, it being so two on Wednesday, August 19 2020

4

00:01:02.220 --> 00:01:04.590

Stephanie Danielson: I call to order this meeting of

5

00:01:04.620 --> 00:01:06.870

Stephanie Danielson: The Brockton. Conservation Commission.

6

00:01:09.390 --> 00:01:10.410

Stephanie Danielson: Okay.

7

00:01:12.930 --> 00:01:14.550

Stephanie Danielson: Let me I have to read my little

8

00:01:17.490 --> 00:01:19.620

Stephanie Danielson: Oh, I don't have my little spiel in front of me.

9

00:01:21.060 --> 00:01:22.830

Stephanie Danielson: Not on the agenda.

10

00:01:23.730 --> 00:01:24.300

Um,

11

00:01:25.500 --> 00:01:26.310

Pam Gurley: I think

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00:01:26.430 --> 00:01:27.090

Pam Gurley: I did.

13

00:01:30.240 --> 00:01:31.380

Stephanie Danielson: And who do you want to

14

00:01:34.110 --> 00:01:35.310

Stephanie Danielson: If you share it. I will

15

00:01:35.310 --> 00:01:35.670

There.

16

00:01:40.050 --> 00:01:41.490

Pam Gurley: You're in for a lot here.

17

00:01:42.990 --> 00:01:47.040

Stephanie Danielson: Well done in the folder. Let me go back to the folder.

18

00:01:49.680 --> 00:01:52.890

Megan Shave: On meeting august 26 opening statement.

19

00:02:09.810 --> 00:02:12.660

Stephanie Danielson: Okay. All right, so

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00:02:14.190 --> 00:02:21.840

Stephanie Danielson: This meeting was rescheduled from August 19. My name is Stephanie Danielson, and I am the chair of the Commission.

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00:02:22.950 --> 00:02:36.630

Stephanie Danielson: This meeting is being recorded and in accordance with the governor's order super suspending certain provisions of the Open Meeting Law general law chapter 38 section 20 relating to the 2020 not

22

00:02:37.410 --> 00:02:50.310

Stephanie Danielson: Novel Corona virus outbreak emergency you August 26 meeting public media of the Brockton. Conservation Commission shall be physically close to the public to avoid fruit congregation

23

00:02:51.030 --> 00:02:58.530

Stephanie Danielson: Real Time public participation and comment can be addressed to the conservation realizing those bless you utilize

24

00:02:59.010 --> 00:03:11.130

Stephanie Danielson: Amazing virtual meeting software for remote access this application will allow users to view the meeting and send a comment or question to the chair via the question and answer function.

25

00:03:12.060 --> 00:03:22.980

Stephanie Danielson: Submitted text comments will be read into the record at the appropriate points in the meeting, but those of you joining us by phone, who wants to ask a question, press star nine to raise your hand.

26

00:03:24.090 --> 00:03:25.890

Stephanie Danielson: Sorry about that, Jim. If you're on the phone.

27

00:03:26.940 --> 00:03:36.990

Stephanie Danielson: Copy of the recording and transcript script will be posted to the city's web page all notes will be done via roll all folks. I think I read that as notes, every time.

28

00:03:37.410 --> 00:03:48.900

Stephanie Danielson: Will be done via roll call to ensure count accuracy quorum call board members please respond in the affirmative, to indicate your presence at this meeting. Stephanie Danielson I

29

00:03:50.010 --> 00:03:50.370

Joanne Zygmunt: Joanne.

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00:03:50.400 --> 00:03:50.790

When

31

00:03:54.390 --> 00:03:54.690

Bonnie Sparks: I

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00:03:55.980 --> 00:04:12.780

Stephanie Danielson: With remembers voting in the affirmative, I declare, we have a quorum ON TONIGHT'S AGENDA. We have the following a. The first item is the request for a certificate of compliance 1854 Main Street. We have a request to continue that to sep tember 16

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00:04:14.130 --> 00:04:24.270

Stephanie Danielson: So if anyone is on the meeting for that. I'm going to take a vote. Motion and a vote from the Commission to continue to sep tember 16

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00:04:25.650 --> 00:04:26.550

Stephanie Danielson: Do I have a motion.

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00:04:29.130 --> 00:04:32.880

Bonnie Sparks: Motion to carry to September 16

36

00:04:33.840 --> 00:04:34.710

Stephanie Danielson: I have a second

37

00:04:37.050 --> 00:04:39.750

Stephanie Danielson: And could you both. State your name. I'm sorry.

38

00:04:46.380 --> 00:04:46.860

Stephanie Danielson: Bonnie

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00:04:47.670 --> 00:04:49.710

Bonnie Sparks: Sorry, Bonnie sparks I

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00:04:50.940 --> 00:04:51.630

Stephanie Danielson: I'm

41

00:04:54.990 --> 00:04:55.830

Stephanie Danielson: Danielson I

42

00:04:56.700 --> 00:04:57.960

Joanne Zygmunt: Am Joanne sigman I

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00:04:58.500 --> 00:04:58.890

Okay.

44

00:05:00.120 --> 00:05:03.240

Stephanie Danielson: Then we have, and I'll again I'll read these

45

00:05:04.290 --> 00:05:12.480

Stephanie Danielson: And only stop at the moment for any continuance says request for a certificate of compliance for 738 North carry street lot one

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00:05:12.810 --> 00:05:21.390

Stephanie Danielson: And notice of intense for plot one leech Avenue and notice of intense for Belgravia Avenue and notice of intent for 160 60 Ashland Street.

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00:05:21.810 --> 00:05:30.270

Stephanie Danielson: This is one that we've received your request to continue to sep tember 16th. If I could have emotion and the person making the motion if they could take their name.

48

00:05:33.840 --> 00:05:38.580

Bonnie Sparks: Bonnie sparks motion to move. I'm sorry, it was the address.

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00:05:38.880 --> 00:05:42.090

Stephanie Danielson: Continue. Yeah. Continue 166 east DASH one

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00:05:42.600 --> 00:05:46.200

Bonnie Sparks: To continue 166 East Ashlyn to September 16 meeting.

51

00:05:46.920 --> 00:05:49.500

Joanne Zygmunt: I had expected Joanne segment second

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00:05:51.060 --> 00:05:53.520

Stephanie Danielson: Stephanie. All in favor Danielson I

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00:05:54.540 --> 00:05:55.200

Bonnie Sparks: Sparks I

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00:05:55.620 --> 00:05:56.370

Joanne Zygmunt: Did segment I

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00:05:58.350 --> 00:06:11.850

Stephanie Danielson: And the motion passes. We also have a notice of intent from that 142 plus 383 Quincy street with a request to continue to September 16. Do I have a motion to continue that.

56

00:06:15.210 --> 00:06:17.310

Bonnie Sparks: I'm sorry, I need to repeat the address.

57

00:06:18.510 --> 00:06:21.660

Stephanie Danielson: It is 383 23

58

00:06:22.500 --> 00:06:26.460

Bonnie Sparks: Motion to continue three at frequency Street to September 16

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00:06:28.440 --> 00:06:29.580
Joanne Zygmunt: Joanne summit second

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00:06:31.080 --> 00:06:32.850
Stephanie Danielson: All in favor Danielson I

61
00:06:33.360 --> 00:06:33.930
Bonnie Sparks: barks. I

62
00:06:34.860 --> 00:06:35.160
I

63
00:06:37.980 --> 00:06:38.760
Stephanie Danielson: Motion passes.

64
00:06:40.200 --> 00:06:51.570
Pam Gurley: A madam chair there. It wasn't added to this agenda for some reason there. I did but not the agenda that ended up going to you the Minutes.

65
00:06:52.770 --> 00:06:53.370
Stephanie Danielson: Okay.

66
00:06:53.790 --> 00:06:55.410
Pam Gurley: From 17 six

67
00:06:58.290 --> 00:06:58.770
Stephanie Danielson: Okay.

68
00:06:59.970 --> 00:07:05.640
Stephanie Danielson: Do I let people know about that. I'm assuming, because this is on here. I'm supposed to read this off.

69
00:07:07.950 --> 00:07:19.770
Stephanie Danielson: So we have a request to amend order conditions for West Elm Street Bridge mission correspondence update for 536 minutes quincy Street and Enforcement Order update the 57 RIVER STREET.

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00:07:20.190 --> 00:07:30.690
Stephanie Danielson: And then the Commission will be going into Executive Session. I'm with the intent not TV turn and those are the items that would be covered by off Commission.

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00:07:33.000 --> 00:07:38.130

Stephanie Danielson: Okay, so let's proceed with the first

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00:07:39.690 --> 00:07:41.160

Stephanie Danielson: item on the agenda.

73

00:07:43.170 --> 00:07:45.150

Pam Gurley: Can we, the minute

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00:07:45.180 --> 00:07:46.290

Stephanie Danielson: You minutes. Yes.

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00:07:47.880 --> 00:07:48.540

Pam Gurley: Before we get

76

00:07:52.860 --> 00:07:56.310

Stephanie Danielson: Sure. Again, I lost

77

00:08:05.310 --> 00:08:07.860

Stephanie Danielson: You just bear with me while I find the agenda.

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00:08:09.840 --> 00:08:14.790

Bonnie Sparks: Um, yeah. Where is that located via not the tablets. I can never find it.

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00:08:17.040 --> 00:08:19.230

Bonnie Sparks: Is it Google Docs, Google

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00:08:19.260 --> 00:08:26.730

Stephanie Danielson: Drive. If you go into your Gmail account and then you click on the box with the nine dots and go to try

81

00:08:28.710 --> 00:08:33.150

Stephanie Danielson: It should be been on the left hand side, a shared with me folder.

82

00:08:33.840 --> 00:08:38.460

Bonnie Sparks: Now I'm on my phone because I might have a tablet and a phone. I'm trying to do both at the same time.

83

00:08:38.880 --> 00:08:39.480

Okay.

84

00:08:54.420 --> 00:08:54.930

Here we go.

85

00:08:56.520 --> 00:08:56.910

Stephanie Danielson: Okay.

86

00:08:58.470 --> 00:09:00.240

Joanne Zygmunt: What are the dates of the minutes that were approved.

87

00:09:01.980 --> 00:09:07.380

Pam Gurley: 617 624 and 715

88

00:09:07.680 --> 00:09:10.950

Joanne Zygmunt: OK, so the ones that you sent by email, right, there's the same ones.

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00:09:11.100 --> 00:09:12.570

Joanne Zygmunt: Yes, yes.

90

00:09:13.560 --> 00:09:15.750

Stephanie Danielson: Yes. So Pam. I had

91

00:09:17.880 --> 00:09:27.330

Stephanie Danielson: sent you an email that I couldn't. I had a lot of changes. I think I STARTED WITH THE EARLIEST ONE AND I HAD SEVERAL correction.

92

00:09:28.770 --> 00:09:38.160

Stephanie Danielson: And as I indicated it was going to be easier for me to just move them in da file. So I did not have a chance. I was on vacation last week and I did not have it.

93

00:09:38.940 --> 00:09:43.230

Pam Gurley: That's fine. I did make some updates that I did make some updates so

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00:09:47.310 --> 00:09:50.790

Stephanie Danielson: I don't know if the other Commissioners have an opportunity to look through them.

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00:09:51.480 --> 00:10:00.480

Joanne Zygmunt: I looked through the three those three dates and I didn't have any there were a couple of small changes that I told Pam about and I'm fine with three as they stand.

96

00:10:03.030 --> 00:10:07.590

Bonnie Sparks: Yeah, I have. I checked out this afternoon and I agree with Joanne.

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00:10:08.100 --> 00:10:08.580

Bonnie Sparks: But it seems

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00:10:08.670 --> 00:10:11.520

Stephanie Danielson: Yeah i would i would like to reserve.

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00:10:13.980 --> 00:10:17.070

Stephanie Danielson: Right to review them and look at them again because

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00:10:18.210 --> 00:10:25.710

Stephanie Danielson: I did want to make some corrections. So I don't know how you wanted to that Pam, I'm okay with them being published but I would

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00:10:27.390 --> 00:10:32.460

Stephanie Danielson: Rather than voting to accept them yell publish them as a draft and then

102

00:10:33.750 --> 00:10:34.230

Pam Gurley: Okay.

103

00:10:34.650 --> 00:10:35.280

Stephanie Danielson: Look at them.

104

00:10:37.800 --> 00:10:39.810

Stephanie Danielson: Make any corrections that are needed.

105

00:10:43.080 --> 00:10:46.800

Pam Gurley: All right, I can publish them as a I can buy draft on them and

106

00:10:47.850 --> 00:10:48.750

Pam Gurley: publish them up.

107

00:10:50.430 --> 00:10:50.970

Pam Gurley: But

108

00:10:52.230 --> 00:10:54.720

Pam Gurley: It kind of sets a precedent to

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00:10:57.480 --> 00:10:59.700

Pam Gurley: Putting them up without being accepted so

110

00:11:04.710 --> 00:11:16.350

Stephanie Danielson: Well, my, my understanding is the public record anyway. So if someone wanted to view them, they could. So again, I don't have a problem and I will try harder to get some reviews.

111

00:11:19.620 --> 00:11:19.890

Stephanie Danielson: Yeah.

112

00:11:22.020 --> 00:11:23.490

Stephanie Danielson: Thank you, Mr. May.

113

00:11:24.900 --> 00:11:33.270

Stephanie Danielson: Um, okay. So we have a request for Certificate of compliance for 1854 Main Street.

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00:11:36.360 --> 00:11:39.030

Stephanie Danielson: And we have Scott Faria

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00:11:43.290 --> 00:11:44.070

Scott Faria - JKHE: When we continue

116

00:11:50.760 --> 00:11:51.180

Okay.

117

00:12:12.540 --> 00:12:20.760

Stephanie Danielson: Okay. And then the next item, the request for Certificate of compliance for North Carroll carry three

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00:12:31.230 --> 00:12:32.670

Stephanie Danielson: Scott, you're on for that.

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00:12:32.970 --> 00:12:33.690

Scott Faria - JKHE: Yes, I am.

120

00:12:40.230 --> 00:12:41.580

Stephanie Danielson: We have a report.

121

00:12:56.730 --> 00:12:58.620

Stephanie Danielson: Megan Do you want to

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00:13:01.770 --> 00:13:03.690

Stephanie Danielson: Go over your findings.

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00:13:06.480 --> 00:13:17.820

Megan Shave: Yes. So briefly, I've been out to the site and reviewed the submitted as built plan. In general, the as Bill plan matches the approved plan.

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00:13:19.560 --> 00:13:22.350

Megan Shave: In one case, the built

125

00:13:23.610 --> 00:13:36.540

Megan Shave: Back deck is slightly longer than shown on the approved plan, but it doesn't project out any further. So I wouldn't consider that a large deviation. The one notable deviation. I made note of is that

126

00:13:43.950 --> 00:13:45.900

Stephanie Danielson: Was Megan momentarily.

127

00:13:47.250 --> 00:13:48.270

Bonnie Sparks: Looks like the greeting.

128

00:13:49.620 --> 00:13:50.070

Bonnie Sparks: First

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00:13:51.990 --> 00:13:53.970

Stephanie Danielson: Can we lost you for a second there.

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00:13:54.990 --> 00:14:07.500

Megan Shave: Yes, so the notable change is that the as Bill plan shows to rooftop and infiltration chambers that we're not shown on the Noi plan.

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00:14:07.980 --> 00:14:23.640

Megan Shave: So my recommendation was that documentation be provided for the site soil conditions to confirm that the groundwater elevations were compatible with that installation and then my second notice was that

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00:14:25.410 --> 00:14:35.460

Megan Shave: The trouble layer had been cleared past the approved limit of work. So for about, in some cases, up to the wetlands boundary. The 25 foot

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00:14:36.030 --> 00:14:50.730

Megan Shave: Had been cleared by hand of the scrub layer of vegetation. And so I had recommended that that be replanted in order to restore that prior to the issue is that the certificate of compliance.

134

00:14:52.710 --> 00:14:53.550

Stephanie Danielson: Got would you

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00:14:54.000 --> 00:14:57.660

Scott Faria - JKHE: Sure. Thank you Madam Chair. Squad Faria homegrown engineering

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00:14:58.710 --> 00:15:17.670

Scott Faria - JKHE: I guess just to go in order with your agents report. The first issue regarding the infiltration chambers for the rooftops, we did not show them on the Notice of Intent plan. We definitely should have. They were part of the both the SUBDIVISION PLAN IN THE

137

00:15:18.810 --> 00:15:24.180

Scott Faria - JKHE: Busy BA plans. And just as a matter of course it's

138

00:15:24.210 --> 00:15:28.140

Scott Faria - JKHE: usually a good idea to try to infiltrate the roof run off so

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00:15:28.860 --> 00:15:40.530

Scott Faria - JKHE: We did do two separate systems, just so we wouldn't have the entire roof going into one system and perhaps overcharging one area. So we did split the house into two we have it going on either side.

140

00:15:41.310 --> 00:15:49.110

Scott Faria - JKHE: Groundwater observations were done at the time of the subdivision in found groundwater to be roughly at elevation to 17

141

00:15:50.040 --> 00:16:05.670

Scott Faria - JKHE: Which was about four to four and a half feet down from the finished grade that's out there. Now, we went out and witnessed the excavation for the installation of these changes the bottom of the chambers were roughly at elevation twenty and a half.

142

00:16:07.350 --> 00:16:20.280

Scott Faria - JKHE: So above ground water because you would want them. So I think we're in good shape as far as that goes. And then Megan's comment about the the shrub Leah, the applicant did go in there and removed.

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00:16:21.360 --> 00:16:22.590

Scott Faria - JKHE: downed trees.

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00:16:23.880 --> 00:16:28.500

Scott Faria - JKHE: Just trees that were data that had fallen over in doing so, we also removed.

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00:16:29.910 --> 00:16:38.850

Scott Faria - JKHE: Just about all the struggling to be honest with you. So when Megan brought that to our attention. We had a meeting out there. We had Brad homes, our

146

00:16:39.420 --> 00:16:58.680

Scott Faria - JKHE: Wetlands consultant come out with us and he looked at it at that point the troubling. I had already started to regurgitate itself. So his feeling was if we just left it alone through next spring, it would be back to the way it was this previous spring.

147

00:16:59.820 --> 00:17:11.490

Scott Faria - JKHE: So in order to do that, we've spoke to Megan about it when this first came up, we'd like to, instead of getting a certificate of compliance. We'd like to amend that tonight and just get a partial certificate

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00:17:12.480 --> 00:17:19.020

Scott Faria - JKHE: That way the closing can go forward that they have scheduled. We've got homeowners that are hoping to move in.

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00:17:19.650 --> 00:17:34.710

Scott Faria - JKHE: sometime in September with the partial certificate, you can still get an occupancy permit and move in and it still gives the Commission the the power over the the apple and get into to make sure that we do everything right in getting the final Certificate of compliance.

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00:17:35.430 --> 00:17:54.990

Stephanie Danielson: I have a question for Pam. Pam, does the building department require a certificate of compliance a partial Certificate of compliance before issuing an occupancy permit for today just require a sign off from the Conservation Commission or agent.

151

00:17:55.920 --> 00:17:58.920

Pam Gurley: Um, we do not get notified.

152

00:18:00.390 --> 00:18:16.590

Pam Gurley: Occupancy permits were out of it wants to building permit issues. The only way we have input in this is if we physically go over and tell them that there's an issue on a site. And please don't issue.

153

00:18:17.250 --> 00:18:17.670

Stephanie Danielson: Okay.

154

00:18:17.760 --> 00:18:27.300

Stephanie Danielson: And the reason I'm asking is because one. I know, I know that closings can move forward. Even when a

155

00:18:27.780 --> 00:18:41.700

Stephanie Danielson: Certificate of compliance or a partial has not finished. You'd generally what happens is there is money held back in escrow to ensure that the work does get completed on you know by the seller so

156

00:18:43.080 --> 00:18:53.250

Stephanie Danielson: I am I am always very hesitant to issue, even a partial Certificate of compliance for work that was supposed to be done as part of

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00:18:53.610 --> 00:19:08.880

Stephanie Danielson: An order of conditions and it doesn't get done, and particularly not inclined to issue, even a partial Certificate of compliance when work was done. That was not permitted and needs to be rectified. And in this case,

158

00:19:10.320 --> 00:19:18.990

Stephanie Danielson: The applicant is suggesting we vegetation, with only a year's worth of monitoring, I find it.

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00:19:20.070 --> 00:19:26.100

Stephanie Danielson: I would find it surprising. I don't know. I wasn't out there beforehand. So I don't know what the vegetation

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00:19:28.500 --> 00:19:41.580

Stephanie Danielson: Maturity was. But again, depending on what's there. I find it hard to believe that it would be of the same caliber and the same

161

00:19:42.750 --> 00:19:46.410

Stephanie Danielson: Rate of growth as what was there before it was cleared.

162

00:19:47.820 --> 00:19:54.060

Stephanie Danielson: I think our agent recommended that the material actually be replaced.

163

00:19:55.200 --> 00:20:04.380

Stephanie Danielson: And then I think the Commission, because this is actually is a violation of the border conditions, it would

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00:20:06.180 --> 00:20:17.880

Stephanie Danielson: Be justified for the Commission to require a monitoring period for regrowth which generally is a minimum of three years with monitoring reports.

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00:20:20.040 --> 00:20:25.230

Scott Faria - JKHE: We did, Madam Chair. We did have Brad did submit a memo.

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00:20:26.640 --> 00:20:35.190

Scott Faria - JKHE: That speaks to that he didn't say to wait for three years, but you know we did, like I said, we had Brad go out there, he came up with a site review memo.

167

00:20:35.790 --> 00:20:50.220

Scott Faria - JKHE: dated August 18 that he submitted to to to your agent, and I believe he talked to Megan about it as well. You know, just to talk about the regeneration that has going on already. And what he feels would be adequate going forward.

168

00:20:51.630 --> 00:21:00.330

Stephanie Danielson: Okay, I'm gonna let ask the other Commissioners to either ask questions and make comments and then make an I'd like you to weigh in again.

169

00:21:03.240 --> 00:21:04.860

Stephanie Danielson: Ernie. Do you have any comments.

170

00:21:05.070 --> 00:21:22.830

Bonnie Sparks: Questions. Yeah, so I definitely support a three year observation period, considering that we've got spice bush and glossy buckthorn that had been cut down. And so the bittersweet is an invasive, which I'm not too concerned about, but that spice bush is

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00:21:24.030 --> 00:21:25.950

Bonnie Sparks: That's definitely not going to region in a year.

172

00:21:33.840 --> 00:21:40.110

Bonnie Sparks: And I will I openly defer to you, Stephanie on the

173

00:21:41.430 --> 00:21:50.880

Bonnie Sparks: Partial as I know that that is it basically ties our hands so i i agree with with you on that.

174

00:21:52.560 --> 00:21:54.060

Bonnie Sparks: But I would like to hear from Megan as well.

175

00:21:55.260 --> 00:21:59.820

Stephanie Danielson: Okay, Joanna. Do you have any questions or comments before vegan, we send again.

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00:22:00.120 --> 00:22:01.140

Joanne Zygmunt: So, um,

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00:22:02.610 --> 00:22:03.600

Joanne Zygmunt: So I know that

178

00:22:06.300 --> 00:22:20.430

Joanne Zygmunt: The Mr Faria has stated that they did do the checking of the ground water levels for this infiltration system that they've put in. And I'm wondering whether we have received documentation of that Megan.

179

00:22:21.570 --> 00:22:22.800

Scott Faria - JKHE: Just me telling you tonight.

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00:22:24.570 --> 00:22:25.200

Megan Shave: Correct.

181

00:22:26.610 --> 00:22:26.970
Megan Shave: Okay.

182
00:22:27.030 --> 00:22:29.250
Stephanie Danielson: Is that we feel that sufficient

183
00:22:29.820 --> 00:22:43.590
Joanne Zygmunt: I don't feel that sufficient I'm not, that's not has nothing to do you, Scott, but I think it says it sets a bad precedent. If we don't actually have documentation that underpin some of these decisions that we're making. I'd like to be documentation of that and also

184
00:22:45.480 --> 00:22:46.800
Joanne Zygmunt: CERN is that

185
00:22:49.560 --> 00:22:53.340
Joanne Zygmunt: And again, I'll defer I'll defer and Megan to Megan on this because

186
00:22:55.710 --> 00:22:57.840
Joanne Zygmunt: Well, any is definitely not a strength of mine, but

187
00:22:58.740 --> 00:23:10.890
Joanne Zygmunt: I do find it hard to believe that within a year's time, the shrub layer will regenerate to the point at which it was before it was cut down by the applicant and also what powers. Do we have once the

188
00:23:11.730 --> 00:23:19.560
Joanne Zygmunt: purchaser moves in to ensure that that actually happens unless we withhold a certificate of compliance, so

189
00:23:22.050 --> 00:23:27.810
Joanne Zygmunt: So I'll take everybody else's lead on that. But that's what I'm thinking at the moment. So that was

190
00:23:28.710 --> 00:23:34.890
Scott Faria - JKHE: Good. I just jump in for one second. Madam Chair, I'm, I'm not claiming, certainly in Brad's not claiming that in

191
00:23:35.250 --> 00:23:48.930
Scott Faria - JKHE: A year's time next April, that it's going to look like it did this past April. We're saying that at that point it will be

established in you can assume over a period of time a year, another two years, three years 10 years it's going to look like it always did, we're

192

00:23:48.960 --> 00:23:52.770

Scott Faria - JKHE: Certainly that it's kind of look like it did three months ago.

193

00:23:53.370 --> 00:24:14.940

Stephanie Danielson: I think what Joanne is reiterating is the concerns that I have that with a partial Certificate of compliance. The unless there's something health back in escrow. That is a motivator to ensure the work is complete and the restoration occurs.

194

00:24:16.140 --> 00:24:25.710

Stephanie Danielson: That everyone's going to forget or walk away or think everything's fine because now the new owners have moved into the house. They are not

195

00:24:26.190 --> 00:24:27.840

Stephanie Danielson: They are going to feel they are not

196

00:24:27.840 --> 00:24:38.190

Stephanie Danielson: Responsible for it. And the issue will never raise its head again until someone so goes to sell the property at some point in time and there is

197

00:24:38.910 --> 00:24:52.710

Stephanie Danielson: Some someone finds that the title isn't fully clean on the property because only a partial was issued, and that's if the underwriters doing their due diligence and the title boys are doing their due diligence, which may not be the case, whereas

198

00:24:54.600 --> 00:25:00.780

Stephanie Danielson: If there's no Certificate of compliance. Again, there was a process.

199

00:25:01.830 --> 00:25:09.660

Stephanie Danielson: And that gives the Commission vibrator assurance that the restoration is going to be down and be successful.

200

00:25:11.910 --> 00:25:16.740

Scott Faria - JKHE: Right. Do I mean just to answer that, Madam Chair, and I agree with everything you said. The only other thing.

201

00:25:17.400 --> 00:25:29.550

Scott Faria - JKHE: You have is the developers good name and 30 years of work in the city that you know he's not going to walk away from it, but I understand is precedent to be set and everything. Has everybody has to play with the same set of rules, but

202

00:25:29.940 --> 00:25:30.990

Jim Morrissey: He said, I'm not

203

00:25:31.110 --> 00:25:38.160

Jim Morrissey: I'm not opposed to you use the term, Madam Chair. Person A an escrow.

204

00:25:39.240 --> 00:25:53.700

Jim Morrissey: I would use the term of bond. I'm I'm obliged to stay with the property for a year, as I have to provide a builder's warranty and I have no plans of leaving. I also have an adjoining house today. I have to go through the same process.

205

00:25:55.470 --> 00:26:01.380

Jim Morrissey: I don't mind HOSTING SOMETHING IF IF THAT'S THE control, you're looking for.

206

00:26:03.120 --> 00:26:12.240

Jim Morrissey: A bond of good faith. I don't have the ability to lose money. So if, if that would help. I would gladly consider that

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00:26:14.010 --> 00:26:17.130

Stephanie Danielson: Spot, but the city while that

208

00:26:18.240 --> 00:26:20.430

Stephanie Danielson: That can be a motivator.

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00:26:22.230 --> 00:26:25.200

Stephanie Danielson: The city can't do anything with the bond. If

210

00:26:26.580 --> 00:26:27.870

Stephanie Danielson: Working every time.

211

00:26:29.700 --> 00:26:30.690

Stephanie Danielson: I understand that.

212

00:26:31.350 --> 00:26:50.460

Jim Morrissey: Isn't the work that's proposed a combination of regeneration and revisiting I think the suggestion made by the agent was we planting of shrub layer. So I take the money is is that surety and I don't think magically in April or May or June of next year.

213

00:26:51.810 --> 00:26:57.030

Jim Morrissey: Until we can revisit the matter will do it and I'm still within that warranty period so

214

00:26:58.500 --> 00:27:12.540

Jim Morrissey: I don't know that an attorney doing a closing who would require either a full compliance, which we're not going to get her a partial which we would need holding an escrow is going to give you any confidence. But if that's what you want, I can agree to that.

215

00:27:13.200 --> 00:27:30.930

Stephanie Danielson: Yeah, it actually, it actually does. I mean, again, I've had over 14 years experience. Actually, I hate to say it, it's around 20 years of experience and that is that is the best assurance that work.

216

00:27:30.990 --> 00:27:43.380

Jim Morrissey: And I have no problem. Like, I thought the thing you wanted was control. That's why I had mentioned a bond where the city is holding the money, but I can have the closing attorney for this sale hold an escrow.

217

00:27:44.010 --> 00:27:54.780

Jim Morrissey: Yeah. And, and I don't have any problem. I know after the conclusion of this meeting, depending on the outcome. I have to then first visit with the prospective buyers of 728 and advise them.

218

00:27:56.190 --> 00:27:58.830

Jim Morrissey: Of its outcome. I did give them a heads up that

219

00:28:00.180 --> 00:28:02.970

Jim Morrissey: There were some conversation that needed to occur.

220

00:28:04.140 --> 00:28:17.190

Jim Morrissey: I can assure the board. My intention wasn't TO VISIT RATE the area. What's not mentioned is some of the cleanup that occurred in that area removal of two campsites dismantling of

221

00:28:18.450 --> 00:28:30.900

Jim Morrissey: Kind of a constructive walkway that's on my side of the stone wall that kind of run parallel for a little bit to the city's property which has a walkway within the same wetland area.

222

00:28:32.100 --> 00:28:37.770

Jim Morrissey: But again, I would agree to an escrow and and the purpose of it is just

223

00:28:38.910 --> 00:28:40.920

Jim Morrissey: To stay connected with the process.

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00:28:43.110 --> 00:28:47.610

Pam Gurley: Madam Chair, do you want him to place an escrow with the closing attorney, I

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00:28:48.030 --> 00:28:48.480

Know,

226

00:28:50.010 --> 00:28:51.450

Pam Gurley: A a check.

227

00:28:51.510 --> 00:28:58.620

Stephanie Danielson: That we depart know the town isn't holding anything to escrow. I'm talking about is between the buyer and the seller.

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00:28:59.610 --> 00:29:11.760

Stephanie Danielson: And it's in lieu of a certificate of compliance and once the certificate of compliance is issued by the condition the attorneys release the money in escrow back to the seller.

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00:29:16.530 --> 00:29:25.560

Stephanie Danielson: So, that that is what we're considering here. Um, one of the other things I forgot to mention again I think Megan definitely would bring this up so

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00:29:26.640 --> 00:29:28.230

Stephanie Danielson: Sorry for taking a few things.

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00:29:29.310 --> 00:29:40.200

Stephanie Danielson: I understand one Bonnie are Jovian mentioned the bittersweet. There's also buckthorn glassy buckthorn on the site, which is an invasive.

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00:29:40.680 --> 00:29:55.380

Stephanie Danielson: So we would want monitoring of the interfaces and management of the interfaces to ensure that they aren't over taking the native plant material. So, again, Megan Do you have anything to you'd like to add

233

00:29:56.190 --> 00:30:06.540

Megan Shave: Yeah, I can just follow up and say that that concern about the invasive is one of the reasons why I originally suggested a replanting plan so

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00:30:08.010 --> 00:30:17.100

Megan Shave: You know, I did review Brad's plan and from being out there. I can see that there is, you know, starting to be some regeneration of the shrub layer.

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00:30:17.400 --> 00:30:26.220

Megan Shave: And the concern I brought up with Brad is that we know there is buckthorn and bitter sweet in the shrub layer to begin with.

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00:30:26.640 --> 00:30:34.110

Megan Shave: So it's not a matter of it being introduced, but it is the idea that when you disturb an area and you remove

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00:30:34.770 --> 00:30:44.520

Megan Shave: You know, an entire vegetative layer, then the species that are going to really inhabit and proliferate are more likely to be those invasive.

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00:30:45.150 --> 00:30:53.970

Megan Shave: So yes, there is already buckthorn and bittersweet out there. But my concern was that if it passively regurgitate would there now be

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00:30:54.390 --> 00:31:02.220

Megan Shave: A greater density of those invasive than there were originally. And so my reasoning for suggesting the replanting was one

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00:31:02.550 --> 00:31:15.810

Megan Shave: To have some more control over what for us going there and also from my view. I thought it would be the fastest method in terms of talking about monitor a I would have assumed that monitoring a passive

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00:31:16.260 --> 00:31:27.960

Megan Shave: Re vegetation would require a longer period of monitoring than a more active approach. And so that was the basis of my original recommendation to

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00:31:29.040 --> 00:31:34.440

Megan Shave: Consider a replanting plan to get the shortly. Every establish yeah

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00:31:35.010 --> 00:31:35.430

Okay.

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00:31:36.600 --> 00:31:38.970

Stephanie Danielson: Um, Commissioners, anything else to add,

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00:31:39.810 --> 00:31:46.830

Joanne Zygmunt: So what the alternative, the alternative to escrow would be if the applicant would replant actively now.

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00:31:47.730 --> 00:31:49.980

Joanne Zygmunt: I'm or is that

247

00:31:50.550 --> 00:31:53.370

Stephanie Danielson: I'm again the

248

00:31:54.720 --> 00:32:08.550

Stephanie Danielson: I wasn't thinking of issuing the partial Certificate of compliance with replanting the shrubs. I think the replanting that shrubs just would lessen the period, the monitoring period of time, which is what

249

00:32:09.720 --> 00:32:13.620

Stephanie Danielson: Megan's talking about I am still not inclined to

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00:32:14.940 --> 00:32:20.460

Stephanie Danielson: vote in favor of issuance of a partial or full compliance.

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00:32:21.510 --> 00:32:29.970

Jim Morrissey: Well, I'm, I'm not a closing attorney and pretty confident that without that. I don't know that an escrow.

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00:32:31.620 --> 00:32:36.180

Jim Morrissey: Necessarily allows a sale of a property to occur.

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00:32:36.960 --> 00:32:50.280

Stephanie Danielson: Again, I'm, I'm not trying to be contradictory. Mr. Murphy. But I, again I have extensive experience with this and it is done on a very regular basis.

254

00:32:51.600 --> 00:32:56.070

Jim Morrissey: Me. I also add, I believe, breads recommendation.

255

00:32:57.450 --> 00:33:11.130

Jim Morrissey: And I understand the idea of of planting. I don't know that it would necessarily get the objective, if it were done with the onset of fall but it probably be something that would be better served come to spring. I guess that's

256

00:33:12.510 --> 00:33:21.930

Jim Morrissey: What I could explain to a closing attorney in terms of the use of purpose of the escrow. Not that I get the benefit of it until I get a certificate of compliance.

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00:33:22.500 --> 00:33:32.400

Stephanie Danielson: Yeah, the I'm actually this is this is the better time to plant because your weeds and your invasive won't be an active growth phase.

258

00:33:32.910 --> 00:33:40.410

Stephanie Danielson: And your root systems. If you plant before the end of October. In particular, if we have a very warm winter. It could be

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00:33:40.800 --> 00:33:47.220

Stephanie Danielson: Through the middle of November, but if you if you planted. I wouldn't plant. Now if you planted in

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00:33:47.790 --> 00:34:06.510

Stephanie Danielson: mid September to the end of October, the root systems will start to establish in any statements that may be put down, will it may start to establish it may sit dormant and then in the spring, you'll get new growth before the invasive start to take hold.

261

00:34:08.100 --> 00:34:09.450

Stephanie Danielson: And and it will

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00:34:10.590 --> 00:34:22.440

Stephanie Danielson: It's more likely will have, you know, because this is supposed to be the wet season and spring is generally the wet season. It will require less irrigation to ensure success.

263

00:34:24.990 --> 00:34:27.210

Jim Morrissey: And listening to what you're saying.

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00:34:28.560 --> 00:34:35.700

Jim Morrissey: Focusing on in basis when we filed a notice of intent great attention was made to Japanese not we

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00:34:36.360 --> 00:34:36.870

Stephanie Danielson: Are huh

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00:34:36.960 --> 00:34:44.580

Jim Morrissey: And although I can't claim because it's a very insidious invasive species 100% success. I

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00:34:45.660 --> 00:34:55.650

Jim Morrissey: Until nothing shows up for two, three years we've eradicated it from even getting close to this area wouldn't

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00:34:56.940 --> 00:35:04.440

Jim Morrissey: Shouldn't be do the same type of thing with the other invasive that you know have a concern with it is was part of the natural struggling

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00:35:05.430 --> 00:35:07.530

Stephanie Danielson: That would be desirable.

270

00:35:10.230 --> 00:35:24.510

Megan Shave: It's more difficult because in the case of the not we're not waiting question was in a film pile behind the old barn. It hadn't yet moved all the way back to the work area. So it was eradicated.

271

00:35:25.320 --> 00:35:35.850

Megan Shave: As a preventative measure to prevent it from spreading back further on to the site in the case of the buckthorn it is already was in the shrub layer so

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00:35:37.050 --> 00:35:44.640

Megan Shave: It's a question of, you know, it's less of a preventative of keeping it from getting in there. It's already in there it was.

273

00:35:45.030 --> 00:36:01.830

Megan Shave: Ideally, the case of we didn't want to give it an opportunity to proliferate and unfortunately the clearing is probably created an opportunity, you know, for it to get a bit more of a hold, but the buckthorn is already in there. It's not a case of we were trying it out.

274

00:36:02.220 --> 00:36:19.530

Jim Morrissey: Right. But there are two things with the Japanese not we did need to be mentioned. One was the recommendation that we basically attack the rhizome in the root layer, which we did that, that required an entire excavation of where it previously thrive. Secondly,

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00:36:20.850 --> 00:36:32.640

Jim Morrissey: It was recommended to allow any growth that took place to in every call it was either September, October, but that was an ideal time to do a topical herbicide, which I hired a

276

00:36:33.150 --> 00:36:36.990

Jim Morrissey: gentleman by the name of Chris paulton to do with that combination of events.

277

00:36:37.830 --> 00:36:54.060

Jim Morrissey: Really took the matter and other than a scattered one here or there, where you basically take out the whole route we we got at it. I know you don't want the use of herbicides. I suppose in the 25 foot buffer. I'm just trying to think of some other way that we can in good faith.

278

00:36:55.410 --> 00:36:58.980

Jim Morrissey: Not allow the invasive species to propagate.

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00:37:02.520 --> 00:37:18.510

Stephanie Danielson: Again, I think what Megan was suggesting, and again I'll defer to funny because, again, I think she has more experience than I do but we planting the native material and in the quantity that helps to

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00:37:20.100 --> 00:37:27.510

Stephanie Danielson: I'm going to say overcrowd but prevent an opportunity for the invasive to gain more

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00:37:29.910 --> 00:37:31.290

Stephanie Danielson: More control of the site.

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00:37:33.300 --> 00:37:36.270

Bonnie Sparks: This is exactly going to be your best bet it's

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00:37:36.690 --> 00:37:45.480

Bonnie Sparks: The bitter sweet and the buckthorn are they can be kind of like squashed out, they don't get enough

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00:37:46.260 --> 00:37:58.560

Bonnie Sparks: Of the light in the spring, then they're not likely to sprout so ground covers that are natively around here like Virginia creeper unfortunately poison ivy and I know a lot in the wetlands here. We also have jewel weed.

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00:37:59.100 --> 00:38:06.630

Bonnie Sparks: And those things are especially Juliet is very, very easy to spread by. See, that's how it does it on its own. It's an herbaceous perennial

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00:38:07.470 --> 00:38:16.800

Bonnie Sparks: Or it's a self seeding annual and something like that would help prevent the basis from coming back. So I think giving a

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00:38:17.550 --> 00:38:30.780

Bonnie Sparks: Layer in the fall. And if we've got some shrubs that can be manually planted but seeding would be insanely easy that that's a very, very easy thing to do is to overseas with the native species that will quickly take

288

00:38:34.800 --> 00:38:48.690

Bonnie Sparks: Rather than trying to individually attack because at this point it's already been cleared. So you'd have to wait for the bitter sweet and the book Born to regrow to even know where it's coming up from in order to attack it with any kind of herbicide anyway.

289

00:38:50.070 --> 00:38:55.740

Bonnie Sparks: Which is that gives us another you know two to three seasons of time where you have to wait.

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00:39:02.670 --> 00:39:03.450

Joanne Zygmunt: Stephanie, man.

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00:39:04.710 --> 00:39:06.270

Stephanie Danielson: Oh, yes. Yeah, so

292

00:39:06.510 --> 00:39:17.370

Joanne Zygmunt: Yeah, like I think that's the point of it you know these invasive. We're not shrub layer. Before I think really the simple solution and the way forward is just to replant the natives.

293

00:39:17.970 --> 00:39:33.900

Joanne Zygmunt: In the fall and hope that they overpower the invasive. So I don't think the invasive of the issue here. I think it's just reach reach rubbing the area and doing that with natives is, I think, from, from my point of view, what I would like to see happen I think

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00:39:34.920 --> 00:39:35.760

Joanne Zygmunt: A good way forward.

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00:39:39.090 --> 00:39:40.290

Stephanie Danielson: Okay, um,

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00:39:43.560 --> 00:39:45.570

Stephanie Danielson: I think we have

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00:39:46.620 --> 00:39:49.770

Stephanie Danielson: Probably covered all bases on this at this point.

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00:39:51.210 --> 00:39:55.530

Stephanie Danielson: Um, and we are ready to move forward for emotion.

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00:40:03.660 --> 00:40:06.480

Stephanie Danielson: You I have emotion from the mission.

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00:40:07.020 --> 00:40:07.770

Stephanie Danielson: Is doing

301

00:40:07.950 --> 00:40:08.790

Bonnie Sparks: How to word it. Yeah.

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00:40:10.350 --> 00:40:15.240

Joanne Zygmunt: So just mostly parted with that escrow in it or how does that work. Stephanie.

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00:40:16.140 --> 00:40:25.200

Stephanie Danielson: Um, yeah, there are a couple things i one i i don't want to presume on behalf of all the Commissioners, but I think what I'm hearing is

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00:40:28.770 --> 00:40:29.490

Stephanie Danielson: That

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00:40:30.960 --> 00:40:46.830

Stephanie Danielson: The Commission is inclined, not to issue a certificate of compliance at this point and want to see the disturbed area re vegetated with native material, including and

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00:40:47.850 --> 00:40:56.940

Stephanie Danielson: Overseeing of an appropriate mix for the area and I think maybe between Bonnie and Megan, you can help the

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00:40:57.990 --> 00:41:00.600

Stephanie Danielson: Help Mr Morrissey with what that should be

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00:41:01.920 --> 00:41:10.920

Stephanie Danielson: And with the monitoring period of three years, with annual report, I would also be amenable

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00:41:11.610 --> 00:41:28.440

Stephanie Danielson: To within that three year period. If the reports are coming back and showing that the areas flourishing and the new growth is very strong, that the Commission could consider issuing a certificate of compliance with that time. And also, I think,

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00:41:29.910 --> 00:41:38.910

Stephanie Danielson: What you want in that motion is that the MRC provide documentation of the soil conditions for the infiltration area.

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00:41:42.840 --> 00:41:45.090

Stephanie Danielson: Just that sounds good. Does that cover it all.

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00:41:48.960 --> 00:41:54.630

Joanne Zygmunt: Believe. So, so I'll make a motion. Some mine. Hold on. Sorry, let me find my notes.

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00:41:59.040 --> 00:42:01.650

Joanne Zygmunt: Any piece of paper. So, um,

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00:42:03.330 --> 00:42:15.180

Joanne Zygmunt: So the request this evening was for a partial Certificate of know the customer. It was for such different clients. Okay, so, um, so my emotion is to deny the request for a certificate of compliance, I would like to

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00:42:17.010 --> 00:42:27.330

Joanne Zygmunt: See the applicant document the groundwater levels that were mentioned beforehand, as well as we vegetate the natives and wanted to them for three years. So

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00:42:29.250 --> 00:42:30.780

Bonnie Sparks: In the infiltration area.

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00:42:33.450 --> 00:42:36.840

Stephanie Danielson: That was with the groundwater levels were in the infiltration area.

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00:42:37.260 --> 00:42:37.530

Right.

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00:42:43.170 --> 00:42:45.210

Stephanie Danielson: Okay. Do we have a second

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00:42:46.020 --> 00:42:50.190

Bonnie Sparks: I'm sorry, did you say with a three year monitoring and an annual report.

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00:42:51.360 --> 00:42:51.810

Bonnie Sparks: Join

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00:42:53.700 --> 00:42:54.330

Joanne Zygmunt: Yes.

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00:42:54.480 --> 00:42:55.620

Bonnie Sparks: Okay. Then I second.

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00:42:58.110 --> 00:43:00.720

Stephanie Danielson: All in favor. Daniel tonight.

325

00:43:01.260 --> 00:43:01.830

Bonnie Sparks: barks. I

326

00:43:02.400 --> 00:43:03.120

Joanne Zygmunt: Cygnet I

327

00:43:04.530 --> 00:43:05.880

Stephanie Danielson: Okay, thank you very much.

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00:43:08.730 --> 00:43:09.300

Scott Faria - JKHE: Thank you.

329

00:43:12.660 --> 00:43:13.380

Stephanie Danielson: Okay.

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00:43:15.750 --> 00:43:18.600

Stephanie Danielson: Now, the next item on the agenda.

331

00:43:21.000 --> 00:43:28.080

Stephanie Danielson: Is notice of intent for plot one leech Avenue and Scott. You're here for that one also.

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00:43:28.470 --> 00:43:36.150

Scott Faria - JKHE: Just be a Thank you madam chief supply only Chevy folks may remember it was on your last agenda back in July.

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00:43:36.660 --> 00:43:37.650

Stephanie Danielson: I think we had everything

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00:43:38.280 --> 00:43:39.480

Except for

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00:43:40.530 --> 00:43:48.630

Scott Faria - JKHE: The erosion control that was requested to be placed around the lot basically around the excavation and the silt sex to be putting the catch basins.

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00:43:49.980 --> 00:43:58.890

Scott Faria - JKHE: The applicant did it the next day I sent pictures ahead to your agent that Friday be, you know, before the weekend and I think

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00:43:59.340 --> 00:44:11.100

Scott Faria - JKHE: That was it. So right now, they've got the silt sock that was there, which was kind of beat up. And in addition, that they put up a silver fence around the perimeter of the work.

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00:44:13.620 --> 00:44:14.100

Stephanie Danielson: Again,

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00:44:17.160 --> 00:44:24.900

Megan Shave: Yes, so I can confirm. I went out to the site after the arrows meeting trolls went in. I also went out last week, just to check on them.

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00:44:25.470 --> 00:44:35.790

Megan Shave: And I can confirm, they are in good condition and the silt SEC inlet control as of last week appeared to be in good condition and not full of sediment.

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00:44:36.240 --> 00:44:42.330

Megan Shave: So it appears to be either maintained or otherwise the sediment is staying out of the road. Now,

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00:44:42.900 --> 00:44:51.210

Megan Shave: So at this point, then I believe those erosion issues exacerbating the issues on the site have been dealt with.

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00:44:52.110 --> 00:45:04.290

Megan Shave: I did follow up once again with the city engineer, just to get his final say confirming that he believes the proposed site plan.

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00:45:04.680 --> 00:45:16.740

Megan Shave: Is appropriately graded in order to not exacerbate the flooding issues the neighborhood, and he did confirm that he believes once properly graded the site.

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00:45:17.220 --> 00:45:28.290

Megan Shave: Should not be affecting the neighbors. And so with that, based on what I've seen the site plan is proposed to mitigate

346

00:45:28.950 --> 00:45:40.620

Megan Shave: The Phil that's being proposed, and so it was providing compensatory storage under the wetlands Protection Act, making the assumption that it's filling bordering lanes subject of flooding.

347

00:45:41.220 --> 00:45:52.830

Megan Shave: So going forward in my last report, I made some recommendations for special conditions because it is vital that this site be graded properly this currently backfield

348

00:45:53.280 --> 00:46:01.770

Megan Shave: And not appropriately storing water as it is designed to and so it's vital that that grading be completed.

349

00:46:02.160 --> 00:46:11.220

Megan Shave: And so some of the special conditions that I recommended included that know fill tiles and backfill that are inactive be stored on the site.

350

00:46:11.640 --> 00:46:16.590

Megan Shave: Particularly during Pepe precipitation events and not more than 24 hours.

351

00:46:17.070 --> 00:46:23.670

Megan Shave: Sediment in debrief there'll be removed from the pavement in the right of way from around the catch bass and on a weekly basis.

352

00:46:24.060 --> 00:46:28.020

Megan Shave: As needed to keep the streak clean to keep that catch bass and clean.

353

00:46:28.500 --> 00:46:38.130

Megan Shave: That the project manager and subcontractors, she'll sign Certificate of understanding acknowledging these conditions because again it is vitally important that the

354

00:46:38.460 --> 00:46:46.080

Megan Shave: whoever's going to be working on that site understand how important sediment control and proper grading is to this project.

355

00:46:46.590 --> 00:46:57.030

Megan Shave: And finally, I recommend a condition that the applicant shall receive their certificate of compliance before they receive their certificate of occupancy

356

00:46:57.390 --> 00:47:08.790

Megan Shave: So, suggesting a condition where we work with the building department to make sure that we have approval with an as built that the site is graded according to this plan.

357

00:47:09.420 --> 00:47:17.850

Megan Shave: And that we make sure and work with the building department that the occupancy permit is not issued until we've confirmed that proper greeting.

358

00:47:19.890 --> 00:47:29.220

Stephanie Danielson: Okay, I, I have no further questions or comments to either of my fellow Commissioners have any questions or comments.

359

00:47:29.610 --> 00:47:30.180

Joanne Zygmunt: I have non

360

00:47:30.690 --> 00:47:31.350

Bonnie Sparks: Negative here.

361

00:47:32.370 --> 00:47:40.170

Stephanie Danielson: Okay, do I have a motion to issue an order of conditions with the conditions outlined by our agent.

362

00:47:40.980 --> 00:47:42.270

Megan Shave: Yes, Stephanie, I believe.

363

00:47:43.050 --> 00:47:44.460

Megan Shave: We have any closely theory.

364

00:47:45.150 --> 00:47:45.960

Stephanie Danielson: Oh, sorry.

365

00:47:46.050 --> 00:47:46.410

Megan Shave: Public

366

00:47:46.530 --> 00:47:48.210

Stephanie Danielson: I don't know if there's anybody here.

367

00:47:48.240 --> 00:47:50.550

Stephanie Danielson: Thank you. Thank you for the reminder

368

00:47:51.270 --> 00:47:54.240

Pam Gurley: I don't have anybody here. Yeah.

369

00:47:54.270 --> 00:47:57.960

Megan Shave: Do we have anyone from the public if again if if

370

00:47:57.990 --> 00:48:07.740

Stephanie Danielson: You are participating via computer just raise your hand. If not, it would star nine on your phone.

371

00:48:08.850 --> 00:48:11.100

Stephanie Danielson: Okay, we have Bruce Cardoso

372

00:48:13.500 --> 00:48:15.810

Stephanie Danielson: And can I don't think I can.

373

00:48:16.590 --> 00:48:17.760

Pam Gurley: I can see did

374

00:48:19.380 --> 00:48:19.770

Pam Gurley: You go

375

00:48:23.250 --> 00:48:27.780

Stephanie Danielson: Could you identify yourself where you live and what your question is

376

00:48:28.950 --> 00:48:39.240

Bruce Cardoso: I i'm I'm Bruce Cardozo I'm represent and my father Roberto Cardozo he has a property at 57 RIVER STREET Brockton mass or

377

00:48:40.560 --> 00:48:41.400

Pam Gurley: Wrong thing. Oh.

378

00:48:41.880 --> 00:48:50.010

Stephanie Danielson: This is this is this, we are talking about the project at one leech Avenueright now.

379

00:48:51.240 --> 00:48:53.400

Bruce Cardoso: Oh, okay. I'm sorry I

380

00:48:54.840 --> 00:48:59.370

Stephanie Danielson: Apologize, okay. That's okay. We will get to you in a while.

381

00:48:59.580 --> 00:49:00.390

Bruce Cardoso: Thanks. Should I say

382

00:49:00.780 --> 00:49:01.890

Stephanie Danielson: Okay, sure.

383

00:49:01.950 --> 00:49:02.820

Megan Shave: Yes, yes.

384

00:49:02.940 --> 00:49:04.380

Megan Shave: Please stay on, we will

385

00:49:05.220 --> 00:49:07.890

Megan Shave: Discuss 57 RIVER STREET as its own

386

00:49:09.150 --> 00:49:12.420

Stephanie Danielson: Okay, seeing no one else with any comments.

387

00:49:13.470 --> 00:49:15.270

Stephanie Danielson: Do I have a motion to close the herring.

388

00:49:16.290 --> 00:49:18.150

Joanne Zygmunt: When I make a motion to close the hearing.

389

00:49:18.960 --> 00:49:20.040

Bonnie Sparks: It sparks. I second.

390

00:49:21.810 --> 00:49:23.940

Stephanie Danielson: All in favor Danielson I

391

00:49:24.450 --> 00:49:25.980

Joanne Zygmunt: Parkside, I

392

00:49:27.780 --> 00:49:30.900

Stephanie Danielson: Do I have a motion to issue a such

393

00:49:32.580 --> 00:49:39.810

Stephanie Danielson: An order of conditions, including the conditions outlined in our agents report Ness discuss this evening.

394

00:49:40.590 --> 00:49:52.500

Joanne Zygmunt: Yeah, so I made Joanne here and make a motion to issue a border of conditions with the special conditions as outlined in the conservation agents report.

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00:49:53.910 --> 00:49:54.960

Stephanie Danielson: Do I have a second

396

00:49:55.500 --> 00:49:56.160

A second

397

00:49:57.480 --> 00:49:59.340

Stephanie Danielson: All in favor Danielson I

398

00:49:59.940 --> 00:50:01.260

Joanne Zygmunt: Works I segment.

399

00:50:03.060 --> 00:50:04.320

Stephanie Danielson: And motion passes.

400

00:50:05.880 --> 00:50:06.930

Scott Faria - JKHE: Thank you, folks. Have a good night.

401

00:50:07.770 --> 00:50:08.940

Stephanie Danielson: Thank you, Scott.

402

00:50:11.640 --> 00:50:14.670

Stephanie Danielson: Okay, the next item on the agenda.

403

00:50:15.690 --> 00:50:22.470

Stephanie Danielson: Is a notice of intent for plot to Belgravia Avenue.

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00:50:29.220 --> 00:50:29.790

Pam Gurley: Rebecca

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00:50:36.000 --> 00:50:36.930

Pam Gurley: Rebecca go

406

00:50:37.770 --> 00:50:38.640

Stephanie Danielson: Right. I see.

407

00:50:39.330 --> 00:50:41.460

Megan Shave: I'm moving people to panelists.

408

00:50:41.580 --> 00:50:43.200
Stephanie Danielson: And Joe Cooley is

409
00:51:23.160 --> 00:51:24.960
Stephanie Danielson: Okay, um,

410
00:51:25.980 --> 00:51:39.330
Stephanie Danielson: Again, Megan and I am going to ask you to start. I understand that some additional information was provided and you did issue a report on the 17th, you

411
00:51:39.360 --> 00:51:40.380
Megan Shave: Yes, so

412
00:51:40.440 --> 00:51:51.960
Megan Shave: To summarize, we received a report from Silva engineering basically providing the calculations for

413
00:51:53.640 --> 00:52:02.760
Megan Shave: stormwater capacity improvements to the internet and stream that would allow them to meet the post runoff.

414
00:52:03.780 --> 00:52:22.020
Megan Shave: Volumes that beta group was concerned about. So Phil did review those calculations and at this point he believes that the proposed stream improvement calculations would satisfy stormwater standards and so

415
00:52:22.890 --> 00:52:33.840
Megan Shave: His comment going forward. Was that the condition. Consider the impacts of the work, relative to the stream. So the proposed capacity increase would

416
00:52:34.440 --> 00:52:44.910
Megan Shave: Have a positive effect on the stormwater capacity of that stream. But in order to issue an order of conditions for that stream work we need to

417
00:52:45.810 --> 00:52:55.770
Megan Shave: Adequately quantify and describe the impacts of that work and the mitigation of any work. And so that's what my report focused on

418
00:52:56.130 --> 00:53:13.500
Megan Shave: So basically we received calculations of, you know, how the capacity of stream needed to be increased. And so what I tried to do is

estimate what that means in terms of impacts. And so I came up with a conservative

419

00:53:15.390 --> 00:53:22.590

Megan Shave: Quantification in that if they're proposing improvements a law 425

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00:53:23.670 --> 00:53:34.230

Megan Shave: Feet of the stream, then in terms of bank, we're looking at a maximum of 850 linear feet impacts to stream and then

421

00:53:34.650 --> 00:53:49.080

Megan Shave: Assuming four foot with bottom channel, which is sort of the proposed, I believe, after so regardless of how wide this dream is now the hose calculations are based on a four foot channel bottom

422

00:53:49.620 --> 00:54:00.570

Megan Shave: So that and again a long 400 425 feet I estimated that conservative 1700 foot impact in terms of land under water.

423

00:54:01.230 --> 00:54:15.240

Megan Shave: And so again, working off of that, then the work would need to meet the performance standards for bank and land underwater. So for example, the performance standards related to water capacity.

424

00:54:15.600 --> 00:54:27.630

Megan Shave: In both cases, I would assume. Since the goal is to improve water capacity, then this designed improvements would be meeting those standards, but

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00:54:28.020 --> 00:54:37.740

Megan Shave: I also again listed that the other standards include physical stability of the bank's ground and surface water quality. So

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00:54:38.250 --> 00:54:52.920

Megan Shave: Physical stability has to do with, you know, what are the slopes going to be, how are they going to be established stabilized simulate ground and surface water quality. That's where you get into sedimentation control and again

427

00:54:53.580 --> 00:55:04.380

Megan Shave: Stabilizing and you know working under conditions to prevent discharge of disturbed soils into the stream. And then finally, both

428

00:55:04.740 --> 00:55:13.140

Megan Shave: Resource areas include performance standards related to wildlife habitat functions, which is why I've brought up.

429

00:55:13.770 --> 00:55:22.080

Megan Shave: You know the importance of quantifying what the vegetative impacts are going to be so as Phil pointed out in his report.

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00:55:22.440 --> 00:55:32.070

Megan Shave: The stream is not a consistent with throughout. So in order to meet the proposed calculations. It's presumably the streams going to have to be widened.

431

00:55:32.460 --> 00:55:47.910

Megan Shave: In places. And so that's going to require a variable removal of vegetation to the point where it's moving beyond the bank into the surrounding area. So we are looking at potential removal of, you know, multiple

432

00:55:48.300 --> 00:55:56.190

Megan Shave: Layers from everything from ground cover to the tree layer. And so my concern, then, is

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00:55:57.450 --> 00:56:06.930

Megan Shave: Silver engineering did provide a follow up narrative addressing some of these comments, sort of in a general way in terms of

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00:56:07.500 --> 00:56:19.350

Megan Shave: You know how banks will generally be stabilized that the vegetation work can be done by hand and still I think that helps address some of the performance standards, but

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00:56:19.980 --> 00:56:27.180

Megan Shave: I believe my concern still in terms of trying to come up with how to condition this and actually issue.

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00:56:28.080 --> 00:56:36.210

Megan Shave: You know the order of conditions with special conditions part of their report says that the details of the channel restoration plan.

437

00:56:36.510 --> 00:56:41.670

Megan Shave: Would be submitted and approved by the conservation agent prior to proceeding with the work

438

00:56:42.210 --> 00:56:51.720

Megan Shave: And so my concern with that would be mainly two things. One, if we issue an order of conditions with that plan as a condition

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00:56:52.230 --> 00:57:02.010

Megan Shave: I'm not sure what the timeline or mechanism would be to be able to review that plan. And I also know from recent experience.

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00:57:02.880 --> 00:57:12.180

Megan Shave: With master up and how they're reviewing stream work projects, my concern would be that if we issue an order of conditions.

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00:57:12.600 --> 00:57:22.260

Megan Shave: With the information from this narrative worked into the special conditions, but not shown on a plan or not made very specific

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00:57:22.950 --> 00:57:32.700

Megan Shave: My concern would be that nasty EP themselves might follow up with an appeal and a request for a superseding order of conditions.

443

00:57:33.090 --> 00:57:42.360

Megan Shave: I just know for example STP recently, as I stated in my report they denied issuing even file number

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00:57:42.780 --> 00:57:54.300

Megan Shave: For a filing to do stream work in Brockton, because it was not explicit enough in its impacts and description of things like vegetation removal and debris removal

445

00:57:54.690 --> 00:58:15.000

Megan Shave: So I'm just anticipating that if they're denying issuing file numbers for stream work, I would think that there might be questioning of if we issue order conditions without, you know, very specific impacts in terms of quantifying and with

446

00:58:16.290 --> 00:58:23.940

Megan Shave: You know, if we're expanding the stream. What is that with a vegetation removal that's now going to become the new streaming bank.

447

00:58:24.420 --> 00:58:38.550

Megan Shave: And so on. And my concern is if that's not shown on a plan, then you know it could very well be complicated by the appeal for Masta EP and again just personally in terms of

448

00:58:39.420 --> 00:58:49.590

Megan Shave: The mechanism of when we would get to review that plan and approve it. If it's provided to us after the order conditions is issued would be a concern for me.

449

00:58:52.440 --> 00:58:52.920

Stephanie Danielson: Okay, I

450

00:58:53.130 --> 00:58:58.980

Pam Gurley: Believe you can approve anything. Once you close hearing. Oh.

451

00:59:02.820 --> 00:59:04.170

Stephanie Danielson: So, um,

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00:59:06.120 --> 00:59:09.450

Stephanie Danielson: I, I concur with Megan's

453

00:59:10.530 --> 00:59:11.490

Stephanie Danielson: Conclusions

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00:59:11.610 --> 00:59:12.300

Stephanie Danielson: I think

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00:59:13.620 --> 00:59:17.280

Stephanie Danielson: In order to understand. Yeah, why don't we. I'm sorry.

456

00:59:20.910 --> 00:59:24.030

Stephanie Danielson: Rebecca or Joe, would you like to respond.

457

00:59:29.280 --> 00:59:30.480

Rebecca Baptista: Did you want to add anything

458

00:59:34.050 --> 00:59:42.780

Rebecca Baptista: Okay, so we were hoping that the letter from Mississauga last week would give some comfort that we know we have all intentions of

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00:59:43.860 --> 00:59:49.950

Rebecca Baptista: Providing what the Commission wants but Megan's comments about the EP in a superseding is not what we want to

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00:59:51.120 --> 01:00:00.570

Rebecca Baptista: Face in the future. So we would like to find some compromise that we can move forward and still provide you the info you need to get this

461

01:00:01.620 --> 01:00:02.910

Rebecca Baptista: safely through D piece.

462

01:00:04.830 --> 01:00:12.720

Stephanie Danielson: So in response to that Rebecca, I found, and this is one of the concerns. I've had with this.

463

01:00:16.320 --> 01:00:18.630

Stephanie Danielson: Loud motorcycles point by. I don't know if you can

464

01:00:20.730 --> 01:00:21.150

Stephanie Danielson: I'm

465

01:00:23.250 --> 01:00:30.720

Stephanie Danielson: One of my concerns and again this project was already underway. When this current composition of the board.

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01:00:31.620 --> 01:00:36.930

Stephanie Danielson: First convene back in November, is that what it was. It's been a long time.

467

01:00:38.490 --> 01:00:45.750

Stephanie Danielson: Is there's just such a lack of specificity on on what is going to be

468

01:00:47.850 --> 01:00:57.870

Stephanie Danielson: The work that's going to be done. I mean, how exactly how much disturbances, they're going to be what is the restoration and I can talk a lot about stabilization.

469

01:00:58.380 --> 01:01:09.420

Stephanie Danielson: What is the grading of the the banks Megan when you said a four foot stream bed, were you talking with or depth. Do we know what the depth of the

470

01:01:11.250 --> 01:01:16.380

Megan Shave: Um, I mean I would defer to Rebecca to correct me but

471

01:01:16.710 --> 01:01:19.230

Megan Shave: My understanding is right now it's

472

01:01:19.260 --> 01:01:32.670

Megan Shave: Variable. So what shown when they report is what they're trying to reach. And my understanding is that the based on their calculations. The goal is the forefoot with stream bed.

473

01:01:33.120 --> 01:01:42.330

Megan Shave: At Matt based on the depth that they say the depth. Now, I believe, is two to three feet and they want it to be three feet through out

474

01:01:43.080 --> 01:02:00.750

Megan Shave: So it's looking at some potential degree of debris removal and excavation to get to that four foot with three foot deep along that 425 feet and Rebecca can correct me if I know

475

01:02:01.950 --> 01:02:14.820

Rebecca Baptista: That we had a contract to go out the one who has done work for DP W one, some of these streams and because assessment was it's about two to three feet. It's full of sediment. It's full of trash tires shopping carriages.

476

01:02:16.290 --> 01:02:19.470

Rebecca Baptista: Those things have collected the sentiment over time and

477

01:02:20.640 --> 01:02:21.540

Rebecca Baptista: Yeah, we need to get the model.

478

01:02:22.890 --> 01:02:24.030

Stephanie Danielson: Maintain depth.

479

01:02:27.990 --> 01:02:36.300

Stephanie Danielson: And the letter from Mr. Sylvia did not detail how how the work was going to be done in overseen

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01:02:38.730 --> 01:02:39.450

Rebecca Baptista: Correct.

481

01:02:40.830 --> 01:02:53.790

Rebecca Baptista: We issued that letter the night of the meeting. Well last week's posted meeting that didn't happen. So we were hoping to have

a conversation about what the Commission would like to see in order to develop a and fully implement the plan.

482

01:02:54.780 --> 01:03:08.280

Stephanie Danielson: Well, I think we'd like a proposal on how how the work will be conducted. Where is as you're reading material, where is it going to be stored. What's going to be, how is it going to be dispose

483

01:03:09.360 --> 01:03:10.950

Stephanie Danielson: How are you

484

01:03:12.000 --> 01:03:15.780

Stephanie Danielson: I mean this is 425 feet wide. How many

485

01:03:15.960 --> 01:03:26.790

Stephanie Danielson: Days, is it projected to take to do this clearing. What are you going to do to protect the stream or any stockpiles if there's

486

01:03:27.210 --> 01:03:41.010

Stephanie Danielson: severe storm event, while you're doing the work. I mean there's just this is this is very much a here's here's generally, to me, it's, it's an idea, you've expressed an idea about

487

01:03:43.200 --> 01:03:44.370

Stephanie Danielson: cleaning out the stream.

488

01:03:45.510 --> 01:03:54.120

Stephanie Danielson: And and then here's generally how we're going to do it, but not getting down into the detail that's needed when you're working in a resource area.

489

01:03:54.780 --> 01:04:08.490

Rebecca Baptista: Well, like you this project came to our fell in our lap. And so we are trying to make the best of it as we move along. So yes, you are presented with an idea if you like the idea. We will further implement a more detailed documentation.

490

01:04:09.180 --> 01:04:23.490

Stephanie Danielson: Okay, I'm. That is what we're I'm. That's what I'm asking for what Megan is asking for and again I will allow I will ask my other Commissioners, my fellow Commissioners for their comments. Joanne.

491

01:04:29.490 --> 01:04:31.230

Joanne Zygmunt: I think this is really hard project.

492

01:04:33.720 --> 01:04:34.050

Joanne Zygmunt: I

493

01:04:34.470 --> 01:04:40.560

Stephanie Danielson: Can I don't know if it's just me, but you're a little your volume is a little low right now. And if you can

494

01:04:40.590 --> 01:04:48.870

Joanne Zygmunt: Little bit better now. Yes. Okay. Um, so I'm really struggling to identify how

495

01:04:51.600 --> 01:05:06.480

Joanne Zygmunt: How this project can actually be conditions to meet the performance standards Seto and the wetlands regulations. I think that the plan really relies on the capacity of this stream to take away the water

496

01:05:07.710 --> 01:05:16.830

Joanne Zygmunt: And at the moment there is no real plan for how to address the immediate increase in that streams capacity.

497

01:05:19.140 --> 01:05:27.750

Joanne Zygmunt: And beyond that, there's a question of long term operations and management of this entire system on the site plan.

498

01:05:28.380 --> 01:05:40.740

Joanne Zygmunt: Itself that talks about touch base and maintenance and issues that have to be checked on, you know, in some cases, four times a year. It says that the sump pump some basins need to be cleaned out

499

01:05:41.850 --> 01:05:59.250

Joanne Zygmunt: Is that going to fall on you know is that going to be the responsibility of the city has the city committed to that and or will this be the responsibility of the new house that's proposed right next to it. I don't think that's the case right

500

01:06:00.360 --> 01:06:10.800

Joanne Zygmunt: And similarly with the stream it might be hypothetically dredge now to take the water away that we would need it to in order to fulfill

501

01:06:12.540 --> 01:06:24.660

Joanne Zygmunt: This plan, but in 10 years time, will it need to be dredged again and whose responsibility is that going to be, is that going to fall on the city and will the city commit to that. Now for this long term operation and maintenance.

502

01:06:25.440 --> 01:06:32.640

Joanne Zygmunt: And also I'm concerned that invaders report the peer review if you give me one moment just to bring it up.

503

01:06:35.490 --> 01:06:35.970

Joanne Zygmunt: Where am I

504

01:06:37.710 --> 01:06:41.670

Joanne Zygmunt: Good in the peer review report.

505

01:06:43.800 --> 01:06:46.290

Joanne Zygmunt: Our peer reviewer states that

506

01:06:47.850 --> 01:06:52.500

Joanne Zygmunt: The project needs to stand it up or down gradient project point of analysis. However, there is an increase to the

507

01:06:52.530 --> 01:07:02.640

Joanne Zygmunt: Budding property with reported flooding issues just down gradient of the proposed attention base and increases in peak rate and volume of runoff have a high potential to adversely impact this and butter. So, I mean,

508

01:07:03.060 --> 01:07:17.220

Joanne Zygmunt: Do you have permission from the property owner at 41 what's number. I think it's 4141 Herman to, you know, be discharging all this additional water onto his or her property as well. I just

509

01:07:18.210 --> 01:07:30.240

Joanne Zygmunt: I honestly don't see how how this could be conditioned to actually meet the performance standards. I think we're all trying really hard to to do so and to resolve it. But I honestly just don't see how it can be done.

510

01:07:38.490 --> 01:07:42.090

Stephanie Danielson: Okay, thank you. Julian, honey.

511

01:07:44.070 --> 01:07:53.730

Bonnie Sparks: I support what Joanne brought up, but I think what we're doing now is basically asking the questions that will be addressed in the actual

512

01:07:56.790 --> 01:08:14.190

Bonnie Sparks: Words fail me the, what will be presented to us at a future date. So like we said this is the idea. Now we're going to address. Hopefully this will be able to be addressed by Ms. BAPTISTA and whoever she is working with

513

01:08:15.450 --> 01:08:16.800

Bonnie Sparks: But I

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01:08:17.820 --> 01:08:20.640

Bonnie Sparks: Beyond that, I don't have anything additional to add

515

01:08:28.050 --> 01:08:36.990

Megan Shave: And if I could just add, I'm not sure this has come up yet but Joanne reminded me about when it comes to the butters permission and I think

516

01:08:37.530 --> 01:08:52.320

Megan Shave: You know, if we're going to go forward with this Avenue, we do have to keep in mind that we, the this order of conditions will then extend on to a butters properties like in order to access that stream at

517

01:08:53.250 --> 01:08:56.010

Megan Shave: The budding properties. So,

518

01:08:56.580 --> 01:08:59.310

Stephanie Danielson: That will need to be collab with her.

519

01:09:00.630 --> 01:09:00.930

Megan Shave: Yes.

520

01:09:12.030 --> 01:09:13.260

Stephanie Danielson: Good questions is

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01:09:13.260 --> 01:09:13.680

The

522

01:09:17.910 --> 01:09:27.210

Stephanie Danielson: I would think that the those the butters would need to sign on to the application at this point before we could even continue

523

01:09:29.040 --> 01:09:32.280

Stephanie Danielson: Dating or or hearing the details.

524

01:09:33.780 --> 01:09:40.770

Stephanie Danielson: Are at the, at the same time that's provided there sign on to the application would need to be with

525

01:09:51.330 --> 01:09:52.380

Stephanie Danielson: Megan is that

526

01:09:52.890 --> 01:09:59.460

Megan Shave: We can't make Yes, certainly. We can't issue anything or considered issuing anything unless

527

01:10:00.990 --> 01:10:03.090

Stephanie Danielson: Others have signed on

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01:10:10.140 --> 01:10:14.010

Stephanie Danielson: So I was, I was actually going to ask if you

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01:10:15.150 --> 01:10:22.890

Stephanie Danielson: If you wanted to continue the hearing so that you could provide this information to the Commission and continue the process.

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01:10:24.570 --> 01:10:30.240

Stephanie Danielson: But it's either that or, again, if this is the proposal, I don't think we could do anything but that.

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01:10:35.130 --> 01:10:40.920

Rebecca Baptista: I will cross that we continue. So I can discuss with the client and review our options.

532

01:10:42.150 --> 01:10:53.280

Stephanie Danielson: Okay. And our next meeting is the 16th was that the yes tember 16th. Do I have a motion to continue to hearing to September 16

533

01:10:54.120 --> 01:10:57.150

Joanne Zygmunt: I'll make a motion to continue hearing to September 16

534

01:10:57.390 --> 01:10:58.680

Bonnie Sparks: It's July 1

535

01:10:58.830 --> 01:10:59.370

Or second

536

01:11:00.510 --> 01:11:02.370

Stephanie Danielson: All in favor. Daniels and I

537

01:11:03.000 --> 01:11:04.710

Joanne Zygmunt: Are excited segment I

538

01:11:06.150 --> 01:11:07.110

Stephanie Danielson: Okay, thank you.

539

01:11:12.030 --> 01:11:13.290

Stephanie Danielson: The next item.

540

01:11:14.790 --> 01:11:15.750

Stephanie Danielson: On the agenda.

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01:11:18.510 --> 01:11:19.230

Paper here.

542

01:11:21.540 --> 01:11:26.580

Stephanie Danielson: I'm trying to get my continuing to St. The next item on the agenda is

543

01:11:26.700 --> 01:11:29.850

Stephanie Danielson: Madam Chair, as the notice of intent which has continued. Yes.

544

01:11:30.390 --> 01:11:34.590

Pam Gurley: It wasn't a butter as an attendee and he had his hand up.

545

01:11:35.040 --> 01:11:36.060

Stephanie Danielson: Oh, I'm sorry.

546

01:11:37.350 --> 01:11:38.940

Stephanie Danielson: I'm okay.

547

01:11:41.400 --> 01:11:42.720

Joanne Zygmunt: Do we need to reopen the hearing.

548

01:11:43.770 --> 01:11:45.960

Stephanie Danielson: Well, we haven't closed it we can we can

549

01:11:47.760 --> 01:11:48.720

Pam Gurley: I think he's is

550

01:11:49.110 --> 01:11:49.860

Stephanie Danielson: Is is

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01:11:50.490 --> 01:11:53.760

Pam Gurley: It was Paul, but I believe he okay

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01:11:54.210 --> 01:11:55.710

Stephanie Danielson: Yeah, I just went away. Um,

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01:11:56.850 --> 01:11:58.170

Pam Gurley: You know, probably email.

554

01:11:58.650 --> 01:11:59.370

Me. Okay.

555

01:12:01.080 --> 01:12:02.280

Stephanie Danielson: Okay, well, in any case,

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01:12:05.820 --> 01:12:06.210

Joanne Zygmunt: Yeah.

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01:12:07.590 --> 01:12:09.000

Stephanie Danielson: And it looks like oh

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01:12:10.560 --> 01:12:11.430

Stephanie Danielson: I'm sorry, I don't

559

01:12:15.300 --> 01:12:15.780

Stephanie Danielson: Okay.

560

01:12:19.110 --> 01:12:20.250
Stephanie Danielson: All right, so

561
01:12:22.710 --> 01:12:27.060
Stephanie Danielson: The 160 61 with continued one one.

562
01:12:28.620 --> 01:12:31.200
Stephanie Danielson: Really three Quincy street was continued

563
01:12:32.340 --> 01:12:40.800
Stephanie Danielson: So we are on to the request to amend in order of conditions for West Elm Street. Great. And we have

564
01:12:41.940 --> 01:12:42.420
Stephanie Danielson: Someone

565
01:12:44.580 --> 01:12:47.610
Stephanie Danielson: I never saw Magdalena on the list.

566
01:12:47.970 --> 01:12:56.190
Jason Flietstra: Uh, she actually had to run to another meeting with the reading Conservation Commission. So this is Jason fleets Dre. I'm sitting in for CM Smith.

567
01:12:58.200 --> 01:12:59.610
Stephanie Danielson: Okay, um,

568
01:13:00.720 --> 01:13:02.760
Stephanie Danielson: Why don't you tell us about the project.

569
01:13:03.870 --> 01:13:15.390
Jason Flietstra: Well, this is an emergency extension on the project that we're working on now. The West Elm Street Bridge that curious sells very Brook underneath West Elm Street.

570
01:13:15.960 --> 01:13:34.770
Jason Flietstra: Is currently being replaced with a new four sided box covert and when they when Brockton, Department of Public Works was doing some lead work for that rerunning a new sewer line. They had a dump truck fall through the covert roof, just north of that in the Manning towers parking lot.

571
01:13:35.970 --> 01:13:44.400

Jason Flietstra: So we have an emergency contract that will extend the work to continue working north and make that repair.

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01:13:47.340 --> 01:13:49.530

Stephanie Danielson: Okay, Megan Do you want to

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01:13:51.660 --> 01:13:53.310

Stephanie Danielson: summarize your report for us.

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01:13:54.600 --> 01:14:17.940

Megan Shave: Yes. So again, this is a request for an amended order conditions. So they do have an issue order conditions for replacing that bridge portion of the culvert and that work is currently underway. And so this additional repair work again is just north of where the current work is going on.

575

01:14:18.960 --> 01:14:28.770

Megan Shave: And they're proposing basically to replace the top deck of the Colbert, and then the top of the environments. So the tops of the walls.

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01:14:29.040 --> 01:14:38.670

Megan Shave: And according to my reading of the plans, the current footings are going to remain in place so they won't be replacing the entire walls. So the additional

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01:14:39.480 --> 01:14:52.530

Megan Shave: Impacts temporary impacts that would be quantified. Here is an additional temporary impact to 225 feet of bank and in this case bank is sort of

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01:14:53.640 --> 01:15:02.040

Megan Shave: Just a by law description of where the mean high water level is relative to the abutment and the earth.

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01:15:02.430 --> 01:15:09.420

Megan Shave: On the other side of the abutment. So it would be a temporary impact in terms of removing that top of the abutment and replacing it.

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01:15:09.930 --> 01:15:25.200

Megan Shave: So it would be considered a temporary impact of bank, even though the bank is currently the abutment itself. Similarly, they're proposing additional temporary impacts to land underwater in order to

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01:15:26.400 --> 01:15:36.450

Megan Shave: divert the river using a similar sandbag copper. Damn, that was approved to divert the river just downstream where they're doing the

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01:15:37.230 --> 01:15:46.650

Megan Shave: culvert replacement. So again, not permanent impacts of the stream but itself, but there again proposing to coffered dam to

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01:15:47.400 --> 01:15:58.950

Megan Shave: divert the river. Well, they replace the abutment. And so based on that, and given the need for the repairs and the proximity to the existing work.

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01:15:59.370 --> 01:16:08.670

Megan Shave: I think it's appropriate to consider this as amended order conditions, rather than requiring a special or a additional Noi

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01:16:09.120 --> 01:16:23.010

Megan Shave: And so I think that the order conditions could be amended to add those additional temporary impacts. I just outlined to add this additional plans set to the plan of record.

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01:16:23.820 --> 01:16:34.590

Megan Shave: Of conditions and then to add the proposed mitigation measures that are already in the order of conditions. We could add those to the order of conditions.

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01:16:37.710 --> 01:16:47.880

Stephanie Danielson: Okay, I just have a question, because I can honestly say I do not think I've been down West Elm Street since

588

01:16:49.110 --> 01:16:50.340

Stephanie Danielson: The last lockdown.

589

01:16:51.720 --> 01:16:57.000

Stephanie Danielson: So is this impeding traffic at this point or use up the roadway.

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01:16:57.810 --> 01:17:15.990

Jason Flietstra: Currently the roadway is closed for the replacement of this bridge on the actual current or the pre cast structure arrives tomorrow. And once that's their progress will be pretty quick to finished up there was a deadline to have this done by Labor Day and the road may open.

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01:17:18.150 --> 01:17:18.630

Stephanie Danielson: Okay.

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01:17:19.650 --> 01:17:20.130

Stephanie Danielson: I'm

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01:17:21.150 --> 01:17:23.730

Stephanie Danielson: Bonding Joanne. Any comments, questions.

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01:17:24.420 --> 01:17:40.500

Bonnie Sparks: My only question is the additional this wrong word, but the diversion of the the water flow having to have those. Is that going to cause any problems or need any additional anything that's not listed here. So I don't know what goes into it, but it sounds like it could be

595

01:17:41.550 --> 01:17:42.780

Bonnie Sparks: potentially problematic.

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01:17:46.140 --> 01:17:56.670

Jason Flietstra: So the, the only plan would be to divert water to one side of the channel that's there so that work can be performed in the dry on the one abutment at a time.

597

01:17:57.750 --> 01:18:06.540

Jason Flietstra: So that it would only be diverting it one way and then once that side is complete, then the sandbags will be arranged subset, the water be diverted to the other side.

598

01:18:09.540 --> 01:18:15.810

Bonnie Sparks: And that won't impact the work that is, I'm assuming paused or continuing down down the river or

599

01:18:16.050 --> 01:18:24.420

Jason Flietstra: Because of the deadline, the work that's underway now will be complete before this begins and it will just continue to work their way, nor

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01:18:25.980 --> 01:18:27.330

Bonnie Sparks: answers our question. Thank you very much.

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01:18:27.990 --> 01:18:28.500

Stephanie Danielson: Oh, yeah.

602

01:18:28.800 --> 01:18:29.700

Joanne Zygmunt: I have no questions.

603

01:18:30.270 --> 01:18:38.190

Stephanie Danielson: Okay, so I don't keep doing this on any members of the public who are participating in this have any questions.

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01:18:41.520 --> 01:18:54.180

Stephanie Danielson: Okay. Hearing none, do I have this is a hearing, we did receive a better group of daily. Yes, I said in the beginning, um, I have a motion to close the hearing.

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01:18:55.200 --> 01:18:57.900

Joanne Zygmunt: Here, I'll make a motion to close the hearing about

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01:18:57.930 --> 01:18:58.710

Bonnie Sparks: sparks a second

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01:18:59.790 --> 01:19:01.440

Stephanie Danielson: All in favor. Daniel tonight.

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01:19:02.010 --> 01:19:04.770

Joanne Zygmunt: Darkside segment I great

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01:19:04.860 --> 01:19:06.030

Stephanie Danielson: Okay. Motion passes.

610

01:19:07.560 --> 01:19:07.920

Jason Flietstra: Thank you.

611

01:19:08.640 --> 01:19:21.030

Stephanie Danielson: You're welcome. Ok. The next item on the agenda is ongoing business and we have 536 North Queensland three a correspondence update

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01:19:22.680 --> 01:19:25.590

Joanne Zygmunt: Sorry, Stephanie did. We have to actually vote to

613

01:19:26.100 --> 01:19:36.480

Stephanie Danielson: Water, did we not do that. We just voted to close. Right. Do I have a motion to issue an amended order with the conditions. I'm aided by

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01:19:37.680 --> 01:19:38.160

Stephanie Danielson: Megan.

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01:19:38.820 --> 01:19:44.820

Joanne Zygmunt: Yes. So Joanne here. I'll make a motion to issue the amended order of conditions with the

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01:19:46.710 --> 01:19:50.880

Joanne Zygmunt: With the recommendations outlined in the conservation agents report.

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01:19:52.530 --> 01:19:52.890

Bonnie Sparks: Rice.

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01:19:55.110 --> 01:19:58.290

Stephanie Danielson: Okay, and for discussion and

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01:19:59.370 --> 01:20:01.920

Stephanie Danielson: I don't think I don't think Megan's

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01:20:03.180 --> 01:20:05.820

Stephanie Danielson: Outlining who's adding the additional plan set

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01:20:07.860 --> 01:20:14.670

Stephanie Danielson: The emergency parking lot as a plan of record. Yes, it does. Okay. All right. I'm all in favor Daniel tonight.

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01:20:15.300 --> 01:20:17.040

Joanne Zygmunt: I'm sorry I

623

01:20:18.240 --> 01:20:18.930

Still voted.

624

01:20:20.220 --> 01:20:20.610

Stephanie Danielson: Okay.

625

01:20:24.270 --> 01:20:27.720

Stephanie Danielson: All right, now we can move on to 536 North Quincy Street.

626

01:20:29.250 --> 01:20:54.420

Megan Shave: Okay, so we have someone as an attendee with the phone number 508-944-6184 so I'm not sure if that is the property owner, Bill, Sarah. So I'm wondering if it is if he could press some leave it star nine to raise his hand. It looks like he has. So let me see if I can

627

01:20:56.730 --> 01:20:57.750

Add him to that.

628

01:21:03.720 --> 01:21:06.300

Stephanie Danielson: Yeah, looks like you're on it. We just need to unmute

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01:21:11.250 --> 01:21:11.790

Stephanie Danielson: There we go.

630

01:21:17.970 --> 01:21:18.300

15089446184: All right.

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01:21:18.780 --> 01:21:21.600

15089446184: Okay, we're going to have. We're going to have Megan.

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01:21:22.170 --> 01:21:24.000

Stephanie Danielson: Megan you agreed to give a summary.

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01:21:24.630 --> 01:21:26.730

Stephanie Danielson: Yes, I can do that. Okay, but

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01:21:26.910 --> 01:21:34.440

Stephanie Danielson: That's the general the gentleman who just joined us. If you could just identify yourself before Megan gives us a summary of

635

01:21:34.530 --> 01:21:35.340

15089446184: This truth.

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01:21:35.430 --> 01:21:35.760

Item

637

01:21:37.980 --> 01:21:39.810

15089446184: Bill Sarah sp.

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01:21:41.100 --> 01:21:42.780

15089446184: 536 North Street.

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01:21:43.500 --> 01:21:46.020

Stephanie Danielson: Great, thank you very much. And thank you for joining us.

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01:21:46.380 --> 01:21:47.370

Stephanie Danielson: Okay, thank you.

641

01:21:49.230 --> 01:21:58.470

Megan Shave: Yes, so this correspondence came about because our office has received via the building department and the

642

01:22:00.360 --> 01:22:20.280

Megan Shave: Word counselor Jack Lally a number of complaints about equipment and Phil being brought on to this property in question 536 North Quinsey Street. So I've been out to the property with Mr. Sarah to take a look and

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01:22:20.730 --> 01:22:22.290

15089446184: As he explained

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01:22:23.490 --> 01:22:35.370

Megan Shave: He has an acquaintance, who has a tree company who brings trees from off site onto the site or stored and cut up and then eventually taken back off site.

645

01:22:35.670 --> 01:22:52.680

Megan Shave: And so when I went out there. I did confirm that that appears to be what is back there. There wasn't any other heavy equipment that was the piles of trees in the rear of the property. And so in terms of the

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01:22:54.060 --> 01:23:10.590

Megan Shave: complaints from the arbiters relative to fill being brought in. I didn't see evidence of any new fill piles. So as part of my review of the property. I went to the back of the site to look at where the existing Phil slow

647

01:23:10.770 --> 01:23:12.690

Megan Shave: moves down into the wetlands.

648

01:23:12.930 --> 01:23:31.320

Megan Shave: And so I observed the Phil slope looked a bit Rocky, so it didn't look particularly older particularly new. So I'd asked Mr. Sarah, how old that Phil slope is, and I believe he said it was about four years old. And so that was my only encounter.

649

01:23:31.440 --> 01:23:33.660

15089446184: With what I would consider potential fill

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01:23:33.660 --> 01:23:34.380

Megan Shave: On the site.

651

01:23:34.710 --> 01:23:45.600

Megan Shave: But in terms of what was actually going on within the past month or so I only documented the storage of the trees and the wood that appeared to be from off site.

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01:23:46.050 --> 01:23:58.410

Megan Shave: And so I didn't send a follow up letter again inviting Mr Sarah to come. Share this with the Commission and to confirm this activity that's been going on in the site.

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01:23:59.640 --> 01:24:00.810

Stephanie Danielson: But with the Sarah.

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01:24:01.830 --> 01:24:03.150

Stephanie Danielson: Thank you. Thank you, Megan.

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01:24:04.620 --> 01:24:08.100

Stephanie Danielson: Megan provided us with some aerial photographs

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01:24:08.460 --> 01:24:10.710

Stephanie Danielson: That one was taken.

657

01:24:10.740 --> 01:24:22.080

Stephanie Danielson: In 2013 and the other in 2019 and this is kind of to Megan as well. It looks like there has been clearing beyond the area.

658

01:24:22.140 --> 01:24:31.560

Stephanie Danielson: That was previously cleared in 2013 and I, I'm going to guess. I don't know how

659

01:24:32.880 --> 01:24:36.270

Stephanie Danielson: how large the lot is, and these aerial

660

01:24:37.290 --> 01:24:46.590

Stephanie Danielson: Pictures do not show a scale, but it looks like it's at least 50 feet, maybe 100 feet. Megan, I'm guessing.

661

01:24:48.330 --> 01:25:01.680

Stephanie Danielson: What what has been going on on the property and. And again, you said there was some filled filled that Megan observed was within the last four years, what has been going on as far as Earth movement and clearing on the property.

662

01:25:03.960 --> 01:25:06.900

15089446184: Well, I, are you addressing me, yes.

663

01:25:07.260 --> 01:25:16.410

15089446184: Yes, yes. So, so what we've been doing. I've had, I've been lucky enough to have a customer of mine dropping off log

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01:25:17.460 --> 01:25:17.880

Stephanie Danielson: And

665

01:25:18.780 --> 01:25:41.010

15089446184: I've been codons splitting shipping shredding. I mean, it's a it's a lot of stuff. It's a big, it's a lot. I've been doing about four years now, and I just keep I try to keep it clean so that I don't twist an ankle and or anything like that, you know, fall

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01:25:42.030 --> 01:25:42.390

15089446184: You know,

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01:25:44.040 --> 01:25:44.430

15089446184: You know,

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01:25:47.190 --> 01:25:48.660

Stephanie Danielson: Clearing was done.

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01:25:48.960 --> 01:25:50.850

Stephanie Danielson: To facilitate this

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01:25:52.530 --> 01:25:57.390

Stephanie Danielson: This logging processing operations that you're conducting at the site.

671

01:25:58.530 --> 01:26:10.020

15089446184: Yeah, yeah, yeah. Right. Exactly. I'm trying to, you know, I don't want to fall or anything and I i tried not to my weekend, Sunday, Monday, so I try not to forget anything, you know,

672

01:26:11.280 --> 01:26:20.220

15089446184: Before 10 o'clock in the morning on on my weekends and just been doing it for quite a while now. He's been lucky enough that he's been dropping off not charging me you

673

01:26:21.270 --> 01:26:23.940

15089446184: Know, so I'll try.

674

01:26:24.900 --> 01:26:29.340

Stephanie Danielson: Okay. So Megan, my, my follow up question is

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01:26:30.330 --> 01:26:31.680

Stephanie Danielson: Looking at the area that

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01:26:31.710 --> 01:26:32.700

Stephanie Danielson: Is cleared.

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01:26:33.510 --> 01:26:34.950

Stephanie Danielson: What is the distance

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01:26:36.480 --> 01:26:36.810

Stephanie Danielson: Of

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01:26:36.870 --> 01:26:40.590

Stephanie Danielson: The clearing to the wetland line, you have an idea.

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01:26:42.210 --> 01:26:51.630

Megan Shave: So based on my visit there. Basically, you know, historically, I assume the site was originally raised up along with the

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01:26:51.630 --> 01:26:54.750

Megan Shave: Road. And so as you move back

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01:26:55.830 --> 01:27:12.270

Megan Shave: Basically, where the existing Phil slope is to date, it drops off pretty steeply and just from looking at it based on the vegetation and the change in grade, you're probably looking at that, it dropped straight from the Phil slope into btw

683

01:27:15.390 --> 01:27:18.600

Stephanie Danielson: Okay. And it's cleared up to the film slope.

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01:27:20.700 --> 01:27:39.480

Megan Shave: It's there are still some canopy trees going out to the field slope. So I wouldn't say it's entirely cleared. You know, there are still trees along the slope. The slope itself again towards the edge, it looked a bit rocky

685

01:27:39.810 --> 01:27:55.380

Megan Shave: Which makes up here, you know, to age, which was why I made the comment asking how old that Phil slope was because it's difficult to tell you know if that was the historic sale slope or if it might have been

686

01:27:55.800 --> 01:27:58.290

Megan Shave: Expanded within the past few years.

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01:27:59.490 --> 01:28:01.050

Stephanie Danielson: Right, so

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01:28:02.880 --> 01:28:04.260

Stephanie Danielson: Mr. Sarah.

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01:28:05.310 --> 01:28:07.050

Stephanie Danielson: Are you aware that any

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01:28:07.050 --> 01:28:10.530

Stephanie Danielson: Work done within 100 feet of

691

01:28:10.620 --> 01:28:11.790

15089446184: A wetland resource.

692

01:28:11.790 --> 01:28:12.300

Stephanie Danielson: Area.

693

01:28:12.330 --> 01:28:14.730

Stephanie Danielson: Requires a permit from the Conservation Commission.

694

01:28:16.590 --> 01:28:20.730

15089446184: And I'm aware of that. Now, I, I didn't. Yeah.

695

01:28:22.830 --> 01:28:24.420

Stephanie Danielson: Okay, um,

696

01:28:26.040 --> 01:28:26.670

Stephanie Danielson: So I'm going to have

697

01:28:26.970 --> 01:28:29.190

Stephanie Danielson: One last question. And then I'm going to

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01:28:29.550 --> 01:28:31.110

Stephanie Danielson: Turn it over to Bonnie

699

01:28:31.170 --> 01:28:32.340

15089446184: And Joanne.

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01:28:33.780 --> 01:28:35.520

Stephanie Danielson: Again, it appears, if

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01:28:36.720 --> 01:28:37.110

Stephanie Danielson: I'm

702

01:28:40.590 --> 01:28:41.430

Stephanie Danielson: Clearing

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01:28:42.780 --> 01:28:44.880

Stephanie Danielson: The area of what looks as though it was

704

01:28:45.960 --> 01:28:48.780

Stephanie Danielson: vegetated to wear it is

705

01:28:50.850 --> 01:28:53.880

Stephanie Danielson: Cleared so we know there's film material there.

706

01:28:54.990 --> 01:29:00.240

Stephanie Danielson: So, Mr. Sarah, in addition to clearing, did you bring in film material.

707

01:29:03.780 --> 01:29:07.980

15089446184: The brush in the trees and all that stuff that comes with all those logs.

708

01:29:09.120 --> 01:29:10.560

15089446184: And I try to push it over.

709

01:29:11.610 --> 01:29:13.140

Stephanie Danielson: So we ever the rocks come from.

710

01:29:15.600 --> 01:29:18.990

15089446184: This portal and then that way ever since I can remember.

711

01:29:20.070 --> 01:29:22.920

Stephanie Danielson: Okay, but have you done any grading on this site.

712

01:29:24.360 --> 01:29:35.190

15089446184: Like, like I said, I do push stuff around. I'm just so I can say to stop me from because when you're cutting splitting and Trump and

713

01:29:36.000 --> 01:29:49.470

15089446184: Shipping up all that stuff. It, it definitely gets piled up in there. You know, so I do push stuff wrong. I'm not sure I'm breathing is what I do, please let me know. Yeah, I need to mow it

714

01:29:55.110 --> 01:29:55.470

15089446184: Hello.

715

01:29:56.220 --> 01:30:02.670

Stephanie Danielson: Yes, what kind of equipment. Are you using when you're clearing it out and cleaning it out and pushing things around.

716

01:30:03.630 --> 01:30:04.080

15089446184: Oh well.

717

01:30:05.220 --> 01:30:05.730

15089446184: I have

718

01:30:06.780 --> 01:30:08.940

15089446184: I got another customer of mine, I

719

01:30:10.170 --> 01:30:10.980
15089446184: Am

720
01:30:12.990 --> 01:30:13.320
15089446184: A

721
01:30:14.520 --> 01:30:14.820
15089446184: Can I

722
01:30:16.560 --> 01:30:18.480
Stephanie Danielson: Witness to Sarah I need

723
01:30:18.810 --> 01:30:23.190
Stephanie Danielson: A break for a minute because I don't think anyone's
come in my house and I think there's something on the

724
01:30:23.190 --> 01:30:25.470
Stephanie Danielson: Stove that's burning. I will be

725
01:30:25.980 --> 01:30:26.370
Back.

726
01:30:57.810 --> 01:30:59.220
Stephanie Danielson: Sorry about that. I'm back.

727
01:31:00.330 --> 01:31:03.750
15089446184: Okay, I'm yes okay so if you could

728
01:31:03.750 --> 01:31:04.470
Continue.

729
01:31:05.520 --> 01:31:11.700
15089446184: Okay, so I can say as a landscaper back there, that he has
what they call lane road which is like a

730
01:31:12.390 --> 01:31:27.000
15089446184: Like a power shovel that you stand in and I use that to push
the the branches in ship stuff he leaves and stuff around okay it tears
up our ground while you do it. I don't think it can change it.

731
01:31:28.350 --> 01:31:29.790
15089446184: Just a little finger standing

732

01:31:30.900 --> 01:31:31.410

Stephanie Danielson: Okay.

733

01:31:32.010 --> 01:31:33.120

Stephanie Danielson: All right. Um,

734

01:31:33.420 --> 01:31:34.410

Stephanie Danielson: Tell him, Bonnie.

735

01:31:35.760 --> 01:31:36.780

Joanne Zygmunt: I have no questions.

736

01:31:38.040 --> 01:31:39.570

Bonnie Sparks: Nor do I have any questions.

737

01:31:42.990 --> 01:31:44.160

Stephanie Danielson: Where do we go from here.

738

01:31:47.220 --> 01:31:48.990

15089446184: And I think we

739

01:31:49.710 --> 01:31:51.090

Stephanie Danielson: I think we need to give

740

01:31:52.320 --> 01:31:56.400

Stephanie Danielson: We need to better understand what's happening on the site and

741

01:31:56.580 --> 01:31:58.830

Stephanie Danielson: If Mr. Sarah some guidance.

742

01:31:59.850 --> 01:32:02.190

Stephanie Danielson: On what he can and can't do,

743

01:32:04.590 --> 01:32:12.330

Megan Shave: And son Stephanie, would you recommend another site visit to visit the slope.

744

01:32:12.840 --> 01:32:13.350

Yes.

745

01:32:14.940 --> 01:32:15.360

Stephanie Danielson: Yes.

746

01:32:22.020 --> 01:32:31.350

Stephanie Danielson: Yes. So I understand what you're trying to do miss this era of. We want to make sure that you're not in violation of the weapons Protection Act.

747

01:32:33.240 --> 01:32:35.040

15089446184: Okay, sure, sure.

748

01:32:36.180 --> 01:32:39.390

Stephanie Danielson: Okay, so I'm making you arrange another site.

749

01:32:39.420 --> 01:32:40.620

Stephanie Danielson: Visit with Mr. Sarah.

750

01:32:42.420 --> 01:32:43.980

Megan Shave: Yes, I can do that.

751

01:32:45.480 --> 01:32:46.080

Megan Shave: Shall I

752

01:32:47.760 --> 01:32:50.610

Megan Shave: Said I look to schedule with any Commission numbers.

753

01:32:50.640 --> 01:32:58.980

Stephanie Danielson: Or I was, I was just going to suggest that, yeah, I'd be happy to attend. If I can throw in Bonnie

754

01:32:59.430 --> 01:33:00.720

Joanne Zygmunt: Yeah, absolutely. Let me know when

755

01:33:01.470 --> 01:33:04.110

Stephanie Danielson: Yeah. So yeah, if we could do that. That would be great.

756

01:33:06.480 --> 01:33:10.110

Megan Shave: Okay, yeah. So I'm pretty the ball so

757

01:33:13.920 --> 01:33:15.480
Megan Shave: I can propose.

758
01:33:17.100 --> 01:33:19.410
Megan Shave: Propose some times in the upcoming

759
01:33:22.020 --> 01:33:22.290
Megan Shave: Week.

760
01:33:23.370 --> 01:33:26.160
Megan Shave: That would work for any commission members.

761
01:33:26.220 --> 01:33:27.600
And Mr. Sarah.

762
01:33:28.680 --> 01:33:29.790
Stephanie Danielson: That sounds good.

763
01:33:31.110 --> 01:33:31.500
Megan Shave: Okay.

764
01:33:32.940 --> 01:33:35.460
15089446184: Okay. All right. Um,

765
01:33:35.550 --> 01:33:39.120
Stephanie Danielson: And and again. Thank you, Mr. Sarah, for, for joining us and

766
01:33:40.860 --> 01:33:41.850
Stephanie Danielson: Working with us here.

767
01:33:42.990 --> 01:33:43.770
15089446184: Okay, thank you.

768
01:33:44.670 --> 01:33:45.450
Stephanie Danielson: You're welcome.

769
01:33:46.380 --> 01:33:50.310
15089446184: John will be I'll get a letter, Susan, making a little bit

770
01:33:51.240 --> 01:33:53.430

Megan Shave: Yeah, I can. That's

771

01:33:53.610 --> 01:33:54.810
convenient for you.

772

01:33:56.040 --> 01:33:58.080
15089446184: Okay. Sounds good. Okay. All right.

773

01:33:59.340 --> 01:33:59.760
15089446184: Thank you.

774

01:34:01.590 --> 01:34:09.300
Stephanie Danielson: Alright, the next item on the agenda is 57 RIVER
STREET. We need to various. Thank you.

775

01:34:16.470 --> 01:34:17.910
Stephanie Danielson: Okay, Mr Cardozo

776

01:34:18.930 --> 01:34:20.520
Stephanie Danielson: And Megan, I'm going to turn it over to you.

777

01:34:22.020 --> 01:34:23.520
Megan Shave: Okay, so this

778

01:34:24.570 --> 01:34:41.430
Megan Shave: Was a follow up letter to an enforcement order that we
issued back in June for unpermitted Phil and debris being stored in the
floodplain to trout Brook behind 57 RIVER STREET.

779

01:34:42.210 --> 01:34:48.720
Megan Shave: So I originally issued the order to the property owner, as
was listed on the assessment database.

780

01:34:49.500 --> 01:34:59.730
Megan Shave: In the following couple of months I've checked the database
again and I saw that a new owner was listed so I really mailed

781

01:35:00.450 --> 01:35:22.650
Megan Shave: Out our correspondence letter with the Enforcement Order to
the property owner that was listed now on the assessors database in hopes
of reaching someone at the property. And so I believe Mr Cardoso is here.
Now, then, to represent the property at 57 RIVER STREET.

782

01:35:24.540 --> 01:35:25.440

Bruce Cardoso: Yes, I'm here.

783

01:35:30.510 --> 01:35:37.170

Stephanie Danielson: I'm Mr Cardozo. Can you explain what is going on at property.

784

01:35:39.000 --> 01:35:49.230

Bruce Cardoso: Well, it's my father's property Roberto Cardozo we spoke last time I spoke with him. I, I didn't know this was going on.

785

01:35:50.820 --> 01:36:09.180

Bruce Cardoso: But he did mention that he was going to cut some trees back there and. And actually, like, you know, not removing anything, just leave it there. Where, where it is and that was that. But I did not know he were, you know,

786

01:36:10.350 --> 01:36:11.460

Bruce Cardoso: Put on

787

01:36:12.990 --> 01:36:16.410

Bruce Cardoso: The breeze and dirt there as well, but

788

01:36:17.880 --> 01:36:23.670

Bruce Cardoso: He he understands the order and he says he will comply with the order

789

01:36:29.400 --> 01:36:30.540

Bruce Cardoso: Does that

790

01:36:46.080 --> 01:36:47.190

Stephanie Danielson: So in

791

01:36:49.560 --> 01:37:02.400

Stephanie Danielson: Megan's letter dated June 22 2020 as you mentioned, and you said, so all, can you confirm that the cutting and removal of trees and vegetation his stock.

792

01:37:03.630 --> 01:37:04.560

Bruce Cardoso: Yes, completely

793

01:37:05.730 --> 01:37:15.540

Bruce Cardoso: He has stopped cutting vegetation, he's actually going to go back then clean up the breeze and anything you know trash and anything that was there.

794

01:37:17.070 --> 01:37:19.740

Stephanie Danielson: Okay, so what I would, I would suggest

795

01:37:21.000 --> 01:37:35.250

Stephanie Danielson: Megan if if this works for you is I please get in touch with Megan. And can you follow up with Mr Cardozo and his father on exactly what they need to do to come into compliance.

796

01:37:37.140 --> 01:37:53.370

Megan Shave: Yes, I can be available to set up a time I can meet them out there if they have any questions about what needs to be done whatever is the best way to get in contact with them to set up that meeting. I'm available.

797

01:37:54.390 --> 01:37:56.010

Megan Shave: via email.

798

01:37:56.880 --> 01:38:01.080

Stephanie Danielson: So, so, Mr Cardozo. What is the best way to get into

799

01:38:01.380 --> 01:38:02.550

Bruce Cardoso: This fun phone

800

01:38:03.450 --> 01:38:04.860

Stephanie Danielson: You have a phone number.

801

01:38:06.090 --> 01:38:07.800

Stephanie Danielson: And if you don't want to say it over.

802

01:38:07.920 --> 01:38:09.090

Stephanie Danielson: Over the line you can

803

01:38:10.500 --> 01:38:12.150

Stephanie Danielson: He chat him. I

804

01:38:14.160 --> 01:38:15.840

Megan Shave: Don't know if there's a private chat.

805

01:38:16.170 --> 01:38:17.760
Bruce Cardoso: I actually don't mind it.

806
01:38:18.180 --> 01:38:20.880
Stephanie Danielson: It's okay. Okay, all right. Megan. Are you ready

807
01:38:21.360 --> 01:38:22.350
Megan Shave: Yes, I'm ready.

808
01:38:24.090 --> 01:38:32.640
Bruce Cardoso: It's 857-206-4000 that's my phone number. Do you want my father's phone number as well.

809
01:38:35.190 --> 01:38:39.540
Megan Shave: Um, yes. If he if you believe he's comfortable with sharing it.

810
01:38:39.570 --> 01:38:41.880
Bruce Cardoso: Yes, he's okay he's okay with it.

811
01:38:44.220 --> 01:38:44.640
Bruce Cardoso: You ready

812
01:38:45.090 --> 01:38:52.680
Bruce Cardoso: Yes, it's a 579-913-1760

813
01:38:55.110 --> 01:38:55.500
Megan Shave: OK.

814
01:38:58.560 --> 01:39:00.750
Stephanie Danielson: OK, we also

815
01:39:03.570 --> 01:39:17.190
Megan Shave: Are yes I can follow up. Yeah, I'll follow up within the coming week to give them a chance if they're starting their removal and again I I can call to set up a time to

816
01:39:18.510 --> 01:39:24.330
Megan Shave: Meet whoever you know is responsible for the workout there and see what still needs to be done.

817
01:39:26.910 --> 01:39:32.850

Stephanie Danielson: Okay. All right. Mr. Carter. Oh, so that's all for tonight and thank you very much for coming in.

818

01:39:33.750 --> 01:39:34.860

Bruce Cardoso: Thank you. In

819

01:39:35.280 --> 01:39:35.700

Stephanie Danielson: The meeting.

820

01:39:35.940 --> 01:39:36.450

Good night.

821

01:39:38.610 --> 01:39:39.390

Stephanie Danielson: Okay.

822

01:39:40.710 --> 01:39:42.960

Stephanie Danielson: At this point,

823

01:39:44.640 --> 01:39:45.810

Stephanie Danielson: The Commission.

824

01:39:48.390 --> 01:39:52.260

Stephanie Danielson: Needs to go into Executive Session.

825

01:39:52.860 --> 01:39:55.380

Joanne Zygmunt: Stephanie. May I just before so on.

826

01:39:55.470 --> 01:39:55.950

Stephanie Danielson: Oh, yes.

827

01:39:56.070 --> 01:40:05.970

Joanne Zygmunt: Geeks agenda, we were going to discuss the associate positions which I think it carried over from the previous meeting. Do we want to continue. It's not on the agenda for tonight. Oh.

828

01:40:05.970 --> 01:40:06.300

Stephanie Danielson: That's

829

01:40:06.360 --> 01:40:07.530

Right, yeah.

830

01:40:08.610 --> 01:40:11.880

Stephanie Danielson: Actually I have it. Oh, yeah, no, I have it. I have it on

831

01:40:12.660 --> 01:40:14.790

Stephanie Danielson: TONIGHT'S AGENDA. Do you want to talk about that.

832

01:40:17.820 --> 01:40:18.270

Joanne Zygmunt: Funny.

833

01:40:20.310 --> 01:40:20.670

Joanne Zygmunt: Yeah.

834

01:40:22.470 --> 01:40:22.710

Joanne Zygmunt: Yeah.

835

01:40:22.770 --> 01:40:31.020

Stephanie Danielson: Yeah, so I am I had we had talked about the potential of having associate members, I think it was at the last meeting.

836

01:40:31.740 --> 01:40:41.760

Stephanie Danielson: And, you know, always a way to groom people to step in and take over when we have openings or to help promote interest.

837

01:40:42.330 --> 01:40:57.720

Stephanie Danielson: In being appointed to the Commission, and it was suggested I talked to the mayor about it, which I did. And he was very agreeable. So I think at this point. All we need to do is vote to allow

838

01:40:59.340 --> 01:41:06.780

Stephanie Danielson: associate members and probably discuss a number. That makes sense. And then

839

01:41:08.250 --> 01:41:12.210

Stephanie Danielson: How we might try to interest people in becoming associate members.

840

01:41:14.160 --> 01:41:19.050

Stephanie Danielson: But I'm open and that's just kind of an opening salvo for discussion. So

841

01:41:21.060 --> 01:41:33.120

Joanne Zygmunt: No, I think it's a great idea. I think the Conservation Commission can be intimidating. It involves a lot and associate members, I think, are a nice entry point for people that think they might want to serve. But, you know, feel like they have a huge learning curve.

842

01:41:35.130 --> 01:41:35.940

Joanne Zygmunt: I feel good about it.

843

01:41:37.770 --> 01:41:40.560

Bonnie Sparks: I think it's a really good idea. Especially given

844

01:41:42.210 --> 01:41:49.920

Bonnie Sparks: The current scheduling of everything right now. I think the opportunity to have other people learning that will be able to potentially the future fill in.

845

01:41:50.790 --> 01:42:05.010

Bonnie Sparks: Is a monumental relief on the schedule, things have changed everything is kind of wonky right now. So I think it just adds another level of security for keeping things moving smoothly.

846

01:42:05.580 --> 01:42:15.300

Stephanie Danielson: Yeah, so the one point I would like to make is associate members of conservation Commissioners commissions you not have voting rights so they

847

01:42:16.290 --> 01:42:30.120

Stephanie Danielson: They can't help fill quorum when we, when we don't have quorum right so we're not going to gain that value. However, again, I think it is a way of getting people interested and at least

848

01:42:31.500 --> 01:42:34.950

Stephanie Danielson: Educated on what the roles and responsibilities are.

849

01:42:37.440 --> 01:42:45.510

Bonnie Sparks: And my hope is that what it'll do is, you know, the people who are associate members will then have the opportunity to say, well, I get it now.

850

01:42:45.900 --> 01:43:02.370

Bonnie Sparks: I'd like to do it now. And they'll already have been as you said groomed to doing it. So stepping into the role will be a little less bumpy, you know, it'll, it'll be an easier transition for anyone who might be interested than just kind of jumping in.

851

01:43:03.750 --> 01:43:12.750

Stephanie Danielson: Yep. Yep. All right, that's great. We want to vote tonight you have an idea how many members you think we should

852

01:43:15.840 --> 01:43:16.470

Stephanie Danielson: Initiate

853

01:43:17.010 --> 01:43:21.810

Joanne Zygmunt: Um, I think two is a good number.

854

01:43:25.260 --> 01:43:37.920

Joanne Zygmunt: I'm kind of thinking one having two at the same time is good because if one decides not to continue. There's another one like there's there's basically an overlap of associates in theory.

855

01:43:39.630 --> 01:43:42.480

Joanne Zygmunt: Too many. I think it's just too many people around the table.

856

01:43:43.980 --> 01:43:47.400

Joanne Zygmunt: Maximum number for the condition. I think it's seven anyway. Isn't it seven

857

01:43:48.330 --> 01:43:49.440

Joanne Zygmunt: Yes, yeah.

858

01:43:49.500 --> 01:43:51.750

Joanne Zygmunt: So a bit of recruitment to do anyhow.

859

01:43:53.250 --> 01:43:55.110

Joanne Zygmunt: And I think that we should be very specific.

860

01:43:56.580 --> 01:44:13.950

Joanne Zygmunt: About terms as well too. So I think maybe because their associates, maybe a time of one year is suitable assumption being that after one year. They've actually if there's an opening move into the, the actual on full role of a of a Commission member

861

01:44:20.790 --> 01:44:22.200

Bonnie Sparks: I'm sorry, was there a question.

862

01:44:22.260 --> 01:44:22.920

I didn't know

863

01:44:24.030 --> 01:44:24.870

Stephanie Danielson: I think that

864

01:44:25.110 --> 01:44:25.770

Bonnie Sparks: I think that

865

01:44:25.860 --> 01:44:27.240

Stephanie Danielson: Sounds good. Yeah. If

866

01:44:27.540 --> 01:44:29.820

Bonnie Sparks: We missed a Q AMP. A from

867

01:44:30.450 --> 01:44:32.130

Stephanie Danielson: I just, yeah, we're all set.

868

01:44:33.270 --> 01:44:33.690

Bonnie Sparks: Okay.

869

01:44:33.960 --> 01:44:34.290

Yeah.

870

01:44:36.390 --> 01:44:37.140

Stephanie Danielson: Um,

871

01:44:37.680 --> 01:44:42.090

Joanne Zygmunt: So how are we feeling to associate members for a term of one year.

872

01:44:44.310 --> 01:44:46.890

Stephanie Danielson: Sounds reasonable to me. Um,

873

01:44:47.820 --> 01:44:50.760

Stephanie Danielson: How about how about two years. Yeah.

874

01:44:51.030 --> 01:44:51.780

Joanne Zygmunt: I'm okay with that.

875

01:44:52.380 --> 01:44:57.540

Bonnie Sparks: And I had the option of becoming a full member from there
or

876

01:44:59.340 --> 01:44:59.910

Stephanie Danielson: Always

877

01:44:59.940 --> 01:45:01.050

Joanne Zygmunt: Face. Yes, there's

878

01:45:01.260 --> 01:45:01.890

Always

879

01:45:03.150 --> 01:45:04.080

Joanne Zygmunt: Will be yeah

880

01:45:05.880 --> 01:45:06.300

Bonnie Sparks: Cool.

881

01:45:08.010 --> 01:45:12.090

Stephanie Danielson: All right. Um, do I have a second one that I'm
taking that as a motion.

882

01:45:12.270 --> 01:45:13.140

Stephanie Danielson: To I have a second

883

01:45:13.350 --> 01:45:16.770

Joanne Zygmunt: Yes, it's an official motion to

884

01:45:18.120 --> 01:45:26.670

Joanne Zygmunt: Allow for to associate members on the Conservation
Commission who do not have voting powers, but can participate in
discussions and their term will be two years.

885

01:45:27.120 --> 01:45:30.030

Bonnie Sparks: Wonderful Bonnie sparks. I second that motion.

886

01:45:31.020 --> 01:45:32.580

Stephanie Danielson: All in favor. Daniel tonight.

887

01:45:33.210 --> 01:45:33.810

Bonnie Sparks: Works. I

888

01:45:34.290 --> 01:45:34.950

Joanne Zygmunt: Segment I

889

01:45:36.000 --> 01:45:55.560

Stephanie Danielson: OK, I'm having covered all the items on the agenda, the Commission is going to go into needs to consider going into executive session for the purpose of discussing discussing a complaint of the Open Meeting Law.

890

01:45:56.670 --> 01:46:10.680

Stephanie Danielson: This has to be done by a motion me to go into Executive Session, not to return to open session, I would suggest, and it's well. Everything's a roll call vote now so

891

01:46:12.330 --> 01:46:13.260

Stephanie Danielson: So do I have emotion.

892

01:46:15.660 --> 01:46:16.380

Bonnie Sparks: So I'm

893

01:46:16.410 --> 01:46:16.950

Stephanie Danielson: Going

894

01:46:17.400 --> 01:46:22.080

Bonnie Sparks: To move into executive session and not return to open session.

895

01:46:25.170 --> 01:46:28.470

Joanne Zygmunt: Yes. Oh, sorry, Joanne here so I second that.

896

01:46:30.000 --> 01:46:31.950

Stephanie Danielson: All in favor Danielson I

897

01:46:33.000 --> 01:46:33.600

Bonnie Sparks: barks. I

898

01:46:34.110 --> 01:46:34.800

Joanne Zygmunt: Segment I

899

01:46:36.060 --> 01:46:39.810

Stephanie Danielson: Okay, anyone who is in

900

01:46:41.130 --> 01:46:51.000

Stephanie Danielson: The meeting is asked to leave executive session is for the purpose of discussion outside of public

901

01:46:55.620 --> 01:46:57.720

Stephanie Danielson: We have two people who who need to

902

01:46:59.640 --> 01:47:00.450

Stephanie Danielson: Exit the meeting.

903

01:47:05.370 --> 01:47:08.610

Stephanie Danielson: The last person Jamal. Thank you. All right.

904

01:47:08.910 --> 01:47:10.500

Pam Gurley: I believe we stopped the recording.

905

01:47:11.520 --> 01:47:16.440

Stephanie Danielson: Yes, we do stop the recording. So it's off, it looks like it is.