



Robert F. Sullivan  
Mayor

# CITY OF BROCKTON

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

Planning Board

Historical Commission

Conservation Commission

Robert May, CECD  
Director

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## BROCKTON CONSERVATION COMMISSION

**WEDNESDAY, JULY 15, 2020 at 6 PM**

This public hearing will be held as a virtual meeting over ZOOM.

A link and instructions to participate in the meeting will be posted to the Calendar on the City website and to the Conservation Commission Public Documents folder, available from the Conservation Commission page:

<https://brockton.ma.us/city-departments/planning/conservation-commission/>

### MINUTES <sup>1</sup>

Stephanie Danielson introduced herself and called the July 15, 2020 meeting of the Brockton Conservation Commission to order and read the following statement: This meeting is being recorded in accordance with the government order suspending certain provisions of the Open Meeting Law General Law chapter 38 section 20. Real time public participation and comment can be addressed to the planning board utilizing the zoom 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 submitted text comments will be read into the record. For those of you joining by phone press star nine. If you want to asked a questions please raise your. A copy of this recording will be on the city's web pages. All votes will be done via roll call to ensure account accuracy. There being three voting members of the commission in attendance constitutes a quorum (Danielson, Zygmunt & Sparks). Lucia Cerci was not in attendance. Also in attendance were agent Megan Shave and secretary Pamela Gurley.

1. Notice of Intent – 56 Oak Hill Way  
Project: Building Addition  
Applicant: Atlantic Mechanical  
Representative: Vertex

Megan Shave said that they have submitted revised plans addressing the commission's concerns and BETA has confirmed the proposed stormwater restoration plan; she said it is her suggestion that this be made a special condition of any OOC. Jack O'Leary said they will agree to the condition.

Megan Shave said that at this time she would suggest that the commission could move forward and issue and OOC.

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<sup>1</sup> A recording of this meeting is available for viewing on the Department of Planning & Economic Development website.

A motion was properly made (Zygmunt) seconded (Sparks) and passed by a roll call vote to close the hearing.

A motion was properly made (Zygmunt) seconded (Sparks) and passed by a roll call vote to issue an OOC with special conditions as suggested by the agent.

## 2. Notice of Intent

properly: Plot 1 Leach Ave.

Project: Two-Family Home

Representative: JK Holmgren Engineering

Scott Faria said that since the last meeting that the DPW has been out to Leach Ave. and cleaned the catch basins; and believed that was exacerbating the flooding issue. He said sediment was building up at the CB. He said that the city engineer has approved their revised plan.

Megan Shave said that the state flood NFIP coordinator contacted her; she said that the LOMA was issued without a base flood elevation and said that there are no erosion control on the plan. Scott Faria said that will be immediately taken care of. He said there is no resource area to protect....it is a typical drainage system. Stephanie Danielson said it is a nexus to a resource area and is not in compliance with MS4.

Bonnie Sparks asked about the removal of the silt that has gone into the drain system. Scott Faria said that the COB cleaned the CB five days ago. Megan Shave said that the disturbed soils are close to the ROW and they have been asked to remove them multiple times. she said that the CB is close to the edge of the roadway.

Joanne Zygmunt said she is concerned about the LOMA. Megan Shave said she is concerned that there was no BFE on the LOMA. Scott Faria said that the properly used for the LOMA was 400' away and there was a BFE there and said they are also providing compensatory storage. She wondered by the city engineer was making an exception on this properly.

Stephanie Danielson said that she is concerned about the NFIP coordinator. She asked Scott Faria what the pressure at the basement floor was and was told they are providing compensatory storage above the TOP. Bonnie Sparks said she is still concerned about the LOMA and said 400' is several house lots there.

Scott Faria said he would like to close the hearing. He said this should have been closed in March and could be conditioned upon the work being done. He said he can guarantee that the clean up will be done in two days time.

A motion was properly made (Zygmunt) seconded (Sparks) and unanimously passed by a roll call vote to close the hearing.

Joanne Zygmunt said she is not prepared to make a motion to issue an OOC without the outstanding issues being addressed. No motion was made.

Scott Faria asked to rescind his request to close.

A motion was properly made (Zygmunt) seconded (Sparks) and unanimously passed by a roll call vote to rescind the motion to close the hearing, reopen the hearing and continue to 8-19-20.

3. Notice of Intent - Continued to August 19, 2020

properly: 166 E. Ashland St.

Project: Commercial Units

Representative: MBL Land Development

4. Notice of Intent - Continued to August 19, 2020

properly: Map 142 Plot 383 Quincy Street

Project: Apartment Building

Representative: ET Engineering

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

5. Enforcement Order - 43 Nancy Ln

Megan Shave said that as a result of a complaint she went out to the site and noticed that there were some small fill piles and issued a standard letter informing the owner of restrictions to the land. She said she received a second complaint of earth moving and construction debris and sent an enforcement order. She said the enforcement requested removal of the debris from the site and advised them to hire a wetland scientist and land surveyor. The properly owner was present and said they were just looking to put in some grass. The commission explained that because of the proximity of wetlands certain work requires permission from the conservation commission. The homeowner stated that she should be hiring a wetlands scientist.

A motion was properly made (Zygmunt) seconded (Sparks) and unanimously passed by a roll call vote to ratify the enforcement order.

6. Enforcement Order Update - 34 Hermon St

Megan Shave said that this enforcement was issued at the last meeting. She said she went to the properly as a result of a complaint and noted earthmoving activities within 25' of an intermittent stream. She said an updated letter was sent as work is continuing.

The homeowner said that she has not been doing work on the properly. She did not know who was doing work. She said she never received the letter. She was out of the country. She said she put in a new pool replacing the one that was there (permit?).

The homeowner was told to contact the agent to meet on the properly

The agent said that someone living at the properly accepted the letter.

7. Commission Correspondence – 536 N Quincy St

Megan Shave said as a result of a complaint that the wooded area was being filled she went out to the properly at 536 Quincy. She said she noted several large piles of logs

and tree trunks and issued a letter to both the owner of the home and also to the bike shop. She said there are two buildings on the same lot and she was not sure who was responsible. She said she will send a follow up letter.

**The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.**

As you are aware the Commonwealth of Massachusetts and the City of Brockton are currently in a “State of Emergency” during the COVID 19 pandemic. With the closure of the City Hall to the public should you have any questions relative to this agenda, please email the Planning Department at: [planning@cobma.us](mailto:planning@cobma.us).