



# CITY OF BROCKTON

## DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

Planning Board

Historical Commission

Conservation Commission

Robert F. Sullivan  
Mayor

Robert May, CEcD  
Director

Out of respect for public health and in response to the Governor's declared State of Emergency, this meeting is being held remotely in accordance with the Governor's signed Open Meeting Law Order dated March 12, 2020 which relieves a public body from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

### **BROCKTON CONSERVATION COMMISSION**

**Wednesday, May 19, 2021 at 6 PM**

**VIA ZOOM**

**MINUTES**

Members present: Stephanie Danielson, Chairperson, Bonnie Sparks, Joyce Voorhis, Laura Biechler and; also present were Conservation Agent Megan Shave and Admin Pamela Gurley.

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1. Request for Minor Change

Property: 955 Belmont Street

Project: Convenience Store & Gas Station

Applicant/Representative: Colbea Enterprises / Ayoub Engineering

Attorney Danielle Dufault said they are proposing a minor change to the landscape plan; she said that the plan showed that three mature trees were to remain; after demo one of the trees was gone and the remaining two at the easterly property line needed to be removed; they are proposing to replace the trees with native species; she said it was necessary to remove the trees in order to install the new UST's.

The chair said that at the last meeting the commission agreed that this would be a minor change. The agent said that the trees are outside the 100-ft BZ, and she agrees that the UST's should be as far away from the BZ as possible. She recommended replacing the trees with red maple as proposed.

A motion was properly made (Sparks) seconded (Danielson) and unanimously passed to accept the work as a minor modification and accept the landscape plan as presented into the record.

2. Request for Certificate of Compliance – **Continued to June 16th**

Property: 86 (Lot 3) Melrose Ave

Project: Single-Family House

Applicant/Representative: Absolute Builders / Curley & Hansen Surveyors

The agent said that the contractor is still working with the homeowner to move the fence.

Barry Smith (homeowner) said he was not sure why this was being continued; the chair said that it is her understanding that the contractor is making arrangements to move the fence at his expense; Mr. Smith said that he is asking them to pay for it. The chair said that at the last meeting it was recommended that the builder take responsibility; the agent said it was her understanding that a

Commissioner had recommended this at the last meeting and so it was being taken care of by the builder.

### 3. Request for Certificate of Compliance

Property: 2020 Main Street

Project: Commercial building addition

Applicant/Representative: Nathan Realty Trust / Strong Point Engineering

Stephanie Hoban said their original request was submitted in February; she said they received the agent's comments and that the client has finally completed the work previously requested by the agent; markers and boulders were installed as requested, the invasive species was removed and the cape cod berm was repaired.

The agent confirmed that the comments were addressed; she suggested that there be a continuing condition that invasives are pulled by hand and disposed of in trash bags yearly as recommended in the Wetland Scientist's memo.

The chair suggested the issuance of a partial COC with an additional condition that the new plantings and invasives should be monitored for two years.

A motion was properly made (Sparks) seconded (Voorhis) and unanimously passed to issue a partial COC with an ongoing condition that invasives will be hand-pulled and the new plantings and invasives are to be monitored for two years.

### 4. Request for Certificate of Compliance

Property: 11 Wilbur Ave

Project: Single-family house

Applicant/Representative: Michael Haikal / JK Holmgren Engineering

Scott Faria said there was a small field change; he said boulder size rocks were put 10' beyond the house and used as a retaining wall; he said the grade to the silt sock remained the same.

The agent said that the house is the same size and location; she said there is a 1' tall line of boulders and that the grading is fairly consistent to the approved plan; she said that the site was loamed and seeded and permanent markers were installed along the 25' BZ limit of work boundary.

The chair said that it looks like room for fill to migrate between the boulders; she said she would like to see a more complete retaining wall.

Michael Haikal said he could not get cinder block wall to fit around the house; he said there is crushed stone between the boulders and house to stabilize the area. The chair asked how long the wall has been in place and was told about 4 months. She asked why the slope was not graded out to match the grade of the lawn and was told he was afraid to go closer to the silt fencing - there is 5' to the limit of work at one corner. Scott Faria said that the wall decreased the slope and fill. The agent said that there is not much space between the rocks, she said they are close together and there is crushed stone under the deck; she said that while she can't speak to how it will look in a year or more, it is a clean site right now; no breakthrough.

Bonnie Sparks asked if they could issue something for one year and see if there is any breakthrough; the chair said they can make it an ongoing condition but after hearing from the agent and hearing that it has been in place for 4 months she said she was OK with issuing the COC.

A motion was properly made (Sparks) and seconded (Voorhis) to issue a Complete COC.

5. Notice of Intent - **Continued to June 16th**

Property: 940 Belmont Street (VA Hospital)

Project: Roadway improvements (McGauley Way / Cape Cod Road)

Applicant/Representative: Monument Construction / JK Holmgren Engineering

6. Notice of Intent - **Continued to June 16th**

Property: 135 Elliot Street

Project: Multi-family residential development

Applicant/Representative: Fenton Associates, LLC / JK Holmgren Engineering

7. Notice of Intent

Property: Lot 84 Thatcher Street

Project: Single-family house

Applicant/Representative: Eugene Flynn / Environmental Consulting & Restoration

Brad Holmes said the application is for a single family home; he said there is BVW along the northern portion of property; he said that the property accepts street drainage along northerly portion and it travels to the south; there is japanese knotweed on the site and they are proposing a retaining wall along the 25' BZ. He said they received the agent's report and will be responding.

The agent said her recommendations are similar to previous recommendations for sites like this; she said they are working within a few feet of 25' BZ no touch and up to it in some places; she said she has concerns about the excavation of the area, she said she is looking for where the stockpile and back fill areas will be located and if there is sufficient clearance for equipment; she said a corner of the house will be minimum of 15' from the LOW; she said they are proposing a full foundation; she said she would like to see groundwater testing and a dewatering plan. She said that the professional engineer needs to add his stamp and seal to the plan; she said she wants to see the preferred method of removal of invasives and additional monitoring and safeguards.

The chair asked the applicant if the house could be shifted to the left; Brad Homes said they have a zoning setback; he said the 25' buffer is just a line on the plan. He said that it is nothing to be saved...they may come back with a revegetation plan and modifications to the design using that area and replanting the area.

[Joyce Voorhis](#) said they need to get rid of the knotweed as far back as possible to make sure it doesn't come back; Bonnie Sparks said the preferred method would be to dig down 3-5' and lift it and cover with plastic; the chair said she does not like the use of herbicides and prefers the mechanical method of eradication.

Continued to 6-16 by agreement of the parties.

8. Notice of Intent - **Continued to June 16th**

Property: 634/648 Summer Street

Project: Solar power-generating facility

Applicant/Representative: 648 Summer Street, LLC / SITEC

The agent said that she is scheduling another site visit to see if the additional area is jurisdictional.

9. Notice of Intent

Property: 132 Campanelli Industrial Drive

Project: Industrial Redevelopment – Loading docks, trailer storage & stormwater improvements

Applicant/Representative: MCP II Campanelli, LLC / Kelly Engineering Group



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David Mackwell said they will be requesting a continuance to address the agent and peer review comments but wanted to make their presentation. He said the property is located at 132 Campanelli Ind. Dr. and consists of 18 acres with a 300,000 SF building and parking; he said that the northern end is the subject area; he said that the building is leased but lease is coming up; they had a market study done and adding proper loading would help with the leasing and make it more marketable; he said they found the previous plans for the site; he said that the OOC for the prior project contained an increase in pavement; he said that there is an existing landscape tenant also; they can restore the 25' area; are willing to install the markers; he said he would like to hear any concerns and move forward with addressing peer review comments and agent comments.

The agent said that the 2008 OOC was for parking lot improvements, BZ restoration, and included a planting plan that was never initiated; there has since been additional filling and clearing in the NW corner; at minimum that original area should be restored, the fill excavated and planting plan submitted.

David Mackwell said the owners want to reposition the building for the market; the chair noted that the plan shows 41 trailer spaces and the commission was told that trailer storage is important to the owner.

Pete Cameron (owner) said that he believes that the current tenant will be moving to the building they own. The chair asked if the 41 trailers being loaded or unloaded over the course of the day or were they going to be stored overnight. She said she has some concern about what kinds of materials could be stored in the trailers. Peter Cameron asked what type of protection should be provided for the trailers. David Mackwell went over the proposal for stormwater; he said they were open to a condition that the owner/proposed tenant can revisit with commission to explain the final use.

Continued to June 16th by agreement of the parties.

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

Meeting Minutes 4-21-21

Correction proposed to page #2

A motion was properly made (Sparks) seconded (Voorhis) and unanimously passed to accept the minutes with the correction to page 2.

The agent said that it was possible that our next meeting would be in person meeting with no remote participation. She updated the members on 82 Ames St. and 675 Summer.

Meeting adjourned.

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

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. Should you have any questions relative to this agenda, please email the Planning Department at: [planning@cobma.us](mailto:planning@cobma.us).