



Robert F. Sullivan  
Mayor

# CITY OF BROCKTON

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

Planning Board

Historical Commission

Conservation Commission

Robert May, CECD  
Director

## **BROCKTON CONSERVATION COMMISSION**

**Wednesday, February 16, 2022 at 6 PM**

### **MINUTES**

Stephanie Danielson called the February 16, 2022 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 conservation Commission 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 ask a question please raise your hand. 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.

The following members were confirmed to be in attendance by roll call: Stephanie Danielson, Laura Biechler, Joyce Voorhis, Ruby Clay. Peggy Curtis joined the meeting at the start of the hearing for # 8. Conservation Agent Megan Shave and Admin Pam Gurley were also in attendance.

#### 1. Commission Matter: Review & Approval of Meeting Minutes – 01-19-22

Joyce Voorhis made a motion to approve minutes from the January 19th meeting.  
Seconded by Laura Biechler; vote was unanimous in favor.

#### 2. Commission Matter: Ordinance Draft Review Scheduling Update

The Agent said Wednesday March 2nd at 6 pm worked for everyone for discussion of the Wetlands Protection Ordinance draft. The special meeting agenda will be prepared and posted as usual.

#### 3. Request for Certificate of Compliance

Property: 15 Leach Ave

Project: Two-family house

Applicant/Representative: Infinity Real Estate Dev / JK Holmgren Engineering

Scott Faria of JK Holmgren Engineering said there were concerns raised at the last meeting regarding the crushed stone. The stone was removed and sod was put down in the backyard. They added some spot grades and lowered the grade around the foundation because the two compensatory storage areas are slightly different: area #2 was reduced in size due to the location of the gas connection. The Agent said the two requirements from the COC denial was to remove the stone and update calculations on the cut and fill. She confirmed that the stone was removed from the back yard; they received a narrative but did not receive calculations that were requested; request for calculations still stands.

Scott Faria said the storage areas are in compliance; he said he could produce the calculations in a few hours but doesn't know if they are needed; the property is not in flood plain any longer due to the LOMA; the builder is waiting and wants to sell the house.

Stephanie Danielson said the cut and fill table was previously requested, and that Scott Faria misread the letter.

Laura Biechler said that since it will only take a couple of hours, and it was previously requested, they want to be consistent and receive the calculations.

Stephanie Danielson stated that if the calculations are provided to the Agent, then the Commission can vote at the next meeting.

Laura Biechler made a motion to continue to March 16; seconded by Joyce Voorhis; vote was unanimous in favor.

#### 4. Notice of Intent

Property: 219 Bellevue Ave

Project: Yard expansion and accessory structures (after-the-fact NOI)

Applicant/Representative: Marcia Dosreis / JK Holmgren Engineering

Scott Faria said they haven't been able to get the botanist out to the site due to the weather.

Joyce Voorhis made a motion to continue to March 16; seconded by Laura Biechler; vote was unanimous in favor.

#### 5. Notice of Intent

Property: 940 Belmont St (VA Hospital)

Project: Roadway improvements

Applicant/Representative: Monument Constructions / JK Holmgren Engineering

Scott Faria said there is one small outstanding drainage issue with BETA Group. They are not the design engineer, so any changes need a work order request.

Joyce Voorhis made a motion to continue to March 16; seconded by Laura Biechler; vote was unanimous in favor.

#### 6. Notice of Intent

Property: 14 Athens Drive

Project: In-ground pool and pool house

Applicant/Representative: Jamie Holmgren / JK Holmgren Engineering

Scott Faria said this NOI is for an inground pool, landscaping, pool deck and pool house. There was no filing for original home construction. Brad Homes flagged the BVW on the property. He said there will be no backwashing; it is a new kind of pool and filter, he will provide the specs.

The fence at 25' BZ is slightly upgradient; will allow for natural buffer zone enhancement.

The Agent said that the yard was cleared up to BVW. If there had been an NOI, the limit of work for the yard would not have been that far back. The Agent recommended squaring off the fence and letting the lawn revegetate; she suggested woody vegetation plantings to assist the restoration. She requested they receive the pool specs. She said the pool house is large; it will have some type of foundation, and the utilities need to be shown. The plans should also show stockpiling area, dewatering details, and erosion controls.

Stephanie Danielson said there is value in doing further investigation of the delineation.

The Agent said that if soil samples were done, then they would be looking for non-hydric soils on the upland side to confirm that the lawn did not encroach into the BVW.

Scott Faria said the pool house will be on sonotubes and will have water, sewer and electric connections. They will add the 2000 BVW line to show that it was upgradient of the current line, and they will speak with Brad Holmes about the soil logs.

Ruby Clay made a motion to continue to March 16; seconded by Laura Biechler; vote was unanimous in favor.

## 7. Notice of Intent

Property: 159 Torrey Street – Thorny Lea

Project: Irrigation Pond Vegetation Management

Applicant/Representative: Thorny Lea Golf Club / SOLitude Lake Management

Jeffrey Castellani of SOLitude Lake Management said that what has been presented is what they typically present to Commissions; they can work with the applicant to get the engineering plans; they usually use MassGIS.

Stephanie Danielson said they would like to see the surveyed information; MassGIS is often not accurate for wetland delineations. Laura Biechler agreed with the Chair; they spent a good amount of time discussing this previously.

Joyce Voorhis asked if the Agent was looking for anything else; she thought we asked for this before. The Agent said that for consistency the Commission requires surveyed plans with flagged wetland delineations. She said unless something unexpected shows up with the resource areas on the plan, then we would be ok to move forward after.

Joyce Voorhis made a motion to continue to March 16; seconded by Laura Biechler; vote was unanimous in favor.

## 8. Notice of Intent

Property: 30 Goldfinch Drive

Project: In-ground pool and decking

Applicant/Representative: Alexander & Jennifer Wilshire / ECR

Brad Holmes of ECR said that this NOI is for a pool and decking. They are pushing the project away from the 25' Buffer Zone. There was a previous filing for construction of the home. They will reuse the retaining wall in design for the new pool area. No details on the type of pool are available as of yet; he recommended including a special condition. He said he has worked through some of the items in the Agent's report.

Stephanie Danielson asked him to respond to the Agent's report. Brad Holmes said the past OOC included a retaining wall that was not in OOC but was signed off on in the COC. He said they don't anticipate dewatering but will propose a dewatering bag in the lawn area to the east of the house.

Stephanie Danielson said to add the detail to the plan and add the stockpile area to the plan.

Brad Holmes said they will propose the removal of the japanese knotweed and will install the silt sock erosion control barrier as requested. He said they were asked for info on the wall and decking, as well as pool details; he said there is no agreement with a pool company yet; he recommended a special condition.

The Agent said she received two follow up emails showing the proposed stockpiling location and confirming that the pool is at grade and decking will be higher. She asked if the pool company was doing the entire design; an architectural plan or crosssection would be helpful to understand the configuration of the pool, decking and retaining wall.

Stephanie Danielson asked if the applicant does not know what kind of pool they wanted to install; Brad Holmes said the pool company won't engage until they are issued a permit. Stephanie Danielson said the plan needs to be revised; they would prefer to know what kind of pool is being installed. Brad Holmes wanted to make sure he has noted everything the Commission wants to see. The Agent said stockpiling area; dewatering; cross section of pool and retaining wall to understand why it will be graded that way; spec sheet or confirmation on pool maintenance.

Ruby Clay made a motion to continue to March 16; seconded by Joyce Voorhis; vote was unanimous in favor.

## 9. Notice of Intent

Property: Map 003-049 Pleasant Street

Project: 40B apartment complex with stormwater infrastructure in Brockton

Applicant/Representative: Blackledge, LLC / Coneco

Stephanie Danielson recused herself from this hearing.

Joyce Voorhis took on the Chair duties for this hearing.  
Peggy Curtis joined the meeting.

Mike Toohill and Damian Dmitruk from Coneco introduced the project as a 40B apartment development in Easton at the old Benson Concrete site. All of the buildings will be in Easton; one stormwater basin was proposed in Brockton. They will be asking for a continuance to address the comments from the Agent and BETA Group. They said the infiltration basin was the only element in Brockton; they will be changing this to an underground system. They cannot fit the basin because the outer edge of the berm has to be 50 ft away from the stream according to the stormwater manual.

The Agent said they need to see updates to the stormwater system because the comments may change. The basin was proposed close to or up to 25 ft Buffer Zone. Her report and the report from Easton's Agent both mention buffer zone restoration for this historically altered and degraded site. The Agent mentioned the proximity to the Brockton Audubon Preserve; owned and managed by Wildlands Trust. She asked to see fence and retaining wall details to ensure that they respect the conservation land in Brockton. She received an email from Wildlands Trust with written comments and will forward them to the applicants; they share some of the same concerns about the proximity to the BAP.

She said Wildlands Trust would like to see an agreement regarding access.

Michael Toohill said the staircase in the retaining wall is there for safety; not for direct access to the conservation land.

The Agent said stormwater management is proposed on the Brockton parcel; the development is proposed on multiple parcels; she has seen in other cases that the parcel with stormwater structures sometimes gets left out in terms of maintenance or retention of ownership.

Michael Toohill said they have discussed this with Easton also; the Brockton basin was not the only stormwater system for the development..

Joyce Voorhis asked where is the sewerage system on the plan. Michael Toohill said the wastewater treatment system is on the north side of the site in Easton and will discharge clean water as part of a nitrogen treatment system. Joyce Voorhis said she was concerned about the discharges from all of the systems and the sizes of the systems.

Damien Dmitruk said the underground stormwater system might be the same size as the basin - sized to hold the same volume, but they are still working on the design.

Joyce Voorhis asked if new abutter notifications were sent. The Agent said the abutting properties were legally notified per the certified list; she reached out to Wildlands Trust individually since they had the incorrect mailing address. The other notifications went to the abutting properties themselves.

Peggy Curtis asked why the septic is being used. Michael Toohill said the system is technically not septic; the property owner has been working out details with COB to hook up to sewer, but in the meantime this system is much more economical.

Joyce Voorhis asked if they can have details about the wastewater plant; she is still concerned about possible drainage towards the Brockton wetlands. The Agent said the only info the Commission has currently is what is on the plan set.

Michael Toohill said a mounding analysis is being performed for the system for a DEP wastewater permit; the analysis is still being reviewed but they can provide that information.

Damien Dmitruk said that it will be clean water released from the soil absorption system and explained how the system will work; it is not a typical septic leaching field.

Joyce Voorhis noted that this is a big project and the impact on the Brockton side should not be

diminished. She expects that the soils in the surrounding area could be saturated with all of the discharged water. Michael Toohill noted that the mounding analysis shows that there will not be concentrated discharge directly to the Brockton wetlands; they also looked at potential impacts to the ponds and streams in the surrounding area.

Peggy Curtis asked about the number of units and people. Michael Toohill said there are two three-story buildings with 108 units and 144 parking spaces. At maximum capacity there could be around 250 people. Peggy Curtis asked if the sewer system capacity is based on the number of units or of people; Damien Dmitruk said it is based on the number of bedrooms.

Joyce Voorhis asked when they expected to finalize plans. Damien Dmitruk said they are working with DEP on the mounding analysis now.

Peggy Curtis asked what can be planted above the leaching field. Damien Dmitruk said they can only have plants with shallow roots; they have a landscape architect working on it. Peggy Curtis said she wanted to see plantings that are native and will benefit bees and pollinators.

Peggy Curtis made a motion to continue to March 16; seconded by Laura Biechler; vote was unanimous in favor.

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.**