



Robert F. Sullivan
Mayor

CITY OF BROCKTON

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

Planning Board

Historical Commission

Conservation Commission

Robert May, CEcD
Director

MINUTES

June 18th, 2025 – 6:30 PM

Chair Joyce Voorhis called the June 18th, 2025, meeting of the Brockton Conservation Commission to order and read the following statement: “The meeting is being conducted remotely in accordance with Governor Healey’s Open Meeting Provisions extension signed on March 28, 2025, which extends access to certain remote and hybrid meetings until June 30, 2027. Real-time public participation and comments can be addressed to the Conservation Commission utilizing the Zoom virtual meeting software for remote access. If you wish to comment during the public input portion of the hearing, please use the 'raise your hand' function to be addressed at the appropriate time. For those of you joining by phone only, please press ‘*9’ and raise your hand. A copy of this recording will be on the City’s webpage. Please note that this is a professional meeting; should disrespectful or inappropriate statements be made during the meeting the host reserves the right to mute the speaker. All votes taken during this meeting will be done by a roll call vote to ensure count accuracy.”

The following members were confirmed to be in attendance by roll call: Peggy Curtis, Vice Chair Lily Green, Chair Joyce Voorhis, Shareefah Mapp, Justin Talbot, Conservation Agent Kyle Holden & Administrative Assistant Isaiah Thelwell were also present.

NOTE - Agenda Items Continued to the July 16th, 2025 Meeting

A motion was made (Curtis) and seconded (Green) to continue the following agenda items to the July 16th, 2025, meeting. Motion passed by unanimous vote.

9. **Notice of Intent**
Property: 82 Ames Street
Project: Parking Lot Construction and Riverfront Restoration
Representative: River Hawk Environmental, LLC
10. **Notice of Intent**
Property: 940 Belmont Street
Project: VA Hospital Stormwater Improvements
Representative: T. Reynolds Engineering
11. **Notice of Intent**
Property: 549 Copeland Street
Project: Subdivision Roadway Construction
Representative: J.K. Holmgren Engineering, LLC

12. Notice of Intent
Property: 30 Intervale Street
Project: 28-unit Residential Building Conversion
Representative: PMP Consulting, Inc.
13. Notice of Intent
Property: 0 Lawton Avenue
Project: New Home Construction
Representative: J.K. Holmgren Engineering, LLC
14. Notice of Intent
Property: 136 Perkins Avenue
Project: 2 Family Home Construction
Representative: J.K. Holmgren Engineering
15. Abbreviated Notice of Resource Area Delineation
Property: 0 Hammond Street
Representative: W Engineering, LLC
17. Notice of Intent
Property: 50 Christy's Drive
Project: Hotel Expansion
Representative: J.K. Holmgren Engineering, LLC
18. Notice of Intent
Property: 196 Manley Street
Project: Equipment East - Deviations from 2019 Order of Conditions
Representative: J.K. Holmgren Engineering, LLC

NOTE - Agenda Items **Withdrawn at Request of Applicant**

2. 159 Torrey Street.

COMMISSION MATTERS

1. Meeting Minutes – May 21st, 2025

A motion was made (Green) and seconded (Curtis) to accept the May 21st Meeting Minutes. The motion passed by unanimous vote.

NEW FILINGS

3. Request for Determination of Applicability
Property: 455 Oak Street
Project: Accessible Entrance Sign Installation
Applicant: Fuller Craft Museum

Paul Tantillo of the Fuller Craft Museum presented a Request for Determination of Applicability submission to install a directional sign at the museum's secondary entrance, which serves as the accessible and shipping entrance.

Agent Holden confirmed the proposed sign location is within the 100-foot Buffer Zone to a Bordering

Vegetated Wetland but not within the wetland itself. Holden shared site maps and noted that erosion controls were proposed during sign installation. Commissioners discussed the sign's size and structure. Holden also clarified that the wetland is at least 20 feet below the sign's location due to a steep embankment and the area within which the sign is proposed is generally flat and is currently maintained as an open grassed area. Holden ultimately recommended a Negative 3 Determination with a condition that any excavated soil from the installation be removed from the buffer zone.

A motion was made (Curtis) and seconded (Mapp) to close the hearing for 455 Oak Street. The motion passed by unanimous vote with an abstention from Mapp.

A motion was made (Curtis) and seconded (Green) for a Negative 3 Determination for 455 Oak Street, with any excavated material not used for backfill, be properly disposed of outside of the 100-foot buffer zone. The motion passed by unanimous vote with an abstention from Mapp.

4. Notice of Intent
Property: 17 Austin Court
Project: Single-family home construction
Representative: J.K. Holmgren Engineering

Scott Faria of J.K. Holmgren Engineering presented the Notice of Intent for 17 Austin Court, highlighting the location of the proposed home, conservation markers, concrete washout area, and a roof infiltration unit. Agent Holden questioned why only one infiltration unit was shown, noting that previous lots included two. Faria acknowledged that a second unit should be included and committed to updating the plan accordingly.

Commissioner Curtis raised concern about the spacing of the granite conservation posts, suggesting that an additional marker be placed near the deck area to prevent future encroachment. Faria agreed to add a post there. Agent Holden added that the granite markers installed on the Debbie Road Extension lots appear sufficient and meet the Commission's goals, even if not precisely 25 feet apart. Finally, Holden requested that Faria revise the plan to include a tree species key identifying the street trees (red maples) consistent with the approved subdivision plan. Faria agreed to provide updated plans reflecting the infiltration unit, additional conservation post, tree species, and a buffer zone enhancement plan before the July meeting.

A motion was made (Curtis) and seconded (Green) to continue 17 Austin Court to the July 16th meeting. The motion passed by unanimous vote.

5. Notice of Intent
Property: 27 Austin Court
Project: Single-family home construction
Representative: J.K. Holmgren Engineering

Scott Faria of J.K. Holmgren Engineering presented the Notice of Intent Application for 27 Austin Court, noting it followed the same limit of work previously approved under the Mia Meadows subdivision. He confirmed that the lot's proposed development remains outside the 25-foot no-disturb buffer but within the 100-foot buffer zone. The lot currently shows only one roof infiltration unit on the plan, but Faria acknowledged a second unit should be included and agreed to update the plan accordingly. Conservation markers were shown along the rear of the property near the buffer, consistent with prior lots.

Chair Voorhis asked whether the utility easement running through the lot had been replanted. Faria said it had not yet been planted but was scheduled for restoration in the fall to avoid stress from summer heat. Agent Holden clarified that although there was a restoration plan for the off-site wetland crossing, there may not be a specific buffer zone enhancement plan for the portion of the easement running through 27

Austin Court. Faria agreed that Holden was likely correct, as the sewer line had been shifted to avoid direct wetland impact. Holden recommended a consolidated buffer zone enhancement plan be developed to cover the disturbed areas, including the utility easement on 27 Austin Court and 35 Austin Court along with areas containing legacy fill on 17 Austin Court and 24 Debbie Road Extension. This plan could then be referenced individually in each Order of Conditions, with each lot responsible for its respective portion. Faria agreed to the approach. Additional items to revise on the plan included showing both rooftop infiltration units, labeling the species of the street trees, and updating the location of the concrete washout area, which Commissioner Green pointed out was within the 50-foot buffer zone. Faria agreed to move the washout to the other side of the driveway to eliminate any encroachment into the buffer.

A motion was made (Green) and seconded (Curtis) to continue 27 Austin Court to the July 16th meeting. The motion passed by unanimous vote.

6. Notice of Intent
Property: 35 Austin Court
Project: Single-family home construction
Representative: J.K. Holmgren Engineering

Scott Faria of J.K Holmgren Engineering presented the Notice of Intent Application for 35 Austin Court. Agent Holden confirmed that while this lot has two roof infiltration units already shown on the plan—one behind the house and one to the north—there is some clearing within the 25-foot buffer zone along the utility easement. He asked Faria to include this area in the overall buffer zone enhancement plan being prepared for the subdivision. Holden also noted the absence of a deck on the plan and asked if one was proposed. Faria responded that a deck was likely and agreed to include it in the revised plan.

Chair Voorhis and Holden confirmed that the conservation posts appeared to be properly placed at the rear of the property and well-spaced, and that the concrete washout area was entirely outside the 100-foot buffer. Additional requested revisions included identifying the street tree species and incorporating the lot into the shared buffer zone enhancement plan.

A motion was made (Curtis) and seconded (Green) to continue 35 Austin Court to the July 16th meeting. The motion passed by unanimous vote

7. Notice of Intent
Property: 41 Austin Court
Project: Single-family home construction
Representative: J.K. Holmgren Engineering

Scott Faria of J.K Holmgren Engineering presented the Notice of Intent Application for 41 Austin Court. Agent Holden noted that the approved subdivision plan requires two tulip trees in front of this lot and suggested including a special condition to ensure they are planted, especially if one is within the buffer zone. Faria confirmed that those trees would be installed in accordance with subdivision requirements. The Commission discussed the conservation marker spacing requirement and agreed to visit the site to confirm that the current installation frequency met their standard.

Agent Holden then reviewed the recommended special conditions for the Order of Conditions. These included a requirement for test pits at the time of construction to confirm proper depth for infiltration units; a condition that sub-pumps, if installed, must discharge into the infiltration systems and not the wetlands or nearby stormwater basins; installation of conservation markers at 25-foot intervals; a restriction on constructing additional structures such as decks, sheds, or pools within the 50-foot buffer zone without a separate filing; a prohibition on herbicides, pesticides, and salts within jurisdictional areas; a requirement that all disturbed areas be stabilized with vegetation; a condition requiring a

Certificate of Compliance before issuance of a Certificate of Occupancy; and a condition acknowledging the requirement for the two tulip trees. Holden noted that while the prohibition on salt use is difficult to enforce, especially on private driveways, it could still be included as educational guidance within the language of the special condition. Faria expressed no objection to any of the proposed conditions, and the Commission agreed that they had sufficient information to issue an Order of Conditions without continuing the matter.

A motion was made (Green) and seconded (Curtis) to close the hearing for 41 Austin Court. The motion passed by unanimous vote.

A motion was made (Green) and seconded (Curtis) to issue the Order of Conditions for 41 Austin Court, with the special conditions mentioned in the meeting and the Agent's Report. The motion passed by unanimous vote

8. Request for Determination of Applicability
Property: Pearl Street crossing of Dorchester Brook
Project: USGS Streamgage Monitoring Station
Representative: USGS New England Water Science Center

Jason Pollender from the U.S. Geological Survey (USGS) presented a Request for Determination of Applicability for a proposed stream gauge monitoring station installation on Pearl Street, where it crosses Dorchester Brook. Pollender noted that the installation is part of an effort funded through Massachusetts DCR to expand the state's stream gauging network, despite recent federal cutbacks. He explained that stream gauging has been conducted nationally for over 100 years and involves monitoring stream levels and total discharge. At this site, the USGS will install a real-time stream gauge that collects water level and flow data every 15 minutes and transmits it hourly via NOAA weather satellites. This information is then made publicly accessible online and can help with flood monitoring, drought assessment, and water resource management.

The proposed setup includes a small instrument box, approximately 18 inches wide and a couple feet tall, mounted near the stream and powered by solar panels. An antenna mast would also be installed to transmit data. Pollender shared example photos showing typical installations, which also include a staff gauge—a pipe with a wooden stick marked by water levels, used to verify electronic readings. He emphasized the compact and non-intrusive nature of the modern station infrastructure, especially compared to older concrete structures used in the past. Pollender also mentioned the challenges of installing equipment on private land and emphasized their preference for public land or structures like bridges.

Holden added that the proposed installation would be mounted entirely on the Pearl Street bridge with no excavation or disturbance to the resource area. Holden confirmed that Pollender had identified the north side of the stream as the likely installation area, though access challenges remained. Pollender acknowledged that USGS may need to contact nearby property owners for temporary access to reach the brook. Holden observed that the south side offered clearer access and advised USGS to continue engaging with neighbors as needed. He also confirmed that the City's Department of Public Works had no objection to the use of the bridge and that no additional city permissions would be required beyond Commission approval.

Jason Pollender explained that the stream gauge equipment will require servicing approximately every two months. During these visits, technicians will check the sensors for accuracy and physically measure the stream's discharge by entering the river, a labor-intensive process necessary to calibrate the equipment and build a model correlating water level to flow rates. Despite advances in technology, this manual work remains essential, especially for smaller streams. Pollender emphasized that the data collected serves the public interest, notably assisting the National Weather Service with flood prediction. Over time, information such as bridge deck elevation will be available on a public website, allowing

users to see stream levels relative to road heights. Joyce Voorhis inquired about signage for the public to identify the gauges; Pollender confirmed that they can provide signs with QR codes linking to live data and basic explanations of stream gauging. Voorhis noted the educational potential for local schools.

A motion was made (Curtis) and seconded (Green) to close the hearing for the Pearl Street crossing of Dorchester Brook. The motion passed by unanimous vote.

A motion was made (Curtis) and seconded (Green) to issue a Negative 2 Determination for the Pearl Street crossing of Dorchester Brook. The motion passed by unanimous vote

CURRENT FILINGS

- 16. Notice of Intent**
Property: 68 12th Avenue
Project: Sunroom Addition
Applicant: Annette Epps

Agent Holden explained that the applicant was not required to attend the meeting as this was primarily an administrative matter for the Commission. Initially, the project required a zoning variance for building within the floodplain, which involved interaction with the Zoning Board. After discussions with the Zoning Board Chair, Ken Galligan, Holden clarified that the project does not need a specific floodplain variance but did require a setback variance related to building proximity to the property line. The applicant recently received that variance at the June Zoning Board of Appeals meeting, clearing that hurdle. Since the entire project site lies within a floodplain and involves adding a sunroom to the front of the house, peer review is necessary to verify cut and fill calculations. Holden is coordinating with the applicant's representative on minor plan modifications before sending the project for peer review.

A motion was made (Curtis) and seconded (Green) to refer 68 12th Avenue to Peer Review. The motion passed by unanimous vote.

A motion was made (Curtis) and seconded (Green) to continue 68 12th Avenue to the July 16th meeting. The motion passed by unanimous vote.

- 19. Request for Certificate of Compliance**
Property: 710 Oak Street
Project: Car Wash Development
Applicant: Christopher Fazio

The Commission discussed the request for a Certificate of Compliance for the car wash development at 710 Oak Street. Agent Holden recapped the outstanding issue from the prior month: the Stormwater Basin on the north side of the site still lacked adequate vegetation cover. Although conservation markers had already been installed to satisfaction, the Commission previously asked for improved vegetative stabilization. Holden visited the site again last week and shared photos comparing current conditions to those from May. While some areas have improved significantly, the basin still shows patchy coverage, and it is unclear whether reseeding was done. Holden noted that although the site is improving naturally, the Commission could either approve the certificate, require reseeding, or wait another month to reassess.

Commissioners Mapp, Green, and Curtis all agreed to wait until July to allow for additional natural fill-in, especially since the area of most concern remains insufficiently vegetated. Voorhis expressed concern about the lack of watering and questioned whether maintenance requirements—such as watering to promote stabilization—should be enforced. Holden clarified that ongoing maintenance is

addressed in the Operation and Maintenance Plan, which applies even after a Certificate of Compliance is issued.

A motion was made (Curtis) and seconded (Green) to continue 710 Oak Street to the July 16th Meeting. The motion passed by unanimous vote.

VIOLATION DISCUSSION

20. 0 Clarendon Street

The Commission revisited the enforcement order issued to Brendan Brewer for unauthorized clearing on City-owned land near Clarendon Street. Holden confirmed that Brewer had completed several of the required steps, including surveying the property line and spreading conservation seed mix that morning. Additionally, a wetland delineation had been conducted to clarify the extent of the buffer zones, though the Commission was not required to verify the delineation at this time. Holden and the Commission focused on determining the appropriate type and spacing of conservation boundary markers. Photos of recent installations at 710 Oak Street markers were shown as a possible example—simple aluminum or stainless-steel posts with attached signage. After discussion, the Commission agreed to require four markers placed every 25 feet along the approximately 100-foot boundary line. Holden will coordinate with Brewer to finalize the wording of the signs.

22. 10 Exeter Street

The Commission reviewed the Restoration Plan for 10 Exeter Street, which had been submitted in response to a prior Enforcement Order for unpermitted disturbance within the 25-foot Buffer Zone. Brad Holmes of ECR presented the plan, which includes removal of brush and debris (including invasive garlic mustard), planting of native saplings and shrubs, seeding the area with native mixes, and mulching around plantings. He noted that the area has already been stabilized with erosion controls and cleaned of stockpiled materials.

Holden shared the plan document and photographs of the disturbed and proposed restoration area, highlighting the location between erosion control barriers. He confirmed the restoration includes detailed planting and seeding, and praised the plan's quality. While noting the summer planting window is not ideal, Holmes stated that irrigation is available and, if done soon, the planting should succeed.

Holden raised the issue of monitoring and enforcement. Although the work is being done under an Enforcement Order, the restoration plan includes a two-year monitoring period to ensure at least 75% vegetative cover is established, with further restoration required if that threshold isn't met. The Commission was generally supportive, with Curtis inquiring about delineation markers. Holden clarified that markers along the 25-foot buffer were already required under the original Order of Conditions for home construction, and will be verified before a Certificate of Compliance is issued.

A motion was made (Curtis) and seconded (Green) to accept the Restoration plan for 10 Exeter Street. The motion passed by unanimous vote.

23. 34 Oakland Street

Agent Holden provided an update on 34 Oakland Street, a site under active construction with an existing Order of Conditions. As part of that Order, the project is subject to ongoing environmental monitoring, including regular reports. Holden noted that while previous issues—such as improper staging and failing erosion controls—have now been addressed, one requirement remains unmet: the refreshing of wetland flags along the resource boundary. This requirement is a standard state condition that applies for the full duration of the Order of Conditions and must be met before a Certificate of Compliance can be issued. Holden stated that both he and the Commission's environmental monitor had repeatedly informed the

developer that the flags needed to be replaced prior to starting work. Despite this, no action has been taken by the developer for several months.

While Holden emphasized that the site is not currently in violation of erosion control standards, the ongoing failure to refresh the flags—especially after repeated notice—raises concerns about the developer's compliance and responsiveness. He asked the Commission whether they would consider issuing a Notice of Violation or another formal response, given the circumstances.

The Commission heard from Louis Porter, one of the developers. Porter explained that they had experienced delays in finding someone to refresh the wetland flags but had now secured Charlie Woodard from Professional Land Surveyors in East Bridgewater, who committed to having the work done by the end of the week or early next week. Chair Voorhis thanked Porter and confirmed that once the flags are refreshed, the developer should notify Holden, who will verify the work and provide an update at the next meeting. Holden reiterated that while the issue is relatively minor, it's a state requirement and has been raised multiple times without resolution, which necessitated bringing it before the Commission.

A motion was made (Green) and seconded (Curtis) to adjourn the meeting. Motion passed by unanimous vote.