



CITY OF BROCKTON

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

Planning Board

Historical Commission

Conservation Commission

Robert F. Sullivan
Mayor

BROCKTON CONSERVATION COMMISSION MINUTES OCTOBER 15, 2025 - 6:30 PM ZOOM

Chair Joyce Voorhis called the October 15th, 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: Joyce Voorhis - Chair, Lily Green - Vice-Chair, Ruby Clay, Peggy Curtis, Justin Talbot, Shareefah Mapp and Leon Edwards. Conservation Agent Kyle Holden & Administrative Assistant Isaiah Thelwell were also present.

NOTE - Agenda Item Withdrawn at the request of the Applicant

Notice of Intent
Property: 651 Belmont Street
Project: New Commercial Construction
Representative: J.K. Holmgren Engineering, LLC

NOTE - Agenda Items Continued to the November 19th, 2025 Meeting

A motion was made (Curtis) and seconded (Talbot) to continue the following agenda items to the November 19, 2025, meeting. The motion passed by unanimous vote.

6. Notice of Intent
Property: 940 Belmont Street
Project: VA Hospital Stormwater Improvements
Representative: T. Reynolds Engineering

7. Notice of Intent
Property: 549 Copeland Street
Project: Subdivision Roadway Construction
Representative: J.K. Holmgren Engineering, LLC
8. Notice of Intent
Property: 0 Lawton Avenue
Project: New Home Construction
Representative: J.K. Holmgren Engineering, LLC
9. Abbreviated Notice of Resource Area Delineation
Property: 0 Hammond Street
Representative: W Engineering, LLC
10. Notice of Intent
Property: 68 12th Avenue
Project: Sunroom Addition
Applicant: Annette Epps
11. Notice of Intent
Property: 196 Manley Street
Project: Equipment East - Deviations from 2019 Order of Conditions
Representative: J.K. Holmgren Engineering, LLC
12. Notice of Intent
Property: 484 Pleasant Street
Project: 4-Unit Residential Construction
Representative: J.K. Holmgren Engineering
13. Notice of Intent
Property: 1824 Main Street
Project: Stormwater Management for Storage Yard
Representative: J.K. Holmgren Engineering
14. Notice of Intent
Property: 985 Belmont Street
Project: Carwash Redevelopment
Representative: J.K. Holmgren Engineering
15. Notice of Intent
Property: 31 Otis Street
Project: New 3-Family Residential Construction
Representative: Farland Corp.
16. Notice of Intent
Property: 0 Franklin Avenue
Project: New Single-Family Home Construction
Representative: 5 Wetlands
17. Notice of Intent
Property: 23 River Street
Project: New 3-Family Residential Construction
Representative: 5 Wetlands

COMMISSION MATTERS

1. Meeting Minutes – September 17th, 2025

The Commission reviewed the September 17th meeting minutes, with Chair Voorhis proposing several specific edits for clarity and accuracy. She requested that the prior meeting minutes be reworded to reflect that they were accepted “with changes as discussed.” She also asked that the record be clarified to show that abutter notifications and MassDEP file numbers were verified for 31 Otis Street, 0 Franklin Avenue, and 23 River Street, and that extensive DEP comments were read into the record by Agent Holden for 31 Otis Street. For 91 Debbie Road Extension, she requested changing the language from stating that the fence “impedes wildlife movement” to “could potentially impede wildlife movement.” For 10 Peckham Avenue, she asked that the denial of the Certificate of Compliance be expanded to state it was denied until updated site plans were received and appropriate conservation markers were visibly in place. Finally, she requested adding that 651 Belmont Street had not yet been assigned a DEP file number and that no public comments were received.

A motion was made (Clay) and seconded (Curtis) to accept the September 17th meeting minutes with the changes as discussed. The motion passed by unanimous vote with Mapp abstaining.

NEW FILINGS

2. Request for Determination of Applicability

Property: 16 Augusta Avenue
Project: Rebuilding Existing Porch
Representative: Saira Dookhran

The Commission heard a brief explanation from Agent Holden regarding the filing for 16 Augusta Avenue. He stated that the Request for Determination had been submitted based on his earlier guidance, after he incorrectly believed the property was located within a flood zone. Upon further review, he confirmed that the property is not within a flood zone and therefore does not require review or approval from the Commission. Although the notice had been legally advertised and the item appeared on the agenda, no Commission action was necessary, and the application did not need to proceed.

3. Request for Certificate of Compliance

Property: 127 Liberty Street
Project: Industrial Construction
Representative: Gallagher Engineering

The Commission discussed the request for a Certificate of Compliance for 127 Liberty Street and heard a detailed report from Agent Holden outlining the long and complex history of the site. The project has been under various Orders of Conditions for approximately 16 years and originally stemmed from enforcement for unpermitted work. Agent Holden explained that multiple structures, including sheds, awnings, and other buildings, were constructed without explicit Commission approval and do not appear on the approved as-built plans. He also identified significant environmental concerns, including unaddressed invasive species, missing required tree plantings, incomplete floodplain replication work without proper volumetric calculations, a lack of required monitoring of a wildlife crossing, and storage of road salt and other materials in unapproved structures.

He recommended that a full Certificate of Compliance not be issued and that the applicant instead file an after-the-fact Notice of Intent to document and permit all unapproved work, along with completing all required environmental mitigation. Commissioners expressed serious concern about the age of the project, lack of compliance, and ongoing environmental risks, and voiced agreement that denial and enforcement action were appropriate.

A motion was made (Curtis) and seconded (Green) to deny the Certificate of Compliance for 127 Liberty Street. The motion passed by unanimous vote.

A motion was made (Curtis) and seconded (Clay) to issue an enforcement order against 127 Liberty Street for the infractions and violations outlined by Agent Holden. The motion passed by unanimous vote.

4. Request for Certificate of Compliance

Property: 940 Belmont Street

Project: Fuel Station Construction

Representative: J.K. Holmgren Engineering

Agent Holden updated the Commission on the VA hospital fuel station at 940 Belmont. The project is largely complete and built per the approved plans. However, two minor items remain: installing limit-of-work signage and removing erosion control measures, for which Holden has not received confirmation or photos. Holden recommended continuing the Certificate of Compliance request, and Chair Voorhis agreed, allowing the applicant more time for the minimal remaining tasks.

A motion was made (Curtis) and seconded (Green) to continue the certificate of compliance request for the VA fueling station at 940 Belmont Street to the November 19th meeting. The motion passed by unanimous vote.

5. Notice of Intent

Property: 23 Thornell Street

Project: Soil Remediation

Representative: GZA GeoEnvironmental, Inc.

The Commission opened the Notice of Intent hearing for 23 Thornell Street, with GZA presenting on behalf of Eversource regarding the proposed excavation and removal of contaminated soils associated with a former Manufactured Gas Plant site. The project involved a roughly 500 square foot upland excavation to a depth of up to three feet, with approximately 60 cubic yards of soil to be removed and disposed of off-site. Access was proposed through an existing gated Eversource area using timber matting and erosion controls, with temporary placement of matting partially within bordering land subject to flooding but no permanent wetland impacts proposed. Agent Holden confirmed that while an isolated vegetated wetland was identified on site, it is not a jurisdictional resource area under the Wetlands Protection Act, and the only regulated area impacted would be Bordering Land Subject to Flooding through temporary matting and erosion controls. A potential special condition was discussed requiring the removal of a tree whose roots were within contaminated soil. After the MassDEP file number was provided, Agent Holden noted that MassDEP issued technical comments requesting engineering calculations to demonstrate that the wetland area is not Isolated Land Subject to Flooding. Based on these comments, the Commission determined that the matter could not move forward to an Order of Conditions until the DEP comments were addressed and decided to continue the hearing to the next meeting.

A motion was made (Curtis) and seconded (Green) to continue 23 Thornell Street to the November 19th meeting. The motion passed by unanimous roll call vote.

8. Notice of Intent

Property: 0 Lawton Avenue

Project: New Home Construction

Representative: J.K. Holmgren Engineering, LLC

The Commission discussed the status of 0 Lawton Avenue, noting that the applicant, represented by J.K. Holmgren Engineering, had failed to respond to a peer review issued more than six months earlier. Chair Voorhis and Agent Holden explained that the Notice of Intent was filed following an Enforcement Order, and the applicant is required either to move forward with the proposed construction or restore the impacted area. Agent Holden recommended sending a formal letter to the applicant, setting a deadline to respond and continue the review process, or risk denial of the Order of Conditions due to lack of information, which would result in the Commission moving forward with replication work under the enforcement order. The Commissioners agreed that a one-month response timeline was appropriate, with follow-up planned for the November meeting.

A motion was made (Curtis) and seconded (Green) to continue 0 Lawton Avenue to the November 19th meeting. The motion passed by unanimous vote.

VIOLATION DISCUSSION

18. 10 Exeter Street

Agent Holden provided an update on ongoing issues at 10 Exeter Street. The property had previously received an enforcement order for excavation work that had disturbed the wetland buffer zone without proper erosion controls. The restoration planting has been completed, but during a September site visit, Holden observed trash beyond the limit of disturbance and failing silt sock erosion controls. The property owner was instructed to remove trash and repair the erosion controls; the trash was promptly removed, but the erosion controls had not yet been replaced, prompting the issuance of a new Enforcement Order. The order required erosion controls to be augmented, a professional land surveyor to flag property boundaries and the 25-foot wetland buffer zone, and installation of a post-and-rail fence along the boundary or buffer zone. Holden and staff flagged the buffer zone to guide fence installation, but recent photos indicated the fence was installed along the property line and partially within the restoration area, not the buffer zone. Erosion controls have been ordered but not yet installed.

Brad Holmes of Environmental Consulting & Restoration, LLC, confirmed that restoration work was complete and the remaining issue is relocating the fence to the correct location, with reseeding as needed. Commissioners asked clarifying questions about erosion control maintenance and restoration impacts. Holden confirmed that the Enforcement Order still stands, and no date modifications are required, even if delivery of materials is pending.

A motion was made (Green) and seconded (Curtis) to ratify the enforcement order for 10 Exeter Street. The motion passed by unanimous vote.

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