

The Brockton Conservation held a meeting in the GAR Room, City Hall, Brockton on Thursday, February 11, 2010 at 7:00 PM. Members present: Chairperson Stephanie Danielson, Scott Ford, Timothy Reilly and James Bosco. Also present were secretary Pamela Gurley and Henry Nover from Nover-Armstrong Associates (NAA).

1. Notice of Intent

Address: 25 Pearl Way

Applicant: Creative Homes

Representative: Todd Pilling, Pilling Engineering

The applicant presented the certified green cards to the Commission secretary. The Chairperson read the NAA report dated 2-11-10 into the record containing the suggestion that the property owner re-establish the 25' BZ with woody vegetation to provide some wildlife habitat value.

Mr. Pilling said he will revise the plan to show the BVW and agreed to show the restoration of the 25' BZ. Regarding the stockpiled material currently on the lot, he said that material was from the roadwork and will be used for the site. He said any additional will be taken away. He said there is still a valid Army Corp. permit for filling.

Ms. Danielson said that the Commission would like to see the restoration plan before closing the hearing. Mr. Pilling asked for a continuance to the next meeting in order to get the plan into the Commission. Ms. Danielson said that the Commission will need to have the information by next Thursday to make sure there is time for review.

Continued to February 25, 2010 at the request of the applicant.

2. Notice of Intent

Address: Plot 25 Alger Street

Applicant: Yankee Builders

Representative: John Holmgren (Ed Jacobs) JK Holmgren Engineering, Inc.

The applicant gave the certified green cards to the Commission's secretary. The Chairperson read the NAA review letter dated 2-11-10 into the record.

Mr. Holmgren said this was a previously approved project for a single family home. He said the applicant did not build within the three year period of time allotted by the order of conditions. He said that he has no objection to changing the IVW to BVW. When asked what material the driveway would be made from the Commission was told gravel. Mr. Holmgren said they have applied to the BOH for a septic permit.

The owner of the property (Robert Hickey) was asked about the two existing structures and he told the Commission that one is an extracting room for bees (he is a bee keeper) and the other is being used as a garden house. He was asked about the existing driveway and told the Commission that he would like to use only the proposed driveway. Ms.

Danielson said that they could condition an order so that existing driveway is taken out of use. She asked that they label driveway as abandoned and label the plan as BVW.

Ms. Danielson said she worked for NAA at the time the first order was issued. Mr. Nover asked if a portion of the existing driveway was paved and was told it is not paved it is hard packed gravel. Ms. Danielson noticed the sewer main abutting property and asked if it belonged to Whitman. She was told it is Whitman's easement for their sewer main.

Mr. Nover said because of the snow they were unable to verify the line and said that if the line needs adjustment they can issue an order requiring that the line is verified in the spring. Mr. Nover said that the Wetlands Act states that if a BOH issues a certificate that there is an assumption that the wetlands are protected. He said they may need to shift the septic system if there is not 50' clearance. Mr. Nover said that WF2A may be the area in question. Mr. Holmgren said that from WF2a there is 60' to the 105 contour. Ms. Danielson said that the driveway is a low point in the road.

Mr. Jacobs said there is a hydraulic connection between the areas on the plan and asked what flag # is in questions. Mr. Nover said that NAA did not note that in the report.

Mr. Holmgren asked for a continuance to March 11, 2010 in order to revise the plans.

Continued to March 11, 2010 at the request of the applicant.

Other Business

John Powers, 32 Silver Road, said he has three trees on his property that need to come down before they fall down. Ms. Danielson asked if the trees are living and was told there were. Mr. Nover said that the trees supply stability to the river. Ms. Danielson said that if the trees are cut they will rot over time and de-stabilize the bank. She said she would like to see some plantings to help stabilize the bank. She said that vegetation needs to be planted to ensure the integrity of the bank. Mr. Powers said that the bank is covered by rice reeds (Japanese knotweed) that grow wild. He said he is afraid that it will choke out any plantings. Mr. Nover asked how high they want to cut the trees and Mr. Powers said they will be cut to the top of the bank level. He said it will be worse if the trees fall over and leave a large hole in the bank.

Ms. Danielson said if the trees are cut she would want to see some plantings of sweet pepper bush, winterberry and high bush blueberry on high portion of the bank. She said that he will need to an RDA so there can be a formal hearing with formal results. She suggested that he see the office secretary as soon as possible to get the forms. She asked that he complete the application in time to appear on the March 11th agenda.

Mr. Nover said that the Bartlett St. Bridge will be demoed starting at 11 on Friday. He said there will be a pre-construction meeting on Tuesday for Phase 9. He said they cannot start project on time and therefore can not do work by March 1st; they will need

an alternative erosion control plan. They want to use straw waddles and have been told that everything needs the Commission's approval. He said they are not opposed to seeing work done at another time as it is difficult to do the lining work in the winter weather.