

The Brockton Conservation held a meeting in the GAR Room, City Hall, Brockton on Thursday, March 25, 2010 at 7:00 PM. Members present: Chairperson Stephanie Danielson, Greg Enos, Scott Ford, Anthony DiLallo, Timothy Reilly and James Bosco. Also present were secretary Pamela Gurley and Marta Nover from Nover-Armstrong Associates (NAA).

### **1. Notice of Intent**

Address: Plot 14 Sargents Way

Applicant: George Millette

Representative: Jennifer Turcott, Green Environmental

Although the applicant requested a continuance to the April 22<sup>nd</sup> meeting the Commission requested that George Millette be present bring them up to date on any progress.

Jennifer Turcott (Green Environmental) said that they made three attempts to meet with Algonquin Gas; Algonquin cancelled two and they finally met yesterday March 24, 2010) and there are some changes they are requesting they make. This will allow them to address their changes to file for site review.

Ms. Danielson asked what changes are. Ms. Turcott said that they had concerns with the two pipe crossings; concerns with the grading on site; and they want stress tests on the pipe to make sure amount of fill will not impact the pipe. She said they want the pipe to run perpendicular to easement and the want the corner of the underground infiltrator removed out of the easement. Ms. Danielson asked who would be performing the stress tests and was told Algonquin Gas.

Ms. Danielson said that water was sheeting off the pavement during the recent storm event. She said that the Commission is concerned that it has taken four to five years to get to this point. She told the applicant that the Commission is in agreement that if sufficient progress was not made it will be necessary to notify DEP again. She asked the Commission how they felt about waiting to the 22<sup>nd</sup>.

Mr. Enos said that he would like to wait to see what the gas company has to say. Mr. Rielly asked Mr. Millette if the gas company can say no to the proposal. Mr. Millette said they have legal rights to access the easement but do not have the ability to deny the project. Mr. Ford said that he is not inclined to take any action at this time. Ms. Danielson said that the conversation with the gas company could have happened several years ago. Mr. Millette said he tried to address the issues of the replication area; he said he made a mistake with the processed gravel and he considers this a fresh construction project and is trying to expedite the procedure.

Ms. Danielson said that the filing fees need to be amended to address the changes and they also need to address the consultant's fees.

The hearing was continued to April 22, 2010 at the request of the applicant and with the agreement of the Commission.

## **2. Issuance of Order of Conditions**

Address: 915 West Chestnut Street

Applicant: 99<sup>th</sup> Regional Support Command (East)

Representative: Innovar Consulting

A motion was properly made (Ford) and seconded (Rielly) to ratify the order of conditions with the amendments. In favor: Danielson, Ford, DiLallo, Enos, Reilly and Bosco. None opposed.

### **Other Business**

#### Phase 9 Sewer Update

Ms. Nover said that they have been contacted by the contractor and CDM requesting that they be able to use the waddles instead of haybales. This change was already approved for Phase 8. After some discussion it was agreed that the Commission should receive a letter from CDM stating that they agree and support the change as a suitable alternative and the reasons why. The Commission agreed to send a letter to CDM and agreed that reports (from NAA) are to be copied to Mike Thoreson and the Mayor.

Mr. Rielly wanted to know if the change is considered a change order and if the City benefits.

A motion was properly made (Enos) and seconded (Bosco) to have NAA draft a letter to CDM with the Commission's concerns. In favor: Danielson, Enos, Reilly and Bosco. Ford and DiLallo opposed.

#### Pearl Estates Update

Ms. Nover said that Lot 2 Pearl Way is under construction. She said that the trees are being cut and there is no file number or siltation installed. She said that the contractor told her that they need to move the dirt pile (which is in the BZ) before the erosion controls go in.

The Commission agreed to immediately issue a cease and desist order.

#### 76 Campanelli Drive Update

The site is under construction. Ms. Nover said they removed the stockpiled dirt. She said that Wal-Mart's basin is not detaining water and an intermittent stream has formed from the rain from the basin to the work site. She said that they may need to amend the NOI to add the intermittent stream. After discussion the Commission agreed to have NAA look at both sites and draft a letter requesting erosion controls along the SW corner and the spoils pile. Ms. Nover said that the water may not be jurisdictional if it is flowing from the basin on Wal-Mart.

Bartlett St. Bridge update

Ms. Nover gave up update on Mass Highway's bridge project.