

The Brockton Conservation held a meeting in the GAR Room, City Hall, Brockton on Thursday, April 22, 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.

### **1. Request for Determination**

Address: Route 24 Brockton

Applicant: Mass Department of Transportation

Representative: Thomas McGuire

Mr. McGuire said that at the last meeting the Commission was concerned about the spraying at the Rt. 123 and 27 brook interchanges. He said they have revised the sketches to show that from West Bridgewater northerly they will spray every 24 mths; at the Rt. 123 interchanges there will be no spraying and at the north east quadrant of 123 (zone 2) spraying will be every 24 months. The Rt. 27 interchange will now have no spray zones 100' on center. Mr. Reilly asked when the last time it was sprayed was and was told 2004. He asked if they weren't sprayed what did you do for maintenance and was told they send out guys with week whackers which was dangerous.

Ms. Danielson read the 4/21/10 NAA comment letter into the record. She asked how bad the vegetation growth in the jersey barriers was. Mr. McGuire said that dirt and silt build up and seeds sow in and grow. He said they give 10 day notification before spraying. Ms. Danielson said she is concerned about the lack of designated spots for poison ivy control; she said if poison ivy is adjacent to a wetlands there should be no spraying of the poison ivy.

Mr. Bosco asked what they do in no spray zones and Mr. McGuire said that if it gets bad enough they send out people with weed whackers. He asked who does the oversight of the contractors. Mr. McGuire said one of engineers from Mass DOT will be on board with the contractor. Mr. Reilly asked what credentials of person assigned to oversee contractor was and how they know what a wetland looks like. Mr. McGuire said that maintenance puts up the markers and can identify a wetland. Ms. Danielson said that engineers are not wetland scientists.

Mr. Bosco said that volume and quantity is also his concern; Mr. McGuire said that is addressed in the scope of work....the contractors are licenses by DAR. Mr. McGuire said that they will be willing to notify the Commission if they find poison ivy and that someone can take a look at it. Ms. Danielson said that the COB has a limited budget. Mr. Reilly asked how an engineer can place the markers if he may not be able to identify a wetland properly.

Mr. McGuire said at the last meeting the Commission asked for more than 10' spray zone and they have provided that to the Commission.

Mr. Reilly noted that the application says they will be treating all the stumps. Mr. McGuire said that they will not be painting the stumps with herbicide. Ms. Danielson said that will need to be included in the Commission's determination.

A motion was made (Ford), seconded (DiLallo) to issue a negative determination with the suggested poison ivy restriction.

On the motion Mr. Reilly asked to include that wetlands are identified by a qualified person; there is to be no stump treatment as a condition of this management program; spraying is to be contained within 2 -2 ½ feet from the bottom of the guardrail.

After discussion Mr. Ford amended his motion to include only the conditions that there is to be no stump treatment as part of this management program and including the poison ivy restriction. Second (DiLallo) In favor: Danielson, Enos, Ford, DiLallo and Reilly; Opposed: Bosco

## **2. Request for Determination**

Address: 300 Manley Street

Applicant: Bernardi Auto

Representative: Construction Management & Builders

Continued to May 13, 2010 at the request of the applicant.

## **3. Certificate of Compliance**

Address: 1001 N. Montello Street

Applicant: Keefe & Company

Representative: Art Keefe

Ms. Danielson said that they received a final report dated 4/22/10 from NAA. She said they also received revised plans and a letter from JKH dated 4/22/10 certifying that defender stormceptor is equal to the hydro conduit unit specified in the order of conditions.

Ms. Danielson said that there was a considerable amount of trash on the site. Art Keefe said that it took eight hours to pick up the trash. Mr. Enos asked what plans are in place to make sure that trash is picked up in the future. Mr. Keefe said that he will make sure it is picked up from now on.

Ms. Danielson said that as a result of the rush to get this issued for the closing NAA made three trips to the site at JKH's request resulting in a balance owed to NAA. She said she did not feel that it was the City's responsibility to pay for their emergency.

A motion was made (DiLallo), seconded (Ford) and unanimously passed to issue a certificate of compliance.

#### **4. Notice of Intent**

Address: 899 Belmont Street

Applicant: Saad, Inc.

Representative: Gallagher Engineering

Continued to May 13, 2010 at the request of the applicant.

#### **5. Notice of Intent**

Address: Plot 14 Sargents Way

Applicant: George Millette

Representative: Jennifer Turcott, Green Environmental

Ms. Turcott said that they filed their application for tech review and are on the May 10<sup>th</sup> agenda. She said they have submitted the plans to spectra energy and are in negotiations with them. She said they are attempting to work in good faith with the Commission.

Continued to May 27, 2010 at the request of the applicant to be able to incorporate tech review comments and spectra energy comments into the plan.

#### **Other Business**

Election of Officers

Mr. Enos made a motion to nominate Stephanie Danielson as chairperson and Scott Ford as vice chairperson. Motion was seconded by Mr. DiLallo. There were no further nominations. Motion was passed unanimously.

Ms. Danielson asked that NAA address the issue of a set policy for substitution of stormceptor units at the next meeting.

Discussion – Assembly of God Church Property  
(Torrey Street)

The members discussed amendments to the Consulting Fee Schedule. At this time there is no fee for a certificate of compliance. It was recommended that the fee be \$1,000 commercial/residential subdivision or project and \$500 for a single family property. The Commission agreed that the fee for an RDA also need to be increased. It was suggested that it be the same as the NOI filings. Ms. Danielson will speak to NAA and have the changes made and submitted for discussion.