

**Town of Bellingham
Conservation Commission
North Community Building
Bellingham M., MA 02019
Minutes of meeting of November 28, 2007**

Project: 105-615
CNOI

Project Description:
Hartford Avenue / Shoppes at Bellingham Phase I
14 building, parking areas, stormwater & wastewater mgt.
new access road off North Main

Applicant:
Robert Frazier
W/S Development
1330 Boylston St.
Chestnut Hill, MA 02467

Representative:
ERM / Ann McMenemy
399 Boylston St.
Boston, MA 02116

Continuation time: 7:30 PM

Ann McMenemy, Marc Lavoie, Dave Hudson, Dave Albrecht, and peer review consultant, Tom Sexton were present when the continued hearing was opened. Ann McMenemy (Ann Mc.) began by stating that there were three updates that she wished to make: 1) the applicant has completed the vegetative management of the basins and retaining walls at the three existing shopping centers owned by WS (Crossroads, Stall Brook Marketplace and Charles River Center), that WS Dev. is in receipt of Tom Sexton's email for peer review and 3) the WS would be returning to the Planning Board for the continued hearing for The Shoppes in late January. Cliff Matthews alerted the applicant to the fact that the grouted wall of the main detention basin area behind Home Depot is cracked and appears to be failing. We need an evaluation and time table for its repair.

Ann Mc. stated that at the last hearing, the Commission had requested that WS move the proposed roadway out of the "T" wetland flag series pocket of wetlands, that the applicant present a snow storage/removal proposal and that the applicant present infiltration information.

Ann Mc. said that that proposed roadway has been moved to a distance of a maximum of 20 feet from the "T" wetland and no longer directly impacts that wetland. **SC** This area needs to be protected with silt fence during construction because the area to the west is the White Cedar Swamp and the area to the east is the Charles River wetland system. Tom Sexton requested a copy of the ORAD (DEP File # 105-559 that was issued to the applicant.

Cliff Matthews questioned the applicant's statements regarding the waivers (sidewalk on one side only, shoulder width and quantity of street trees) from the DPW and Planning Board for proposed access road. He said that although the area of wetland impacts at the crossing were confirmed by Commissioner Barry Lariviere, the Commission is aware of one of the roadway alternatives proposed by WS which is to make the access road a state highway as opposed to a town road. If the access road were to be a state road, Mass. Highway may require a wider width and WS must present their true intentions to the Commission regarding the ownership of the access road so that we do not permit a narrower width and then have to re-evaluate the width at a later date.

Ann Mc. then discussed other issues on the proposed access road that included the installation of an earthen berm screened with tree/bush plantings. The proposed road would also include a retaining wall and fencing to address the lighting problems raised by the abutter at the campground. The top of the berm is 6 to 7 feet higher than the proposed road and provides approx. 13 feet of screening. The proposed road also shows an access to the campground to be used for emergency access. Ann Mc. said that there is no set planting regime as yet and the Commission stated that shrub-like planting like Arborvitae or Cedar would be best for screening. This would be included in the **Special Conditions**.

The Commission stated that snow storage has historically been a serious issue with the Charles River Center. George Holmes said that every winter, he must contact Al Rocco of WS to stop the dumping of snow in and near the basin and wetlands behind Stall Brook Marketplace that has been transported in from the Charles River Center. Mr. Holmes said that he has requested fencing for at least a couple of years now and nothing has been done. The applicant will investigate this matter. **SC** areas near wetlands and in buffer zones must not be used for snow storage. In response to a question regarding the use of salts in the Mass

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Highway area, Dave Albrecht said that he would contact Mass Highway to see what they use during snow removal operations. Cliff Matthews stated that there is a substantial amount of impervious material proposed on the site and he raised concern with the proposed small areas that would be utilized for snow storage on the site. When asked what the maximum snowfall event would be that would trigger snow removal from the site, the applicant was unable to answer. MarcLavoie only stated that the snow would be managed and probably taken offsite to a Mendon location. Ann Mc. said that the O & M Plan of the NOI would be revised to reflect snow removal/storage operations. The Commission requested specific information on snow removal and storage.

There was some discussion regarding use of LID impervious parking areas that included both benefits and detriments.

Cliff Matthews then stated that the site is located in a Water Resource Area and again stressed the arguments that Administrator George Holmes made at a previous meeting that are still not addressed regarding the possible change in subsurface drainage patterns resulting from massive impervious surfaces on the site proposed with the use of only localized infiltration systems. Ann Mc. said that the applicant would investigate a method of addressing this unsolved problem.

Don DiMartino, who was present for another hearing, was asked to make an opinion on the confusion arising from the applicant's statements that the DPW would grant a waiver for the proposed town road. DiMartino said that because this is not a subdivision road but a new road, the applicant had to request a waiver from the Planning Board supported by the Board of Selectmen because it is being proposed as a town road. He said that the DEP does not grant waivers.

Tom Sexton, George Holmes, Ann Mc. and reps. from W.S. will meet on Thursday, Dec. 6th at 10:00 AM. The intent of the meeting is only to discuss any duplicate comments/questions on Mr. Sexton's peer review comment letter compared to the Graves Eng. review. No other issues will be discussed at that meeting. Ann McM offered to provide the Commission with minutes.

By unanimous vote, the hearing was continued to January 9th at 8:00 PM. A site walk with Tom Sexton will be arranged in the near future.

Ann Mc. said that the repairs on the swale at Charles River Center would begin on Monday Friday, Dec. 3rd after Tom Sexton has rendered a preliminary review.

Project: 105-621
CNOI

Project Description:
Hartford Avenue – roadway improvements (Hunter Dev.)
Resurfacing and sidewalks

Applicant:
DPW
26 Blackstone St.
Bellingham M., MA

Representative:
Wetlands and Wildlife
PO Box 974
Lakeville, MA 02347

Hearing time: 8:45 PM

Don Di Martino and Jim Noyes of Wetlands & Wildlife were present. Mr. Noyes discussed the details in the revised plans that were recently submitted. These included the fact that all drainage was directed to the small wetland by a surface swale only. The drainage system includes a two-foot high retaining wall at the swale's end. The swale will provide storm run-off attenuation and prevent direct discharge into the wetlands. There were no further comments. By unanimous vote, the hearing was closed.

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Project: 105-
ANRAD

Project Description:
Maple & High Street – BVW

Applicant:
LIG Bellingham M. Development
400 Blue Hill Dr., Suite 104
Westwood, Ma

Representative:
Beals & Thomas – Stacy Minihane
14 Turnpike Road
Westborough, MA

Hearing time: 8:35 PM

Stacy Minihane of Beals & Thomas and two abutters were present, Steven Racicot and Normand Bell. After the hearing was opened, Ms. Minihane stated that there are three BVW areas on the Maple/High Street site that remain unconfirmed. The balance of the resource areas has been confirmed by a previous ORAD. The three areas include: a BVW on the western portion of the site (forested Red Maple), BVW on the western portion at 495 and a BVW on the northeastern corner of the site. The ANRAD requests confirmation of both BVW and 100-foot buffer zone. Mr. Matthews noted that there are some isolated areas of probable federal jurisdiction that will be included in the ORAD as remaining unconfirmed. Ms. Minihane said that these areas would require jurisdictional clarification from the Army Corps. A site walk was set for Saturday, December 8th at 8:30 AM just after the 8:00 AM walk for the Dwyer commercial site. By unanimous vote, the hearing was continued to Wed., Dec. 12th at 8:20 PM.

Informational/Request for Certificate of Compliance/19 Acorn St.

A young couple approached the Commission requesting a Certificate of Compliance for 19 Acorn St. a single-family home that they are purchasing on November 29th. Cliff Matthews read the On-Going Condition of a No Disturb Zone from the original Order of Conditions that would be incorporated into the Certificate of Compliance. The couple remarked that they understood their responsibilities. Since the town has accepted the subdivision roads & drainage and has received as built plans reflecting compliance with the compensatory area that was required to replace flood storage impacted when this home was constructed, the Commission agreed to the release of the Order of Conditions and voted unanimously to sign the Certificate of Compliance. The document will be ready for pick up in the morning.

Informational/ Tim Jones/Highridge Road, basins & replication

Cliff Matthews stated that the replication at the Highridge Road site is finally complete. The Commission gave Mr. Jones a copy of the final report and final invoice by Natural Resource Services who was hired by the Commission to oversee the project. Mr. Matthews then stated that the DPW in conjunction with the Planning Board have requested Conservation Commission input regarding remaining work (i.e. maintenance of the stormwater mgt. system) at the Highridge site and the associated release of bond money held by the town. Mr. Matthews asked Mr. Jones to start by cleaning one or two basins and contacting the Commission after the work is done so that the Commission could recommend release of an appropriate percentage of bond money. George Holmes asked Mr. Jones to start with the basin located at the entrance of Highridge Road, as it is the basin in most need of maintenance. Mr. Jones agreed to meet with Mr. Holmes at the site to confirm the details of the maintenance. The Commission will open dialogue with Mr. DiMartino of the DPW to discuss this strategy.

The minutes of the meeting of October 24th were accepted.

The Commission signed:

OoC 105-607/Lakeview Estates/South Center Realty/ Chapter 40B
 105-616/ Brookfield Estates, 66 Locust St/ Gareau (needs final SC)
 105-624/ 31 Irving Street/Racore/septic repair
 105-621 Hartford Avenue/DPW/ roadway improvements (needs final SC)
ORAD 105-613/ Lot 33 Fox Run Road/BVW/Morse

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George Holmes responded to a complaint of tree cutting on Lot 43 Whitehall Way. Upon his arrival, Mr. Holmes told the landscapers to cease cutting the trees in the No Disturb Area behind the fence and spoke with Mrs. Patel who was home at the time. Mr. Patel has contacted Mr. Holmes stating that he was not aware of the problem but offered to plant several trees in that area to compensate for the error. Mr. Holmes will supervise the vegetative plantings and locations.

New England Environmental submitted a letter dated Nov. 27th as a report of the success of the restoration of the silted pond at the Locust St. site. The silt was caused by the subdivision development on the abutting Wrentham property. The Enforcement Order required the applicant to file a Notice of Intent to address the violation.

The Commission is in receipt of a letter report from Caron Environmental regarding the successful completion of the replication area at 46 N. Main St., Marty's Auto. Follow-up reports will be submitted within the next year.

The Commission has hired Tom Sexton of Mainstream. Eng. for peer review for the Shoppes at Bellingham W.S. Development.

The Commission has hired Tom Sexton of Mainstream Eng. for peer review for the NOI for repair of the breached swale and associated siltation at the Charles River Center by the same applicant. The NOI was filed in response to an Enforcement Order issued by the Commission in October.

Attending the meeting were Cliff Matthews, Barry Lariviere, Jim Hentz, Neal Standley, Lori Fafard, Anne Matthews and Administrator George Holmes.