

**Town of Bellingham
Conservation Commission
North Community Building
Bellingham, MA 02019
Minutes of meeting of January 14, 2009**

Project: 105-635
CNOI

Project Description:
85 Lakeshore Drive - sfd

Applicant:
Stephen McClellan
29 Sias Lane
Milton, MA

Representative:
Colonial Engineering, Inc.
11 Awl St.
Medway, MA

Continuation time: 7:30 PM

Paul DeSimone of Colonial Engineering sent a letter requesting a continuation to the first meeting in April because the applicant did not know who was going to create the plans and the project would not be ready for construction until the spring. After some discussion, the board voted to continue the hearing to January 28th at 7:25 PM. The board voted to contact Mr. DeSimone to ask that he withdraw the NOI or submit the requested information within a reasonable time or the Commission would close the hearing at the next continuation.

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 Street

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: 8:00 PM

Attending the hearing: Marc Lavoie, Ann McMenemy, Jim Bernardino as well as Tom Sexton of Mainstream Engineering Inc. (peer reviewer). After opening the continued hearing, Cliff Matthews stated that in the past couple of responses to peer review TetraTech Rizzo stresses the applicant's desire to close the hearing once the responses are reviewed. He said that the applicant may choose not to grant a continuation; however, if the Commission has not completed its review, we would be compelled to issue a denial. Mr. Lavoie then responded that the vernal pools are now certified and a Habitat Evaluation would be submitted and that he would not ask to close the hearing.

Cliff Matthews then discussed the requirement in the Secretary's Certificate to the DEIR requiring the applicant to comply with the new EPA/MDEP pilot program for TMDL of Phosphorous and other pollutants. Mr. Lavoie responded that the details of the program would be issued in March and that the new stormwater regulations program will be administered directly by DEP. He said that the new Stormwater Regs General Permit is now in the comment period. Both Cliff Matthews and Tom Sexton stressed that the Conservation Commission permitting runs hand in hand with the NPDES and that this project will fall under the requirements of the Pilot Program.

Mr. Matthews then stated that the stormwater basins must have two feet of groundwater separation under the Stormwater Regs. Jim Bernardini commented that these surface basins are designed as infiltration basins with perimeter drains that will intercept seasonal high groundwater. Although Marc Lavoie stated that this was consistent with stormwater policy, Cliff Matthews stated that the town's Water Resource District By Law requires two feet of separation to maintain water quality in sensitive areas. After lengthy discussion on this matter, Mr. Lavoie agreed to perform test pits in the basins and to review the design again in order to comply with the two foot separation of the Water Resource District By Law, the Planning Board Regs and the Stormwater Regs.

Jim Bernardini then stated that Tom Sexton is requesting the use of the Frimpter Method for calculating seasonal high groundwater. Mr. Sexton responded that it was his intention to make every effort to protect groundwater from

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migrating and that he did not believe that perimeter drains were good engineering for groundwater protection. Marc Lavoie argued that it made no sense in seasonal high groundwater events, to put groundwater back into the ground as it would most likely “break out” in seasonal high groundwater conditions. Tom Sexton suggested that the applicant obtain basin test pit information first and then review this again. Marc Lavoie said that they will check out what information they have and make a decision. Tom Sexton remarked that the design should incorporate more recharge in the infiltration basins. Water Resource Regs also require surface water be directed towards wet areas (i.e. JPI creating wetlands in basins by utilizing one foot of peat in the basin bottoms). Cliff Matthews then stated that the Commission may want to hire an independent consultant to work with Ann McMenemy when the Habitat Evaluation is underway in the spring. Ann McMenemy said that she has already done the evaluation and incorporated the guidelines for vernal pool Wetland “T” protection into a report that should be submitted within six to eight weeks. Cliff Matthews responded that Mitigation Area 1 may have to be modified as it is very close to the vernal pool. Marc Lavoie said that the crossing would now have to be bridged and impacts to the area include an additional detention basin. Ann McMenemy said that the applicant understands that there may be no adverse impacts to the vernal pool; however some trees must be cut to construct the proposed bridge over the pool. Mr. Lavoie presented two concepts of bridge span that the applicant is considering and asked the Commission to review and make a suggestion as to which one was a better design. By unanimous vote, the hearing was continued to Jan. 28th at 8:00 PM.

Project: 105-644
ANRAD

Project Description:
Countryside Road, (Bellwood & Brookside Condo)

Applicant:
Chuck Richards. Bellwood Condos
ACMC 40 Mechanic St., Ste 301
Foxboro, Ma

Representative:
Richard Mainville, Guerriere & Halnon
333 West St.
Milford, MA

Hearing time: 9:00 PM

Chuck Richards, Allen Nash and Richard Mainville were present when the hearing was opened. Mr. Mainville stated that the site is located between two large parcels, 48 acres and 39 acres, currently owned by Brookside and Bellwood condos. The applicant is submitting the ANRAD to verify the 6600 linear feet of BVW on the site in order to determine the correct square footage of upland and to meet the requirements of square footage for proposed bedrooms. Judith Schmidt delineated the wetland and has re-hung the flags that are missing or have been removed. Cliff Matthews reminded the applicant that this entire area is within Estimated Habitat of the Marbled Salamander. Mr. Mainville said that he is currently working with NHESP in order to meet the performance standards. Because there is so much snow cover, the Commission would not be able to confirm the BVW until snow melt. By unanimous vote, the hearing was continued to Feb. 25th at 7:30 PM.

Informational/ 800 Pulaski Blvd/Omar Wenger/ sewer connection

Fred Lapham of Shea Engineering stated that his client, Omar Wenger, would like to hydraulically directional drill under Arnold’s Brook to connect to the 10 inch sewer trunk line that runs parallel to the brook. The sleeved pipe would have a two foot cover. The sewer connection would enable Mr. Wenger to connect three buildings to the sewer line instead of maintaining three separate septic systems. Preliminary work has already been performed on the proposal to allow Mr. Lapham to believe that this is a feasible plan. The applicant would have to file a Notice of Intent for this project. Mr. Lapham stated that he will discuss the project with Don DiMartino of the DPW.

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Project: 105-
NOI

Project Description:
10 Autumn St.- decommissioning of electrical substation

Applicant:
Mass. Electric DBA National Grid
39 Quincy Ave.
Braintree, Ma

Representative:
ERM, Ann McMenemy
399 Boylston St. 6th Floor
Boston, MA

Hearing time: 9:40 PM

Cliff Matthews opened the hearing. Ann McMenemy of ERM was present for the applicant. She stated that Mass. Electric wishes to decommission an electrical substation located behind Honey Dew Donuts off Pulaski Blvd. at 10 Autumn Street. The area contains a small intermittent stream and BVW. The work includes removal of three telephone poles, the decommissioning of the surface structure and the excavation and re-grading of a 7 x 10 foot area. The applicant proposes to excavate the 7 x 10 foot area to approx. eight feet, remove soil and backfill. This portion of the work is proposed as a result of a release of transformer coolant, a non PCB contaminants (mineral oil) in 1994. The soils will be disposed of properly and off site. Special conditions will include no de-watering on the site and disposing of soils properly. The NOI has just been sent to DEP and therefore no file number has been issued. By unanimous vote, the hearing was continued to Feb. 11th at 7:30 PM.

The minutes of the meeting of December 10, 2008 were accepted.

The Commission signed:

Certificate of Compliance 105-562/ Newland Avenue/removal of groundbed/Tenn Gas Pipeline
105-591/Lemire Court/ removal of groundbed/Tenn Gas Pipeline
The Board also voted unanimously to release the \$2,000 bond on 105-591
once the recording information for the Certificate has been received.

Cliff Matthews proposed a follow up stewardship walk for our Plymouth Road property.

The draft Open Space Plan has been sent out to Commission members for review. The public forum is scheduled for Wed. Jan 21st at 7:00 PM, 2 Maple St., Bellingham.

The Commission and Town Counsel are currently reviewing the deed for the acceptance of open space at Bellingham Estates.

Cliff Matthews reported that the Commission would like to create a committee to commence the Rails to Trails project on the SNETT line in Bellingham. This committee would be under the auspices of the Conservation Commission.

MACC has increased dues by 7.5% this year.

Commissioners submitted conference/workshop preferences for the Annual MACC Meeting to be held on March 1st.

The Secretary has issued a Certificate for the LIG project on Maple St. and has required the applicant to adhere to the EPA/DEP TMDL requirements and has also required that the applicant submit an SEIR for this project since the project is over several thresholds.

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