

**Town of Bellingham
Conservation Commission
North Community Building
Bellingham, MA 02019
Minutes of meeting of February 11, 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: 7:25 PM

Paul DeSimone of Colonial Engineering was present and gave a verbal statement withdrawing the NOI. He will send a letter to the Commission as well.

Project: 105-647
CNOI

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

Continued hearing time: 7:30 PM

Cliff Matthews opened the continued hearing and the Board voted to continue it to 9:00 PM the same evening.

Project: 105-645
NOI

Project Description:
Lot 1 Farm Street- commercial development

Applicant:
Bellingham Farm LLC
118 Water Street
Worcester, MA

Representative:
Land Planning Inc.
167 Hartford Avenue
Bellingham, MA

Hearing Time: 7:30 PM

Dave Dunham, Mike Rose and Bill Halsing were present when the hearing was opened. Chairman Matthews then opened the Lot 2 Farm Street hearing:

Project: 105-646
NOI

Project Description:
Lot 2 Farm Street – commercial development

Applicant:
RC&D Inc.
17 Gordon Avenue Suite 205
Providence, RI

Representative:
Land Planning Inc.
167 Hartford Avenue
Bellingham, MA

Hearing time: 7:31 PM

Dave Dunham, Mike Rose and Bill Halsing were present when the hearing was opened. Mr. Matthews stated that the Commission would hear both Lot 1 and Lot 2 Farm Street filings together.

Cliff Matthews stated that there are two issues with the Notice of Intent filings. The first issue is that when the Notices were filed, the Riverfront Area impacts were combined for the two lots. He stated that each of the filings

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must state separately what impacts it has on each resource area. Lot 1 has more than 10% impacts to the Riverfront and therefore does not meet WPA criteria for impacts to resource area. The second issue is that it does not seem to appear that the 90% lot requirement as defined by zoning by laws has been met with either lot when the 81P plan was presented and approved. He suggested that the calculations for the 90% lot definition did not include the resource area, Riverfront Area. Mr. Halsing stated that the calculations did not include that resource area but did include upland area. Cliff Matthews read the definition of lot area which states that 90% of the lot area must be exclusive of areas subject to protection under the Wetlands Protection Act. He stated further that each of the lots requires 54,000 sf. Lot 1 has only approx. 33,000 sf and Lot 2 has only approx. 44,200 sf. The applicants would investigate designing two buildings onto one lot and also investigate the reversal of the 81P with the Planning Board and start the review process. By unanimous vote, the hearings were continued to February 26th at 7:45 PM.

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: Ann McMenemy, Jim Bernardino, Bob Frazier as well as Tom Sexton of Geod formerly Mainstream Engineering Inc. (peer reviewer). After opening the continued hearing, Cliff Matthews stated that at the last continued hearing, the applicant presented two different bridging designs for crossing the vernal pool. He said that there must be no adverse impacts to the vernal pool and stated that the Commission would not prefer either of the bridge designs because it may lead the applicant to believe that the Commission is giving tacit approval for the impacts. Ann McMenemy stated that the applicant appreciates the Commission's concern. Cliff Matthews stated further that this Commission is not responsible for any more money invested into the on-going crossing design. Jim Bernardini then asked if he could proceed with presenting more specific information on the two alternatives proposed at this time. The first bridge has an 85 foot span, contains a bottomless culvert, has a four foot area of undisturbed land between the limit of construction and the vernal pool to install the footings and the retaining wall and has disturbance to the BVW but not to the vernal pool. Ann McMenemy then said that this design minimizes the impacts to the vernal pool, that there is no reduction in the 4811 sf of proposed wetland alteration because there would be cutting of vegetation and fill. In addition, 4 to 5 trees within the vernal pool would need to be cut. In this design, the stream channel would have to be impacted and recreated because of the size of the bridge design. The previous proposal submitted with the NOI included filling for the crossing of this wetland, not bridging of the area. Jim Bernardini then added that there would be more buffer zone impacts due to the need for the construction of another detention basin due to the drainage design. Jim Bernardini said that this drainage and crossing design adheres to Mass Highway Dept. standards and traffic consultants' comments. Ann McMenemy then stated that the size and location of the proposed additional basin is conceptual and would be outside the 25 foot no disturb zone and have an outlet. The limit of the work is four feet from the vernal pool and the face of the bridge is 10 – 12 feet from the vernal pool area. Barry Lariviere asked Jim Bernardini to calculate the percentage of vernal pool area that would be altered under the proposed bridge. Mr. Bernardini said that he would calculate and provide that information and present it at the next meeting. Ann McMenemy said that calculating adverse effects to the vernal pool is viewed in consideration with the proposed mitigation. She said further that the applicant made efforts to purchase land from the abutting landowner but did not succeed and that Mr. Frazier wants to address the privacy of the campground as well.

Option 2 includes a 115 foot bridge span over the vernal pool and an 8 foot wide box culvert. The grading on the plans are proposed concept grades. Ann McMenemy said that the applicant would undertake a ground survey in order to address wildlife habitat and all micro topography.

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Cliff Matthews remarked that the 85 foot span may in all likelihood provide sufficient stream flow volume. Mr. Bernardini said that there would be a four foot horizontal set back from the vernal pool where the erosion controls are set. Ann McMenemy stated that the applicant would like to have some communication as to what is reasonable and acceptable distance from the vernal pool. Both options presented are four feet. George Holmes then stated that four feet is too close to the vernal pool. Jim Bernardini said that the road is designed to adhere to Mass. Highway Standards so parallel abutments and spans larger than 115 feet require additional costs and more design. Tom Sexton stated that the Commission has been asking for a detailed Wildlife Habitat Evaluation for many months. Ann McMenemy said that she had submitted the Appendix A with the NOI and did not recall the Commission asking for it until Mr. McGregor's letter was reviewed by the applicant's attorney recently. Mr. Matthews stated that McGregor's letter was given to the applicant in November. Ann McMenemy said that she then performed the wildlife evaluation and completed Appendix B in November 2008 which, she said, is acceptable. The Commission will check on details for appropriateness of performing evaluations. Cliff Matthews then stated that we would like to have the completed Appendix B and impacts in hand when we hire a consultant to review it. Ann McMenemy said that it would probably be in April or May. She wanted to schedule a site walk date to get back out onto the site in the spring. The Commission agreed that this was necessary to physically inspect the area of proposed direct impact to the vernal pool. She said that 5 – 10 minutes visits to the site by the Commission is acceptable but that any more lengthy visits should be scheduled with the applicant in order to avoid any more confusion with regard to existing conditions with site investigation. Cliff Matthews reminded the applicant that they will have to adhere to the new MASS DEP TMDL stormwater requirements on this project and all their existing shopping centers in town. Jim Bernardini then presented a couple of drawings showing some test pits and assumed groundwater elevations achieved through interpolation in order to support the use of sub-drains to intercept the two foot groundwater elevations in the proposed infiltration basins. There was no sufficient time to review the material any further. By unanimous vote, the hearing was continued for a half hour session to March 11th at 7:30 PM.

Project: 105-647
CNOI

Project Description:
10 Autumn Street – decommission Electrical Substation

Applicant:
Mass. Electric Co.
39 Quincy Avenue
Braintree, MA

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

Hearing time: 9:00 PM

Cliff Matthews opened the continued hearing. Ann McMenemy was present. Some of the Special Conditions to be included in the Order of Conditions are: erosion control installation, live loading of contaminated soils onto trucks stationed on poly sheets, dewatering methodology must be approved by the Commission and proper stabilization of the site. By unanimous vote, the hearing was closed.

The minutes of the meeting of January 14, 2009 were accepted.

The Commission signed:

Certificate of Compliance	105-553/Lot 17, 28 Whitehall Way/sfd/Toll Bros.
.	105-314/ Lot 5, 56 High St. Bissanti/sfd
Extension Permit	105-581/Silver Lake/treatment of nuisance aquatic vegetation (The Board voted to issue a three year extension)
	105-580/Jenkes Reservoir/treatment of nuisance aquatic vegetation The Board voted to issue a three year extension)
	105-163/Lake Hiawatha/treatment of nuisance aquatic vegetation The Board voted to grant a one year extension because the Original Filing was submitted in 1992

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

MACC Environmental Conference registrations were submitted.

Cliff Matthews met with Denis Fraine to discuss a 20% decrease in the Commission's operating budget for fiscal year 2009-2010

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