

**Town of Bellingham
Conservation Commission
North Community Building
Bellingham, MA 02019
Minutes of the meeting of July 22, 2009**

Project: 105-653
NOI

Project Description:
Lot #1, Silver Lake Road - sfd

Applicant:
Bellingham Residential #2 Realty LLC
120 Quarry Road
Milford, MA

Representative:
Guerriere & Halnon, Inc.
333 West Street
Milford, MA

Time: 7:30 PM

Robert Poxon of Guerriere & Halnon was present when Cliff Matthews was opened the hearing. Mr. Poxon stated that the site is one of four recently subdivided 81 P lots on Silver Lake Road. The proposal is for the construction of a single family dwelling, driveway and associated septic system. Bordering Vegetated Wetlands are located on the easterly side of the lot and the closest point of impact to the resource area is 51 feet. The plans show a 25 foot No Disturb Zone along the BVW. The septic system has already been approved by the Board of Health. The plans show an old well, which, Mr. Poxon stated was for a previous structure that was located on the site. There are a total of 41 wetlands flags. Mr. Poxon agreed to add a vinyl post and rail fence on the northwestern corner of the back of the lot on revised plans in order to define the No Disturb Zone. A site walk was scheduled for Saturday, August 8th at 8:00 AM. By unanimous vote, the hearing was continued to Wed, August 26th at 7:30 PM

Project: 105-654
NOI

Project Description:
Lot #3, Silver Lake Road - sfd

Applicant:
Bellingham Residential #2 Realty LLC
120 Quarry Road
Milford, MA

Representative:
Guerriere & Halnon, Inc.
333 West Street
Milford, MA

Hearing time: 7:50 PM

Mr. Poxon presented the proposal for a single family dwelling, driveway and associated septic system for Lot #3 at Silver Lake Road. The septic system on this lot is located between two buffer zones to BVW. The closest point of impact to the resource area is 45 feet from the house to the BVW. The erosion control is located along the proposed 25 foot No Disturb Zone. Mr. Poxon agreed to add a fence along the 25 foot No Disturb Zone on revised plans as agreed to on Lot #1. Mr. Poxon stated that the Board of Health has approved the septic system for this lot. Lori Fafard expressed concern with heavy trucks passing over the bridge on Silver Lake Road and will contact Don DiMartino to get a weight limit for that bridge. A site walk was scheduled for Sat. August 8th at the same time as Lot #1. By unanimous vote, the hearing was continued to Wed., August 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

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Continuation time: 8:15 PM

Cliff Matthews opened the continued hearing. Ann McMenemy of ERM was present. She stated that Mass Highway is taking over the interchange portion of the project from W/S Development and that this may lengthen the time for the design to be completed. She stated that she would like to discuss the vernal pool boundary at this meeting. The Commission asked why Graves, peer reviewer for the Planning Board, was reviewing outdated designs of the vernal pool crossing. Ms. McMenemy responded that she would bring this to the attention of the project's engineering team. The Commission was also confused as to why the newly revised site plans for The Shoppes does not reflect that the "M" crossing is over a certified vernal pool as opposed to a "potential" vernal pool. Ms. McMenemy stated that this was an oversight and that would obviously be corrected.

Ms. McMenemy then presented a 20 scale Vernal Pool Boundary plan dated July 21, 2009 with three defined boundaries. These included the boundary sent to Natural Heritage by the Commission for certifying the vernal pool, the pool boundary defined by engineering calculations based on the 234.5 elevation (not field surveyed), and the flags hung in the field by the Commission's consultant. Ms. McMenemy stated that field shot grades would be required for any construction and that only the aerial topography is noted on the submitted plan. Cliff Matthews stated that the Commission members should see the flags in the field to re-familiarize themselves with the area. A site walk was scheduled for Sat. morning, August 8th. Anne & Cliff Matthews would be on vacation and requested that they see the site after that date. Ann McMenemy stated that she would talk to Bob Frazier for permission and would get back to George Holmes. The hearing was continued to August 26th at 8:15 – 8:45 PM.

Ann McMenemy noted that the Charles River Center stormwater maintenance program may need to incorporate invasive species control in a small portion of the large detention basin. She stated that the maintenance should be completed by August/ September because the applicant wants to submit a Request for a Certificate of Compliance for the Charles River Center soon.

Hartford Avenue (The Shoppes) ORAD Extension Request

Ann McMenemy of ERM requested a three year extension to the order of Resource Area Delineation for the Shoppes site on behalf of W/S Development, the applicant. She stated that the applicant wishes to preserve time and resources that has been given to The Shoppes project. The current ORAD expires July 31st. She said that no changes have been made to the landscape i.e. construction, etc. since the ORAD was issued. Ms. McMenemy stated that many of the wetland flags are not readable but portions of the flags remain intact. The former Amended ORAD Request had also included areas for the proposed interchange project. The three large wetland areas include the BVW "M" area Charles River swamp, Spring Brook and the clover leaf area behind Walmart. Ms. McMenemy stated that the Army Corps also reviewed and issued jurisdiction for those federally jurisdictional areas for five years and that there should be no reason to expect any change in the Bordering Land Subject to Flooding or the Bordering Vegetated Wetlands. Cliff Matthews then said that the Commission had briefly discussed the Extension request and George Holmes had sent an email to Ann McMenemy requesting that she, as a professional wetlands scientist, visit the site and then write a letter stating her findings to the Commission (as is consistent with WPA Regulations). The Commission discussed the alternative of extending the ORAD for only one year because the board members want to see progress being made towards finalization of the project. The Commission will wait for Ms. McMenemy's letter before voting on the Extension request.

Ms McMenemy then stated that National Grid has requested a change in the Order of Conditions for 10 Autumn St. to have a graveled or stone area instead of the loamed and seeded area within the confines of an existing fence as stated in the Special Conditions. The Commission will review the file and plans and then make a decision.

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Project:
RDA

Project Description:
Lot 28, 14 Oxford Court – move portion of fence

Applicant:
Raman Jayaram
14 Oxford Court
Bellingham, MA

Representative:

Meeting Time: 9:15 PM

The applicant notified the Commission that he was unable to attend this evening. By unanimous vote, the meeting was continued to Wed. August 26th at 8:45 PM.

Project:
Informational - Enforcement

Project Description:
1410 Pulaski Boulevard- altering an intermittent stream

Applicant:
Jeffrey Rinfrette
1410 Pulaski Blvd.
Bellingham, MA

Representative

Time: 9:15 PM

Jeffrey Rinfrette and four abutters were present. Cliff Matthews stated that the Commission had issued an Enforcement Order to Jeffrey Rinfrette in early July because Mr. Rinfrette had altered resource areas including Land Under Water Bodies, Bank and Bordering Vegetated Wetlands at 1410 Pulaski Blvd. Cliff told Mr. Rinfrette and his neighbors that the intermittent stream located on Pulaski Boulevard is protected by the Wetlands Protection Act, has the associated assigned legal rights assigned by the WPA, and that violations are subject to legal fines issued by the state. He stated that when Mr. Rinfrette partially filled the stream with rip rap, he reduced the stream channel width to at least one half capacity, thereby altering resource areas and creating increased velocity of stream flow and the potential for downstream flooding. Mr. Rinfrette and the Commission reviewed the wording in the Enforcement Order. Mr. Rinfrette said that he did not realize he was violating the WPA and would cooperate by following the procedure for reparation outlined in the Enforcement Order. Mr. Matthews said that the Commission wants the corrective action completed immediately and explained that Mr. Rinfrette would have to hire a wetlands scientist to oversee the removal of the stone in the stream and to return the stream back into its original shape and size. Neighbors complained that flooding in this area on Pulaski Blvd. has been a problem for years. Barry Lariviere stated that the Pulaski Blvd. project has finally been awarded TIP money from the state and the project should commence the summer of 2010. Mr. Rinfrette stated that he will contact George Holmes next week to begin the reparation process. The Commission will receive a report from Mr. Rinfrette by August 26th.

The Commission signed the Order of Conditions for 146 Maple St/Rocco Realty Trust/garage and the Enforcement Order for 1410 Pulaski Boulevard.

Attending the meeting were: Cliff Matthews, Barry Lariviere, Neal Standley, Brian Norton, Lori Fafard, Anne Matthews and George Holmes. Also present was potential member Michael O'Herron.
