

**Town of Bellingham
Conservation Commission
North Community Building
Bellingham, MA 02019
Minutes of the meeting of August 26, 2009**

Project: 105-653
CNOI

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

Continuation time: 7:30 PM

Robert Poxon of Guerriere & Halnon was present when Cliff Matthews opened the continued hearing. Mr. Poxon stated that he submitted revised plans for the lot including the requested vinyl post and rail fence marking the 25 foot No Disturb Zone. He said that a site walk was conducted on August 8th to verify the wetland line. Only one flag was missing and the Commissioners who were present at the walk agreed with the wetland delineation. The septic system has been approved by the Board of Health. **Special Condition (SC)** will include the placing of No Disturb Zone badges on the vertical posts of the fence. By unanimous vote, the hearing was closed.

Project: 105-654
CNOI

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

Continuation time: 7:50 PM

Mr. Poxon stated the Commissioners had walked the site on Sat., August 8th to verify the wetland delineation for all four newly created lots on Silver lake Road. The wetland line was satisfactory and the septic system has been approved by the Board of Health. **SC:** The owner must file with the Conservation Commission to permit any work within the buffer zone; badges are to be placed on the vertical posts of the fence marking that the area behind the fence is No Disturb zone. The hearing was closed by unanimous vote.

Project: 105-655
NOI

Project Description:
Lot #2, 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: 8:00 PM

Robert Poxon was present when the hearing was opened. He stated that this is the third of four lots that have received 81P's for single family dwellings on Silver Lake Road. The proposal is for a single family dwelling, septic system (that has been approved by the Board of Health), driveway and utilities. A vinyl post and rail fence marks the 25 foot No Disturb Zone. The commission requested that the applicant add another portion of fence on the property line running west on the lot. Mr. Poxon said he would get revised plans as early as this week. The Commission voted unanimously to close the hearing. Special conditions will be similar to Lots #1 & 3.

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Project: 105-656
NOI

Project Description:
Lot #4, 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: 8:08 PM

Robert Poxon of Guerriere & Halnon presented a similar proposal for Lot #4 as the previously filed Lots 1, 2 & 3. A single family dwelling, septic (approved by the Board of Health) driveway and utilities is proposed on this lot as well. The location of the proposed erosion control marks the limit of disturbance and a fence is also proposed to mark the 25 foot No Disturb Zone. **Special Conditions (SC)** all debris on the lot (grass clippings, tree branches, etc. previously dumped in or near the resource area by parties unknown) must be removed from the lot; the revised plans shall include a 70-80 foot addition of fence that will terminate at the property line; the NDZ will be marked with placement of badges on the vertical posts of the fence. Mr. Poxon will submit revised plans ASAP. The hearing was closed by unanimous vote.

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: 8:15 PM

Cliff Matthews opened the continued hearing. He stated that the applicant has requested a continuation to Wednesday, Sept. 23rd so that the Commission can meet with our consultant to discuss TetraTech's responses to Tom Sexton's peer review on Water District By Law issues. By unanimous vote, the hearing was continued to September 23, 2009 at 7:30 PM.

The Commission and Mr. Sexton discussed his concerns with the applicant's July 20th responses to Tom's comments on the Water Resource District by laws. Tom will revise his draft letter of August 21st and will send it out to the Commission and the applicant.

Project:
Continued RDA

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

Applicant:
Raman Jayaram
14 Oxford Court
Bellingham, MA

Representative:

Meeting Time: 8:45 PM

Cliff Matthews opened the continued meeting for the proposal to move the fence at Lot 28, 14 Oxford Court at Bellingham Estates. Cliff stated that the Commission had seen the site on Sat., August 15th and had agreed that the residents have a safety issue with passage between the installed fence and its associated grading and the existing

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deck. Cliff then discussed a revised plan dated August 15, 2009 that showed the approved locations for the vertical fence posts in the backyard. He said that each post has a distance written on it to help the homeowner know exactly how far back the post may be moved. Raman Jayaram, the owner, questioned the status of the wetlands on Lot 30. Cliff Matthews told Mr. Jayaram that the wetland on Lot #30 is a federally protected wetland and not protected by Mass. Wetlands Protection Act so that there is no hundred foot buffer zone or 25 foot no disturb area. Further, Cliff told Mr. Jayaram the reasons for protection of the resource areas throughout the Bellingham Estates site. Cliff then gave him a brief history of the project including how intensively the Commission worked to protect those wetlands in perpetuity through a legal Agreement with the developer. That legally binding agreement includes about 30 lots at Bellingham Estates. **SC** No grading may take place beyond the relocated fence; the fence is to be relocated exactly as referenced on the revised plan; the applicant must contact George Holmes before the work begins. Mr. Jayaram stated that he understood the stipulations in the permit. By unanimous vote, the meeting was closed and the Commission issued a Negative Determination with conditions.

Project: 105-657
NOI

Project Description:
Lot #2, 485 Hartford Avenue – driveway & utilities for sf

Applicant:
Samuel Cowell
1175 S. Main St., #1
Bellingham, MA

Representative
Land Planning Inc.
167 Hartford Avenue
Bellingham, MA

Hearing time: 9:05

Mr. & Mrs. Sam Cowell, Mr. & Mrs. Thomas Cowell and Bill Halsing of Land Planning were present for the hearing. Mr. Halsing said that the proposal is for construction of a driveway and associated utilities (located within the Outer Riparian Zone to Hopping Brook) for the proposed single family dwelling and septic system that are non-jurisdictional to the Wetlands Protection Act. There would be approximately 3,000 square feet of disturbance in the outer riparian zone for the construction of the driveway. Mr. Halsing stated that the four large maple trees in the vicinity of the proposed driveway would remain undisturbed. There were no further comments. By unanimous vote, the hearing was closed.

Project:
RDA

Project Description:
7 Stone Street – construct single family dwelling

Applicant:
Melissa Odabashian
7 Stone Street
Bellingham, MA

Representative
Elizabeth Mainini
67 Forest Street
Marlborough, MA

Meeting time: 9:30 PM

Elizabeth Mainini, the applicant's representative, was present when Cliff Matthews opened the meeting. Ms. Mainini stated that the home located at 7 Stone St. was destroyed by fire recently and that, by order of the fire chief, the building was removed from the site. She said that the applicant wishes to rebuild her home very close to the same footprint as the previously destroyed home. The 25 foot No Disturb Zone will be preserved and there will be no garage. The septic system is suitable for up to four bedrooms and was built to Title V Regulations. Silt fence is proposed along the 25 foot no disturb zone. **SC:** George Holmes must be contacted to inspect the erosion control barrier prior to the commencement of any activity on the site. The Commission voted to grant a Negative Determination with conditions and close the meeting.

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The Commission accepted the minutes of the meetings of July 8th and July 22nd.

The Board of Selectmen will be hosting an All Boards Meeting on Monday, Sept. 21st at 7:00 PM and have requested that all Commissioners attend. Town Counsel will present information on Conflict of Interest and the Open Meeting Law.

The Board voted to cancel our meeting of October 14th due to a conflict with the Special Town Meeting.

The Commission signed:

Certificates of Compliance:

105-652/21 Stone St./Depoto/septic repair

105-474/Lot 50 #46 Whitehall Way/Toll/sfd

105-472/Lot 48 #39 Whitehall Way/Toll. Sfd

Determination of Applicability (DOA)

7 Stone Street/single family dwelling/Odabashian

14 Oxford Court/fence relocation/Raman

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.
