

**Town of Bellingham
Conservation Commission
North Community Building
Bellingham, MA 02019
Minutes of the meeting of December 9, 2009**

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: 7:30 PM

No one from the public was in attendance. On behalf of the applicant, Ann McMenemy sent an email requesting a continuation to the meeting of February 24th, 2010 stating that the applicant has significant design considerations and documentation to complete to prepare a supplemental submittal to the NOI to redesign the one wetland impact area, Crossing M, to avoid the certified vernal pool. The Commission then commenced its review of the project especially for the benefit of new members beginning with the initial plan submitted with the Notice of Intent (DEP #105-615) in July of 2007. Wetlands delineation, access road and crossing, and initial project layout were discussed utilizing plans, minutes, comment letters as well as input from our consultant, Tom Sexton. Commissioners were also provided with pertinent meeting minutes to date. Commissioners will familiarize themselves with minutes of past meetings and project changes will be reviewed as they occurred during the hearing process. By unanimous vote, the project review will continue to January 13, 2010 at 7:30 PM.

Project: 105-661
NOI

Project Description:
101 Mechanic Street, "Connor's Crossing"
Subdivision roadway & stormwater management

Applicant:
Ron Nation, 20th Century Homes
8 Pond Street
Hopkinton, MA

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

Hearing time: 8:30 PM

Cliff Matthews opened the continued hearing. Ron Nation, Peter Lavoie and attorney Mark Kablack were present. Mr. Nation stated that he had acquired this property about a year ago and would like to proceed with the original design as approved and permitted. Peter Lavoie then stated that the Notice of Intent submittal is the same submittal that was made and approved by the Commission through an Order of Conditions that had recently expired. The subdivision plan includes a 700 linear foot roadway, four residential lots and three commercial lots at the entrance on Mechanic St., Drainage includes four catch basins, a stormceptor and infiltration basin with 4" x 4" concrete galleys that is designed for the 2, 10 and 100 year storm event. The basin is designed with emergency spillway. The project will utilize the town water system and individual septic systems. Mr. Lavoie stated that the location of the soil test holes are included in the information that was submitted with the Notice of Intent. Mr. Lavoie has certified the related stormwater calculations and design certifying that they meet the new Stormwater Management Guidelines. He stated that Judith Schmidt delineated the wetlands and a copy of the wetland report was also submitted to the Commission. Two residential lots and one commercial lot will require separate Notice of Intent filings with the Commission. Cliff Matthews then requested that the calculations for the Isolated Land Subject to Flooding located on Lot 4 be submitted to the board. He also said that drywells for the collection of rooftop runoff should be included in the design. The board requested that Mr. Lavoie demonstrate that a septic system could be

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designed to meet Title 5 on one of the commercial lots because the area was very close to the location of the proposed infiltration basin. Mr. Lavoie will submit a plan to the Board of Health and copy the Commission. A site walk was scheduled for Sat., December 19th at 8:00 AM. Mr. Kablack then stated that the Planning Board had approved the plan in 2002 and re-approved it in 2006. The project was under litigation until recently when it was dismissed in August of 2009. He stated further that the approved Planning Board plan had just recently been recorded at the Norfolk Registry of Deeds. He stated that he submitted the recording information to the Town Clerk and copied the Town Planner. He reiterated that the applicant wants to proceed with the original design so as to avoid any further appeals. The hearing was continued to January 13, 2010 at 8:30 PM by unanimous vote.

Project:

RDA

Project Description:

252 Lake Street – horse barn and paddock

Applicant:

Marcia-Boyle Eren
252 Lake Street
Bellingham, MA

Representative:

Meeting time: 8:20 PM

Marcia Boyle-Eren was present when the meeting was opened. Cliff Matthews stated that Ms. Eren had approached the Commission previously on an informal basis to present her proposal to construct a 20 x 30' horse barn and associated paddock on her property on Lake St. Some of the board members have already visited the site. Mr. Matthews then requested that those members who were present at that site walk discuss the proposal. Neal Standley stated that the project originally had included the location of the barn on the northern area of the lot. Barry Lariviere said that that would have necessitated the clearing of trees and that during the site walk, the location of the barn was to be where the road leading down to the back of the property ends. Discussion included the possibility of fencing the paddock at the tree line but the board was very concerned with the potential for horse waste travelling to and degrading the wetland down-gradient of the barn and paddock. Ms. Eren agreed to stake the proposed construction area on the property. A site walk was scheduled for Sat., December 19th at around 8:45 – 9:00 AM and continue the discussion on Jan. 13th at 9:00 PM.

Project: 105-590

Informational -
Extension Request

Project Description:

340 South Main Street, Cumberland Farms

Applicant:

Cumberland Farms, Kathleen Sousa
100 Crossing Boulevard, Framingham, MA

Representative:

Informational time: 7:30 PM

Peter Palowski was present on behalf of Cumberland Farms for the request for a twelve month extension. Cliff Matthews explained that at our meeting of Nov. 18th, the Commission had asked the applicant if they would be able to complete the replication on the site in the spring of 2010 in the event that the Commission extended the Order of Conditions. He added that it is not the Commission's policy to extend a permit due to economic conditions; however, the commission may take into consideration the value of the proposal i.e. upgrading of a degraded wetland through replication and whether the project had commenced. Peter Palowski then stated that the applicant had commenced the work on the site by razing all the buildings in preparation for construction. He stated that although the estimate for the replication, including landscaping (which was a Planning Board requirement) was rather high, it is the applicant's intention to complete the replication once the project is begun. Cumberland Farms is currently in negotiations for the development of the site but will maintain a percentage of ownership. After some consideration, the Commission voted unanimously to grant a twelve month extension.

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The Commission signed:

Extension 105-590/340 South Main St. /Cumberland Farms

Site walks scheduled for Saturday, Dec. 19th include: 8:00 AM 101 Mechanic St., (Connor's Crossing, 8:45 – 9:00 AM 252 Lake St (barn), 9:30 AM Hartford Ave (BVW, Bank for DPW ANRAD).

The Budget for F/Y 2011 was reviewed and approved for submittal. Although there are increases, the commission members agreed to attend the Selectmen's and Finance Committee meetings to support it.

Cliff Matthews gave an update on the Mass. Assoc. of Conservation Commissions (MACC) response letter to possible Executive Office of Energy and Environmental Affairs (EEA) Regulatory changes and the potential impacts to DEP and local Conservation Commissions. He called Rep. Callahan's office and has received a letter response from her supporting our position and stating that if legislation is presented in the House or Senate on this issue, she would keep the Conservation Commission's view in mind.

Anne Matthews reported that we have received word from the state that our Open Space & Recreation Plan is approved through 2016. The town continues to be eligible to apply for state grants for open space and recreation. The final revised plan will be submitted by PGC in December.

The Commission voted unanimously not to extend the Order of Conditions for DEP 105-603, Lot 2 S. Maple St., for a single family dwelling. No work on the site has taken place since the Order of Conditions was issued.

Attending the meeting were: Cliff Matthews, Barry Lariviere, Neal Standley, Brian Norton, Michael O'Herron, Lori Fafard, Anne Matthews, prospective member Amanda Meisner and Administrator George Holmes.
