

**Town of Bellingham  
Conservation Commission  
North Community Building  
Bellingham, MA 02019**

**Minutes of the meeting of February 17, 2010**

**NOTE: The meeting of February 10<sup>th</sup> was cancelled due to inclement weather**

**Project: 105-584**

Continued Amendment

**Project Description:**

1474 Pulaski Boulevard D & N Estates

**Applicant:**

Laurent Duhamel  
1474 Pulaski Boulevard  
Bellingham, MA

**Representative:**

Scott Rabideau, Natural Resource Services  
PO Box 311  
Harrisville, RI

**Hearing time: 7:30 PM**

Peter Robideau of Natural Resource Services was present when the continued hearing was opened. Cliff Matthews stated that a majority of Commission members walked the site on Saturday January 30<sup>th</sup>. The Commission then reviewed the plan for the proposed two amendments. Mr. Robideau showed the area of the crossing that includes turbidity curtains placed downstream and additional erosion control measures. Cliff Matthews stated that DEP granted a dispensation from the 404 Permit condition to applicant allowing them to work out of the conventional stream low flow window. In addition, the Commission reviewed the proposed relocation of the replication area noting that the applicant will clean up all debris in the replication area that was approved in the order of Conditions. The new location will not only avoid the destruction of a large number of mature trees but will also be a viable replication area as it contains the required hydrology for successful replication. Motion was made to approve both requests and seconded. By unanimous vote, the hearing was closed.

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**Project: 105-663**

Cont'd NOI

**Project Description:**

Lot 8, Silver Lake Road, sfd, septic, driveway

**Applicant:**

Bellingham Residential #2 Realty  
120 Quarry Dr.  
Milford, MA 01757

**Representative:**

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

**Continuation time: 7:55 PM**

Peter Lavoie and a number of abutters (see list) were present when Cliff Matthews opened the continued hearing. Mr. Matthews stated that a majority of Commission members visited the site on Saturday, Jan 30<sup>th</sup> to confirm the wetland boundary. He stated that the Commission has serious concerns with the status of the 18 inch pipe that flows under Silver Lake Road from this lot. Barry Lariviere stated that the DPW cleans out this culvert several times a year to correct flooding problems triggered from storm water runoff from the wetland up-gradient to this lot. In addition, the inlet to the pipe becomes very clogged with leaves and debris causing it to back up and flood, preventing proper drainage. Peter Lavoie then presented his drainage area plan and associated calculations and presented his findings. According to the calculations, virtually the entire pipe capacity is utilized to accommodate run off volume from the upstream wetlands. Mr. Matthews informed Mr. Lavoie that the north arrow on the plan is 180 degrees out and should be corrected on the plan. He also stated that Mr. Lavoie should include a fence along the erosion control line to establish the 25 foot No Disturb Zone. After explaining the drainage flow, Mr. Lavoie stated that his applicant wants to grant a Right of Way to the town because of the discrepancies in the location of Silver Lake Road and the property boundary. He has not yet presented that plan to the DPW. He stated that the Board of Health has approved the septic system. Because Lots 8 and 9 are related, Lot 9 was then reviewed. Lot 8 was continued to March 3 at 8:00 PM.

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**Project: 105-665**  
NOI

**Project Description:**  
Lot 9, Silver Lake Road, sfd, septic, driveway

**Applicant:**  
Bellingham Residential #2 Realty  
120 Quarry Dr.  
Milford, MA 01757

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

**Hearing Time: 8:30 PM**

Peter Lavoie and a number of abutters (see list) were present when Cliff Matthews opened the hearing. Cliff Matthews stated that the Commission had also visited this lot on Jan. 30<sup>th</sup> to check the wetland boundary. An existing swale bisects the lot. Mr. Matthews stated that the plan shows that the flow in this swale connects to the existing drainage swale between Lot 8 and 9 however, the commission members witnessed flow working its way towards Adam Ave draining onto Silver lake Road and creating a very large icy area on the road. Mr. Matthews remarked that the design point that Mr. Lavoie is using in his drainage calculations more than likely does not include the excess flow of water that currently finds its way on the northern side of the lot. After reviewing his calculations, Mr. Lavoie determined that run off through the pipe would be 11.96 cfs and that the pipe capacity is 13.13 cfs. The Commission is concerned about the condition of the pipe, and there is little remaining pipe capacity. Mr. Matthews stated that Don DiMartino has commented on the filing and he too is concerned with the drainage conditions and offered suggestions to correct it. Mr. Matthews suggested that Mr. Lavoie investigate the proposal to not only clean and inspect the existing pipe crossing the road but also include a trash rack in his design so as to prevent leaves and sticks from backing up the flow of water during rain events. Abutters were concerned that the proposed repairs would not be sufficient to address flooding issues on Silver lake Road. Mr. Lavoie stated that the drainage only needs to be designed for the 25 year storm per town requirements. Cliff Matthews also remarked that Don DiMartino has suggested the installation of a 24 inch pipe with headwalls but the Commission would have to check on the possibility of downstream flooding if a large pipe were proposed to be installed. Cliff Matthews then asked Mr. Lavoie to check out the possibility of reinforcing the berm that holds back water at the back of the property. Another important issue raised by the Commission was the Unnamed Private Way as shown on the applicant's plan. Mr. Matthews told Mr. Lavoie that this private way is not a recognized way by the town but only a line drawn on this plan. Mr. Lavoie will talk to the Board of Health regarding the septic system approval. By unanimous vote, the hearing was continued to March 3<sup>rd</sup> at 8:05 PM.

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**Project:**  
RDA

**Project Description:**  
Lot #10, Silver lake Road  
SFD, septic system, grading

**Applicant:**  
Bellingham Residential #2 Realty  
120 Quarry Dr.  
Milford, MA 01757

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

**Meeting time: 8:15 PM**

Peter Lavoie and a number of abutters (see list) were present when Cliff Matthews opened the meeting. Cliff Matthews said that the Commission walked Lot 10 at the recent site walk of Jan. 30<sup>th</sup>. The proposal is to construct a single family dwelling, septic system, grading and utilities. The proposed work is located within the hundred foot buffer zone to a bordering vegetated wetland that is located on Lot 4 on the opposite side of Silver Lake Road. The ZBA has granted zoning requests and the Board of Health has approved the septic system design. A private drive entitled, "Adam Avenue" is located within the lot and provides access to two existing dwellings located off that private way. Those homeowners expressed grave concern with the applicant's recent statements limiting their access to their homes. After some discussion, the Commission advised the homeowners to speak with their attorneys and

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with Town Counsel on this issue as it does not pertain to the Wetlands Protection Act. The Commission unanimously voted to issue a Negative Determination that would include Special Conditions of the installation of erosion control and the subsequent inspection by Administrator George Holmes of those controls prior to any activity taking place on the lot as well as the cleanup of any debris on the site. The hearing was then closed.

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The minutes of the meeting of January 13<sup>th</sup> were accepted.

The Commission: OoC     #105-664/12 Beech St/septic repair/Maloney  
                                 CofC     #105-642/46 Susan Lane/In Law Apartment/Davia

The Commission also voted to cancel the meetings of February 24<sup>th</sup> and March 10<sup>th</sup> due to a lack of quorum of members and to hold the February 24<sup>th</sup> meeting on March 3<sup>rd</sup>.

Attending the meeting were: Cliff Matthews, Barry Lariviere, Neal Standley, Lori Fafard, Brian Norton, Michael O'Herron, Anne Matthews, and Associate Member Amanda Meisner.

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