

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

Minutes of the meeting of March 3, 2010

**NOTE: Feb. 24th meeting was cancelled due to lack of quorum of members.
March 3rd schedule represents the agenda of Feb. 24th.**

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

Chairman Cliff Matthews opened the continued hearing and stated that Ann McMenemy, the applicant's representative, sent an email to George Holmes requesting a continuation of the public hearing of Feb. 24th until June 9th. She stated in her email that "we have not been able to advance the redesign of the M Crossing due to winter weather constraints that have been an obstacle to survey". She also stated that the survey work could not be completed "because the area was unusually flooded due to rain/snow melt on top of frozen soils." Mr. Matthews then stated that the extent of the vernal pool and the area of the proposed roadway were located in the field with members of the Commission and Ann McMenemy in August (2009). The Commission then voted to send an Order to Show Cause letter to the applicant as referred to in 10.05(4)(g) as this Notice of Intent was filed on June 29, 2007 well over two years ago. Cliff also mentioned that the applicant had recently withdrawn their applications without prejudice from the Planning Board.

Project: 105-663
Cont'd CNOI

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

AND ...

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

Continuation time 8:00 and 8:05 PM respectively

Peter Lavoie and Don Seaburg as well as a number of abutters (see list) were present when Cliff Matthews opened the continued hearings. Mr. Lavoie presented revised plans for Lot 9 that included a correction in the north arrow. He then presented a drainage plan that illustrated the downstream wetland system of Lot 8 & 9 off Silver Lake Road. The wetland system drains off of Lots 8 and 9 through an existing 18 inch culvert and into the large BVW across the street. It then proceeds to a 12 inch culvert that crosses Dupuis Road. Mr. Lavoie asked that the Commission

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approve the lots with the condition that the 18 inch culvert is kept cleared of debris with the installation of a trash rack and maintenance plan. Because the culvert lies on Lot 9, the Commission was disinclined to grant that request as it would be incumbent on a private resident to maintain a drainage structure. The drain is currently located outside the roadway layout. Mr. Lavoie said that he has not yet spoken with Don DiMartino about granting an easement for the culvert but that an easement plan has already been created. Mr. Lavoie then presented the pictures that Mike Graf took of the existing drainage conditions at the existing culvert on Thursday, Feb. 25th before the heavy rain. The drain was very close to capacity and the Commission was concerned with potential flooding. Barry Lariviere will ask the DPW if this culvert had been cleaned before the pictures were taken as Peter Lavoie had stated. Mr. Lavoie then suggested that the applicant access the wetlands up gradient of the two lots and reinforce the sides where it is overtopping and some water infiltrates under the existing earthen berm. He suggested that the site could be accessed with a rubber tired backhoe which would be utilized to perform the reinforcement. When asked for details on the methodology to be utilized to affect the repair, Mr. Lavoie said that the applicant proposes to clean up the berm, reinforce, regrade and create a swale that would catch any runoff. He said that the work would take about one day for completion. Commissioners questioned whether Mr. Lavoie had checked to see if the wall of earthen berm were composed of stumps and logs. Disturbance of stumps and logs in the berm wall would weaken the wall and raise a concern with potential for flooding due to erosion and breakout. Also of concern was the request to work in close proximity to the resource area. George Holmes requested that the applicant get soil borings to identify the composition of the earthen berm. Cliff Matthews then said that the Commission should walk the site to assess existing conditions and asked Mr. Lavoie to stake out the extent of the length of the proposed work on the berm up gradient wetland. Mr. Lavoie agreed to provide details to Don DiMartino on the proposed 24 inch culvert and headwalls as well as granting an easement at Silver Lake Road to the town for maintenance. He will also talk to Mr. DiMartino about inspecting and cleaning, if necessary, the 12 inch culvert at Dupuis Road. Copies of the details will also be sent to DEP and the Commission. A site walk was then schedule for Sat. March 13th at 8:30AM and the hearings were continued to Wed., March 24th at 7:45 PM.

Informational Preconstruction Meeting/Pulaski Blvd Reconstruction/DPW

As required in the Order of Conditions #105-632 permitting the project, a pre-construction meeting was scheduled to discuss the proposed crossing methodology and wetland replications with the project supervisor and wetlands consultant. Kevin Baldwin, the supervisor (Lynch) and Carol Cross of New England Environmental were present for the meeting. Cliff Matthews stated that the Commission would like to review the crossing proposals and to reiterate the importance of a biologist on site during construction in order to inspect erosion control measures, to oversee the wetlands replications and construction at the two crossings and to submit regular status reports to the Commission. Kevin Baldwin stated that the crossing methodology was not yet prepared and would be completed within six to seven weeks. He added that the crossings would take place at low flow periods as required in the Order of Conditions. Cliff Matthews made special reference to the replication area located near Liberty Street and noted that it is an existing degraded wetland. He stated that this area will be enhanced to provide water quality to the abutting BVW. The Special Conditions were then reviewed and discussed. Kevin Baldwin will provide a construction schedule for George Holmes. He will also stake out the locations for the erosion control so that Mr. Holmes can inspect prior to installation. Mr. Baldwin stated that the Drive In property on Pulaski Blvd. will be the primary lay-down area for materials for the project. Mr. Baldwin will provide the crossing methodology as well as copies of the NPDES and Army Corps. permits to the Commission for our records. Mr. Matthews thanked Mr. Baldwin and Ms. Cross for attending the meeting.

Cliff Matthews stated that Christopher Markesich of DCR responded to our recent request for FEMA maps dates in order for Bellingham to complete information required in an Article for the Annual Town Meeting for acceptance of the new FEMA information and maps. Mr. Markesich stated that the maps acceptance has been extended to January of 2011 and that the consultants were to notify the town. Cliff said that he then spoke with David Mendelsohn, Consultation Coordination office for FEMA who told Cliff that the date for acceptance has been extended because FEMA was unaware of the impact that the ninety day acceptance period had on municipalities. He told Cliff that because town meetings for municipalities are so widespread throughout the year, many municipalities would encounter expiration of the ninety day acceptance period and therefore not be FEMA inclusive for flood protection.

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He said that a letter would be submitted soon to the Town of Bellingham noting the extension to Jan. 2011. In the meantime, Cliff notified Denis Fraine and the Commission has posted a notice on the town's web site of this recent update.

MACC is holding a networking reception on Wed. April 7th in Boston.

Cliff read a copy of the letter written by the Planning Board to the Finance Committee regarding Mass. Gen. Law ch 40A sec 5 and the Bellingham Charter, Article 3, sec. 6, 3-6-2 zoning amendments not involving appropriations and therefore not requiring review by the Finance Committee.

Cliff gave a quick update on the status of the Phosphorous Loading Pilot Program for the towns of Milford, Franklin and Bellingham on the Charles.

The Commission expressed interest in walking the open space at Highridge Estates. The developer has submitted a proposed open space deed that must be reviewed before acceptance. Cliff will write a letter to Denis Fraine asking for input from Town Counsel.

The Commission voted unanimously to write a letter to Denis Fraine expressing our interest in the acceptance of land donation identified as Map 69 Parcels 34 & 37 located on Lakeview Avenue at Silver Lake, the lots abut other acreage currently owned by the Commission.

CRWA is holding their annual clean up on Saturday, April 24th 9-noon.

Regarding Commission land stewardship, Anne Matthews is working on suggested procedures and forms and Barry Lariviere is working on creating maps for Commission owned lands. The purpose is to begin a land stewardship program for these properties.

The Commission: OoC Amended #105-584/1474 Pulaski Blvd/D & N Estates

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