

**Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of August 22, 2012**

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

**Plans: Proposed Site & Roadway, notice of Intent Permit Plans, Revised 4/27/2011
Drainage Report, The Shoppes at Bellingham, Appendix A & Appendix B, rev 4/27/2011**

Continuation time: 7:30 PM

Bob Frazier, Austin Turner, and peer reviewer, Tom Sexton, were present when Cliff Matthews opened the continued hearing. Austin Turner stated that he had met with Tom Sexton to discuss groundwater separation in the infiltration basins. He then gave an update on the items discussed that meeting as follows.
*He stated that they revised the invert of IFB-4, IFB-5, and IFB-8 so that they now each provide four foot separation to seasonal high groundwater.

*Tom Sexton stated that the adjustments to these basins did not take into consideration the mounding. Austin Turner responded that he is now working on the mounding analyses.

* Mr. Turner then stated that the design would now include a 12 inch dia. pipe at the bottom of each surface basin that will bypass the outlet control structure for draining in emergency drawdown situations.

* He then stated that sewer gravity system meets Title V 50 foot distance requirement.

He stated that the above items addressed SM#13, SM14, and SM17 of Cat 3.

*He then stated that Item 11 pg 9 of Cat 2 referring to the 2008 Stormwater Standard Table RR does not specify or differentiate the use of the 2 x 2 outlet structure but states that it is acceptable. Austin Turner said that he has been in contact with Stormwater Compliance Co. who performs maintenance and they will provide feedback on this item.

Mr. Turner then stated that the applicant would like feedback on the Buffer Zone Impacts plans that were recently distributed to the Commission so that the applicant would know how to proceed with a bylaw filing. Cliff Matthews stated that it is difficult to review items jurisdictional under the bylaw without a filing. After some discussion, Michael O'Herron stated that the Commission does not want to perform two reviews on the bylaw issues. He encouraged the applicant to review the bylaw and draw an interpretation. Cliff Matthews stated that when the hearing was opened five years ago, the Commission discussed several times the importance of avoiding impacts to the 25 foot No Disturb Zone and the applicant insisted that it was not jurisdictional to the WPA. Cliff also stated that all isolated wetlands are jurisdictional under the local bylaw. He stated that if we accept certain provisions now without the bylaw filing, we could be prejudging a greater amount of impacts prematurely. Austin Turner stated that he respects the Commission's opinion on the issue. Regarding the issue, he said that he could remove some disturbance in the southern areas of the project but also stressed that areas designed for buffer zone mitigation would be difficult because those areas need to be placed near resource areas for successful survival. Cliff then re-emphasized the need for the applicant to design for the EPA Phosphorous Regs. Mr. Turner stated that infiltration is the best reduction of Phosphorous in meeting the EPA Regs. Austin Turner stated that he would continue to work on the mounding analysis and asked to meet with Tom Sexton again to discuss any outstanding items regulated in the WPA. He would then complete the analysis, related stormwater reports, revised plans and

Conservation Commission
Minutes of the meeting of August 22, 2012
Page 2

revised Operation and Maintenance Plan, drainage reports, etc and put together a comprehensive list with references on the Category Sheets and work with Tom to confirm that all issues are addressed. The applicant agreed to continue to Sept. 26th at 7:30 PM. By unanimous vote, the Commission continued to that date and time.

Project: 105-698 & BWP-25
CNOI

Project Description:
Silver Lake area, sewer line installation
1534 sf BVW impacts

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

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

Plans: Dupre Road Sewer Pump Station Aug. 2, 2011, Revised Feb. 1, 2012, Sheet 1 – 7
Silver Lake Road Sewer Project, Douglas Drive to Cross St., Aug. 2, 2011, Rev 2/1/2012, Sheets 1-7
Cross Street Sewer Project, Aug. 2, 2011, Rev. Feb. 1, 2012, Sheets 1 – 6
Revised Plans submitted Aug 17: “Resource Area Plan Overall Sewer Project Plan”, 8/14/2012; Crystal Lake Culvert, 6/11/12, Rev. 8/1/2012; Culvert Replacements Dupre Road 4/9/12, Rev 8/14/2012; Resource Area Plan End of Douglas Drive, 5/17/12, Rev. 8/14/2012; Peer Review Response letter from G & H dated 8/17/2012

Hearing Time: 8:30 PM

Attendees present included: Dawn Calderwood, May Rogers, Beth Haines, Kim Lindman, Paul Brunetti, and Robert Poxon of G & H, and Tom Sexton, peer reviewer. Bob Poxon of Guerriere and Halnon was present on behalf of Peter Lavoie. After opening the continued hearing, Cliff Matthews stated that the applicant had requested another continuation. He stated that the hearing was opened last March and during the hearing process, the Commission has asked repeatedly that the applicant perform witnessed borings, soils tests, soil profiles and provide de-watering methodologies and details (if required) for the project. At this time, the Commission has not received any of this information. He suggested that the Commission continue the hearing to Sept. 26th so that the applicant will have sufficient time to provide the requested information. The Commission agreed that if the applicant refuses to provide the information by the Sept. 26th continuation, the Commission will close the hearing. Cliff asked George Holmes to contact Peter Lavoie by phone and also to email to relay the information. Bob Poxon will relay the information as well. By unanimous vote, the hearing was continued to Sept. 26th at 8:30 PM.

Project: 105-703 & BWP-32
NOI

Project Description:
Unit 8, Geordan Ave., Lakeview Estates

Applicant:
Bellingham Residential Realty LLC
120 Quarry Drive
Milford, MA

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

Plans: Plot Plan of Land Unit 8, July 16, 2012

Hearing time: 9:10 PM

Bob Poxon and abutters from the previous hearing were present when Cliff Matthews opened the hearing. Mr. Poxon stated that Unit 8 is a long narrow lot consisting of 18,793 sf. The proposed dwelling and a portion of the driveway are located outside the 100 foot buffer zone. Unit 8 shares a common driveway with Unit 9, the entrance of which lies within the 25 foot No Disturb Zone with impacts of 600 sf. The lot has two proposed water lines connecting to Geordan Avenue and a proposed sewer connection at the rear

Conservation Commission
Minutes of the meeting of August 22, 2012
Page 3

of the lot. Cliff asked Bob Poxon to move the water line and limit of work at the entrance to the driveway over as far as possible to minimize the proposed impacts to the 25 foot No Disturb Zone. The applicant neglected to quantify the number of trees that must be removed on all of the four lots. Mr. Poxon will get that information to complete the bylaw application. Poxon stated that the wetlands were confirmed by the Commission during the Lakeview Estates filing. Cliff Matthews stated that no building permits would be issued on these lots until the sewer line was constructed.

NOI Unit 9: 105-704 & BWP-33

Plans: Plot Plan of Land Unit 9, July 16, 2012

Hearing time: 9:30 PM

Bob Poxon and abutters from the previous hearing were present when Cliff Matthews opened the hearing. Mr. Poxon presented the Unit 9 plan and said that half of the proposed dwelling is located within the 100 foot buffer zone. Unit 9 shares a common driveway with Unit 8 with proposed 600 sf of impacts to the 25 foot No Disturb Zone. Modifications to that disturbance will be made as referenced in Unit 8 hearing above. Erosion control is proposed along the entire length of the westerly side of the lot. Mr. Poxon was notified that Unit 9 may require fencing to protect the 25 foot No Disturb Zone. He will add it to the plan.

NOI Unit 58: 105-705 & BWP-34

Plans: Plot Plan of Land Unit 58, July 16, 2012

Hearing time: 9:50 PM

Bob Poxon and abutters from the previous hearing were present when Cliff Matthews opened the hearing. Only a small portion of the lot is located within the 100 foot buffer zone. The proposed dwelling, driveway, water and sewer lines are outside the buffer zone. The sewer connection for Unit 58 is on Geordan Avenue.

NOI Unit 59: 105-706 & BWP-35

Plans: Plot Plan of Land Unit 59, July 16, 2012

Hearing time: 10:05 PM

Bob Poxon and abutters from the previous hearing were present when Cliff Matthews opened the hearing. The proposed dwelling, driveway and water and sewer lines are all located within the 100 foot buffer zone. The sewer connection will be for the gravity feed on Geordan Avenue. Cliff Matthews stated that no building permits would be issued until the sewer line is constructed as this is consistent with the 40B Permit. The Commission will visit the site before the next continued hearings and asked Mr. Poxon to stake areas located in and near the 25 and 50 foot buffer zones and to contact the Commission to confirm a site walk date and time. By unanimous vote, all four hearings were continued to Wed. Sept. 26th at 9:00 PM.

Project: 105-707 & BWP-35

NOI

Applicant:

James McElroy
1000 S. Main St.
Bellingham, MA

Project Description:

1000 South Main Street – septic repair

Representative :

James Nieva
Dunn McKenzie Inc.
206 Dedham St. Norfolk

Plans: NOI Title 5 Sewage Disposal System Upgrade for an Existing 3 Bedroom Dwelling,

Sheets 1 and 2 June 29, 2012

Hearing time: 10:10 PM

After the hearing was opened, Mr. Nieva stated that the filing is for the repair of an existing dwelling located on South Main Street. The system is located within Title V distance of 50 feet from the resource area. The 25 ft., 50 ft. and 100 foot buffer zones are located on the plan. Silt fence is proposed along the rear of the property. The repair will include the removal of the damaged leaching trenches and their

Conservation Commission
Minutes of the meeting of August 22, 2012
Page 4

replacement with cultic trenches. The Board of Health has approved the plan. All areas disturbed will be re-graded and stabilized. Contaminated material will be live loaded and shipped off site for disposal. There were no other comments. By unanimous vote, the hearing was closed and the Commission signed the Order of Conditions.

The Commission voted to accept the minutes of May 9th, 2012, June 27, 2012 and July 25, 2012.

Permits signed included:

Order of Conditions	105-707 @ BWP-36/1000 S. Main St./McElroy/septic repair
Cert. of Compliance	105-693 & BWP-20/15 Andrew St/Calvey/septic repair
	BWP-29/155 Maple St./National Grid/pole replacement
	105-700 & BWP-27/94 Brisson St/Rogers/septic repair
	105-701 & BWP-28/128 Mechanic St./Wickett/fence
	105-589 / 128 Mechanic Street/Wickett w/release of Enforcement Order

Anne Matthews reported that Bill Keaton of Toll Bros. has requested another site walk at the Bellingham Estates site in order to proceed with a Certificate of Compliance. Mr. Keaton had noted that the annual maintenance of the open space was the responsibility of the Homeowners Assoc. but that it would take place in late summer/early autumn. He said that the catch basins and Vortechs are still Toll Bros. responsibility and that they would be inspected and cleaned as necessary. The owner of 22 Hampton Court has removed his trampoline from the open space. The foot path was mowed 30-45 days previous but the nesting boxes were not mowed yet this year. The open space deed is being refreshed by Attorney Kablack. Toll is proceeding with requesting Certificates of Compliance for Lot 36 (8 Whitehall Way) and Lot 43 (79 Whitehall Way). After some discussion, the Commission requested that Mr. Keaton be advised that we would schedule a site walk after the maintenance takes place and would issue a Certificate of Compliance after the open space deed has been signed and recorded. We should also let him know that he should mow the nesting box area since it has not been maintained as per the O & M and also get written acknowledgement from the owner of 22 Hampton Court that they are aware of the Open Space easement abutting their property.

Neal Standley presented pictures regarding work that the DPW had performed on Mann Street. He stated that a permit was issued to the DPW last October to install a water line only. He said that the DPW had installed the water main but had also replaced a stormwater structure located in close proximity to a resource area. Neal stated residents on either side of the stream (where this work took place) had to file with the Commission. Cliff Matthews had contacted Don DiMartino about the violation and asked Don to provide an as built plan to the Commission. Don DiMartino notified the Commission that Bill Halsing of Land Planning has begun work on that as built plan. Neal suggested that the Commission write a letter to the DPW reprimanding them for the work. Cliff Matthews asked Neal to draft up a letter to present to the Commission. Cliff stated that all future permits issued to the DPW may have to include a special condition that requires an environmental monitor to supervise the work in and near resource areas to prevent violations in the future.

Cliff Matthews stated that the DPW is proceeding with the RFP for completing the work on the Pulaski Boulevard project. BETA submitted a generic de-watering spec for Don to include in the RFP. Cliff advised Don to request more specific site information regarding de-watering at the basins in the RFP.

Crystal Springs Condos III (DEP File # 105-677) has submitted an Amendment Request to change the Stormceptor Unit to a Hydroworks HG4. The hearing is scheduled for the Sept. 12th meeting.

Attending the meeting: Cliff Matthews, Barry Lariviere, Michael O'Herron, Neal Standley, Brian Norton, Anne Matthews and George Holmes.