

**Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of October 24, 2012**

Informational/ 85 Hartford Avenue/John's Used Auto Parts, Inc. /Muriel Varieur

Ms. Varieur asked the Commission if she could briefly discuss the property located at 85 Hartford Avenue. She stated that the existing license for used auto parts for the site transferred to a new person on Oct. 9th and that the property transfer was to have taken place soon afterward. She stated that it has not yet occurred because the prospective buyer believes that he needs to file a Notice of Intent for the transfer. Her attorney has asked if the Commission would write a letter stating that a Notice of Intent is not a requirement for the transfer of the property. She was concerned that the Conservation Commission notified the new prospective licensee of this and not herself (the current property owner). She stated that the delay has become a financial hardship on her company. Cliff Matthews stated that there is confusion because a Notice of Intent is not a requirement for the transfer of a license; however, a filing with the Conservation Commission is necessary if any activity is to take place within 100 feet of any resource area. Cliff stated that the site is hydraulically connected to Town Well #5, a protected interest of the WPA. Ms. Varieur stated that the new owner would be crushing vehicles and exporting more vehicles and will therefore have less auto inventory on site. Cliff stated that he would write a letter stating that the filing is not a requirement for the transfer of the license but any activity within 100 feet of any resource areas requires the filing with the Conservation Commission. The filing would require a delineation of resource areas on site. Ms. Varieur thanked the Commission for the discussion.

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 and Austin Turner were present. Peer reviewer, Tom Sexton, was unable to attend the hearing. After Cliff Matthews opened the continued hearing, Austin Turner distributed updated Category Sheets dated Oct. 24, 2012 so that we could continue the review. He stated that he did not meet with Tom Sexton on the Mounding Analysis but that he did get information on it from the geo-technical engineer. He stated that the information needs some refining and when it is complete, he will submit to Tom for review. Category 2 items were discussed as follows:

A.I. (pg5) He stated that the applicant believes that they have incorporated a number of LID measures into the stormwater system but Tom had requested vegetative treatment as well. Cliff stated that 20 acres of paved areas are still without vegetative pre-treatment. Mr. Turner responded that Bob Frazier and he are investigating the feasibility of incorporating rainwater recycling using cisterns for use on the site and that they would report on the status in the near future.

11 (pg9) Austin Turner stated that the plans comply with all DEP Standards and setbacks for the infiltration basins distances.

46h (pg11) The Spill Prevention and Contingency Plan information is addressed as part of the newly revised plans and submission per Mr. Turner.

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WRA5 (pf19) Same as above.

WRA8 (pg20) Mr. Turner stated that the impacts to the resource area at the "M" crossing have been reduced, that sheet pilings are now proposed for additional protection of the resource area and that there are very strict supervision requirements for construction in that area. Mr. Frazier also stated that a preconstruction meeting would be held to review construction techniques.

WRA8 (pg20) Mr. Turner stated that the applicant will make every effort to reuse the excavated wetland soils in the mitigation area. The Commission was in agreement that reusing the soils is very important to the success of the mitigation area.

WRA Add 2(pg20) Mr. Austin stated that the wetland disturbance has been reduced significantly and that this item has been discussed at length. He stated that this is the least amount of impacts feasible for the current design at the Wetland "M" crossing. Michael O'Herron stated that under the WPA, the Commission cannot look at other parts of the project that might be future filings but another feasible access without vernal pool impacts could be behind Home Depot.

SWM5 (pg)22 Austin Turner stated that updated spillway calculations including the revised freeboard are included in Appendix G of the Drainage Report.

WP5 (pg24) The buffer zone impacts include the campground buffer zones impacts and are included in the Buffer Impact Plans.

WP6 (pg 24) Austin Turner stated that the wetlands loss is 343 sf and that the vegetation alteration in the resource area is 3,822 sf. The replication is proposed 1: 1.3. The concern is that the applicant did not want to disturb more resource area in order to mitigate at a 1:2 ratio. The Commission agreed that was a concern.

SM216 (pg26) The applicant will remain responsible for the maintenance of the stormwater system.

SM6 (pg27) The infiltration basin has been moved out of the 100 foot boundary of the vernal pool.

46J (pg11) Revised Erosion Control Plans would be submitted if temporary sedimentation basins are required. Wetland "T", a certified vernal pool, will not be used as a temporary sediment basin. The roadway was also moved out of wetland "T".

Add 8(pg14) Stormwater Compliance has submitted a stormwater component possibility (two inch concrete pipe that would allow hydrology to operate) but Mr. Turner needs to look at it further.

WRA6 (pg20) See WP6(pg24)

WP4 (pg 24) The SNOI has been submitted to Joseph Bellino of DEP. Natural Heritage has no regulatory role for certified vernal pools.

New WP4 (pg27) has been added to category 1.

The applicant requested a continuation to our next meeting. Barry Lariviere made a motion to continue to Wed., Nov. 14th at 7:30. Motion was seconded by Michael O'Herron and voted unanimously in favor.

Project: 105-703 & BWP-32
CNOI

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: 9:00 PM

NOI Unit 9: 105-704 & BWP-33

Plans: Plot Plan of Land Unit 9, July 16, 2012, Rev Oct. 10, 2012

NOI Unit 58: 105-705 & BWP-34

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

NOI Unit 59: 105-706 & BWP-35

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

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Peter Lavoie of Guerriere & Halnon and a few abutters were present. After Cliff Matthews opened the continuations, Peter Lavoie stated that he had submitted revised plans for Lot 9 after the Sat., Sept. 29th site walk with the Commission. The revisions to Lot 9 plan include: removing trash from the 25 ft NDZ, restoring the area in the buffer zone disturbed by the ATV trail, a note to place tree badges on mature trees at the 25 ft NDZ (15-20 badges) and that the existing ATV trail will be blocked off with large boulders. Mr. Lavoie also submitted the number of trees that would be cut on each as required under the bylaw. Cliff stated that under the bylaw the applicant must replace cut trees with new tree plantings as is feasible. After reviewing the number and type of tree that would be cut, the applicant would provide a detailed planting scheme for tree plantings for Lot 8 and 9. Because Lot 58 & 59 had very little area left after the development of the lots, Mr. Lavoie was instructed to include as many trees as possible on lot 8 & 9. Cliff then noted that Bio-Retention Areas are located as easements on all four lots currently under review. Mr. Lavoie will provide detail on the construction as well as the sequencing for the Bio-Retention Area for each lot. The Commission also requested that roof leaders be included on each of the plans consistent with the Lakeview Estates Order of Conditions and the Chapter 40B permit. By unanimous vote, the hearings were continued to Wed., November 14th at 8:30 PM.

Project: 105-708 & BWP-37
CNOI

Applicant:
Omar Wenger
1040 South Main St.
Bellingham, MA

Project Description:
1040 South Main Street
Domestic Livestock Pens

Representative:
Michael Yerka, Civil Site Eng. LLC
PO Box 248, 306 Main Street
Douglas, MA

Plans: NOI & Plans "Proposed Domestic Livestock Pens" Sheets 1 & 2, August 2012, Rev.10/19/12
Hearing time: 8:45 PM

Michael Yerka and Margaret Bacon were present when Cliff Matthews opened the continued hearing. Mr. Yerka presented the revised plans to the Commission. Mr. Yerka was told that all plans must be received by the Commission ten days prior to the hearing as required under the local bylaw and regulations so that there is ample time to review them before the hearing. Mr. Yerka stated that the proposed plans include a five foot wide crushed stone walkway located six feet from the edge of the resource area. The plan includes an 8 inch tall x 12 inch wide vegetated berm constructed with buffer zone plantings as suggested on the plan (i.e. Pussy Willow, Highbush Blueberry, Meadow Sweet, etc.) at the resource area boundary. Barry Lariviere and Cliff Matthews stated again that the plans need detail on the bridge, the pen construction and fencing. A waste management plan is also required as requested by DEP and the Commission. Mr. Yerka stated that no grading would take place on the site for this project. Mr. Yerka stated that Mr. Wenger has told him that animals will not be housed in the pens over the winter months. Yerka agreed to provide the requested information in a timely fashion prior to the next meeting. By unanimous vote, the hearing was continued to Nov. 14th at 8:50 PM.

James Dunlea, Chairman for the ZBA, approached the Commission to encourage attendance at the Nov. 1st ZBA meeting for the Highridge Road Extension (5 lots) project as proposed by Tim Jones. He stated that Highridge property owners are very concerned that the undeveloped lot will be used for a five lot subdivision. Mr. Dunlea told the Commission that Tim Jones had to acquire a variance from the ZBA because the proposed subdivision is only five lots rather than the minimum ten lots allowed in the major subdivision regulations. Cliff Matthews noted that the five lot subdivision also includes an open space connection at the rear of the property that would connect the two existing open space parcels at Highridge Estates. It was noted that if the variance for the 5 lot cluster was denied, that the applicant could propose a conventional 4 or 5 lot

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subdivision allowed by current zoning. Mr. Dunlea also stated that the Chapter 40B project entitled "Taft Estates" (also proposed by Tim Jones) would also be opened at the Nov. 1st ZBA meeting.

Cliff Matthews reported on the status of the proposed land donation at Northwoods subdivision. The town planner sent an extended task list for the completion of the project to the applicant. Much of the outstanding items on that punch list are related to the open space portions of the property.

The commission hopes to discuss some revisions to the Regulations at our next meeting. Members were asked to review before we meet on Nov. 14th.

Commission members agreed that we should notify Toll Bros. of a three week deadline to inspect the Bellingham Estates site.

The Commission is in receipt of monitoring reports for both the Maple Street project (DPW) and the Crystal Springs Condos Phase III project. George will continue to inspect both sites.

Barry Lariviere reported that he is willing to serve as the Conservation Commission representative on the new Water Committee required by DEP. The board will meet approximately four times a year.

The Commission would like to request that Boy Scout James Ulsh be placed on the agenda for one of our upcoming meetings to discuss his proposed Eagle Scout project. His proposal to construct a small pergola at Silver Lake was not acceptable. One comment was to suggest a monitoring program for the Conservation Commission open space properties.

The minutes of the meeting of Sept. 26th were accepted with a few minor revisions and clarifications.

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