

**Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of December 12, 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, Ann McMenemy, and peer reviewer, Tom Sexton were present when Cliff Matthews opened the continued hearing. Mr. Turner stated that he is working with Miller Engineering in response to Tom Sexton's comments on the mounding analysis and that he would like to meet with Tom after Christmas to discuss those responses. He said that he understands that all of the information that is gathered at that meeting will be discussed with the Commission at the next continued hearing to assure that information becomes part of the public record. He then presented a plan of the vernal pool in resource area "T" illustrating that the roadway has been shifted away from area "T" so that the grading and the edge of the roadway is now approx. 64 feet from the resource area. Cliff Matthews stated that this is the 3rd revision to the roadway layout in this area- the first was actually in the vernal pool, the second revision included the roadway shift out of but at the limits of Area "T" and the third revision is currently 64 feet from the edge of the pool. The third item Mr. Turner mentioned was the change to the use of the Cornell rainfall data as requested by Tom Sexton. He stated that the basins, free board and spillways would need to be expanded and re-sized (except basin R1) in order to accomplish this goal. Tom Sexton stated that the Cornell Method is more current and realistic over the former TR55 method of 1965. It was agreed that the applicant should proceed with working with Miller Eng. utilizing the Cornell Method. Tom requested that Mr. Turner complete all information before the meeting with him on the mounding analysis including but not limited to stormwater analysis and addressing four feet of separation to groundwater as required by the Town of Bellingham Wetlands Protection Regulations and Water Resource District Special Permit required by the Planning Board. Some basins have less than 4 feet of separation to groundwater when the mounding is taken into consideration. Cliff added that the area is proximate to the best pumping well in Bellingham. The Commission declared it will not issue a permit that could in any way negatively impact the town's ability to provide clean water in the future. Cliff then responded to a question from the applicant from a previous meeting relative to issuance of a WPA permit prior to the filing under the local bylaw. He said that town counsel suggested utilizing language that would delay the validity of the WPA Order of Conditions until such time that an Order was issued under the local bylaw. Ann McMenemy anticipated this answer but her question which was restated is how does the filing without the interchange access effect the project segregation portion of the Bellingham Regulations. Cliff agreed to speak with Town Counsel on this issue. Cliff then raised the point that irrespective of any filing from Mass. Highway, the amount of proposed wetland impacts approaching 20,000 square feet, could possibly be denied under both the WPA and the local bylaw. Bob Frazier stated that the Mass. Highway component has always been part of the project and was instituted at the request of the town to correct a traffic situation. Mr. Matthews stated that as this does not qualify as a redevelopment project, it would be an entirely new review and would be difficult to permit especially

Conservation Commission
Minutes of the meeting of December 12, 2012
Page 2

with the availability of another form of access. Ann McMenemy was unsure where that location was. The Commission reminded her of the 55 foot wide roadway behind The Home Depot that could outlet on Hartford Avenue and provide direct access to the site with little or no wetland impacts. Ann McMenemy stated that even at this time, the interchange project is not very far along in design. Cliff Matthews stated that the town and its consultants did not consider wetland impacts when designing the project. When evaluating the project the primary regulatory function of the Commission is to eliminate wetland impacts where possible. Ann McMenemy stated that the applicant's design crew has made every effort to minimize wetland impacts at the interchange site. Cliff Matthews inquired about the status of the DEIR as the five year time limit has expired. Ann McMenemy stated that the Supplemental DEIR is the next step but that they will probably have to file a Notice of Project Change due to the length of time that has elapsed. Michael O'Herron made a motion to continue the hearing to Jan. 9, 2013 at 8:00 PM. Motion was seconded by Neal Standley and voted unanimously to continue.

Informational/ Wrentham Road/DPW/Don DiMartino/Don Nielsen of Guerriere Halnon

Don DiMartino approached the Commission to present draft design of drainage correction proposal at Wrentham Road. Don Nielsen stated that the entire cemetery currently drains directly onto Wrentham Road at 325 Wrentham Road, the Fontaine property and the Lacroix residence. A Notice of Intent filing was made in 1989 by Ms. Lacroix to address the drainage problem there. That previously permitted design included a 12 inch drainage pipe where stormwater existing from that pipe has now created an unintentional drainage basin. Mr. Nielsen asked if that basin was now a resource area. The Commission agreed that the drainage basin is not a wetland and that the proposed new project is a redevelopment project for drainage improvements. The area is, however, located in the buffer zone. Mr. Nielsen stated that he would file for a Section 10 waiver under the local bylaw to address infringement into the 25 foot no disturb zone when he submitted his Notice of Intent.

**Project: 105-705 & BWP-34 &
105-706 & BWP-35**

CNOI

Applicant:

Bellingham Residential Realty LLC
120 Quarry Drive
Milford, MA

Project Description:

Unit 58 and Unit 59 Geordan Ave., Lakeview Estates

Representative:

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

NOI Unit 58: 105-705 & BWP-34

Plans: Plot Plan of Land Unit 58, July 16, 2012, Rev 11/2612

NOI Unit 59: 105-706 & BWP-35

Plans: Plot Plan of Land Unit 59, July 16, 2012, Rev 11/26/12

Peter Lavoie of Guerriere & Halnon approached the Commission after the two continued hearings were opened. He said that he had submitted plans with the requested revisions from the last continuations. Cliff Matthews noted that the scale on both of the revised plans was incorrect. The scale should be a 20 scale and not 30 scale. Peter Lavoie said that he would revise the plans again and submit for approval. Motion was made by Neal Standley to continue the hearings to Jan. 9th at 9:00 PM, seconded by Lori Fafard and voted unanimously. If the revisions are submitted in a timely fashion, the Orders of Conditions will be prepared for signing that evening.

Informational/ Stone & Beech Street drainage proposals/ Don DiMartino, John Rhoads of Professional Services Corporation, PC

Don DiMartino and John Rhoads presented a draft drainage improvement proposal for Stone and Beech Streets to the Commission. Mr. Rhoads stated that John Rockwood of EcoTech delineated all of the resource areas at the site including bordering vegetated wetlands, Special Flood Hazard Areas and Hopping Brook, a perennial stream. He stated that the plan includes replacing the 10 and 12 inch pipes with a 30

Conservation Commission
Minutes of the meeting of December 12, 2012
Page 3

inch pipe. His design includes best engineering practices for working in limited spaces including gas and water pipes as well as the steep banks at the brook and various resource areas. Some design features will include a Stormceptor 450 or 900 and a small dissipation pool at the brook to abate velocity at the discharge points. A Notice of intent filing will be submitted to the Commission for this project.

Informational/ Maple St. (105-695 & BWP-21) & Pearl Street (105-694 & BWP-22)/Don DiMartino/ John Manganello

Cliff Matthews stated that he asked Mark Manganello, wetland scientist overseeing the Maple & Pearl Streets projects, to come into the meeting to discuss the projects. Cliff said that in late October, the contractor submitted a schedule that indicated that both projects would be shut down in late November. He added that after several requests of the contractor by the Conservation Administrator, a newly revised schedule dated December was recently submitted indicating that work was to proceed even though the Charles River was not in a low flow period. Mark stated that he was also just recently made aware of the change in schedule. He agreed that the work that is to take place is in a sensitive area and that low flow period is traditionally in late summer and early autumn. After some investigation, Mark stated that he realized that an Army Corps. of Eng. permit is required for the work in the river because it is taking place outside of the low flow period as defined by the Army Corps. He informed the contractor that he must to apply for that permit. It is therefore probable that no de-watering process will take place until next summer when the permit is received. In the meantime, the Commission agreed to let the contractor cut down the tree but not remove the stump and install but not connect the Vortech unit and bypass. Mark will continue to submit monitoring reports.

Pearl Street

Cliff then began discussing the "roughing out" of the detention basin at Pearl Street. Mark stated that he believed that the siltation socks would be adequate for erosion control in the area. Cliff stated that from a conservation commission perspective, if the basin is constructed now including the necessary hydric type soils, it would make it difficult to plant the vegetation in the spring. The commission agreed with Mark's recommendation to allow the contractor to excavate the basin, install the manhole and pipe discharge and wait until spring to install the bio-materials for the plantings.

Benelli Street

Don DiMartino then asked the Commission if it would be necessary of the DPW to file a Notice of Intent for the installation of a pump on Benelli Street. After review of the plan and location of the proposed work, the Commission told Mr. DiMartino that it would not be necessary to file for that particular project.

The Commission signed:

Order of Conditions: 105-703 & BWP-32/Lot 8 Geordan Ave/sfd/Bellingham Residential Realty
105-704 & BWP-33/Lot 9 Geordan Ave/sfd/Bellingham Residential Realty
Certificate of Compliance: 105-467/Lot 36, #8 Whitehall Way/sfd/Toll Bros
105-525/Lot 43/ #79 Whitehall Way/sfd/Toll Bros

Cliff Matthews reported that he and Anne Matthews had attended the Board of Selectmen's meeting on December 3rd to request the Board of Selectmen to sign the open space deed for Bellingham Estates. Board of Selectmen Chairman, Mike Soter told Cliff that the Selectmen would like to hold off on the signing of the deed because there were some issues with the residents at Whitehall Way regarding the Homeowners Association. The Homeowners Association was scheduled to meet with Toll Bros on Tues Dec 18th. The next Board of Selectmen's meeting is Monday, December 17th. The Board of Selectmen will keep the Conservation Commission apprised of the outcome.

The ENF meeting for the proposed residential development "Elmshade" located off Blackstone St. & North St. is scheduled for Monday, Dec. 11th @ 11:00 AM at the Board of Selectmen meeting room.

Conservation Commission
Minutes of the meeting of December 12, 2012
Page 4

The site walk with DEP for the Silver Lake sewer project denial is scheduled for Tuesday, Dec. 18 at 10:00 AM.

The minutes of the meeting of Nov. 14th were accepted with a couple of minor changes.

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