

**Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of March 13, 2013**

Project: 105-615
CNOI

Project Description:
Hartford Avenue / Shoppes at Bellingham Phase I
14 buildings, 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 distributed sample mounding analyses for Infiltration Basin 2 (IFB-2) using the Hantush's Method and Glover's Solution for the 10 year and 25 year storm events. He indicated that he would like some guidance from the Commission on whether these types of graphs are acceptable for use in determining the mounding analysis for each of the basins. He stated that the 10 year storm event generates 4.94 inches of rainwater and the 25 year storm generates 6.26 inches of water and that the applicant must demonstrate that the system drains within 72 hours after the storm event. Tom Sexton explained that these charts are hydrographs of proposed subsurface conditions but that he does not agree that the graphs are numerically correct and that his experience is that other methods may produce more accurate results. Cliff Matthews stated that the Commission needs to be sure that the mathematics is correct and said that he would suggest that the Commission defer to Tom Sexton's opinion. Austin Turner then stated that DEP requires two feet of separation to groundwater but that the applicant is attempting to satisfy the four foot separation as required in the Water Resource District Bylaw and the local wetlands bylaw. Mr. Turner suggested that he meet with Ken Miller and Tom Sexton to review the information and then report back to the Commission. Neal Standley then told Mr. Frazier that the old railroad bed on North Main Street is being utilized by a large number of vehicles including trucks and ATV's. Mr. Frazier stated that he would investigate a way to block the traffic with Linda Varney. Michael O'Herron made a motion to continue the hearing to April 24th at 7:30 PM. The motion was seconded by Barry Lariviere and voted unanimously.

Project: 105- & BWO-40
CNOI

Project Description:
Chapter 40B project "Taft Estates"
Two cul de sacs, 20 single family dwellings,
Stormwater management, open space

Applicant:
Tim Jones
PO Box 934
Wrentham, MA

Representative:
Wm. Halsing, Land Planning Inc.
167 Hartford Avenue
Bellingham, MA

Plans: 40b Comprehensive Permit Project Definitive Subdivision, Taft Estates, Sheets 1 – 8, dated Aug. 4, 2012 Revised Dec 21, 2012 ;Sedimentation and Erosion Control Plan (One Sheet) dated Aug. 4, 2012, Revised Dec 21, 2012; Taft Estates Stormwater Report Revised March 4, 2013

Conservation Commission
Minutes of the meeting of March 13, 2013
Page 2

Hearing time: 8:30 PM

Tim Jones and Bill Halsing were present when the continued hearing was opened by Cliff Matthews. Tim Jones stated that there were some changes to the plans from the last hearing. The revisions include locating a fence on lots 5, 6, 15, and 16; eliminating the proposed rain garden and replacing it with an infiltration swale that would include fencing posted with No Disturb Badges; and that Tom Houston (peer reviewer for the ZBA) requested an additional fence on Lot 17 to protect the wetlands. Bill Halsing then stated that the basin would have to be modified as well because Tom Houston requested that the applicant provide information on infiltration in the basin during frozen conditions. The depth to groundwater in the basin is 2.3 feet which meets the DEP requirements of 2 foot separation but does not meet the local bylaw requirement of four foot separation which was also a concern of Mr. Houston and the ZBA. Mr. Halsing submitted a revised Stormwater Report dated March 4, 2013 to the Commission. Cliff Matthews asked the applicant to include roof leaders on the buildings to comply with Stormwater Standards. Tim stated that at the last Zoning Board hearing, Tom Houston and Jay Talerman requested that the Conservation Commission write a letter to the ZBA stating that the applicant has met all stormwater management standards. Tim Jones stated that he would contact Jay Talerman to request that Jay call Cliff to clarify his request. Cliff will also discuss the proposed changes to the stormwater annuity program with Jay. Michael O'Herron made a motion to continue the hearing to March 27th at 8:15. Motion was seconded by Barry Lariviere and voted unanimously.

Project: 105-711 & BWP-41
CNOI

Project Description:
6 & 8 Mill Street – expanded parking

Applicant:
Peter & Janette Sergio
152 Lovering St.
Medway, MA

Representative:
Paul DeSimone, Colonial Engineering
11 Awl Street
Medway, MA

Plans: NOI & Conservation Plan of Land in Bellingham dated Jan. 7, 2013 revised March 1, 2013

Letter from Colonial Engineering dated 2/25/2013 re: Mill Street site reclamation, 6 pages

Peter and Janette Sergio were present when Cliff Matthews opened the continued hearing. Cliff stated that at the last hearing, Paul DeSimone presented revised plans (2/22/12) and a wetland narrative to the Commission. Cliff noted that the revised plans should also include the installation of No Disturb Zone badges on posts located between the boulders and should also specify the size of the boulders. Janette Sergio will contact Paul requesting the additional revisions. Barry Lariviere made a motion to continue the hearing to March 27th at 8:30. The motion was seconded by Neal Standley and voted unanimously. The Commission also agreed that if the documents and revised plans are received at least ten days prior to the continuation, the Commission would prepare the Order of Conditions for signing that evening.

Project: 105-450
Request for Certificate of Compliance

Project Description:
Bellingham Estates/ South Main St. & Fox Run Road

Applicant:
Toll Brothers, Inc.
Bill Keaton, Westborough, Ma

Representative:
Marc Kablack, Esquire

Informational time: 9:15 PM

Cliff Matthews stated that Bill Keaton of Toll Bros. and their attorney, Mark Kablack, were asked to come to the meeting to discuss their request for a Certificate of Compliance for Bellingham Estates. Mr. Kablack stated that over the past several years, Toll Bros. has been working diligently on releasing the Orders of

Conservation Commission
Minutes of the meeting of March 13, 2013
Page 3

Conditions for the individual jurisdictional lots at Bellingham Estates and has completed the process of recording the Certificates of Compliance for the lots as well. He stated that Toll has also worked with the Commission to address the maintenance issues for the stormwater control structures on the site and that responsibility has been transferred to the Homeowners Assoc. Mr. Kablack presented a letter from the Homeowners Assoc. to the Commission that stated that the HOA has assumed the responsibility for maintenance of the trails on the open space and the stormwater management structures on the site. Mark Kablack also stated that Toll recently addressed the recent manipulation of the basin off Fox Run Road and repaired the basin as requested by the Commission. He said that Toll is now requesting a Certificate of Compliance for the project and that the only outstanding issue is the transfer of the open space. Mr. Kablack then asked the Commission to allow him to create either a deed in escrow or record a deed signed by Toll Bros. in order that that Special Condition in the order of Conditions be resolved so that a Certificate of Compliance could be issued. Cliff Matthews stated that he had approached the Board of Selectmen last December requesting that the Board of Selectmen sign the open space deed so that the Conservation Commission could have the deed recorded and issue a Certificate of Compliance for the Bellingham Estates project. At that time, the Board of Selectmen had stated that they wanted to confirm that the Homeowners Association was satisfied with the transfer of duties for maintenance at the site and told Cliff that they would reconsider signing the deed at their next meeting. Mr. Kablack stated that the deed remains unsigned. Mark Kablack suggested again that he record an unsigned deed so that the Certificate of Compliance could be issued. Cliff Matthews stated that the Planning Board's roadway bonding time line will expire in October of this year and Toll would have to approach the Planning Board for acceptance of the subdivision at that time. The transfer of open space is also a condition of the Planning Board permit. Cliff Matthews stated that he had spoken with Jay Talerman on this issue and Jay had suggested placing the deed in escrow to assure the transfer. Cliff then said that another method would be to record the deed without the Board of Selectmen's signature to preserve it but that the transfer would not take place until it were signed. Commissioners agreed to have Cliff speak with Jay Talerman to get an opinion on the best legal strategy to preserve the document. The consensus was to sign a Certificate of Compliance once the deed issue is resolved. The Commission hopes to be able to sign the Certificate of Compliance at the March 27th meeting.

The Commission voted to request that Wetland Strategies Inc. be invited to our next meeting to discuss the scope for review of the local bylaw. Barry Lariviere will contact them to come in at 7:45 PM on March 27th.

The CRWA Earth Day Clean up is scheduled for Sat., April 20th 9:00 AM to noon.

Commission members voted in favor have having Cliff Matthews sign the annual contracts for treatment of nuisance aquatic vegetation at Silver Lake and Jenkes Reservoir for 2013.

George Holmes distributed copies of the DVD on stormwater management that was presented at the Planning Board meeting.

NSTAR submitted their Yearly Operational Plan for 2013.

Cliff Matthews reported on the current request of the DPW and its consultant to traverse Conservation Commission land for a proposed new raw water main routing. Barry Lariviere, a member of the newly formed board, reported that the board has not met since its initial first introductory meeting. Cliff responded to the email sent on a proposed route indicating that the consultant should contact the Commission to schedule a time on the agenda to discuss their proposed alternatives.

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