

Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of April 24, 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

Austin Turner, Ann McMenemy and Tom Sexton were present when the continued hearing was opened. Austin Turner stated that he and the geotechnical engineer recently submitted the 2007 initial site investigation information as well as twelve soil analyses to Tom Sexton for comment on information suitability for the mounding analysis. Tom Sexton stated that he compared the on-site soil conditions with the site analysis and believed it to be consistent. Mr. Turner said that he would utilize Mod-Flow, a new software program, instead of the program DEP uses, provided that the Commission and Tom Sexton agree with his strategy before any tests begin. Tom Sexton stated that the ModFlow program will demonstrate the influence of effluent recharge and as well as boundary reconditioning (including slopes and ponds) and provide the best modeling information. Tom asked Mr. Turner to provide graphing on two and four foot groundwater separation based on the previous agreed upon high groundwater elevations. Mr. Turner will contact Ken Miller to begin the analysis and anticipates that the work would be complete in one to two weeks. Ann McMenemy then stated that Bob Frazier anticipates wrapping up this filing under the Wetlands Protection Act once the mounding analysis is completed and reviewed. A public hearing would then be held once the revised plans and stormwater reports are submitted and conclude the WPA filing. She stated that the applicant would then probably file under the local bylaw. The Commission indicated that the local bylaw Regulations are currently being reviewed and may have some revisions soon. Ann McMenemy stated that some of the issues she would have to address under the local by law include 2 ft vs. 4ft separation to groundwater, protection of areas labeled Isolated Land Subject to Flooding, tree counting, 2:1 replacement vs. 1-1.3 replacement, embankments designed at 1:3 vs. 2:1, incursion into the 50 foot No Disturb Zone, stormwater management issues, etc. She stated that she would have to submit waiver requests for some of these items and inquired about how the Commission handled some of these issues to date. She stated that the design is already complete for The Shoppes project and that the applicant is looking for guidance on the bylaw filing. Barry Lariviere stated that we have not permitted any large commercial projects this far under the local bylaw and that the only recent large project has been denied. When asked about other filings for The Shoppes project, Ms. McMenemy stated that the applicant must file with the Planning Board including Developmental and Special Permits, and with the MEPA Unit a Notice of Project change, Supplemental Draft DEIR, and 401 and 404 Permits. Motion was made to continue the hearing to June 12 at 7:30, Neal Standley seconded the motion and the motion carried unanimously.

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Project: 105-712 & BWP-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 March 20, 2013; Sedimentation and Erosion Control Plan (One Sheet) dated Aug. 4, 2012, Revised March 20, 2013; Taft Estates Stormwater Report Revised March 20, 2013

Continuation time: 8:30 PM

No one from the public was present when the continued hearing was opened. Barry Lariviere stated that Tim Jones had requested another continuation to May 8th in order to confirm the amount of stormwater annuity principal. Motion was made to continue to May 8th at 8:30 PM, seconded by Neal Standley and voted unanimously.

Project: BWP-43
RDA

Project Description:
336 lakeshore Drive – installation of security fence

Applicant:
Tina D'Asti, 336 Lakeshore Dr., Bellingham, MA

Representative:

Meeting time: 8:45 PM

Tina D'Asti and abutter Larry Sposato were present when Barry Lariviere opened the RDA meeting for the proposal to install a security fence in her yard located within the buffer zone. George Holmes looked at the site and suggested to Ms. D'Asti that she move the location of the fence so that it was 25 feet away from the resource area on the site. Ms. D'Asti stated that her current proposal reflects that revision. She wishes to install fencing to create a safe yard for her child. Commission members agreed that the applicant has made a very good attempt to avoid impacts to the No Disturb Zone. A Special Condition discussed was to require the applicant to notify George Holmes before the project begins. Anne Matthews made a motion to close the meeting and issue a Negative Determination with the noted Special Condition. Motion was seconded by Neal Standley and voted unanimously.

Project: 105-582
Amendment Request

Project Description:
445 Hartford Avenue –septic system repair

Applicant:
Scoops Realty LLC
445 Hartford Ave.
Bellingham, MA

Representative:
Scott Smyers, OxBow Associates
PO Box 971
Acton, MA

Plans: Septic System Replacement, 445 Hartford Ave., Bellingham, dated October 27, 2009, revised April 4, 2013

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Continuation time: 9:05 PM

Owners Joseph Butler and Mike Fabiano were present as well as Scott Smyers of Oxbow Associates. Barry Lariviere opened the continued hearing. Scott Smyers stated that he submitted the revised plan dated April 4, 2013 based on the informational meeting the applicant had with the Commission at the March 27th meeting. He said that the configuration of the system has changed without compromising the parking area and the revision reflects a turn in the leach field providing additional separation between the leach field and the resource area. He added that the system meets the four foot separation to groundwater waiver as previously granted by the Board of Health. Mr. Smyers stated that erosion control will include straw wattles and that the invasive plants will be removed and replaced with upland native plants. Scott Smyers stated that the minutes from the Board of Health meeting in which the Board of Health voted on the revised waiver of 14 feet to the resource area were not available yet. Scott did not present Board of Health signed and approved revised plans with the most recent date to the Conservation Commission as requested at the last meeting. Cliff Matthews stated that the Commission asked the applicant to submit a Board of Health signed and approved revised plan granting the 14 foot waiver to BVW. When Mr. Fabiano stated that the Board of Health approved the same revised plan, George Holmes stated that he searched the Board of Health records that day and found only the December 2012 signed and approved plans. Scott Smyers stated that the Commission's request to provide a Board of Health signed and approved plans could be a condition in the Amendment but Commission members did not agree stating that it is the Commission's policy to obtain BOH approved septic plans before closing a septic repair hearing. Special Conditions discussed would be that George Holmes be contacted before the work commences, that all contaminated soils removed from the site must be live loaded and the area stabilized, and that the invasive plants shall be removed and replaced with upland native shrubs as per the plan. The applicant will schedule a meeting on the Board of Health May 7th agenda to have the April 4th, 2013 plan voted, accepted and signed by the Board of Health and will subsequently provide a copy of that revised plan to the Commission. Barry Lariviere made a motion continue to May 8th at 8:45 PM. Motion was seconded by Neal Standley and voted unanimously.

Project: 105-716 & BWP-44
NOI

Project Description:
289 Lake Street – sfd

Applicant:
Raymond Wheeler
210 Pine Swamp Road
Cumberland, RI

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

Plans: Site Plan located at 289 Lake Street dated March 28, 2013

Mr. & Mrs. Wheeler and Bill Halsing were present when the hearing was opened by Barry Lariviere. Bill Halsing stated that the filing is for the proposal to construct a single family dwelling. The dwelling will be serviced with town water and sewer. The dwelling is located outside the 100 foot buffer zone. The construction activity will create 4800 sf of land disturbance on the wooded lot but will preserve the 50 foot No Disturb Zone. Retaining walls are proposed to accommodate a walk out basement. The Commission asked Mr. Halsing to provide the total number and size of trees that are proposed for removal. Cliff Matthews stated that the reason why we want that information is to determine if those trees may be replaced somewhere else on the lot. In addition, trees provide shade and woody vegetation that protect and enhance resource areas. He added that the Commission may also request that some of those trees be preserved on site. A site walk was scheduled for Sat., April 27th at 9:00 AM Neal Standley made a motion to continue the hearing to Wed., May 8th at 9:00 PM. Motion was seconded by Cliff Matthews and voted unanimously in favor.

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The minutes of the meetings of April 10th were accepted.

The Board voted unanimously to cancel the meeting of May 22nd due to a conflict with the Annual Town Meeting.

Cliff Matthews stated that Mark Kablack, attorney for Toll Bros., was concerned with the letter addendum that was added to the Certificate of Compliance for Bellingham Estates. Mr. Kablack expressed concern that he believed that several of the issues in that letter were no longer pertinent. Cliff stated that he would review the Addendum and report back to the Commission with recommendations, possibly the signing of a new Certificate.

Site walks scheduled for Saturday, April 27th include:

9:00 AM 289 Lake Street/sfd/Wheeler

9:30 AM Northwoods II to meet with Mark Anderson of Heritage Design Group, Mr. Marinella or his agent and Arthur Allen of EcoTec regarding the design of an open space restoration plan for restoring the area of Open space on the Northwoods II site that was altered due to the subdivision construction.

10:00 AM North Street/Blackstone St/Marinella future site of "Elmshade" subdivision for potential violation of the Wetlands Protection Act and the Bellingham Wetlands Protection Bylaw. Mark Anderson of Heritage, Arthur Allen and Marinella Construction agent will be present. A cease and desist order was verbally issued this past week based on photographs submitted to the Conservation Commission.

The Commission signed:

Certificate of Compliance 105-128/Freeman Street/sfd/Gagnon

There is no update on the SNETT project.

Attending the meeting were: Cliff Matthews (arriving at 8:45PM), Barry Lariviere, Neal Standley, Michael O'Herron, Brian Norton, Anne Matthews and Administrator George Holmes.