

**Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of December 11, 2013**

Project: 105-722 & BWP-57
CNOI

Project Description:
Hartford Avenue, Monique Dr., Theresa Rd. Lisa Ann Dr.
Nason Street & Taunton Street

Applicant:
Bellingham DPW
26 Blackstone St.
Bellingham, MA

Representative:
Charles Caron, Caron Environmental Consulting
247 Bragg Hill Road
Westminster, MA

Plans: NOI & "Bellingham Dept. of Public Works; North Route Raw Water Main", Sheets G1, C1 through C18, dated August 13, 2013, Revised Sept. 25, 2013 & Rev NOI: Sheet Drawing C-4 rev. Nov. 13, 2013 & Rev Bylaw Waiver Request and NOI

Continuation Time: 7:30 PM

Present for the continued hearing was Don DiMartino, Charles Caron, Darrin Larry and Austin Turner for W.S. Dev. After the continued hearing was opened, Charles Caron stated that he had submitted a revised plan of Sheet C-4 that reflects all the proposed changes to the plans including the re-routing of the water main so as to avoid the proposed utilities line of The Shoppes. He stated that the rerouted location will skirt around the 25 foot isolated wetland (jurisdictional under the local bylaw) and will have 960 feet of temporary disturbance. In this area, materials will not be stockpiled if material removal is required and live loading is proposed. The Area will be restored immediately upon completion of pipe installation. The second revision on Drawing C-4 shows wetlands "N" and "G" not connected over the cart road as per the extended ORAD (DEP #105-559) of The Shoppes. It also does not show the vernal pool identified by the Conservation Commission in the isolated wetland which is jurisdictional under the local bylaw. Cliff Matthews stated that the Commission is in receipt of the new waiver requests and suggested that Charles Caron provide a waiver for the 960 feet of wetlands disturbance. Cliff noted that the removal of the connection between wetlands N & G is acceptable under the WPA but not verified under the local bylaw. Also, Mr. Matthews stated that the Conservation Commission maintains that a vernal pool does exist at that location; however, the Commission believes that the work properly conditioned will not create any potential damage to that area. If the activity takes place after the normal amphibian breeding season has occurred, the Commission anticipates no long term degradation to either the vernal pool or habitat within the 50 foot No Disturbance Zone. He stated that unlike the WPA the different resource areas identified under local bylaw may only be set in Superior Court through appeal. He added that he is consulting with Jay Talermin on the wording for the Order of Conditions for this project and understands that the water line project has been mandated by the state and that an appeal by W.S. Development would slow down the progress and possibly create large additional expense to the town if the project had to be modified by re-routing the water main to run along North Main Street. Mr. Caron confirmed that there was a waiver request for tree removal. Don DiMartino requested that the Special Conditions to the Order of Conditions allow him the flexibility to hire only one erosion control specialist to oversee all four water main contracts covered in the two Orders of Conditions. He also requested that the Conservation Administrator or a representative of the Commission be authorized to meet with the contractor and fulfill the obligation for a preconstruction meeting. The Commission was amenable to that suggestion and Mr. DiMartino suggested that Charles Caron take on that role during construction of the two projects. Cliff Matthews then stated that because there would be no second meeting in December due to Christmas holiday, the hearing would have to be continued to Jan. 8, 2014 so as to meet the 21 day period to issuing the permit. At that time, the Commission would close the hearing and sign the prepared Order of Conditions. There were no other comments or questions. Barry Lariviere moved the motion to continue the hearing to Jan. 8th at 9:00 PM and sign the prepared Order of Conditions that evening. Brian Norton seconded the motion and the motion carried unanimously.

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Informational Session

Pearl Street dam discussion on removal or replacement

Don DiMartino, DPW and Allen Orsi, PARE Eng.

Informational time: 8:00 PM

Don DiMartino, Denis Fraine, Allen Orsi and Karen Nardone (an abutter) were present. Cliff Matthews opened the stating that the town is seeking input on discussion of the disposition of the Pearl St. dam from residents in the Pearl St, Cutler St. area. Don DiMartino had sent out notices to all residents residing in close proximity to the dam earlier in the week notifying them of this meeting. Mr. Matthews stated that the Old Mill Dam is currently classified as a High Hazard Dam and is in poor condition. Dam regulations require costly inspections and reports every two years. At the current time, the DPW is reviewing two options: repair (replacement) or removal. Both options may be similar in cost. He stated that DER considers public support important as they do not want to fund an unpopular project. A formal filing with the Conservation Commission would be made once the course of action is determined. Allen Orsi then presented an aerial picture of the site as well as a sketch of the existing dam. He stated that the town is applying for grants to proceed but that the state wants support from the town residents in the option it has chosen. Mr. Orsi stated that the cost for removal or replacement would be approximately \$1-1/2 million. In order to decide if removal is feasible, two issues are considered: flooding and sediment contamination. The existing pond is quite small so flooding downstream should not be an issue. The six soil samples taken so far have indicated the presence of a little bit of Chromium concentrations. Once additional tests (approx six to ten more) are examined, a cost estimate may be created for dam removal costs. Karen Nardone stated that in the twenty years she has lived near the site, the pond has actually diminished in size and there is very low flow in the summer months. She does see river otter in the winter months. Cliff Matthews stated that river otter live in high flow rivers and visit ponded areas to fish in the winter. Don DiMartino stated that the Charles River Watershed Assoc. supports the removal of these types of old dams because it contributes to the health of the rivers. He added that the reason why this dam is high hazard is because if there were catastrophic failure, the flooding would impact three to four existing houses located downstream of the river. Mrs. Nardone asked whether properties abutting the pond would include the land under the pond if the dam were removed and was told that this is a legal question. Mr. Orsi stated that the next step would be the engineering and design phases and looking into analyzing more soil samples once the grant money is awarded. Denis Fraine suggested that another meeting take place at the North Community Building in the spring to encourage more participation from residents.

Project: 105-726 & BWP-61
NOI

Project Description:
Silver Lake sewer line project

Applicant:
Don Seaburg
Bellingham Residential Realty
120 Quarry Drive, Milford, MA

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

Plans: NOI & Plans "Silver Lake Rd Sewer project" 7 Sheets, "Cross St. Sewer" 6 Sheets, "Dupree Rd Sewer Project" 7 Sheets, "Resource Area Plan" 4 Sheets, "Crystal Lake Culvert" 1 Sheet 2012, Resource Area Plan 4 Sheets Rev 9/24/2012, Crystal Lake Culvert Rev 9/24/12, Culvert Replacements Dupre Road Rev 9/24/2012, Silver lake Road Sewer End of Douglas Drive Rev.8/14/2012

Hearing time: 8:30 PM

Lori Fafard recused herself from the hearing as she is a direct abutter. Peter Lavoie and Don Seaburg were present when the hearing was opened. Cliff Matthews noted that the Commission is in receipt of the \$5,500 peer review check and a copy of the filing was sent to Tom Sexton on Monday for review. Peter

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Lavoie stated that the sewer project consists of a proposed sewer line from Douglas Dr. extending to Silver Lake Road, Dupree Road and finally to Cross Street. The culvert at the Crystal Lake crossing will be removed and replaced and the water line will be relocated under the culvert as per DPW request. Two ten inch PVC pipes will be removed and replaced with a headwall and rip rap apron at Dupre Road. Dupre Road and Silver Lake will all be resurfaced. Also at Dupre R two 18 inch RCP pipes will be replaced. The sewer line will be ten inch gravity sewer pipe. Mr. Lavoie stated that ten borings were completed as part of the review. Mr. Lavoie also stated that resource area impacts will include 1,500 sf of BVW and 60 linear ft of Bank at Douglas Dr., 479 sf of BVW fill at Crystal Lake due to installation of guardrails, headwall and concrete apron for the culvert replacement; filling of 133 sf of BVW for rip rap at Dupre Road, and filling of 150 sf of BVW at Dupre Road. Proposed replication will consist of 1,500 sf (2:1 ratio) for disturbed resource areas. The replication area at Dupre Road is located outside the 212 flood plain elevation as well as outside the Estimated Habitat area as determined by Natural Heritage. Cliff Matthews stated that Tom Sexton will review the soil profiles and make recommendations based on soils and the submitted plans. He instructed Mr. Lavoie to adhere to the Stream Crossing Standards for the culvert replacement. Peter Lavoie indicated that stockpile areas would take place outside the buffer zone. Basin C at Lakeview Estates will be used for dewatering operations using filter bags. The basin at Dupre Road will also be used as a settling basin. The Commission noted special attention must be given to filtering the water at the existing basin at Dupre Road to avoid unnecessary siltation. Mr. Lavoie will provide replication details and stream crossing information. There were no further questions. Barry Lariviere made a motion to continue to Jan. 22, 2014 at 7:30 PM. The motion was seconded by Michael O'Herron and voted unanimously.

The minutes of the meeting of Sept. 25th and November 13th were accepted. The minutes of Oct. 23rd will be re-sent to Commissioners for review.

The Commission signed:

Cert. of Compliance 105-151/60 S. Maple St./Duplex/Lots 30 & 31
 105-716 & BWP-44/Lake St./Wheeler/sfd/reissue due to incorrect info

Toll Bros. has requested release of the Planning Board bond. The Conservation Commission has requested that Mark Kablack, attorney for Toll Bros., approach the Board of Selectmen to request their signatures on the open space deed. Mr. Kablack will record the signed deed and submit back to the Commission in accordance with the Certificate of Compliance.

Jeff Roelofs, attorney for Fafard, has filed for an Adj. Hearing for Lot 10 Silver Lake Road.

Cliff Matthews reported on the newly submitted alternate access for Pine Hollow to the Planning Board. Cliff Matthews commented on the proposal which included the facts that the 22 foot wide access road currently proposed is within Estimated Habitat (an area that was not to be disturbed), would require substantial tree clearing and is proposed only as an emergency access and not full access/egress. Cliff emailed comments to the PB for the hearing tomorrow evening.

Cliff stated that he has completed and submitted a questionnaire sent to us by the Stipend Review Committee.

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