

**Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of March 26, 2014**

Project: 105-636
Amendment Request Cont'd

Project Description:
23 Fox Run Road – sdf

Applicant:
Jacqueline Lees
28 Lord Rd. Ste 205
Marlborough, MA

Representative:
Peter Lavoie
Landmark Site Design
1267 Glebe St., Taunton, MA

Plans: Amendment Request letter; “Resource Area Plan” dated Jan. 25, 2014, Deed Restriction 3/18/2014
Continuation time: 7:30 PM

Jacqueline Lees was present when Cliff Matthews opened the continued hearing. Mr. Matthews stated that the Commission received the signed and recorded Deed Restriction for the two bedroom dwelling as required by the Board of Health. There were no other outstanding issues. Barry Lariviere made a motion to close the hearing and issue an Order of Conditions. Motion was seconded by Neal Standley and voted unanimously.

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

Cliff Matthews opened the continued hearing. Present were Robert Frazier, Austin Turner and Tom Sexton. Austin Turner distributed copies of the TSS and Phosphorous Loading Assessment Report to the Commission members. He stated that he would like to meet with Tom Sexton and Jamie of UNH to discuss the findings in more detail so that the applicant could address the design standards of EPA and the more stringent standards of the local bylaw. The report includes information on TSS removal rates for existing and proposed conditions generated from groundwater and impervious surfaces. Using the Cornell data for rainfall, the EPA target is to reduce Phosphorous by 35%. The report does not include credit for TSS for the Stormceptor units and street sweeping programs. He stated that the assumptions are therefore conservative. The report also includes an effluent component. Anne Matthews then asked Mr. Turner why he has not yet submitted revised plans and associated reports for the WPA filing. It was the Commission's understanding that the Wetlands Protection Act filing was to be completed as agreed upon over a year ago and that after the applicant submits a filing under the local bylaw, the Commission would then begin that review. The Commission is currently awaiting fully revised plans and supporting documents for the WPA filing and will advertise and hold a hearing for a final review of the WPA filing. Mr. Frazier stated that the local bylaw filing is currently being undertaken. Barry Lariviere stated that the board has been

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waiting for quite some time. He stated that the applicant should submit the revised plans and information as agreed upon and discussed well over a year ago. Cliff Matthews asked Mr. Turner to provide the revised plans and associated reports for the WPA so that the Commission could proceed with advertising and hold the hearing for the WPA (to satisfy the Mullen Rule requirement), and close the hearing. Mr. Turner agreed to submit the final plans of record for the next hearing. Barry Lariviere made a motion to continue the hearing to April 23 at 8:50 PM to hold The Shoppes Summary under the WPA. The motion was seconded by Neal Standley and voted unanimously.

Project: BWP-63
CRDA

Project Description:
Lot 8 Susan Lane - sfd

Applicant:
Robert Mangan, Jr.
39 Langelier Lane
Marlborough, MA

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

Plans: RDA & "Subsurface Sewage Disposal System" Dec. 24, 2013
Continuation time: 8:00 PM

Bill Halsing was present when Cliff Matthews opened the continuation. Mr. Matthews stated that three members of the Commission walked the site on Sat., March 22nd and confirmed the resource area boundary. Bill Halsing stated that the existing stone wall on the site will be removed before construction of the dwelling. Michael O'Herron requested that Mr. Halsing extend the erosion control barrier in a northerly direction to the property line at the front of the lot to prevent potential erosion into the street. The Commission will add this as a Special Condition in the Order of Conditions. Barry Lariviere then made a motion to close the meeting and issue a Negative Determination with conditions to add the additional erosion control and to notify the Commission for inspection once the erosion controls are installed. The motion was seconded by Neal Standley and voted unanimously.

Project: 105-727 & BWP-64
NOI

Project Description:
Lot 9 Susan Lane - sfd

Applicant:
Robert Mangan, Jr.
39 Langelier Lane
Marlborough, MA

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

Plans: NOI & "Subsurface Sewage Disposal System" Jan. 14, 2014, Rev. Mar 25, 2014
Meeting time: 8:40 PM

Mr. and Mrs. Robert Mangan and Bill Halsing were present when Cliff Matthews opened the hearing. Cliff stated that the Commission had inspected and approved the resource area boundary on the site the previous Saturday. Bill Halsing added that the revised plans include a No Disturb Zone marked with a split rail fence, to be marked with No Disturb Badges, located behind the erosion control line. A Special Condition will be that the entire driveway shall be pitched in a southerly direction to prevent runoff from entering the street. Barry Lariviere made a motion to close the hearing and issue an Order of Conditions. Motion was seconded by Michael O'Herron and voted unanimously.

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Project:
Violation

Project Description:
231 Maple Street – incursion into resource area
and Conservation land

Applicant:
George Funari
Landmark Realty Trust
297 Boston Post Road
Sutton, MA 01590

Representative:
Peter Lavoie
Guerriere & Halnon Inc.
333 West St.
Milford, MA 01757

Plans: “Existing Conditions Worksheet, Lot 2A, 231 Maple Street dated September 6, 2002

Informational time: 8:45 PM

Cliff Matthews opened the informational meeting for the violation. Peter Lavoie was present for the applicant in response to a Violation Notice that was sent to the applicant in February. Mr. Matthews stated that the Violation Notice sent to Mr. Funari reported that he had entered into and filled resource areas including substantial buffer zone alterations on Conservation Commission property protected by Conservation Restriction behind his business at 231 Maple Street. Peter Lavoie stated that Mr. Funari had contacted him to handle the violation and define the property boundaries in order to begin a restoration plan. Peter presented the Worksheet plan showing the extent of the violations. He added that Judith Schmidt, his wetlands professional, has been on site to locate and flag the resource area. Peter stated that the limit of fill onto the CR property extends approximately 82 feet to the rear and 140 feet to the north of the 231 Maple St. lot and includes up to twelve feet of fill. The original grade was 220 and is currently 236. Peter estimated that area to be approximately 75 feet by 160 feet. Peter stated that a more precise limit of fill will be determined as the work progresses. Peter Lavoie stated that he advised Mr. Funari that he would have to file a Notice of Intent for the full restoration of the site. Cliff Matthews stated that the area must be cleaned, restored and a fence constructed at the property boundary to prevent future incursion. Mr. Lavoie expects to submit the filing before April 16th. Members of the Commission will walk the site once the filing is received.

Project: 105-731 & BWP-68
NOI

Project Description:
306 Maple Street – berm for detention basin

Applicant:
Joshua Harris
57 Louisa Drive
Whitinsville, MA

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

Plans: NOI & Plans “Existing Conditions and Site Development Plans for Proposed Contractors Yard & Garage located at 306 Maple St., Sheets 1-3, dated Dec. 20, 2013

Hearing Time: 9:15 PM

Bill Halsing was present for Mr. Harris. Also attending the hearing were abutters, Cindy Prescott and Don Martino of Maple Street. After Cliff Matthews opened the hearing, Bill Halsing stated that the filing is for the proposal to create a contractor’s yard including a paved parking area, packed stone dust storage area, garage, infiltration basin and detention basin. He stated that a single family residence and septic system currently exists on the site. Bill Halsing stated that only a very small portion of the proposed basin at the rear of the property is located within buffer zone to Bordering Vegetated Wetlands. Three trees located in the buffer zone would have to be removed. He added that the existing stone wall will be lined with a pea stone diaphragm that would to act as a water quality structure for filtering stormwater/sheet flow that

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would be directed into the proposed detention basin and subsurface infiltration system at the rear of the lot. The site will also include a rain garden and some landscaping features. He stated that it is the intent of Mr. Harris to rent the existing single family dwelling on the site. Barry Lariviere stated that three members of the Commission walked the site on the previous Saturday. Barry said that the lot has evidence of very high groundwater conditions and that no catch basins are proposed in the development plan. He added that the stormwater will sheet flow over the lot and fines will be collected very quickly in the proposed pea stone barrier potentially creating flooding. The barrier would need to be maintained on a regular basis in order for it to work as intended. Cliff Matthews then added that three test pits are required in the proposed basin area under the local bylaw to determine depth to groundwater and that this information is not included in the filing. Mr. Halsing stated that depth to groundwater at the subsurface infiltration system area is 18 inches. Cliff remarked that the Planning Board requires two feet of separation and the local bylaw requires four feet of separation for detention and infiltration structures. Barry Lariviere added that the garage would only displace the groundwater and that the rain garden will probably just hold water. Commission members agreed to visit the site on Saturday, March 29th to investigate the groundwater conditions more thoroughly. Abutters Cindy Prescott and Don Martino added that historical high groundwater conditions have existed in the area for years. Maple St. and Stonehedge Road residents have experienced water in basements as well as septic system issues. Barry Lariviere made a motion to conduct a site walk on Sat., March 29th and to continue the hearing to April 9th at 9:30 PM. Brian Norton seconded the motion and the motion carried.

Site walks scheduled for Saturday, March 29th include 306 Maple Street, 169 Maple Street/Cobb, 59 High Street, and 25 Daniel Drive.

The minutes of the meetings of Feb. 28, 2014 and March 12, 2014 were accepted with small revisions.

The Commission signed:

Orders of Conditions	105-636 (Amended)/23 Fox Run Road/Lees/sfd
	105-730 & BWP-67/ 1041 S. Main St./Mulkern/raze & reconstruct sfd
	105-727 & BWP-64/ Lot 9 Susan Lane/Mangan/sfd
Det. Of Applicability	BWP-63/Lot 8 Susan lane/Mangan/sfd

Charles Caron of Caron Environmental will be the Conservation Commission representative for the DPW north and south raw water mains projects. Mr. Caron will submit monitoring reports to the Conservation Commission during project construction. The first preconstruction meeting will take place Tues April 8th at 9:00 AM

The Board approved a minor change to the proposed retaining wall construction for the Lot 63 Dupre Road single family dwelling, DEP 105-719 & BWP-52. Douglas Martin requested approval to change the wall from a versa-lok retaining wall to a boulder retaining wall. He submitted the details in a plan entitled "Boulder Wall, November 2013". Commission members were in agreement that the change did not require an Amendment. Mr. Martin will notify the Commission when the construction recommences this spring.

Members of the Commission were encouraged to attend the Finance Committee meeting scheduled for Monday, April 7th at 7:00 PM to review the proposed Conservation Commission's budget.

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