

**Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of July 9, 2014**

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, June 21, 2007, Revised June 24, 2014, The Shoppes at Bellingham Buffer Area Restoration Plan, Sheets 1 & 2 dated 3/25/2008, Drainage Report, The Shoppes at Bellingham, May 3, 2007, revised June 24, 2014, Conservation Restriction Exhibit Sheet A, June 19, 2014

Continuation time: 7:30 PM

Attending the hearing were Bob Frazier, Austin Turner, Ann McMenemy and Tom Sexton. After the continued hearing was opened, Austin Turner stated that he submitted the revised new information dated June 25, 2014 to the Commission as per the Commission's request. He stated that his paper submittals include The Conservation Restriction proposal, HydroCad updates (due to changing the engineering for changes in sizing outlets), roadway maintenance O & M, Shopping Plaza O & M, detail on the two orifice structures and alternative analysis for Hartford Avenue access removing the future I495 ramp improvements which are not part of this project. Cliff Matthews noted that inclusive in the Commission's request to the applicant was a request for four sets of fully revised Plans of Record and Drainage Reports to reference in the permit. Cliff Matthews asked Mr. Turner to formally present the revised information to the board for comment. Mr. Turner then presented the CR Plan and stated that he removed the future I495 access ramp improvements as requested. He added that the concept plan shows sample corner markers and that the draft deed would provide the detail on the intent of the land protection. He then stated that he adjusted the alternative access by removing the future I495 ramp improvements and stated that this access would still create 4,300 sf of wetland disturbance by moving closer to the existing cart path or 19,000 sq of wetland disturbance using an alternate access called the Home Depot access. The third plan he presented was an exhibit on the lock out structure detail for stormwater quality protection Sheet (Sheet 100 of the Plan of Record). Mr. Turner stated that he would add the additional Mossback Valve detail on the Sheet. Cliff asked if the freeboards to the basins had changed with these added components and Tom Sexton responded that they did not change very much. The last item that Mr. Turner presented was the revision to the HydroCad information. Also included in the Stormwater Report were changes to the O & M Plan stating more specifically that the owner would be responsible for maintenance of the access roadway and the shopping center site. Cliff Matthews stated that although Mr. Frazier had indicated his intent to perform maintenance in perpetuity, this completes the O & M Plan as maintenance responsibility is specifically stated. Mr. Matthews stated that the Commission would have to take an unusual step, at this time, to request an extension for over the 21 day time period for issuing the permit from the applicant. He stated that this is due to the amount of time needed due to the complexity of the project. He requested a written extension from the applicant to at least to the first meeting in September and also requested a re-evaluation at that time if the document was not yet complete. The applicant agreed to provide that letter. Bob Frazier stated that a filing under the local bylaw would probably be submitted within a month's time. Ann McMenemy then offered to assist with the development of the Special Conditions for the project. Cliff

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told the applicant that generating a list of documents and plans to be included in the plans of record would be most helpful. Cliff stated that the Commission has made every effort to address the Mullen Rule as was agreed upon by the applicant at previous recent hearings. This was accomplished by re-notifying abutters, re-advertising the hearing, conducting a recap presentation to the Commission and then conducting a recap of the project for the re-notified abutters. Cliff Matthews then entertained a motion to close the hearing and issue the Order of Conditions in September with written forbearance from the applicant agreeing to extend the 21 day period for issuing the permit. Barry Lariviere moved the motion which was seconded by Neal Standley. Barry Lariviere, Neal Standley, Brian Norton, Anne Matthews and Michael O'Herron all voted in favor with none opposed. Lori Fafard did not participate in the vote. Austin will provide four sets of fully revised plans and drainage reports, the relevant list of plans and materials for the record as well as a letter to the Conservation Commission allowing an extension to the 21 day window for issuing the permit.

Project: BWP-79
RDA

Project Description:
63 Box pond Drive - septic repair

Applicant:
Glenn E. Beaver
63 Box Pond Dr.
Bellingham, MA 02019

Representative:
Seth Lajoie
Seth Lajoie & Assoc.
23 Jennings Road
Charlton, MA

Plans: RDA & Sewage Disposal System, 63 Box Pond Dr., June 2014
Meeting time: 8:30 PM

Seth Lajoie was present for the applicant. Cliff Mathews opened the RDA meeting. Mr. Lajoie stated that the filing is for the replacement of a failing cesspool with a Title V system. He stated that the two waivers requested of the Board of Health included 67 feet from an existing well and two feet from the property line. A waiver for the depth to groundwater was not required as the depth to groundwater was 84 inches. Seth stated that the work is located in the outer 100 foot buffer zone and is as far from the resource area as is possible. The area where the work will take place is existing lawn and is located upgradient to the existing cesspool. Cliff Matthews stated that Mike Catalano of the Board of Health is requiring that the property boundary be staked out and inspected prior to the commencement of the installation. He added that this requirement as well as installation of erosion control and a requirement for live loading of all excavated materials should be Special Conditions in the RDA. Lori Fafard made a motion to close the meeting and issue a Negative Determination with the above conditions. Barry Lariviere seconded the motion and the motion carried unanimously.

The Commission signed:

Order of Resource Area Delineation	105-737 & BWP-77, Maple and High St./Seefried
Certificate of Compliance	105-213/78 Laurel Lane/ Rega
Determination of Applicability	BWP-79/ 63 Box Pond Dr/Beaver/septic repair

Cliff Matthews reported that the appeal in Superior Court for Lot 10 Silver Lake Road is withdrawn by Bellingham Residential Realty. Also, the appeal for the Silver Lake Sewer Line (DEP 105-698) was withdrawn in compliance with DEP policy. Order of Conditions for 105-726 replaces the appealed and withdrawn 106-698. However, the filing under the local bylaw, BWP-26, for that same permit has not yet been withdrawn and therefore there remains two Orders of Conditions for the same project under the local bylaw.

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Chairman Matthews suggested that now that the public hearing portion of the meeting was completed, that the Commission take a few minutes to discuss the Order of Conditions for The Shoppes project. There was some discussion about the voluntary extension for the granting of the permit. Some members suggested that might take the pressure off the decision-making process. Commissioners had no clear idea whether they wished to issue an Order of Conditions permitting the project with Special Conditions or issue an Order of Conditions denying the project due to access issues. Michael O'Herron suggested that Cliff might meet with Town Counsel to clarify avenues open to the Commission in making a decision. Chairman Mathews did agree that with the voluntary extension we would have extra time to consider what type of permit to issue. He strongly cautioned the Commission not to discuss the project in groups of three or more as the Commission did not want to be or appear to be holding a "special" meeting. Mr. Matthews suggested re-opening the discussion at our next regularly scheduled meeting as an item or on-going business.

According to the monitoring report by LRC, the Beech St. replication will begin next week.

DEP has issued a Severe Weather Emergency Declaration effective 7/5/2014 through 10/5/2014 due to the recent hurricane.

There is no update on Sean Boddy's Eagle Scout project to date.

Jason Carmignani has approached the Conservation Commission for permission to study the effects of winter drawdown at Silver Lake. Silver Lake is one of approx. twenty lakes that he will be studying. A small monitoring devise will be installed at the dam.

Commissioners are encouraged to contact Beth Smith at Human Resources for stipend set up.

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