

**Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of March 11, 2015**

Project: 105-757 & BWP-105
NOI

Project Description:
Lot 1 Welker Way, new septic for new sfd

Applicant:
Leslie Nava
Quality Homes
1 Stallbrook Rd.

Representative:
Andrews Survey
PO Box 213
Uxbridge, MA

Plans: NOI & "Sewage Disposal System, Lot 1 Welker Way" Oct. 20, 2014
Hearing Time: 7:30 PM

Paul Hutnik of Andrews Survey was present when Cliff Matthews opened the hearing. Mr. Hutnik stated that the three lot subdivision entitled, "Strawberry Estates", had been recently approved and received an Order of Conditions for the stormwater management system and roadway. The Notice of Intent for Lot 1 of that subdivision has been filed for a proposed dwelling located outside the buffer zone. He added that there is some minor grading and tree clearing for a yard that lies within the 100 foot buffer zone of the previously approved resource area. Mr. Hutnik stated that the limit of work is at the 50 foot buffer zone where an existing tree line exists. He stated that 9 trees located in the buffer zone would be removed; however, he did not submit details on the size and type of trees. Mr. Hutnik agreed to submit that information to the commission. Cliff Matthews stated that the commission wants to maintain the character of the site as much as possible after development of the lots and that some type of barrier or demarcation of the buffer zone is important. Mr. Hutnik agreed to a suggestion to install tree badges on the existing trees at the limit of work. He stated that straw wattles would be utilized as erosion control. Paul said that he would have someone from his firm investigate the tree identification and the possibility of tree badges or markers at the limit of work before the continued hearing. Michael O'Herron moved to continue the hearing to March 25th at 8:15. Brian Norton seconded the motion and the motion carried unanimously.

Project: 105-758 & BWP-106
NOI

Project Description:
Lot 2 Welker Way, new septic for new sfd

Applicant:
Leslie Nava
Quality Homes
1 Stallbrook Rd.

Representative:
Andrews Survey
PO Box 213
Uxbridge, MA

Plans: NOI & "Sewage Disposal System, Lot 2 Welker Way", Oct. 20, 2015
Hearing: 7:50 PM

After Cliff Matthews opened the hearing for Lot 2, Welker at Strawberry Estates, Mr. Hutnik stated that the proposal is also to build a house outside the buffer zone. The septic system and yard are partially located within the buffer zone. Mr. Hutnik would provide details on the size and type of the trees that are proposed for removal for the development of the lot. He stated that the grading on the lot is proposed at a 3:1 slope. The buffer zone begins about ten feet off the back of the house. Mr. Hutnik will revise the plan to add a deck into the footprint of the house to avoid a future amendment filing on

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the lot. He will investigate the tree badges and provide a revised plan showing any changes. Barry Lariviere moved to continue the hearing to March 25th at 8:25 PM. Neal Standley seconded the vote that carried unanimously.

Project: 105-749 & BWP-96
C. ANRAD

Project Description:
off Farm St. and Beaver Pond
Wetland boundary verification

Applicant:
EMC Corporation
228 South Street
Hopkinton, MA

Representative:
Daniel Feeney, Beals and Thomas
Res. Corp. Park, 144 Turnpike Road
Southborough, MA

Plans: ANRAD and plans, "ANRAD Plans, Sheets 1, 2, 3" dated Nov. 20, 2014, NRS Wetland Review Report Jan. 12, 2015

Time: 8:10 PM

Dan Feeney of Beals and Thomas, Jeff Plante, Gregg Andrews, Scott Krawl and Jared Connell of Borrego Solar as well as one abutter were present when Cliff Matthews opened the continued hearing. Dan Feeney stated that the Commission's consultant had a discrepancy with the wetland boundary when he walked the site in January extending it out into a longer finger of bordering vegetated wetland. Scott Rabideau based his determination on the presence of hydric soils. Due to the wintery conditions since that site walk, we have been unable to visit the site to review the line. He stated that the original wetland boundary was delineated many years ago. At that time, the wetland boundary did not have the "finger" of wetlands that was recently delineated by the commission's consultant. Cliff Matthews suggested that we schedule a site walk for Sat. April 4th at 8:30 AM and see if weather conditions would allow the site visit. Neal Standley moved to conduct a site walk on Sat. April 4th at 8:30 AM and to continue the hearing to April 8th at 8:15 PM. Barry Lariviere seconded the motion that carried unanimously.

Project: 105-756 & BWP-108
NOI

Project Description:
off Farm St. and Beaver Pond
Photovoltaic System

Applicant:
EMC Corporation
228 South Street
Hopkinton, MA

Representative:
Daniel Feeney, Beals and Thomas
Res. Corp. Park, 144 Turnpike Road
Southborough, MA

Plans: NOI and "Solar Array in Bellingham, Sheets 1-11, Feb. 12, 2015, Stormwater Report
Hearing time: 8:20 PM

Dan Feeney of Beals and Thomas, Jeff Plan, Gregg Andrew, Scott Crawl and Jared Connell as well as one abutter were present when Cliff Matthews opened the hearing. Mr. Feeney stated that the filing has been submitted for the installation of a photovoltaic System located outside the buffer zone and construction of an overhead electrical connection on an existing cart path that traverses a resource area

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(filed as limited project). Mr. Feeney stated that the area abuts the town of Milford and the Eversource 300 foot wide easement. Access to the project is behind the National Guard site on Maple Street, Milford where EMC has an easement for access. The 154 acre site contains three parcels of land and is zoned industrial and partially residential near Farm St., in Bellingham. The proposal is for the installation of a solar array which would include three 360 KW (9.95 MW) components. The total area required for the array is approximately eight acres however, 17 – 18 acres of clearing in the buffer zone would have to take place to allow for the system to work properly. A perimeter fence would be installed for security. He stated that small changes to the grade will take place and therefore a basin is proposed for recharge and stated that an Operation and Maintenance Plan for the stormwater system is included in the filing. Mr. Feeney stated that the proposed overhead electrical connection will be constructed in an existing cart path located in the resource area. Selective clearing for width will take place over the wiring location. He stated that the reason that the electrical lines have to run to Bellingham is to connect to Ever Source in Bellingham. National Grid lines are in Milford. Cliff Matthews stated that the commission will walk the site to look at the area where the cart path is located and asked that trees proposed for removal be identified. Dan Feeney said that he would stake the area of the cart path for the walk. The commission asked about maintenance and access of equipment for maintenance of the electrical line. The area under the solar panels is grass which will be mowed regularly. There would be 65,000 sf of buffer zone impact with 45,000 sf in the 50 – 100 buffer and 25,000 sf in the 50 foot BZ. The commission requested that fencing be raised six inches from the ground to allow for animal migration. The three test pit logs revealed mottling at 48" for TP1, mottling at 34" at TP#3 and mottling at 36-56" in TP3 (a high range). Tom Houston of PSC is the peer reviewer for the Planning Board on the stormwater design and the commission will get copies of his comments. The electrical connection path clearing is 30 feet, 15 feet on either side of the path, however, no maintenance plan is included for the electrical line. Dan Feeney said that he would generate that O & M Plan for the project. A waiver request has been filed for the clearing in the resource area. He added that during construction, the existing path would be accessed in dry conditions and electrical lines installed by bucket truck. The commission requested information on the methodology of the tree removal. A site walk was scheduled for Sat., April 4th at 8:30 AM. Motion was made by Neal Standley to continue the hearing to April 8th at 8:30 PM. The motion was seconded by Barry Lariviere and voted unanimously.

Informational / Discussion on 7 Fleetwood Road/ Kevin Lobisseur and Mark Allen

Both Mark Allen and Kevin Lobisseur were present for their informational request to discuss a parcel of land for development. Mr. Allen stated that the Inclusionary Bylaw requires that Mr. Lobisseur build four affordable units to meet the percentage of units he is building in his current subdivision. The lot that they have investigated is located at 7 Fleetwood Road. He stated that the lot has water but no sewage and would be constructed as an affordable unit similar to the existing houses on the street. Mr. Allen stated that several years ago, a man-made trench was dug to drain water running across the back of the property that was the result of runoff from Fleetwood Road, which has no drainage. Mr. Lobisseur said that he hired a biologist who could find no hydraulic soils or vegetation but claimed the lot may be jurisdictional to the local bylaw. Barry Lariviere stated that the closest wetlands are located approximately 800 feet away. Mr. Lobisseur inquired as to if this were jurisdictional to the commission under the local bylaw. Cliff Matthew stated that the intent of the bylaw was to protect the buffer zone. It seems that surface water has been collected, put into a pipe in a well defined channel with no vegetation and that no resource area exists. Commission members agreed that it may be difficult to claim jurisdiction over this lot.

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Project: BWP-107

RDA

Project Description:

35 Pelletier Drive – removal of 5 trees on Lake Hiawatha

Applicant:

Jason Fantini, 35 Pelletier Drive

Plans: RDA and Tree Removal Plan, Feb. 17, 2015

Meeting time: 9:10 PM

Jason Fantini was present when Cliff Matthews opened the RDA meeting for the proposed removal of five trees from the 35 Pelletier site. Mr. Fantini stated that he wants to remove the trees because they are close to his house. He stated that large limbs fall after the winter months and during storms and he is afraid that they will hit his home. One tree is 16 feet from the water line at Lake Hiawatha and the other four are located within 36 feet of the water. All the trees are large Red Oaks. Mr. Fantini stated that his septic system is located at the front of the house and was repaired before he purchased the property. Cliff Matthews stated that trees provide habitat for wildlife, shading for the water at the lake and take up groundwater as well. He added that normally the Commission is concerned when vegetation removal is proposed so close to a resource area. Commission members agreed to walk the site on Saturday next to inspect the site. Barry Lariviere moved to walk the site on Saturday and to continue the meeting to March 25th at 9:00 PM. The motion was seconded by Neal Standley and carried unanimously.

Project:105-751 & BWP-97

NOI

Project Description:

52 Box Pond Road – construction of boulder wall, stone patio swing set and plantings

Applicant:

Richard & Michele Keniston
52 Box Pond Road
Bellingham, MA

Representative:

Jared Hatch, Hatch Inc.
142A Main St.
Millis, MA

Plans: NOI and plans, “Hatch Landscape & Design plan for 52 Box Pond Road” dated 12/1/2014 and revised Jan. 14, 2015, and revised NOI, January 19, 2015

Continuation time: 9:30 PM

Barry Lariviere opened the continued hearing and then stated that the applicant has requested another continuation to April 8th because the revised plans were not yet complete. Neal Standley moved to continue the hearing to April 8th at 9:00 PM. Brian Norton seconded the motion and the motion carried unanimously. Anne and Cliff Matthews recused themselves from the entire hearing process.

Although existing policy dictates that we do not issue partial Certificates of Compliance, a Partial Certificate of Compliance was issued for Unit 210 Hartford Village 105-376 as most of the remaining units on the site had been released many years ago.

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Cliff Matthews updated the Commission members on recent changes made to our redlined version of the proposed deed for a donation of land on High St. He was very adamant that bounds be placed on the site to demarcate the donated property. Cliff has been in contact with Dan Feeney of Beals and Thomas and now awaits their response.

The Commission voted to sign and issue an Enforcement Order (EO) for 24 Pine Street for filling of a resource area. He sent the document out for Town Counsel to review and then modified the wording in the EO. The Commission voted to allow 60 days for a contact time from the applicant and the requirement that progress reports are submitted every two weeks. Monetary fines and recording of the Enforcement Order may become necessary if the property owner does not respond. The EO will be copied to DEP, Town Counsel and Denis Fraine.

Cliff Matthews reported that Bellingham Residential Realty has requested a three year Extension from DEP for the Superseding Order of Conditions for Lakeview Estates.

Commission members reviewed the site plan for the proposed Victory Packaging facility on High St. that is currently being constructed and located outside the buffer zone. Due to the large amount of snowfall, the contactor had requested that the erosion control (located outside the buffer zone) be installed after the foundation was constructed because they could not get into the site to install them

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