

**Town of Bellingham
Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of June 10, 2015**

Project: 105-752 & BWP-98
Continued ANRAD

Project Description:
54 Box Pond Road -BVW

Applicant:
Jason P. Meehan
PO Box 444
Mendon, MA

Representative:
Robert Poxon, Guerriere & Halnon Inc.
333 West St.
Milford, MA

Plans: ANRAD & "ANRAD Plan of Land, Dec. 3, 2014" One Sheet, Rev. May 12, 2015

Continuation time: 7:30 PM

Cliff Matthews opened the continued hearing with representative, Bob Poxon, present. Cliff Matthews stated that the applicant had agreed to a continuation to allow preparation of the Order of Conditions within the 21 day time period. He added that all information has been addressed in the ANRAD process and the revised plans have been received... Barry Lariviere moved to close the hearing and issue the prepared Order of Resource Area Delineation. The motion was seconded by Neal Standley and voted unanimously.

Project: 105-760
CNOI

Project Description:
Hartford Avenue – The Shoppes

Applicant:
Robert Frazier, WS Dev. Assoc. Inc.
33 Boylston St.
Chestnut Hill, MA

Representative:
McMenemy Environmental
Bohler Engineering

Plans: NOI & Mass. Ramp Construction & Relocation I-495 at Route 126 Letter, Mass DOT Interchange Improvements Exhibit Concept Layout Plan, Rev 4/08/2015 in NOI

Continuation time: 7:35 PM

Cliff Matthews opened the continued hearing. Austin Turner, Ann McMenemy, Bob Frazier, Lou Masiello and an abutter, Bob Daley were present. Also present was Ed Avizinis of Natural Resource Services. Cliff Matthews stated that at the last hearing, Austin Turner provided a stormwater presentation recap of The Shoppes project and now requests that Ann McMenemy present a recap of the environmental impacts and how they have been addressed for the project. Ann McMenemy then stated that the project consists of one wetland crossing for access. This resulted from careful review of eight different alternatives for accessing the site while addressing the Avoid, Minimize, and Mitigate requirement of Mass. WPA. The wetland crossing consist of 3822 sf of BVW impacts over a vernal pool located at Wetland "M" located off North Main St. She stated that the crossing will consists of a bridge which will span the wetland and will be approximately five to six feet above the resource area. A detailed wildlife evaluation was conducted and submitted to the Conservation Commission and DEP for the potential impacts to the vernal pool and included the resulting mitigation efforts. There are three mitigation areas proposed; one for the wetland crossing (47 lf bank and 3800 sf BVW) and two mitigation areas proposed for federal wetlands impacts. Mitigation areas are located in the buffer zone and must include a hydraulic connection to the resource area to function productively. She stated that 404 and 401 Water Quality Permits must be completed and submitted a part of the filing process. The mitigation area #1 will be created by re-using the wetland soils and plants that were removed for construction of the bridge.

Conservation Commission
Minutes of the Meeting of June 10, 2015
Page #2

Cliff Matthews added that the Conservation Commission will require the establishment of a replication bond from the applicant to assure proper survival of the vegetation over a three year period. The federal wetland monitoring is for five years. Also, per the Plans of Record, a wetland scientist and PE must be on site during construction of the crossing and mitigation areas to assure proper compliance and to provide regularly scheduled monitoring reports. No work may take place on the crossing between Feb. and June. She added that construction of the bridge will be completed first. Ms. McMenemy stated that a monitoring plan for groundwater is part of the maintenance plan. A Special Condition to be included in the Order may include the assessment of the Home Depot culvert integrity before any accessing with heavy equipment may take place. Another SC may be to use vernal pool information as post construction comparative analysis items for vernal pool at "M" and "T". Bob Daley of Circle CG Campground had several questions. He asked if only one access at Home Depot could be used because he is very concerned about keeping the road off of his property boundary. Austin Turner responded that The Home Depot access would be in direct conflict with Mass DOT Interchange project and that the road that goes through JPI will not change. Mr. Turner stated that the bridge would be five to six feet above the ground at the crossing near Mr. Daley's campground. Mr. Daley responded that there will be a lot of traffic and noise from the roadway traffic potentially disrupting his existing business. Mr. Daley then inquired about the status of the original appeal and Mr. Turner responded that the original appeal is still in place and would be until such time that a second Order of Conditions is issued. At that time the applicant must withdraw one of the Orders of Conditions from DEP. Mr. Turner also stated that no sewer line will be installed on the new access road. Michael O'Herron questioned if lighting from the bridge would have an effect of the resource area/vernal pool. Ed Avizinis, consultant for the Conservation Commission, stated that although there is no criteria in the WPA for addressing the issue, the Commission may want to require some type of monitoring to see if it is significant enough to affect the pool. Cliff Matthews stated that Ann McMenemy conducted a synopsis of the resource area impacts as discussed over several years of the hearing process. He asked if the applicant would agree to another continuation so that draft Special Conditions could be reviewed and incorporated into a final set for the Order of Conditions. The applicants agreed to continue the hearing to June 24th to allow the Conservation Commission ample time to develop the permit. Mr. Matthews stated that on June 24th we would close the hearing and issue an Order of Conditions permitting the project at the July 8th meeting. Barry Lariviere moved to continue the hearing to June 24th at 7:50 in order to allow time to develop the permit and clarify any outstanding issues. The motion was seconded by Neal Standley and voted unanimously.

Project: 105-759 & BWP-110
NOI

Project Description:
Hartford Avenue- drainage improvements

Applicant:
Don DiMartino, DPW
26 Blackstone St.
Bellingham, MA

Representative:
John Rhoads
Professional Services Corp.
10 Lincoln St., Ste 201
Foxboro, MA

Plans: NOI and "Hartford Ave, Main St & West St. Roadway & Intersection Reconstruction Plan, Sheets 1 through 12, April 6, 2015, Sheets 4, 6, 7, 8, 12 Rev. June 4, 2015
Hearing time: 8:35 PM

Conservation Commission
Minutes of the Meeting of June 10, 2015
Page #3

Don DiMartino and John Rhoads as well as two abutters were present when Cliff Matthews opened the continued hearing. John Rhoades submitted four copies of the revised plans. He stated that the sidewalk construction is once again included in the plans. Other revisions include a wheelchair ramp for the sidewalk access and hot asphalt curbing with no change made to the grade (see Sheet 6 & 7). Sheet 8 includes the erosion control detail. Mr. Rhoades stated that he expects that the Medway Conservation Commission will be closing their hearing tomorrow evening. Some Special Conditions they expect from Medway include copying monitoring reports to Medway, stockpile areas to be surrounded by erosion control, erosion logs to be substituted at and near the bridge. The two abutters asked if granite curbing could be installed instead of the asphalt curbing but Don DiMartino stated that the cost would be prohibitive. The abutters then agreed to see if they could provide private funding and would let Mr. DiMartino know if they were successful. As the type of curb would have no effect on the permitting under the WPA or the local by law, Barry Lariviere then moved to close the hearing and issue an Order of Conditions. The motion was seconded by Neal Standley and voted unanimously.

Project: 105-756 & BWP-108
C 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, Rev. May 5, 2015, Stormwater Report summary revised May 5, 2015

Continuation time: 8:45 PM

Dan Feeney of Beals and Thomas, Jeff Plan, Gregg Andrew, Scott Crawl and Jared Connell were present when Cliff Matthews opened the continued hearing. Mr. Matthews stated that the applicant agreed to a continuation to allow preparation of the Order of Conditions within the 21 day time period. Since there were no additional questions or comments, Barry Lariviere moved to close the hearing and issue the prepared Order of Conditions. Brian Norton seconded the motion which carried unanimously.

Informational/ Sean Tyrell, Seefried Ind. Properties/ Lot 178 High Street Land Donation

Sean Tyrell and Daniel Feeney were present. Cliff Matthews stated that Mr. Tyrell had prepared the revised deed that reflected changes made from both Seefried and the Conservation Commission including prohibitions, bounds, and minor changes made by Jay Talerman, Town Counsel. He added that members of the Conservation Commission have inspected the site. Daniel Feeney stated that the proposed bounds would be two feet high with witness posts to mark the property boundaries, the cost of which would be absorbed by Seefried. Since there were no other concerns, Barry Lariviere moved to sign the deed and submit to the Board of Selectmen for acceptance. Neal Standley seconded the vote that carried unanimously.

In another matter, Sean Tyrell stated that the water loop on High St. will be installed once school is out on June 23rd.

Conservation Commission
Minutes of the Meeting of June 10, 2015
Page #4

Project: 105-761 & BWP-111
NOI

Project Description:
Countryside Road – Pine Hollow Condos

Applicant:
Alan Nash
181 Congress St.
Milford, MA

Representative:
Robert Poxon, Guerriere & Halnon, Inc.
333 West Street
Milford, MA

Plans: NOI & Stormwater Management Report Rev. 8/7/2014, “Pine Hollow Estates” 9/6/2013 Rev. March 30, 2015 Sheets 1 through 18

Hearing time: 9:15 PM

Bob Poxon, Alan Nash and an associate were present when Cliff Matthews opened the hearing for the proposal in construct 36 townhouse units in 12 buildings on 25.09 acres. Mr. Poxon stated that the property is located between Bellwood Dr. and Brook St. and that the wetland boundaries were confirmed in an ORAD issued by the Conservation Commission in 2009. Mr. Poxon stated that all work is proposed outside the 25 foot No Disturb Zone to the local bylaw. He added that there are only two buildings and a detention basin located in the 100 foot buffer zone. Barry Lariviere pointed out that two more buildings and the road were also in the 100 foot buffer zone. Mr. Poxon stated that rip rap will be utilized to stabilize the entrance during the construction phases. BETA Group had performed a peer review for the Planning Board on the stormwater management report which addresses the 2, 10, 25 and 100 yr. storm event. All units have dry wells for infiltration. He added that the soils on the site are sandy. A tree inventory was send by email today so that report was not reviewed. Mr. Poxon stated that about 34 trees in total would have to be removed, the largest being a 47” pine. Cliff Matthews asked Mr. Poxon to submit a mitigation plan for the replacement of the lost trees. Mr. Poxon stated that eight test pits were conducted on the site in 2010. He will provide a copy of the Sheet in the plan set that provides detail on the location of those test pits. The 36 two bedroom units will generate approx. 7,200 GPD of wastewater and will not require a DEP wastewater permit for 10,000 GPD of discharge. The septic system and leach field are proposed in the center of the lot. Mr. Poxon does have a plan with soil logs in the septic area but has not done extensive testing for the proposed Presby System yet. Cliff Matthews inquired about the Conservation Restriction (CR) that was a requirement from the Natural Heritage review. Mr. Poxon will provide an updated letter from Natural Heritage that discusses the CR. The Commission will try to obtain a copy of the Phil Paradis peer review of the project from the Planning Board. In the meantime, Mr. Poxon stated that he would provide the information requested at this hearing. Barry Lariviere moved to continue the hearing to July 8th at 8:30 PM. The motion was seconded by Neal Standley and voted unanimously.

The minutes of April 22, 2015 were accepted

The Commission signed:

Extension Permits 105-675/ Post Office Place/ extended for three years
 105-550/ 71 Wrentham Road/ Brian Harris/sfd extended for three years
Order of Conditions: 105-756 & BWP-108/Off Farm St. /EMC Solar Array
Order of Res. Area Del. 105-750 & BWP-98 / 54 Box Pond Road/Meehan
Cert of Compliance: 105-661/Post Office Place superseded by 105-675 (above)

Conservation Commission
Minutes of the Meeting of June 10, 2015
Page #5

The annual treatments for nuisance aquatic vegetation are tentatively scheduled for Thurs., June 18th. As soon as the DEP permits are received, the date will be confirmed.

Cliff Matthews confirmed that Lori Fafard, Barry Lariviere and Brian Norton should be at the Board of Selectmen's meeting of June 22nd for reappointments. Cliff will also attend for Selectmen's acceptance of the High St. land donation.

The Conservation Commission is in receipt of a copy of the submittal to the Planning Board entitled, "The Shores at Bellingham" for yield plan for a cluster development. We will contact the Planning Board to reiterate our concern that the resource areas have still not been verified and that may affect the yield plan.

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