

Bellingham  
Conservation Commission  
Municipal Center  
Bellingham, MA 02019  
Minutes of the meeting of October 12, 2016

**Project:** 105-788

**Project Description:** Maple Street Right of Way, from the Charles River Bridge to 942 feet south of the route 495 overpass – Maple Street roadway and drainage improvements

CNOI

**Applicant:**

Don DiMartino, DPW  
1 Hartford Ave.  
Bellingham, MA

**Representative:**

Rob Kenneally  
Kleinfelder Company  
1 Speen Street, STE 200  
Framingham, MA 01701

**Plans:** NOI & Dept. of Public Works Town of Bellingham, MA, Maple Street Maintenance and Drainage Improvements, 10 Sheets, July 2016, Rev Sept. 14, 2016, Operation & Maintenance Plan July 2016, Ltr. Kleinfelder entitled "Wetland Replication" August 19, 2016

**Hearing time:** 7:30 PM

Cliff Matthews opened the continued hearing. He has reviewed the revised storm water management calculations. Almost all the results show a reduction in peak discharge velocities and rates. According to Rob Kenneally, this results from some storage in the pipes connected to the catch basins as well as run off being directed into the proposed swales. With the town not using sand in the winter, there should be less buildup on the roadway shoulders leading to easier maintenance.

Cliff emphasized that if we permit this we will write an Order of Conditions using our discretionary authority to not require replication. We will likely be contacted by the DEP and will need to justify our permit. One condition of the permit is that the DPW must get waivers from the Planning to exempt the rebuilding of the stone walls where they will directly impact resource areas. If the DPW is granted waivers under the Scenic Road Bylaw and the rebuilding of the stone walls does not directly impact wetland areas, the total square footage of resource area alteration will be under the 5,000 square foot threshold. This permit will have a fairly significant finding of facts, because of the scope and nature of the work. The commissioners will review the digital copy of the revised plans dated Sept. 14, 2016 with the draft Order that the chairman will distribute.

Cliff Matthews accepted a motion from Shawn Wade to close the hearing and issue an Order of Conditions seconded by Neal Standley, and passed on a unanimous vote.

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**Project:** 105-784 & BWP – 137

**Project Description:** Hixon Street –  
Hartford Village II, Construct six (6), three  
unit structures within the 100' buffer zone

CNOI

**Applicant:**  
K & S Realty Trust  
1 Stallbrook Rd.  
Milford, MA 01757

**Representative:**  
JP Connelly  
Andrews Survey & Engineering, Inc.  
104 Mendon Street  
Uxbridge, MA 01569

**Plans:** NOI & Revised concept plans  
**Continuation Time:** 8:00 PM

Mr. Matthews opened the continued hearing. JP Connelly presented revised plans in preparation of the final site development plan. Of the 18 units planned, 12 units (in four buildings) will be on a cul-de-sac that has a "hammerhead" configuration instead of the previously presented traditional cul-de-sac. The other 2 units will be on the access road for the adjoining Hartford Village I units (Village Lane).

He mentioned there were several obstacles to be overcome including: Hartford Village I Association approving the project, and any Planning Board requirements in permitting an amendment to the previous application. They are also looking at having a two-tiered system for storm water infiltration/detention.

Mr. Connelly then stated that while he was seeking peer review comments from PSC, he was asking for the Commission's feedback on the possibility for several waivers regarding the separation to groundwater in the detention/infiltration basins as well as quantifying the exact number of trees to be removed from the buffer zone. In addition, they expressed an interest in utilizing the original drainage report associated with Hartford Village I.

The basin spillway design is for a 100 year storm and will require elevating the basin walls making the grading of the basin slopes steeper. The basins are to be assumed to have frozen ground conditions. There is to be no increase in discharge in a 25 year event. If they cannot achieve acceptable infiltration rates, there may be a volume issue. So far the soil test results are unclear on the possibility of a layer of clay that may be perching groundwater in that area.

There was a brief discussion about the proposed wall for part of the septic system being near a corner of one of the units. Mr. Connelly stated they felt that they complied with the DEP Title V requirements and thought that it was acceptable based on their other experiences with similar projects.

All of the project except for the storm water management infiltration and detention systems is proposed to be outside of the 100 foot buffer zone. This concept was met with approval from the commission.

Cliff Matthews stated we would need an alternative analysis for the bylaw requirements.

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JP Connelly stated that he would like to dig 3 test pits for the existing detention basin and then 3 more for the uphill location of the infiltration basin. He requested a witness from the Conservation Commission and/or town when the test pits are dug. Cliff Matthews suggested that while he will try to attend, Mike Catalano from the Board of Health would be the best person to have on site. Cliff Matthews stated that gathering information (by accessing the area for digging test pits) was acceptable as part of the NOI informational gathering process and would be no problem.

Mr. Connelly stated that the previous project on the adjacent property (Hartford Village I), had a drainage hydrology report done as part of that permitting process. He would like to know if it would be possible to use that data. Cliff Matthews stated that he should show the differential between the Hartford Village I rainfall data and the currently required Cornell method.

The timetable estimated by Mr. Connelly to complete these tasks was approximately 4 weeks for the Planning Board anticipating to come back and meet with us on our 1<sup>st</sup> meeting in December (12/14/16).

An abutter, Mr. Harry Hamjian, asked a few questions about changes in the concept plans – regarding building locations, reducing the number of units as an option, landscaping type and location, the height of the unit closest to his house, and the reconfiguration of the end of the cul-de-sac. Mr. Connelly responded to his questions as they were not jurisdictional to the commission.

Cliff Matthews entertained a motion to continue the hearing to December 14 at 7:30 PM on a motion made by Michael Roche, seconded by Shawn Wade, and passed on a unanimous vote.

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Updates:

Dog Park – The Canine Dog Parks Grant Committee, wants to award a \$12,500 grant to the town to develop a plan for a bigger project, which they would fund up to amount of \$125,000. The Town Selectmen/Planner are now thinking of other options including behind Town Hall. Cliff Matthews was planning on walking the suggested project site with the Jim Kupfer and Denis Fraine, but after looking at a set of plans, and making rough measurements, there will not be enough space available in that area. They will pursue other options of town owned property (i.e. the Pearl Street Mill site area).

The Mullin Rule – The applicants for 160 High St. have expressed a concern that the project approval may be jeopardized if the 'Mullin Rule' is not properly observed by the Conservation Commission. After reviewing the situation with Town Counsel, Cliff Matthews stated that if you miss one meeting and review the minutes for that meeting, and certify you read the minutes; commission members may vote on a project. If however, you miss 2 meetings regarding a particular project, you cannot vote on a project without a total review. On July 27, 2016 Mike Roche, Lori Fafard, and Brian Norton, all missed one meeting for the 160 High St. project. They are being asked to review the minutes of that meeting and certify that they have read them in order to continue to participate in reviewing and ultimately vote on the project. This should satisfy the applicant and avoid jeopardizing the application and review process.

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Recent MACC Bulletin article – Cliff Matthews pointed out that the Massachusetts Supreme Court has approved gas companies taking any land they wish to by eminent domain. This legal decision could have long-term, substantial impacts on communities and environmentally sensitive areas.

Pulaski Boulevard – Cumberland Farms has requested a Certificate of Compliance, and has filed Form 8A and has submitted the required 'as built' plans. Cliff Matthews inspected the site and recommended that the commission sign and issue the Certificate of Compliance. The motion was made to do so by Shawn Wade, seconded by Neal Standley, and passed on a unanimous vote.

Open Space Plan - To continue to move toward completing and approving a new town Open Space Plan, we agreed to request that our consultant, Gino Carlucci, be invited to the 10/26/16, Conservation Commission meeting to present the status of the project and get input. We also hope to determine a schedule for completing the document including holding an open meeting with the ultimate goal of approval.

Approval of previous meetings minutes –

Minutes of July 27, 2016 – motion to approve by Shawn Wade, seconded by Brian Norton, passed on a nearly unanimous vote (Michael Roche abstained – was not present at that meeting).

Minutes of August 10, 2016 – motion to approve by Mike Roche, seconded by Mike O'Herron, passed on unanimous vote.

Minutes of August 24, 2016 – motion to approve by Mike Roche, seconded by Brian Norton, passed on a unanimous vote.

Minutes of September 14, 2016 – motion to approve by Mike Roche, seconded by Brian Norton, passed on a nearly unanimous vote (Neal Standley abstained).

Minutes of September 28, 2016 – will be reviewed and voted on at the 10/26/16 meeting

The motion to adjourn the meeting at 9:00 PM was made by Michael Roche, seconded by Shawn Wade, and passed on a unanimous vote.

Attending the meeting was: Cliff Matthews, Neal Standley, Michael O'Herron, Michael Roche, Brian Norton, Shawn Wade, and Arianne Barton, Associate Member.