

**Bellingham Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of June 14, 2017**

Project: 105-786
Amendment Request

Project Description:
Silver Lake Road – drainage

Applicant:
Donald DiMartino, Director
Dept. of Public Works
26 Blackstone Street
Bellingham, MA 02019

Representative:
self

Plans: Amendment Request letter, 5/16/2017, Drainage Improvements Plan & Profile, 5 Sheets, May 12, 2017, Revised April 25, 2017

Hearing time: 7:30 PM

Cliff Matthews opened the Amendment Request hearing. Donald DiMartino was present. Mr. DiMartino stated that the amendment request was filed to request a change in stormwater design components that were previously approved in the original Order of Conditions, DEP #105-786. The Silt Prison previously permitted would not fit due to depths to groundwater of the invert for the Silt Prison units. Mr. DiMartino also stated that there are conflicts regarding proposed pipes in a portion of the road section near houses #93 and #99 Silver lake Road. Mr. DiMartino requested that the proposed Silt Prison-160DP be replaced with a Vortsentry-VSHS36 and that the proposed dual 15 inch RCP be replaced with a 10" x 36" precast box culvert. He stated that the original structures would not work due to existing conditions on the site. Mr. DiMartino stated that he has submitted a revised copy of the originally approved plan (105-786) in which the outlet design for Lot 10 encompasses the width of the lot. After researching the archives and the original Amended SOC, the Conservation Commission confirmed that this was the accepted Plan of Record. There were no further questions. Shawn Wade moved to close the hearing and issue an Amended Order of Conditions. Motion was seconded by Mike Roche and passed unanimously.

Project: WPA-N/A & BWP-164
C. RDA

Project Description:
8 Connor Lane (Lot 4)
Is work jurisdictional to WPA and/or
Bellingham Wetlands Protection Bylaw

Applicant:
Ron Nation, Post Office Place LLC
PO Box 152
Hopkinton, MA 01748

Representative:
Scott Goddard, Goddard Consulting
291 Main St., Suite 8
Northborough, MA 01532

Plans: RDA and "Proposed On-Site Septic System, Residential 4 Bedroom Dwelling, Lot 4, Connor Lane, Bellingham", one sheet, March 24, 2017

Meeting continuation time: 7:15 PM

Brian Norton, a direct abutter, recused himself from the meeting process. Neither the applicant nor his representative was present when Cliff Matthews opened the continued RDA meeting. Cliff stated that the filing is for the determination of whether the proposed work is jurisdictional to the Wetlands Protection Act and/or to the local bylaw. He added that Jay Talerman, Town Counsel, has made it clear that there is no "grandfathering" to the local bylaw as there is with zoning.

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He added that a proposed “concept” plan had been developed that showed development of the single family dwelling and septic that avoided filling of the Isolated Vegetated Wetland. Anne Matthews had requested that Mark Arnold provide 20 scale plans of that concept plan for the continued meeting this evening. Cliff stated that the Commission received another email continuation request from Mark Arnold this afternoon asking for a continuation to June 28th to allow for additional soil testing. Michael Roche expressed concerns with making sure that we have all the necessary information at the time we render a decision. Cliff clarified the RDA procedure by stating that the Commission would still have to issue a determination as to whether the work was jurisdictional to the local bylaw or not. If it is determined that the lot is jurisdictional then the applicant would file a Notice of Intent under the local bylaw for the lot development. Shawn Wade moved to continue the RDA meeting to June 28th at 7:30 PM. Motion was seconded by Mike Roche and passed unanimously.

Project: 105-784 & BWP-137
C. NOI

Project Description:
Hixon Street, Hartford Village II
Construct six (6) three (3) unit structures in the buffer zone

Applicant:
K & S Realty
1 Stallbrook Road
Milford, MA 01757

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

Plans: NOI & Plans “Hartford Village II, 18 Sheets, Rev.2/14/2017Stormwater Management Report, Rev. 2/17/2017, Waiver Requests, ASE Peer Review Responses 2/22/2017, PSC response to ASE of 2/22/2017 dated 3/8/2017

Continuation time: 7:30 PM

Cliff Matthews opened the continued hearing. Neither the applicant nor his representative was present. Town Planner, Jim Kupfer, stated that there is a revised plan set being developed due to a few changes required by the Planning Board meeting the previous week. He added that the Planning Board required a reduction in separation of the distance among three of the buildings to maintain the Planning Board buffer zone distance requirement of 100 feet to neighboring dwellings. He added that the Planning Board has not yet received the revised plans and continued the Planning Board hearing to June 22. Shawn Wade moved to continue the hearing to June 28th at 7:20 PM so that the applicant could have time to submit fully revised plans to the Commission. Motion was seconded by Brian Norton and passed unanimously.

Project: 105-799 & BWP-162
CANRAD
Applicant:
Ed Gately
6 Pine Street
Bellingham, MA 02019

Project Description:
off Plymouth Rd, Mohawk Path, Sunken Meadow, Franklin
Representative:
Paul DeSimone, Colonial Engineering Inc.
11 Awl Street
Medway, MA 02053

Plans: ANRAD & “Plan of Land in Bellingham, MA for Edward Gately”, Sheets 1 & 2, 2/24/2017 and revised June 14, 2017, Municipal Service Engineering, Inc. Ltr June 6, 2017 “Restoration Plan”

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Continuation time: 8:10 PM

Cliff Matthews opened the continued ANRAD hearing. Three abutters from Mohawk Path were present. Paul DiSimone was present for the applicant. Mr. DiSimone distributed the Buffer Zone Restoration Report and associated revised plan set (June 14, 2017) developed by Ivan Szalassy as required by the Conservation Commission in response to violations observed in the buffer zone on a site walk conducted in May. Michael O'Herron remarked that the report states that the total number of cuttings was counted as 310; 60% white pines, 16% red and white oaks, 15% red maples and the balance of 8% birches, highbush blueberries, etc. The report also states that with the exception of a few highbush blueberries near the wetland line and some small white pines, shrubs 3-6 feet high are not present on all the slopes. Most of the slopes are steep but have root mats from oak and pines. In the report, Mr. Szalassy recommends re-establishing some vegetation and viable root mat on the slopes with seed mixture of non-turf grasses with fibrous roots, wildflowers and medium tall shrubs. Michael O'Herron recommended that we may need more plantings of trees and bushes based on the large number of cuttings in the report and the minimal amount of trees proposed. Several members agreed that we should require a bond and a monitoring period for successful re-vegetation in the disturbed 50 foot buffer zone. site. Cliff suggested that members of the commission take the plan to the site to assess and evaluate. A site walk was scheduled for Saturday, June 17th at 9:15 AM. Motion was made by Mike Roche and seconded by Shawn Wade to continue the hearing to June 28th at 7:50 PM was seconded and passed unanimously.

Project: 105-800 & BWP-158
C. NOI

Project Description:
190 Farm Street
Clearing of Industrial land to store asphalt materials

Applicant:
Erin Landry, Asphalt Eng. Inc.
19b South Maple Street
Bellingham, MA 02019

Representative:
Mark Allen, Allen Engineering LLC
2 Willowbrook Lane
Mendon, MA 01756

Plans: NOI & Bulk Storage Site Plan Asphalt Engineering, 190 Farm St., Sheets 1-7, Jan. 18, 2017, revised May 23, 2017, Drainage Analysis, revised 5/2/2017, PSC email response to Allen Eng. 5/23/2017, USGS publication "Coal-Tar-Based Pavement Sealcoat – Potential Concerns for Human Health and Aquatic Life, April 2016, ATSDR Public Health Statement PAH's, Aug 1995

Continuation time: 8:30 PM

Cliff Matthews opened the continued hearing. Attending were Mark Allen, Erin Landry, Nate Moorland, Atty. Jim Roberti, and Town Planner, Jim Kupfer. Mr. Matthews stated that due to the fact that some members have missed meetings, the applicant and the Conservation Commission agreed to conduct a wrap up meeting to recap the project proposal in order to address the requirements of the Mullen Rule. Mark Allen began by stating that remaining concerns that PSC (peer reviewer) had all have been addressed. 50 Foot No Disturb buffers are maintained around the vernal pools on the site. The Riverfront Area was resurveyed and incorporated into the revised plan. He stated that the front half of the parcel now includes a small spill containment area located out of the buffer zone. The snow storage areas are also proposed outside the 100 foot buffer zone. The proposed basin has a 15 foot wide access with 8 foot width on the top. Crushing is proposed 5 to 20 days per year and the crushing activity will take place at the back portion of the property. Use of a mister has been included in the crushing operations. Mr. Allen stated that only one area of the road width is located in the

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25 foot No Disturb Zone and is located ten feet from the resource area at the closest point. An 800 square foot restoration area consisting of highbush blueberries and sweet pepperbush on 8-10 foot centers is proposed as mitigation for this impact. The 1:1 slopes in this area will be armored with rip rap, details which have been added to the revised plan set. He stated that a barrier has been added to block vehicular access to the cart path between the two vernal pools.

Mike O'Herron asked several questions about the misting procedure, the level of detail involved in the maintenance operations plans (the grinding subcontractor is responsible for the dust mitigation/misting process). He also questioned whether the road nearest to the vernal pools and boundary of the Stall Brook could possibly over top the berm in a heavy rainstorm. Mr. Allen stated that that was not possible (even in a 100 year storm) due to the drainage and the grading of the road. Applicant was also asked whether the new road into the site would be paved with tar or asphalt based top coating, and he asserted that it would be asphalt based.

Hearing no more questions, Cliff Matthews accepted a motion to close the hearing and approve the project with an Order of Conditions. Motion was made by Michael Roche, seconded by Shawn Wade, and passed on a 4 yes – to one no (Mike O'Herron) vote. The Order of Conditions will be prepared to sign at the June 28th meeting.

Project: 105- & BWP- 170
NOI

Project Description:
310 & 320 Pulaski Boulevard –
Irving Gas Station

Applicant:
Irving Oil Marketing, Inc.
190 Commerce Way
Portsmouth, NH 03801

Representative:
Amanda Atwell, Epsilon Associates, Inc.
3 Mill & Main Place, Suite 250
Maynard, MA 01754

Plans: NOI & "Site Development Plans for Proposed Motor Fuel Outlet" Irving Oil, Sheets 1-14, May 18, 2017 / Stormwater Management Report, Proposed Motor Fuel Outlet, MHF Design, May 18, 2017

Hearing time: 9:00 PM

Cliff Matthews opened the hearing. Amanda Atwell, Jennifer Daigle, Michael McLaughlin, and Pat McLaughlin were in attendance, to provide a presentation of the proposed project located on the site of a former gas station in South Bellingham.

Amanda Atwell provided the overview explaining that the five adjacent or nearby lots, various sizes were separated in some cases by resource areas & paper roads. She stated that a BVW area/drainage ditch with an unknown pipe source exists on site as well as a small stream which she is referring to as an intermittent stream. Amanda stated that she delineated the wetlands last January. Resource areas on site consist of the "A" series flags including a small intermittent stream and the "B" series" as bordering vegetated wetlands. She stated that the applicant has applied for a waiver to the 0-25 foot No Disturb Zone at Sever St. A small portion of the proposed basin will be located in this area. The existing concrete will be removed from the balance of this disturbed area and then will be seeded with conservation seed mix and plantings. The 3 largest lots in the front of the site along Pulaski Boulevard are old paved areas that are largely overgrown. The former Gibbs gas station underground tanks were removed and one above ground heating fuel

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250 gallon tank is still present. Most of the development will be off Pulaski Boulevard. At the rear of the 3rd lot, the asphalt will be removed. Pat McLaughlin explained that the storm water management system contains an oil/water sediment collector with an 80% TSS removal. Roof drains and Storm Tech are included in the treatment train. The on-site groundwater recharge from the store roof and gas station canopies will be directed to drainpipes into the ground. The design attempts to reduce the outflow to the Westminster Street municipal DPW storm water system that is adjacent to the site. The Planning Board is beginning the review process. A fence will be added to the rear portion of the site to prevent trash from being dumped. Neal Standley asked what the applicant was doing to keep the Pulaski Boulevard rainfall off the site preventing it from contributing to the Pulaski Boulevard drainage issues. The response was that they are providing two storm grates at the entrance and exits to the site.

Cliff Matthews stated that the applicant may have to expand the size of the detention basin and increase the infiltration recharge system in order to comply with the DPW Director's comments to minimize the flow from sites into the municipal storm water system. He added that this may be difficult to do without further encroachment into the 25 foot No Disturbance Zone.

Cliff suggested we conduct a site walk. The Planning Board has continued their review, to the 2nd week of July. Commission members will try to make it for a daytime site walk, when Cliff can schedule it.

Cliff Matthews entertained a motion to continue the hearing to July 12 at 7:30 PM which was made by Shawn Wade, seconded by Neal Standley, and passed on a unanimous vote.

Project: WPA-N/A & BWP-171
RDA

Project Description:
2 Highridge Road – remove and replace existing deck

Applicant:
Custom Colors
4 Jeffrey Road
Franklin, MA 02038

Representative:
Wm Halsing, Land Planning Inc.
167 Hartford Avenue
Bellingham, MA 02019

Plans: RDA & Plot Plan Located at 2 Highridge Road, 5/26/17
Meeting time: 9:45 PM

Cliff Matthews opened the public meeting. Clay Reeder of Custom Colors and Anthony Constanzo, owner, were present. Cliff stated that the RDA filing is for the removal and replacement of an existing deck located in the buffer zone. Anne Matthews visited the site and discovered that the fence along the edge of the resource area and Town of Bellingham property and referred to in the original Order of Conditions had never been installed. In addition the Order of Conditions was never recorded in 2003. The property owner appeared to have been dumping yard waste over the property line onto the town owned land and likely into BVW, and possibly some of his plantings/mulching was on or over the property line. Mr. Constanzo stated that the yard waste had largely been removed at the request of the commission. A site visit was scheduled to determine whether a fence would be needed at this time. Site visit was scheduled for Saturday at 9:45 AM 6/16/17. Cliff Matthews accepted a motion to continue the hearing today evening of 6/28/17 at 8:15PM, which was made by Michael Roche, seconded by Shawn Wade, and passed on a unanimous vote.

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Mike O'Herron made a very brief update about the Open-Space Recreation Plan presentation to the Planning Board that was made by Gino and himself. It went well. We hope to get a letter of support, at their next meeting, after they finish reviewing the documents.

A site walk is scheduled to review the work completed to date at 231 Maple Street on the Funari site. Mr. Funari filed a Notice of Intent in 2014 to address the requirements of the Enforcement Order that was issued to him previously for placing fill on town owned land and in buffer zones and possibly resource areas. The Order of Conditions expires in June 2017.

Peter Lavoie of Guerriere and Halnon (on behalf of Chris Funari) requested a six month extension to complete the restoration process. Mr. Lavoie stated in a letter dated May 31st that Brian Waterman of Waterman Design had been hired to inspect the area and to develop a restoration plan. A site walk was scheduled for 8:15 AM on 6/16/17.

May 10, 2017 Meeting Minutes: one minor correction was noted by Michael Roche that the spelling of one of the attendees at the continued 7:45 PM 190 Farm St. hearing, Nate Moreland's name was incorrectly spelled as Moorland. Michael Roche moved to accept the minutes with the noted corrections. Brian Norton seconded the motion that carried unanimously.

The commission signed various vouchers.

Motion to adjourn was made at 10:10 PM by Neal Standley, seconded by Mike Roche and voted unanimously.

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