



**Bellingham Conservation Commission
10 Mechanic Street
Bellingham, Massachusetts 02019**

**Meeting Minutes
Wednesday, December 13, 2023
Meeting In-Person and Via Zoom**

Members Present:

Mike O'Herron, Chairman
Neal Standley, Vice Chairman
Noel Lioce, Member
Arianne Barton, Member
Steven Kohler, Member

Other Officials Present:

Hannah Crawford, Conservation Administrator
Tina Griffin, Recording Secretary

Chairman, Mr. O'Herron called the meeting to order at 7:00 pm.

Public Hearing Continuation: 10 Cutler Street

Hearing Time: 7:00 PM
Project Description: 44' x 16' garage with in-law apartment in buffer zone and 1,000-gallon septic tank
Notice of Intent
Applicant: Jodi Willis, 10 Cutler Street, Bellingham, MA 02019
Representatives: Paul DeSimone, Colonial Engineering, Inc., 11 Awl Street, Medway, MA 02053

The applicant's representative, Paul DeSimone had emailed the Commission stating that he would like to withdraw without prejudice for the garage and in-law apartment, as well as the 1,000-gallon septic tank, within the Buffer Zone.

Commission members made note of this withdrawal, which does not require a motion. Application has been withdrawn without prejudice.

Public Hearing Continuation: Blackstone Street and North Street

Hearing Time: 7:00 PM
Project Description: Twelve 3-unit townhouse buildings, stormwater management system
Application Type: Notice of Intent
Applicant: John Mshooshian, Raven Homes, Inc., 22 Buckhill Road, Northborough, MA 01532
Representatives: Ryan Roseen, Goddard Consulting, 291 Main Street, Suite 8, Northborough, MA 01532

Mr. Roseen from Goddard Consulting has requested a meeting continuance until Wednesday, January 10, 2023, due to some ongoing conversations they are still working on with other Boards and Departments for this project.

Mr. Kohler made a motion to continue this Public Hearing until Wednesday, January 10, 2024, at 7:00 pm. Motion was seconded by Ms. Barton and the voice vote passes unanimously.

Public Hearing Continuation: 217 Hartford Avenue

Hearing Time: 7:00 PM
Project Description: 700,000 sf. Warehouse BVW, Bank, Land Under Water Impacts Under WPA Mitigation.
39,358 sf. of Isolated Wetland & Vernal Pools Under Bylaw with Mitigation
Application Type: Notice of Intent
Applicant: Jeffrey Curley, WS Development IV Associates, LLC. 33 Boylston Street, Suite # 3000,
Chestnut Hill, MA 02467
Representatives: Andrea Kendall, LEC Environmental Consultants, Inc. 100 Grove Street, Suite #302, Worcester,
MA 01605

Mr. Turner with Bohler Engineering and Mr. Madden with LEC Environmental Consultations were both present at tonight's meeting and gave a brief summary of what they have been working on since the last meeting. They had a working session meeting on Monday, November 27th. Most of that meeting was to focus on the Wetland mitigation area #2, which is towards the northwest corner, coming into the property and heading towards the warehouse building.

Mr. Turner shared his screen with members present to show the Wetland mitigation area currently under discussion. With some guidance from the Commission and input from Mr. Madden there will be some undulating topography in that area that would create tiny depressions and make it function like a Wetland system. It will be vegetated and will have a lot of different wetland species in the area. The focus of the working session meeting was the hydrology and making sure there was a consensus to how the area would be fed and supported. The thought is to excavate down approximately 6' in order to make sure they are they are intercepting the groundwater since that's how most of these Wetland systems are supported.

As discussed at the last meeting, the stormwater system has been designed to be independent of the Wetland mitigation area so that it meets performance standards needed from a stormwater perspective, without reliance on the mitigation area. The updated plan shows a black pipe which will handle the outflow from the basin and then spread water into each of their respective pockets in that mitigation area. This design has built in some flexibility of the stormwater system. Essentially, the outlet control device which is controlling and restricting the hydraulics of that stormwater system will have low pipes in the bottom, which are threaded and capped, or closed by a valve. This would allow the system to release more water into the Wetland mitigation system and provide some additional sustaining flow. The valve may never need to be opened, but it would be an option in place, if needed. There will also be a valve installed outlet at the wetland itself to ensure that the water doesn't get too high. These valves could be used during the monitoring period to make sure everything is flowing as it should through the various seasons. Members discussed additional details regarding the usage of valves and the O&M Plan needed for the valves to be maintained.

The Chairman asked about a salt and chemical treatment plan for the area. Mr. Turner replied that all of the Charles River Center is a non-sodium based deicing agent, which is far more environmentally friendly. That is already in the Order of Conditions for each of those properties, including the most recent one at Charles River for the repair of the retaining walls. That is a Condition that goes with the property and whomever is running the site. More details and information about the non-sodium based products will need to be continued as the project progresses forward. In addition, Mr. Kohler stated that during the workshop there was discussion about how the curbing's should keep almost anything on the parking space area from running over the edge and into the wetlands. Therefore, it would be directing the flow into the distribution system that treats it. The applicant's representatives have started to discuss this matter and will have more detail for these concerns at future meetings.

Mr. Turner let the Commission know that they have submitted the plans back and have been working with BSC Group to get a final review of everything that's been submitted so far. There has been a lot of input at the workshops and meetings and he's hoping to continue moving forward and to provide a granular review of the current proposal, as it has come a long way in those working sessions and would benefit the Commission to have all the updates.

Mr. Kohler made a motion to continue this Public Hearing until Wednesday, January 24, 2024, at 7:00 pm. The motion was seconded by Mr. Standley, and the voice vote passes unanimously.

Public Hearing: “0” Maple Street (Maplegate)

Hearing Time: 7:30 PM
Project Description: Installation of an electrical line as part of the “Proposed Solar Array – Parcel 3” project on the above referenced subject parcel located within the 100’ Buffer Zone to Bordering Vegetated Wetland
Application Type: Notice of Intent
Applicant: Daniel Serber, 177 Huntington Avenue, Boston, MA 02115
Representatives: Daniel Wells, LEC Environmental Consultants, Inc., 380 Lowell Street, Wakefield, MA 01880

Greg DiBona from Bohler Engineering and Daniel Wells from LEC Environmental were present to discuss the electrical line installation for the proposed solar array. Mr. DiBona shared his screen to provide an overview of the project and further discuss actions needed to be able to continue to move the project forward. Parcel 3, which is primarily in Franklin, does have a portion of the Lot in Bellingham that is currently being discussed. The solar array would be located on the far south of the Parcel, with the portion in Bellingham being intended for the connection point for the overhead lines, as well as the underground utility connections. All access to Parcels 1, 2, and 3, would continue to come from the current driveway that services the Maplegate Country Club and is located in the Bellingham portion of the site. That driveway would also be maintained in the current condition that it is in today.

The shared screen shows the limitation of any tree clearing and disturbance within the Wetland Buffer Zone. The majority of the site is primarily wetlands, and the drawings shows the wetland delineation flags and the offset boundary lines delineating the 25’ no-touch area as well as the 50’, and 100’ Buffer Zones. Portions of the 50’ and 100’ buffer zones do encroach outside of the site and all the way into the front edge along Maple Street. In order to support the electrical connection and tie in the proposed solar array that would be located in Franklin, electric connectivity would need to come from Maple Street. That would be provided through two overhead utility poles and a ground mounted recloser pad. In order for that to be done, there would be some disturbance required within the Wetland Buffer, including some tree clearing and some restoration along the already cleared frontage of the road. An area of approximately 1,200 sf of existing vegetation that is all within the 50’ Wetland Buffer would need to be cleared to allow space for the overhead lines, as well as a gravel shoulder for utility companies to use if they need to service the lines.

Mr. Wells also showed members an overview of the USGS map of the area. This map showed a pine forest, which then goes into the forested wetland. There is a shrubbery swamp wetland on both sides of the access road, so the road doesn’t normally get flooding. There would be an erosion control barrier put all around the work to prevent any sediment from going into the wetlands. Everything has been placed at least 25’ away from the wetlands, and there’s not much room because of the road being so close, which is why the buffer zone alteration can’t be avoided completely.

Mr. DiBona told members that he will identify the number of trees that may have to be removed, but most of the area is overgrown brush. These would be inside the property and not on the scenic road portion of Maple Street, as the property line is back approximately 10’ from the edge of pavement.

Matt Burne from BSC Group was present at tonight’s meeting and let members know that this would make a pretty small impact to the Bellingham side of the proposed project. He recommends making sure all members are comfortable with the delineations and items of such. Mr. Burne also let the applicant’s representatives know that he would like to review the filing they have, and he would then be able to provide a proposal for the next Conservation meeting scheduled for January 10, 2024.

The Chairman stated that the applicant’s representatives come back to their next meeting, they will be provided with the proposed peer review cost and scope of work, for them to be able to review. Some Commission members will also do a brief site walk, as it is a small area with easy access to the site.

Mr. Kohler made a motion to continue this Public Hearing until Wednesday, January 10, 2024, at 7:00 pm. Motion was seconded by Mr. Standley and the voice vote passed unanimously.

Public Hearing: 8 Farm Street

Hearing Time: 8:00 PM
Project Description: Construction of a new septic system to replace the failing septic system, located within the 100' Buffer Zone to Bordering Vegetated Wetlands
Application Type: Notice of Intent
Applicant: Christiano DaSilva, 8 Farm Street, LLC., 51 Caroline Drive, Bellingham, MA 02019
Representatives: William Halsing, Land Planning, Inc., 167 Hartford Avenue, Bellingham, MA 02019

Mr. Halsing was present on behalf of the applicant and gave a summary of failing septic system. There was a fire at the residence about a year ago and the applicant is in the process of building a house on the existing foundation. There is currently a failed septic system behind the house that is relatively close to the BVW in the back, which has been flagged. The data sheets for this were in the Notice of Intent package provided to the Commission.

With the failed system being in the back of the house, there was some soil testing up front, to the right of the house. If the new leaching field and septic system were put there, they would meet the minimum setback for Title V. It would be over 50' from the edge of wetland. The existing system in the back would have the tank pumped and then the system would be filled in. The owner is planning on putting a small deck on the back of the house, which would be new construction on the old foundation. Mr. Kohler shared his screen, showing the drawings of the foundation, driveway, proposed deck, and placement of the new septic system. The Board of Health has already approved the new system and there wasn't a need for any waivers.

Mr. Standley suggested that four posts and badges be placed along the 25' no-disturb zone, just as a reminder, and to inform future homeowners as well.

Mr. Kohler made a motion to approve the septic system replacement at 8 Farm Street. The Order of Conditions will have the amendment to include the posts and badges requested by the Commission. Mr. Standley seconded the motion and the voice vote passed unanimously.

General Business

32 David Road

The owner of 32 David Road needs a signed paper copy of their Certificate of Compliance due to the fact that they are in the process of selling their property. Electronic signatures were not accepted by land court due to the fact that there was no proof that electronic signatures was previously voted on by the Commission.

Commission members discussed the days they can meet with Ms. Crawford to try to have the paper copy of the Certificate of Compliance signed for the property owner of 32 David Road. They will notify the resident when signatures are complete.

179 North Main Street Tree Removal

The owners of 179 North Main Street were not present at tonight's meeting. In the past they have had trees removed from their property that has a lot of wetlands. Ms. Crawford suggests that it would be best for the property owners to come to a meeting and describe the process used in the past for their tree removals, as she couldn't locate any documents previously filed for the completed removals. Ms. Crawford and Commission members discussed clarification on previous removals so that going forward the members are in agreement with the process and procedures of removals.

Electronic Signatures

Mr. Kohler made a motion to have the Bellingham Conservation Commission use Dotloop, or any other type of approved electronic signature format for all future signings of Conservation Commission documents that are approved at a Public Meeting and need to be signed by Commission members. Motion was seconded by Ms. Lioce and a Roll Call Vote was made, as follows:

ROLL CALL VOTE:

Mike O'Herron	aye
Neal Standley	aye
Noel Lioce	aye
Arianne Barton	aye
Steven Kohler	aye

187 Farm Street Order of Conditions

Ms. Crawford let members know that Mr. Halsing had come to the office asking for an extension of the 187 Farm Street Order of Conditions. The original project was to put a building on that site for a landscaping business to have a garage and office space, with an area for materials and storage out back. The owner has started to work on the area and already has the wall built along the wetland side. The progress has been slow due to the high cost of building materials. They have recently met with the Planning Board and were granted a two year extension of their approval.

Mr. Kohler made a motion to extend the Order of Conditions for 187 Farm Street for two years from tonight's meeting date. Motion was seconded by Ms. Lioce and the voice vote passes unanimously.

79 Hixon Street Certificate of Compliance

The owner of 79 Hixon Street has reached out to Ms. Crawford to let her know that they had never received the Certificate of Compliance for the pool they put in. Ms. Crawford let members know that she has gone out to the site, and everything was done according to the as-builts.

Ms. Barton made a motion to issue the Certificate of Compliance for 79 Hixon Street, as it is presented on Dotloop at this time. Ms. Lioce seconded, and the voice vote passes unanimously.

Internship

Ms. Crawford requested an internship for the Commission and drafted a viewable posting on the Conservation portal. If members are in support of the internship proposal, a request would need to be placed to support the funding of the proposal. The funds could be taken from either the Wetland Protection Fund, or the Conservation Trust Fund. If Commission members are in agreement with the internship proposal, they would move forward with a request from the Select Board to be able to use one of those funding sources.

This would potentially be a short-term, part-time position from January until July, with details on hours and pay rate listed below.

Mr. Kohler made a motion to approve the concept of a paid Conservation internship position in the amount of \$15/hour and not to exceed 15 hours per week, to be presented to the Select Board for approval. Ms. Barton seconded, and the voice vote passes unanimously.

Wenger Farm Update

The Commission had recently asked the DPW to provide a more formal filing of the proposed drainage pipe through the berm and into the lake. This would be to help the abutters being affected by Town drainage through their property from Steven Road. DPW management has been working with Ms. Crawford to start the Notice of Intent paperwork for this project. When the previous pipe was installed, in approximately 1996, there wasn't a permit for it. Therefore, the DPW is coming forward with a formal filing and will provide a site plan to the Conservation by December 22nd to be on the agenda for the January 10th Conservation meeting.

DPW Project Manager, Chris Seariac has told the Commission that there isn't a formal O&M Plan in place at this property and the DPW would directly reach out to the property owner every time the dam needed lowering during times of heavy rainfall.

The Commission is working with various departments to determine what the options are legally, physically, and environmentally. They are looking to support the taxpayers and abutters that have come to the Commission asking for relief from water coming into their property and periodically flooding them. The process to determine what can be done is going to be a little time consuming and has not been promised to the abutters but the Commission will continue to look into this further and see what could possibly be done.

81 Wethersfield Road

The Chairman let members know that he has been by this area and did see the tree clearing that was referenced by a resident of that area. Ms. Crawford will be drafting a notification letter to residents of that area and a copy available for the commissioners, letting them know that activity in the wetland area has been observed and must be stopped.

Adjourn

Mr. Kohler made a motion to adjourn the meeting at 9:36 pm. Motion was seconded by Mr. Standley and the voice vote was unanimous.

Respectfully Submitted,

Tina M. Griffin

Tina M. Griffin
Recording Secretary