

**Bellingham Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of January 10, 2018**

Project: 105-814 & BWP-N/A
CNOI

Project Description:
120 Benelli Street – stormwater management system

Applicant:
Donald DiMartino
Bellingham DPW/
26 Blackstone St.
Bellingham, MA 02019

Representative:
Joseph Freeman
BETA Group
315 Norwood Park South
Norwood, MA

Plans: NOI & “Proposed Conditions Benelli St. Stormwater & Details, two sheets, 8/21/17, rev 12/21/2017; Supplemental Information for NOI, 11/9/17; O & M Plan 11/9/17; Ltr Div. Fisheries and Wildlife 10/19/17

Continuation time: 7:30 PM

Cliff Matthews opened the continued hearing for the proposed stormwater management improvements at Benelli Street. No one from the public was present for the hearing. Cliff stated that there had been some confusion with the test pit information relative to groundwater elevations. He stated that the deep hole test pits for the directional drill (a previous NOI filing) were used to determine approximate groundwater elevations. The confusion arose when interpreting the soil logs showing refusal at 13 feet but redoxamorphic features at 6 feet. He stated that he and Anne Matthews met with Phil Paradis of BETA and Don DiMartino and compared the directional drill plans to the Benelli St. plans. At that meeting, we discovered that the referenced deep hole test was outside the Riverfront Area near the BVW. As a result, it was confirmed that the groundwater elevations in and at the proposed basin are at elevation 178 allowing for a 3-4 foot separation to groundwater. A notation of this elevation has been added to the revised plans. Phil Paradis also added additional rip rap depth to the swale design to allow for additional stormwater treatment. Cliff stated that draft conditions for the Order of Conditions and revised plans were recently sent out to members for review. There were no further comments. Neal Standley moved to close the hearing and issue the Order of Conditions. Lori Fafard seconded and the motion carried unanimously.

Project: 105- & BWP-175
CNOI

Project Description:
187 Farm Street “Stall Brook Business Park”
Construction of building and contractor’s yard

Applicant:
Matt Fasolino
134 Main St., PO Box 731
Medway, MA 02053

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

Plans: NOI & “Site Development Plan, Stall Brook Business Park, 8 sheets, 3/21/17, Rev. 12.21.2017; Stormwater Report, 3/21/17 rev 12/21/17

Continuation time: 7:45 PM

Bill Halsing and Matt Fasolino were present when Cliff Matthews opened the continued hearing for a mulch facility and contractor’s yard. Cliff stated that we received the revised plans and stormwater report for the project. Bill Halsing then stated that the layout of the proposal is similar to the original plan but the project is now reduced in size. He added that the drainage has

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been reconfigured as well. Regarding the drainage, Bill stated that on the easterly side of the lot, stormwater will be directed via a berm to a swale into the forebay, to the basin and exiting via the outfall structure located at the wetland boundary. A retaining wall is proposed along the westerly side of the lot to protect the 25 foot No Disturb Zone. Cliff added that the total Riverfront Area impacts are 24,700 sf (9.76%) with 400 sf of impacts proposed in the Inner Riverfront Area (stormwater mgt).

Cliff questioned the location of the outfall at the resource area boundary in the 25 foot NDZ. Bill Halsing stated that the design reflects the shortest distance to and creates the least disturbance to the resource area due to the proposed elevations. The commission then reviewed some of the test pit information.

Michael O'Herron then questioned the runoff and proposed treatment, specifically how deep the swale is and the dimensions of the storage area. Bill stated that the swales are 1 -2 feet deep. Pretreatment takes place in the stormceptor, the proprietary mechanical structure of choice, and catch basins. Mike responded that there seems to be no pretreatment on the easterly side to prevent potential contamination due to chemicals and oils. He also inquired as to what materials would be stored on the site. Cliff stated that there is a generic list of hazardous materials in the SWAPP. Mike responded that these issues should be accurately addressed during the hearing process. Cliff stated that wastewater from the washing of vehicles in the paved areas and refueling of vehicles could also be addressed in special conditions. Matt Fasolino stated that there are no dyes in the mulch. He purchases and sells only pine bark mulch. The applicant agreed to provide a list of products that will be stored and used on site.

Snow removal locations were also discussed. Matt Fasolino stated that the business would not be open in the winter months so that snow storage could take place in the contractor's yard as well as areas located at the front of the property as indicated on the plan.

The potential for emergency spill situations was brought up for discussion. Emergency shut off valves should be added to the treatment train. Cliff noted that the project is being sent out for peer review for both the Planning Board and the Conservation Commission. PSC has received the documents for peer review and we are now awaiting Tom Houston's comments. Bill Halsing requested a continuation to our next meeting (Jan. 24) as the applicant is meeting with the Planning Board the following evening (Jan 25). Michael O'Herron moved to continue the hearing to Jan. 24th at 8:00 PM; Mike Roche seconded the motion that passed unanimously.

Project: 105-815 & BWP-182
CNOI

Project Description:
169 Maple Street – stormwater management system
Response to EO

Applicant:
LMP Properties LLC, Will Doyle
PO Box 28
Dover Foxcroft, ME 04426

Representative:
GZA GeoEnvironmental, Dan Nitzsche
1350 Main, Ste 1400
Springfield, MA 01103

Plans: NOI & Site Plan "Site Plan 161,166,169 and 174 Maple St., 9 Sheets, 8/3/17; Stormwater Management Report 161,166,169,174 Maple St. 8/3/17

Continuation time: 8:15 PM

Matt Waterman and Dan Nitzsche were present when the continued hearing was opened. Cliff stated that the NOI hearing was opened last November in response to an Enforcement Order issued to the property owner last January for operating a landscaping business without a

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valid stormwater management system or permit. Cliff stated that Dan Nitzche attended the last hearing and provided an overview of the resource areas. At that time, we requested that the project engineer attend the hearing to discuss the proposal and noted that the project would be sent out for peer review.

Dan Nitzche then recapped the locations of the resource areas on the site and added that work proposed in the buffer zone would also include a block wall on the ground 9 inches above grade that would direct flow to the proposed basin. Buffer zone impacts also include plantings and improvements on Maple Street. He stated that at the last hearing, Con Com members were concerned with the block wall and that it would be discussed this evening.

Matt Waterman then introduced himself and proceeded to present the stormwater management improvements proposal. He stated that the applicant wants to continue the filing with the Conservation Commission to address the drainage issues as no stormwater system currently exists. Matt stated that the current stormwater design includes open swales on the lot that would direct flow via a concrete block berm to two forebays and finally into the basin. He stated that he treated the designed the project as a redevelopment project using the existing pad in his stormwater calculations. Referring to credits, he stated that with redevelopment proposal, the basin attains 65% TSS removal and that he could not get much infiltration but he has addressed runoff. Matt Waterman said that with redevelopment projects, the applicant is required to meet the stormwater standards to the maximum amount practicable.

Shawn Wade stated that red mulch on the southern corner of the lot has reached and has actually flowed onto Maple St. and suggested that this section of the site also be bermed up. Cliff Matthews noted that the site currently functions as impervious because it is so tightly packed from equipment usage. This should be taken into consideration when generating the stormwater runoff calculations.

Neal Standley then stated that this is not a redevelopment project. He added that the site had received an Order of Conditions in 2008 but the applicant never constructed the permitted project. He added that the site was cleared for the previous permit but then used for another unpermitted business. Neal added that the site is therefore in violation of the original permit and cannot be classified as a redevelopment project. Cliff added that the previous permit included a designed stormwater management system with underground infiltrators and that was never constructed so the stormwater design standards must be met.

Michael O'Herron asked why the detention basin was located on 161 Maple and stated it should be located on the 169 Maple St. lot. Dan Nitzche responded that it is not the applicant's preference to have the basin on the 169 Maple St. lot but that he and Matt Waterman would bring the matter up for consideration with the owner.

Jim Kupfer, Town Planner, stated that he had just come from the ZBA meeting. Jim stated that the owner of this property withdrew their Development Plan application from the Planning Board on Dec.13. He added that the Zoning Board voted this evening to uphold the Cease & Desist Order.

Cliff Matthews then stated that this project will be going out for peer review. He said that we will need soil testing in the locations of the forebays and the basin. Matt Waterman stated that the basin is at or near groundwater and that no weir or infiltration is proposed. The TSS removal is 60%. A vegetative buffer is proposed around the basin.

Cliff then noted that the concrete wall ends on the southeast corner of the lot over 100 feet short of the lot. Matt said that he realized that and would extend the wall. The concrete wall is constructed with mortar. Mike Roche expressed concern that running equipment on the site could crack the mortar thereby compromising the 4 foot high wall. Matt responded that

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sometimes check dams or jersey barriers can be added in the treatment design for additional protection.

Cliff then stated that at this time, the Cease and Desist Order has been signed by the ZBA. The applicant had also withdrawn their Development Plan application from the Planning Board on Dec. 13th. Cliff added that the Conservation Commission can work with the applicant in reviewing the NOI but that there is a very good possibility that the project would not be buildable due to the applicant's lack of obtaining any permits from the Planning Board. Cliff told Dan and Matt that we could proceed with obtaining a peer review quote to begin the peer review process or wait and see how LMP Properties wants to proceed with negotiations with the town in obtaining permits. Cliff stated that this commission wants to provide every opportunity to the applicant to move forward with permit process. He added that the peer review process would result in additional expenditure of resources from the applicant, their consultants and the Conservation Commission.

Both Matt Waterman and Dan Nitzsche agreed that it would be appropriate to discuss these matters with the applicant to develop a strategy for obtaining other permits and peer review and requested a continuation to the next meeting. Matt stated that he would like to incorporate some of the changes to the plan that we discussed this evening. Cliff stated that peer review would also generate additional comments and revisions. Cliff inquired if the next meeting of Jan. 24th would be ample time to obtain information from the applicant. Both Waterman and Nitzsche agreed that it would.

Matt Waterman then stated that the current plan addresses the additional Planning Board issues because it is the same concept plan that was recently withdrawn from the Planning Board. He added that now that the applicant has withdrawn from the Planning Board, they may now focus the site plan for the 169 Maple St. lot only as this was the lot referred to in the Enforcement Order of last January. He stated that he would discuss these issues with the applicant. Brian Norton then moved to continue the hearing to Wed., Jan. 24th at 8:15 PM to allow the applicant and representatives to develop strategies for a buildable project. Motion was seconded by Lori Fafard and passed unanimously. Mr. Waterman will submit revised plans to the commission prior to the continuation.

The minutes of the meeting of December 13, 2017 were accepted by a motion from Shawn Wade, seconded by Mike Roche, passing unanimously.

The commission signed the Certificate of Compliance for 105-809 & BWP-176, 121 Winter Street for a septic repair.

Cliff Matthews reminded members that registration for the Annual MACC Conference, March 3rd at College of the Holy Cross is now open.

Members of the commission were reminded of the Bellingham Visioning Event at the Library on Thursday, Jan. 18th 2018 from 6-9 PM. This event is in response to the Economic Development Survey currently under way.

Brian Norton moved to adjourn. Motion was seconded by Mike Roche and passed unanimously at 9:00 PM

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