

**Bellingham Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of January 24, 2018**

Project: 105-817 & BWP-184
NOI

Project Description:
10 Bernier Lane – raze garage & construct 24 x 24' addition

Applicant:
Lisa Marchand
10 Bernier Lane
Bellingham, MA 02019

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

Plans: NOI & “Site Plan Located at 10 Bernier Lane” One Sheet, 11/20/2017

Hearing time: 7:30 PM

Cliff Matthews opened the Notice of Intent hearing for the proposal at 10 Bernier Lane. Bill Halsing was present for the applicant. Bill stated that the house is located on Lake Hiawatha and currently has an existing retaining wall on the northerly and westerly sides of the lot along the shoreline of Lake Hiawatha. He depicted the 25, 50 and 100 foot buffer zones on the plans. Bill stated that the applicant proposes to remove the existing garage on the site and construct a 24 x 24' addition onto the existing dwelling. The garage would be located on the bottom portion and living space on the upper portion of the proposed addition. Mr. Halsing believes that the owner wants to pave the driveway. Cliff Matthews stated that there would be additional impervious material generated on the site from the proposal and the concern for where storm water would drain. He stated that that the commission members should visit the site. Cliff then inquired as to if there would be an additional bedroom in the dwelling adding that the septic system would have to accommodate the extra bedroom. Bill Halsing stated that the septic system was replaced in 2003 and was approved for a three bedroom dwelling. The current use is two bedrooms. Cliff then asked Bill to stake the corners of the lot. A site walk was scheduled for Sat., Feb. 10th at 8:00 AM. Neal Standley moved to continue the hearing to Feb. 14th at 7:30 PM Motion was seconded by Sean Wade and passed 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 Tom Houston of PSC was currently conducting peer review. Bill Halsing added that he has not received the peer review comments from PSC yet.

Cliff then stated that there were a few items to discuss on the plan. The first item was the location of the proposed snow storage areas: on the westerly side of the lot currently located

Conservation Commission
Minutes of the Meeting of January 24, 2018
Page #2

beyond the proposed retaining wall and two on the easterly side of the lot that are currently located in the proposed stormwater swale. Cliff stated that the plans should show the snow storage area to be located in the mulch storage area. Bill stated that he would address this issue.

Mike O'Herron questioned the potential for contamination of the resource area with storage of mulch and washing of vehicles in the yard. Bill Halsing then reviewed the proposed treatment of runoff through the stormwater treatment train.

Cliff stated that the plans note that the retaining wall detail is to be provided by others and that we need the detail on the plan. Bill Halsing responded that the retaining wall would be constructed of large concrete blocks. Cliff responded that filter fabric should be included in the design to prevent potential siltation through and underneath the blocks. Bill responded that he would get details from the manufacturer.

When Cliff questioned the number of trees that were proposed to be removed, Bill Halsing stated that there was an area of 20 x 400 feet of reduced disturbance. After some discussion, Bill stated that he would get the figure of the total percentage of trees and come up with the reduced percentage to answer the question. The commission then discussed the proposed landscaping plan. Matt Fasolino stated that the plantings are proposed as mitigation. Cliff responded that we would investigate the locations of the proposed plantings after we conduct a site walk.

The topic of the emergency shut off valve was discussed. Bill Halsing stated that he looked into incorporating the shut off into the system but he could not get a valve to fit the proposed 12" pipe. As this lot is located in the water resource area, this is an important item to resolve.

Cliff asked Bill to provide the location of the Inner Riverfront Area on the plan.

Since the applicant was unsure if peer review and responses would be submitted by the next meeting, Brian Norton moved to continue the hearing to Feb. 14th at 7:45 PM for a 15 minute session continuing the hearing to later that evening if necessary. Lori Fafard seconded the motion that carried unanimously.

Project: 105-815 & BWP-182
CNOI

Project Description:
161,166,169,174 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 was present when Cliff Matthews opened the continued hearing. Matt Waterman stated that at the last hearing, we had had a discussion on the proposed stormwater management system. He stated that he has been directed by the applicant to proceed with the existing plan and the peer review. He added that the site plan discussions included extending the berm on the northeast corner of the lot, providing soil testing in the basin and swale and including additional treatment to the stormwater treatment train.

Cliff Matthews stated that the commission will proceed with obtaining a scope for peer review from PSC.

Conservation Commission
Minutes of the Meeting of January 24, 2018
Page #3

Discussion on filing and obtaining a permit from only the Conservation Commission then followed. Mike O'Herron was concerned with the fact that there was a good possibility that both the applicant and Commission would spend time and resources on a project that could not be constructed simply because the applicant had withdrawn from the Planning and Zoning Boards and is not currently seeking permits from other town boards but that those permits would be necessary for construction. Neal Standley stated that the applicant is proceeding at their own risk. Cliff stated that if an Order of Conditions were issued for the project but the project was delayed due to litigation and if the stormwater system is not constructed, it would constitute a continuing violation of the WPA, then the Commission may seek fines and penalties until such time that the applicant complies with the Order.

Shawn Wade stated again that, in the past, he has seen red dye transported off the site onto Maple St. He added that since Maple St. has been repaved, there is no runoff onto the street. However, he added that pooling is taking place on the southeast section of the site from sheet flow. Cliff told Mr. Waterman that we need to have a temporary berm at that corner of the site to contain the runoff. Cliff also added that the large piles of materials (mulch, logs, etc.) must stop migrating on the site and that there must be designated areas for any activity taking place on the site including equipment maintenance and refueling. He added that the transport of dyes needs to be addressed. Also, the result of equipment operating on the site has rendered the gravel almost completely impervious. There is no permit for the operation of this business on the site.

Cliff restated that the mission of the Conservation Commission is to approve an efficient stormwater management system for the site. The commission will proceed with the site plan and proceed with obtaining a scope for peer review. The applicant will address the concerns raised by the commission relative to the northeast corner of the lot.

Mark Waterman stated that Dan Nitzsche will continue to be the wetlands contact and that he (Mark) would be the point of contact for the filing.

Shawn Wade then moved to pursue scope from PSC and to continue the hearing to Feb., 14th at 8:35 PM. Brian Norton seconded the motion that carried unanimously.

Cliff Matthews reminded members of the commission of the Annual MACC Conference scheduled for Sat., March 3rd at Holy Cross College.

The second annual Board of Health clean- up is scheduled for Sat., April 21st from 9:00 AM until noon. The rain date is Sunday, April 22nd.

The commission reviewed plans entitled, "Macy Estates" located at Monique Drive recently submitted to the Planning Board. Cliff stated that he had a few comments on the project. He stated that there is the possibility of the stormwater system being located within buffer zone. He and Jim Kupfer had walked the site some time ago and located an intermittent stream connecting the BVW on the north side of the site. Anne will contact Mark Allen to have him confirm resource areas on the site. The soil profiles were then reviewed. Some of the soil test pit logs were not included in the stormwater report and should have been but it appears that mottling is at 72" for those test logs that were included. Jim Kupfer stated that Don DiMartino prefers an above ground basin instead of the proposed underground Cultec unit. Jim added that the utilities would be underground. He stated that the subdivision was designed with neighborhood input and added that the town had allowed the applicant to utilize additional town property beyond the subdivision site for treatment of stormwater. A stormwater management annuity will be required for the project.

Conservation Commission
Minutes of the Meeting of January 24, 2018
Page #4

Cliff announced that the updated Open Space and Recreation Plan has been formally approved for grants through November 2024. Gino Carlucci will be providing full updates and paper copies of the final plan.

Tom Merolli of Mendon, MA, then approached the commission. He identified himself and stated that he is currently running for state senate. He said that he is interested in knowing what the commission's concerns are about current state regulations. He added that other areas have a great concern for drinking water and that there needs to be better control of projects that potentially contaminate water, i.e. the new 2014 soil dumping regulation. Cliff stated that the commission administers the Wetlands Protection Act., Chapter 131 sec 40 and the local bylaw. These regulations have interests that we protect water resources including groundwater, flood control, private and public wells, etc. and that we do our best to enforce these regulations. Cliff added that it becomes very difficult when the state cuts staffing to DEP because it eliminates the resources that local Conservation Commission need for guidance for enforcing state law on a local level. Mr. Merolli thanked the Commission for their time.

Neal Standley moved to adjourn at 9:00 PM. Motion was seconded by Shawn Wade and passed unanimously.

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