



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

**Meeting Minutes April 14, 2021**

**MEETING LOCATION:** zoom meeting

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place. **This meeting will be via the Zoom online option; see information and instructions at the end of the agenda.**

**Present at the Meeting:**

Cliff Matthews, Chairperson  
Neal Standley, Vice Chairperson  
Michael O'Herron, Member  
Brian Norton, Member  
Shawn Wade, Member  
Arianne Barton, Member

**Other Officials:**

Anne Matthews, Conservation Agent

**Public Hearing: Project Location: 455 Hartford Avenue:**

<b><u>Hearing time:</u></b>	7:00 pm
<b><u>Project Description:</u></b>	9-Unit commercial building stormwater management septic system
<b><u>Application Type:</u></b>	NOI
<b><u>Applicant:</u></b>	Moshe Attias Darn Properties LLC 7 Madden Avenue Milford, MA 01757

**455 Hartford Avenue / DEP#105-918 & BWP-290**

Moshe Attias, Darn Properties LLC  
Mitch Maslanka, Goddard Consulting

Attending on behalf of BCC: Frank DiPetro of BSC as peer reviewer

Attending for applicant: Mark Arnold (Goddard Consulting) Bob Duff (Guerriere & Halnon), Moshe Attias, applicant

The Chairperson opened the hearing and explained that the first peer review comment letter was not completed due to incomplete revised stormwater report. The applicant's representative has requested a continuation however, the BCC requested their attendance at this meeting to discuss issues that the BCC currently has with the submitted revised design in order to keep the project moving forward.

The first issue is the need to include three test pits in each proposed basins. Mark Arnold responded that a revised grading and drainage plan was sent out this afternoon reflecting locations of the test pits on the site. He added that one test pit is located in the bottom of the proposed basin and one in the basin wall of the basin located on the northerly side of the site. In addition, one test pit is located in the basin bottom and two test pits located in the basin wall of the proposed basin located on the southwesterly side of the site. The revised Utility Plan and Grading and Drainage Plan will be forwarded to Frank at BSC for his review and comments.

The second issue discussed was the information relative to the location of the proposed septic system along with locations of the test pits.

The third issue discussed was the need for the proposed infiltration basins to meet the 50 foot offset to the BVW. Mark Arnold stated that the stormwater regulations refer to surface waters and that BVW was not included. The Chair referred to the definitions of the Waters of the Commonwealth, 310 CMR 10:04 that specifically include without limitation rivers, streams, ponds, springs, impoundments, estuaries, wetlands, coastal waters and groundwaters. Mr. Arnold responded that BSC would be the expert in interpretation of this and that they should comment. He also added that the permit previously issued for Bellingham Shores did not meet this requirement. He believes that BSC would be the expert in this matter. The Administrator reminded him that the Conservation Commission is the permit issuing authority, not BSC. Mark then added that the detail on the retaining wall is also included in the revised plan sheets. The Commission has not had an opportunity to review the revisions as they were sent out this afternoon.

The hearing is continued with the Planning Board on Thursday, April 22<sup>nd</sup>.

**On a motion made by Shawn Wade, seconded by Michael O'Herron, the Conservation Commission voted by roll call vote to continue the hearing to April 28, 2021 at 7:40 pm.**

**Roll Call Vote:**

Neal Standley, Vice Chairperson	aye
Michael O'Herron, Member	aye
Brian Norton, Member	aye
Shawn M. Wade, Member	aye
Arianne Barton	aye

**Preconstruction Meeting:**  
**Lot 81, 9 Lovers Lane**

Attending: Alex Gow (Fafard) John Federico (G&H), Tim Aicardi, Building Inspector, Frank DiPietro BSC

The Chair stated that per the Order of Conditions issued for 9 Lovers Lane, Lot 81, DEP#105-891 & BWP-261, this would be the preconstruction meeting for that filing. Alex stated that he has acquainted himself with the Special Conditions in the Order relative to this lot. He added that Randy Bragdon, PE, will be supervising the construction of the VersaLok wall on the site. He will be working with Tim Aicardi who will be overseeing the project as well. Alex added that he has worked with Randy on several other Versa Lok walls installations and has found that Randy is on site regularly to oversee and supervise the wall construction. He has not yet applied for a building permit from Inspectional Services but will be doing that tomorrow. In response to Mike O'Herron's question on how long it would take to construct the wall, Alex stated that it could take anywhere from between 3 to 5 weeks to completion. Mike also inquired as to how the site would be protected from erosion especially during heavier storm events. Alex responded that he works closely with Scott Jordon's (EcoTec) suggestions for additional erosion control on site. If a storm event is anticipated, Alex would install additional erosion control at the street side of the lot to prevent any potential erosion issues. Tim Aicardi inquired about the building permit for the house as it has not yet been approved by the Commission. Anne Matthews replied that she would sign the permit tomorrow.

**Continued Hearing:**  
**180 Paine Street ANRAD DEP#105-915 & BWP-286**

The Chair stated that the applicant's representative, Eric Dais of Strongpoint Engineering has requested another continuation to June 9<sup>th</sup>. The Chair then read the continuation request letter into the record. The letter stated that the continuation was requested to allow his office additional time to investigate the requirements of bringing a future sewer connection onto the site and added that he would coordinate with the Commission on or before April 30<sup>th</sup> to authorize peer review of the ANRAD so that we could proceed with the matter at the June 9<sup>th</sup> meeting. The Chair stated that some extenuating circumstances were also in play as Eric has had a case of COVID and his office has

been closed due to illness. The Commission discussed the concern with delaying the resource areas delineation review especially as it concerns vernal pool identification. It was discussed that if the applicant cannot address the sewer connection issues and move forward with the peer review by April 30<sup>th</sup>, then the Commission would recommend that the ANRAD hearing be closed with no determination. If the peer review were to be funded and scheduled for May, then the findings would be discussed at the June 9<sup>th</sup> meeting. In the event that the vernal pool season is past, the Commission would designate any potential area with vernal pool characteristics an actual vernal pool. In any case, the recommendation was to continue the hearing to June 9<sup>th</sup> with the caveat that Eric would respond to the Commission on or before April 30<sup>th</sup> with a peer review decision.

**On a motion made by Neal Standley, seconded by Brian Norton, the Conservation Commission voted by roll call vote to continue the hearing to June 9, 2021 at 7:00 pm.**

**Roll Call Vote:**

Neal Standley, Vice Chairperson	aye
Michael O'Herron, Member	aye
Brian Norton, Member	aye
Shawn M. Wade, Member	aye
Arianne Barton	aye

**General Business:**

- Reminder to members Lioce and Barton to contact the Town Clerk to get sworn in asap.
- The Charles River Watershed Association Annual Clean-Up is scheduled for Saturday April 24<sup>th</sup>.
- The Board of Health Earth Day Clean Up is scheduled for Thursday April 22<sup>nd</sup>.
- Members were urged again to complete the Ethics and Conflict of Interest courses as required by the state.

**Adjourn:**

**On a motion made by Neal Standley, seconded by Brian Norton, the Conservation Commission voted by roll call vote to adjourn the meeting.**

**Roll Call Vote:**

Neal Standley, Vice Chairperson	aye
Michael O'Herron, Member	aye
Brian Norton, Member	aye
Shawn M. Wade, Member	aye
Arianne Barton	aye

Respectfully Submitted,

  
Amy Sutherland  
Recording Secretary