



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

**Meeting Minutes
Wednesday, March 10, 2021**

MEETING LOCATION: Remote Participation through Zoom

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, no in-person attendance of members of the public will be permitted at this meeting.

Present at the Meeting:

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

Other Officials:

Anne Matthews, Conservation Agent
Amy Sutherland, Recording Secretary

Public Hearing: Project Location: 180 Paine Street:

<u>Hearing time:</u>	7:00 pm
<u>Project Description:</u>	BVW, Perennial & Intermittent Stream, banks to streams, bank to pond
<u>Application Type:</u>	Notice of Intent: DEP File Number 105-915; BWP-286
<u>Applicant:</u>	Ron Bonvie Active Adult LLC 23 Southport Drive Mashpee, MA 02649
<u>Representative:</u>	Eric Dias Strong Point Engineering Solutions, Inc. 340 Manley St. Unit 2 W. Bridgewater, MA 02379

The Chairperson opened the hearing for 180 Paine Street. The applicant has requested that the hearing for 180 Paine Street be continued to April 14, 2021.

On a motion made by Shawn Wade seconded by Michael O'Herron, the Conservation Commission voted by roll call to continue the hearing for 180 Paine Street to April 14, 2021 at 7:30 pm.

Roll Call Vote:

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

Continuation Public Hearing: Project Location: 9 Lovers Lane (Lot 81):

Hearing time: 7:05 pm
Project Description: SFD, Utilities, Grading, Retaining Walls, Bioretention Area
Application Type: Notice of Intent: 105-891DEP File Number ; BWP-261
Applicant: South Center Realty LLC
120 Quarry Drive, Milford, MA 01757

Representative: John Frederico
Guerriere & Halnon, Inc.
PO Box 235
Milford, MA 01757

The Chairperson opened the continued public hearing for Candlelight Lane and Silver Lake Road.

The Commission was informed that the plans have been revised and were provided to the members. The Commission has also received the requested retaining wall information from Randell Bragdon PE. The draft Order of Conditions have also been provided to the members.

The Chairperson entertained a motion to close the hearing, sign and issue the Order of Conditions.

On a motion made by Neal Standley, seconded by Brian Norton , the Conservation Commission voted by roll call to close, sign and issue the Order of Conditions as presented.

Roll Call Vote:
Neal Standley, Vice Chairperson aye
Michael O'Herron, Member abstained
Brian Norton, Member aye
Shawn M. Wade, Member aye
Arianne Barton, Member aye
Noel Lioce, Member aye

Continuation Public Hearing: Project Location: Candlelight Lane and Silver Lake Road:

Hearing time: 7:15 pm
Project Description: Drainage Improvements Basin C
Application Type: Notice of Intent: DEP File Number 105-914 ; BWP-271
Applicant: Bellingham DPW
And South Center Realty LLC, 120 Quarry Drive
Milford, MA 01757
Representative: Sean Malone
Oak Consulting Group

The Chairperson opened the continued public hearing for Candlelight Lane and Silver Lake Road.

Representative Sean Malone was present for the zoom meeting.

The Commission has been provided with the most recent revisions to the plans. Peer review has concluded the review and the recommendations were incorporated into the plan. Mr. Malone explained that the project has a construction schedule, and the work will tentatively begin in mid-April. The duration of construction is to be about a month and a half. Consultant DiPietro communicated that once construction is completed, there will be inspections done to make sure the site is stabilized.

The Chairperson asked for a motion to close the hearing, sign, and issue the Order of Conditions.

On a motion made by Neal Standley, seconded by Brian Norton, the Conservation Commission voted by roll call to close, sign and issue the Order of Conditions as presented.

Roll Call Vote:
Neal Standley, Vice Chairperson aye

Michael O'Herron, Member	aye
Brian Norton, Member	aye
Shawn M. Wade, Member	aye
Arianne Barton, Member	aye
Noel Lioce, Member	aye

Continued Public Hearing: Project Location: 6 North Main Street, Mill Street, Common Street:

Hearing time: 7:20 pm

Project Description: Construction of a new access road, improvements to existing roadways, construction of stormwater management facilities, utility improvements including pump station

Application Type: Notice of Intent: DEP File Number 105-900; BWP-N/A

Applicant: Denis Fraine
Town of Bellingham
10 Mechanic Street
Bellingham, MA 02019

Representative: Mark Allen
Allen Engineering & Associates Inc.
One Charles Road, Suite 2
Hopedale, MA 01747

Member Barton has recused herself from hearing.

The Chairperson dispensed from reading the public hearing notice for 6 North Main Street. The applicant has asked for a continuation to Wednesday, April 28, 2021. The applicant will get the Commission the requested information a week prior to the hearing. The Chairman communicated that if the applicant is not prepared with revised information, they will only be allotted five minutes of time at the meeting. If the information is provided, the applicant will be provided time later in the meeting.

The Chairperson asked for a motion to continue the hearing to April 28, 2021 at 7:00 pm.

On a motion made by Noel Lioce seconded by Michael O'Herron, the Conservation Commission voted by roll call to continue the hearing for 6 North Main Street to April 28, 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
Noel Lioce, Member	aye
Arianne Barton, Member	Unavailable to vote

Continued Public Hearing: Project Location: Mechanic Street & Mill Street:

Hearing time: 8:15 pm

Project Description: Roadway, Utilities, Stormwater Management for Residential Subdivision – Red Mill on the Charles.

Application Type: Notice of Intent: DEP File Number 105-910; BWP-268

Applicant: Kevin Lobisser Snowflake, LLC
One Charlesview Road Suite 1, Hopedale, MA 01747

Representative: Mark Allen
Allen Engineering & Associates Inc.
One Charles Road, Suite 2
Hopedale, MA 01747

Member Barton has recused herself from hearing.

The Chairperson informed the Commission that the applicant is not prepared and has requested that the hearing be continued to April 28, 2021 at 7:05 pm.

On a motion made by Brian Norton, seconded by Noel Lioce, the Conservation Commission voted by roll call vote to continue the hearing for Mechanic Street and Mill Street to April 28, 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
Noel Lioce, Member	aye
Arianne Barton, Member	Unavailable to vote

OTHER BUSINESS:

MACC:

The Massachusetts of Conservation Commission Registration is open for the MACC Annual Conference. This conference will be held virtually.

Certificate of Compliance Request – 8 Ernie Drive:

The Commission is in receipt of a Certificate of Compliance for 8 Ernie Drive. A site inspection was done, and the site is stabilized. The recommendation is to vote to issue the Certificate of Compliance for 8 Ernie Drive.

On a motion made by Noel Lioce, seconded by Brian Norton, the Conservation Commission voted by roll call to issue a Certificate of Compliance for 8 Ernie Drive.

Roll Call Vote:

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

Certificate of Compliance – Connor's Crossing:

The Commission is in receipt of a Certificate of Compliance for Connor's Crossing. The Conservation Agent communicated that the applicant has satisfied all the requirements in the Order of Conditions. The applicant has also funded the stormwater annuity. The DPW is satisfied with the stormwater management system and its maintenance.

On a motion made by Shawn Wade, seconded by Neal Standley, the Conservation Commission voted by roll call to issue a Certificate of Compliance for Connor's Crossing.

Roll Call Vote:

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

Public Hearing: Project Location: 455 Hartford Ave:

Hearing time: 7:30 pm

Project Description: 9 Unit Commercial Building, stormwater management, septic system.

Application Type: Notice of Intent: DEP File Number 105-910; BWP-268

Applicant: Moshe Attias, Darn Properties LLC, 7 Madden Ave, Milford, MA 01757

Representative: Mitch Maslanka, Goddard Consulting LLC, 291 Main St. Suite 8, Northborough,

MA 01532

The Chairperson read the public hearing notice for 455 Hartford Ave.

Mitch Maslanka from Goddard Consultant LLC is representing the applicant Moshe Attias from Dam Properties LLC. Attorney Steve Kenney was also present representing the applicant.

The applicant is proposing to construct a nine-unit commercial building and stormwater management system within the 100 ft. buffer zone to bordering vegetated and isolated wetlands. The site will be used for automobile repair. The existing conditions and site history was explained. The applicant provided a share screen. The site was issued an Order of Conditions and a Certificate of Compliance for clearing which was done without a permit. The area cleared was shown on screen. Currently, the area has demarcation with large posts and badges as a no disturb zone. The development and resource areas were shown on screen. There is isolated vegetated wetland to the south of the site. In the south of the isolated vegetated wetland, there is an abandoned railroad bed and some bordering vegetated wetlands and the bank of the Charles River. There is currently a silt fence on the site where most of the clearing was done. The Engineer next showed the proposed conditions. The (L) shaped building was shown. The parking lot and entrance were shown. The forebay and detention basin areas were also noted on the plan. There will be some work within the 100 ft. buffer for the parking lot. There is no grading or structures within 25 ft. of wetlands. The applicant is proposing stormwater infrastructure within 50 ft. of the buffer zone. The catch basin was shown on the plan. The limit of work was shown on the plan. There will be some clearing up to the limit of work. The applicant will be in front of the Planning Board on March 11, 2021. The Engineering for this project will be sent to peer review. The test pit data screen was next shown. It was recommended that this be overlayed over the proposed development so the commission can see where the test pit locations are. It appears that the site will be elevated by a height of four feet for the parking area. The section of the stormwater structure handbook was referenced by the commission noting that all structures must be 50 feet away from surface water and this includes wetlands. The basins would need to be 50 ft. from the resource area based on the commonwealth standards. The Commission considers basin wall grading as part of the basin. There is clearly room to move the basin further to the south. The Commission would like to see a detail of the retaining wall at the entrance of the site. The applicant noted that the retaining wall on plan is outside the jurisdiction of the Commission but would like the detail added as well as the retaining wall holding the grade to the west of the proposed development area.

On a motion made by Neal Standley, seconded by Noel Lioce, the Conservation Commission voted by roll call to continue the hearing to April 14, 2021.

Roll Call Vote:

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

APPROVAL OF MINUTES:

February 10, 2021:

On a motion made by Mike O'Herron, seconded by Arianne Barton, the Conservation Commission voted by roll call to approve the minutes from February 10, 2021 as amended.

Roll Call Vote:

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

Public Hearing: Project Location: 25 Main Avenue:

Hearing time: 8:00 pm

Project Description: Septic System Repair

Application Type: Notice of Intent: DEP File Number 105-; BWP-289

Applicant: Lesley Fryncko, 25 Main Avenue, Bellingham, MA
Representative: Karon Skinner Catrone, Paul DeSimone, Colonial Engineering, Inc. 11 Awl Street, Medway, MA

The Chairperson opened the public hearing for 25 Main Avenue.

Colonial Engineering representative Paul DeSimone was present during the zoom call to represent the applicant Lesley Fryncko. The application was for a septic system repair. There is no proposed grading on site. There was a site walk conducted by the Conservation Agent. The existing tank will be pumped, removed, and abandoned. There is no need for grading on site. The Conservation Agent prepared the Order of Conditions for 25 Main Avenue.

On a motion made by Noel Lioce, seconded by Arianne Barton, the Conservation Commission voted to close and sign and issue the Order of Conditions.

Roll Call Vote:

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

Public Hearing: Project Location: 160 Mechanic Street:

Hearing time: 8:20 pm

Project Description: Installation of 350 LF of 12-inch water main

Application Type: Amendment Request: DEP File Number 105-894; BWP-262

Applicant: John Cappellano, LPC Northeast, LLC, 53 State Street, 8 FL, Boston, MA 02109

Representative: Christopher Wagner, VHB, 101 Walnut Street, PO Box 9151, Watertown, MA 02471

The Chairperson opened the public hearing notice for 160 Mechanic Street.

The applicant Mr. Cappellano from LPC Northeast, LLC and Representative Chris Wagner from VHB were present during the zoom meeting. The applicant provided a share screen. The proposed project is for the installation of 350 LF of 12-inch water main to connect the existing 12-inch water pipe into the service line which is going into the new facility under the subdivision road. All of the proposed work will be under the existing roadway. The erosion control measures will be proposed outside the limit of work. There will be the installation of silt sacs in the basins. The work for this project will take about three weeks. There was a preconstruction meeting on site and all parties were present. The work proposed will be in the spring. The Conservation Agent requested that a silt fence will be placed on the northernmost catch basin. This is for the new catch basin. Arco Construction will be doing the work.

On a motion made by Brian Norton, seconded by Neal Standley, the Conservation Commission voted to close the hearing and will sign and issue the prepared Order of Conditions.

Roll Call Vote:

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

Informational: Discussion on Riverfront:

Hearing time: 8:30 pm

Project Description: Discussion on Riverfront

Application Type:

Applicant: Lou Petrozzi, Wall Street Dev., PO Box 272, Westwood, MA

Representative:

The applicant Lou Petrozzi was present for the zoom meeting to discuss the Lake and Prospect Street area near the Riverfront. This applicant communicated that Wall Street Development does not own the property at this point, but it is under a purchase and sale agreement. The applicant is looking to create some conceptual plans for development. The site has been used intermittently as a gravel operation since 1969. There are substantial areas on site which have been excavated as part of the gravel operation. There are extensive wetlands on property and a riverfront area. The applicant wanted some insight from the Commission on how they would like the applicant to address some of the degraded areas.

The following aerial photographs were shown to the Commission:

- Aerial from 1971
- Aerial from 1978 (showed the ponding area on lower stream)
- Aerial from 1995 (date when River's Act was enacted) There is an existing crossing noted and stream
- Aerial from 1997 (active mining)
- Aerial from 2001 (active stream)
- Aerial from 2003
- Aerial from 2005

The applicant explained that there are basically two types of areas which potentially fall under degraded riverfront, absence of topsoil and abandoned dumping grounds. The Commission felt that as "abandoned dumping grounds" directly followed "junkyards" in the regulations, the intent was more related to solid waste rather than spoil piles. The mining areas were stripped and then abandoned at varying time increments. It was communicated that when working in the redevelopment area, there needs to be substantial improvements to the riparian zone which enhances the interests of the WPA. The applicant needs to provide evidence that they meet the performance standards. The applicant does not think that an ANRAD is necessary. It was recommended that the applicant file a Notice of Intent and not an ANRAD. There will be assessment of the degraded riverfront areas based on the performance standards during the Notice of Intent process.

ADJOURN:

On a motion made by Noel Lioce, seconded by Michael O'Herron, the Conservation Commission voted to adjourn the meeting at 7:49 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, Member	aye
Noel Lioce, Member	aye

Meeting Adjourned at 7:49 pm.

Respectfully Submitted,

Amy Sutherland
Recording Secretary

Minutes Approved on: March 24, 2021
(Date)

Amy Sutherland
(Prepared by Amy Sutherland)