

**Bellingham Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of October 24, 2018
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Project: 105-823 & BWP-191
CNOI

Project Description:
866 South Main Street
Hindu Temple, parking, septic systems,
stormwater management, wetland crossing, replication

Applicant:
Sri Temple
15 North Main St., Unit A-1
Bellingham, MA

Representative:
Steve O'Connell, Andrews Survey & Engineering
104 Mendon Street
Uxbridge, MA 01569

Plans: NOI & "Proposed Hindu Temple, 27 Sheets, dated 5/15/18 stamped 5/31/2018 revised 10/2/2018, Operation & Maintenance Plan 9/17/18 Stormwater Management Report 10/2/2018

Hearing time: 7:20 PM

Chairman Matthews opened the hearing. Two members of the temple were present as well as Town Planner, Jim Kupfer.

Cliff stated that in accordance with the last hearing, the Commission had voted to continue the hearing and prepare the Order of Conditions for signing this evening. Michael O'Herron commented on the draft conditions that referred to the replication activities timeframe and the proposed snow storage areas on site. Cliff responded that the applicant has stated that the site will not be used extensively in winter months and that if snow storage areas become an issue, the applicant will be directed to remove snow storage from buffer zone areas. Additionally, snow will be removed off site if storage areas are or about to be exceeded. The required replication must be undertaken immediately and as part of Phase One of the project. These are some of the issues that will be addressed at the preconstruction meeting.

Mike Roche moved to close the hearing and issue the prepared Order of Conditions. Motion was seconded by Shawn Wade and passed 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, Suite 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, Peer Review VHB Memo 05/02/2018, Letter Kimberly Kroha (BBB) 6/11/18, BCC letter responding to Kimberly Kroha 6/13/2018

Continuation time: 7:30 PM

Cliff Matthews opened the continued hearing. Town Planner, Jim Kupfer, was present. Cliff stated that Rosalie Starvish of GZA had emailed a request for another continuation on Tuesday, Oct. 23rd, stating that Land Planning had not yet completed the surveyed plan. She also indicated in that same email that LMP is committed to providing additional peer review funding as the review process progresses.

After the Con Com's discussion on the lack of progress with the project, Cliff Matthews stated that he and the Anne Matthews had spoken with Town Counsel to develop an Enforcement Order. To date, the applicant has only re-delineated the wetland line which has not yet been depicted on a revised plan. The applicant has neglected to provide any other information to the Con Com since the original Notice of Intent was filed in November 2017. Cliff then read the Order. Mike O'Herron asked what would happen if we continued to the next meeting. Cliff responded that we would speak with Town Counsel to seek information on how to proceed and also on how assessed fines are utilized. Neal Standley reiterated that the applicant continues to avoid submitting the required information to move the project forward. Neal then moved to issue the Enforcement Order with a second by Mike O'Herron that carried unanimously. Mike O'Herron then moved to grant a continuation to November 28th at 7:30 PM. Motion was seconded by Mike Roche. Motion carried by a 3 – 2 vote with Neal Standley and Shawn Wade opposed.

Project: WPA-821 & BWP-N/A
CNOI

Project Description:
South Main Street to Center Street – SNET Trail
Trail improvements and parking lot

Applicant:
Paul Jahnige, MA DCR
Mass. Dept. of Conservation &
Recreation
251 Causeway St. Suite 900
Boston, MA 02114

Representative
Andrea Kendall
LEC Environmental Consultants, Inc.
100 Grove Street, Suite 302
Worcester, MA 01609

Plans: NOI & "Department of Conservation and Recreation Plan and Profile of Southern New England Trunk line Trail, Sheets 1-30 (S. Main to Center St.), 5/30/2018, Revised 10/17/2018 / Stormwater Report Oct. 17, 2018

Continuation time: 7:30 PM

Andrea Kendall of LEC, John Hendrickson of Stantec, and Jim Kupfer were present when the continued hearing was opened by Cliff Matthews.

Ms. Kendall stated that she was representing the applicant, DCR, for the proposed improvements to a 1.27 mile long portion of the Southern New England Trunk line Trail running from Fox Run Road to South Main Street. She stated that the Con Com conducted a site walk on Sat. Oct. 20th to review the flagged resource area boundaries and the location of the new parking area at Harpin St. Resource areas on site include Bordering Vegetated Wetlands and Buffer Zone, Riverfront Area to Arnold Brook and non-jurisdictional Isolated Vegetated Wetlands. Ms. Kendall described the areas on the trail where buffer zones would be impacted. She also stated that there are four existing culverted areas where the trail traverses over small streams and resource areas. She stated that there was question on the condition of a couple of the existing culverts. She added that the trail is DCR property and DCR would repair and maintain these areas on the trail. She stated that one of the culverts is currently 99% blocked (as was witnessed at the site walk) and Andrea was questioned as to how it would be repaired. John Hendrickson stated that they propose to fix the end where the granite has failed and put flexible pipe in the culvert floor. This would require approved shop drawings. Cliff Matthews responded that this work would be taking place directly in the resource area. He asked how access would be addressed and then asked Mr. Hendrickson to provide a Narrative to describe the methodology for the culvert repair. Mr. Hendrickson responded that he could not input on the DCR repair because DCR would address the culvert repair issue while on site during construction of the trail. He suggested that this could be a condition in the permit. Cliff responded that the blocked 12 inch culvert is located within the resource area and that if the applicant were directed in a condition in the Order to notify the Con Com of the methodology for culvert replacement, the applicant may

have to file another Notice of Intent. John agreed to include a Narrative on a proposed methodology for the culvert replacement.

John Hendrickson then stated that physical barriers will not be installed on the sections of trail that veer off the trail easement. He stated that only the areas located on the SNETT easement would be loamed and seeded.

He then stated that the Town of Bellingham would be maintaining the parking lot once constructed. Andrea Kendall stated that the parking lot will have 28 spaces including two handicapped accessible spaces and two equestrian parking areas. There will be a two way entrance and single one way exit. Compost filter tubes are proposed for erosion control. The stormwater management will include swales with check dams. The closest points to the resource areas are 0 feet to the IVW (non-jurisdictional) and 16 feet to the BVW. The swale has a 1.5% pitch on a 3:1 slope. On the northerly side of the parking lot, a 12 inch RCP culvert is proposed under the trail. On the easterly side of the parking lot the swale will direct sheet flow to a proposed 12 inch culvert that discharges out towards the resource area. On the westerly side, the swale will direct sheet flow through check dams out towards the resource area. Cliff asked John to revise the drainage calculations to include existing drainage coming from the connected stretch of Harpin St. and the existing drainage coming from the South Elementary School driveway. He added that this additional stormwater currently contributes a significant amount of both stormwater volume and velocity as witnessed from inspections of the outlet structures on the site walk. The stormwater calculations should be revised to include this additional stormwater and also include treatment before it enters the resource area. There is also potential for overflow into the parking lot causing flooding issues. The system should be designed to include the volume of water to meet the required storm events. Cliff added that no information relative to existing discharges was presented and the calculation of stormwater volume and velocity is a real concern. He also requested that proposed grading detail be added to the swale area in the plan. No Operation and Maintenance Plan was submitted with the stormwater report.

Mike Roche moved to continue the hearing to Nov. 28th at 7:35 PM with Neal Standley seconding the motion that passed.

Project: 105-726 & BWP-61
C. Amendment Request

Project Description:
Silver Lake Road, Dupre Road, Douglas Drive
Silver Lake Sewer Project

Applicant:
South Center Realty LLC
120 Quarry Drive
Milford, MA 01757

Representative:
Robert Poxon, Guerriere & Halnon, Inc.
333 West Street
Milford, MA 01757

Plans: Amendment Request Letter dated 8/28/18, Plan Set "Silver Lake Sewer Project" Cover Sheet, 1/24/14 Rev. 8/2/18, Resource Area Plans, Sheets 1-4, 4/11/14; Silver Lake Road Sewer Project Sheets 1-7 8/11/11 Rev. 4/11/18; Culvert Replacements at Dupre Road, one Sheet 4/11/14; Crystal Lake Culvert, one Sheet, 4/23/14; Site Development Plans Sheet SDP-05, revised 8/2/2018 with Buffer Zone Impacts; EcoTec Buffer Zone Restoration Protocol Report, Oct. 22, 2018 ; Buffer Zone Restoration Plan, Oct. 19, 2018 ; Crystal Lake Culver crossing plan, rev. Oct. 22, 2018

Hearing time: 8:30 PM

Bob Poxon was present when Cliff Matthews opened the continued hearing. Bob presented the Buffer Zone Restoration Plan and the Restoration Plan Protocol as authored by Scott Jordan of EcoTec. Bob described the two areas of the Buffer Zone that were impacted during construction of a portion of the sewer line. He stated that total buffer zone impacts were

24,360 sf. The northern section of the work area consists of an approximate 4,500 sf temporary sediment basin. He stated that the southern portion of the disturbed buffer is entirely stable with herbaceous vegetation. Bob stated that EcoTec's report states that this area contains 5,360 sf of vegetatively stable sewer easement and about 14,500 sf of vegetatively stable buffer. Scott Jordan recommended that the earthen berm remain intact as it may also contain ledge, is stable and removal of soils may create soil disturbance in close proximity to Silver Lake.

The buffer zone restoration report states that the proposed restoration protocol on the northerly section should include installation of wire backed silt fence with double stake hay bales, removal of the berm, placement of 6 inches of top soil and seeding with New England Conservation/Wildlife seed mix. On the southerly side, no disturbance to the berm is recommended. Planting of 64 saplings is proposed for restoration beginning (April 15 through June 15) or end (Sept. 1 to Nov. 15). Bark mulch or wood chips are recommended for use to aid in moisture retention and winter frost protection.

Cliff Matthews stated that he disagreed that the existing berm on the southerly side should be left in place. The created berm may impede animal migration. He stated that these areas have scrub vegetation and more than likely no ledge.

After discussion, Con Com members agreed to set up another site walk at some time in the near future. We will coordinate in the next week or so, Shawn Wade moved to continue the hearing to Nov. 28th at 8:00 PM, Motion was seconded by Brian Norton and passed unanimously.

Project: 105-826 & BWP-194
CNOI

Project Description:
55 -57 Box Pond Drive – septic repair

Applicant:
Providence Place Properties LLC
246 Parkerville Road
Southborough, MA 01772

Representative:
Paul DeSimone
11 Awl Street
Medway, MA 02053

Plans: NOI & "Proposed Sewage Disposal System Box Pond Drive", one sheet, 7/1/2007, revised 8/22/2018

Hearing time: 8:30 PM

Paul DeSimone was present when Cliff Matthews opened the hearing. Also present were Vin Forte and Michael Catalano of the Board of Health.

Paul DeSimone stated that new soil tests were taken on Sat., Oct. 27, evaluated by Ivan Szilassy and were witnessed by Mike Catalano. He added that Ivan would not sign the new plan. Paul stated that Ivan declared mottles at 16 inches and that Mike Catalano disagreed with that interpretation. Cliff Matthews said that he witnessed fill and buried "A" horizon with mottles below the buried "A" but not at 16 inches. Paul stated that he would like to conduct another soil test and invited the Con Com to attend. Cliff will contact Paul to set up the testing soon. Mike Roche moved to allow Cliff to witness the testing on behalf of the Con Com and to continue the hearing to Nov. 28th at 8:20 PM. Brian Norton seconded the motion that carrier unanimously.

Project: 105-830 & BWP-196
NOI

Project Description:
Farm St. & Maple St. New England Power ROW

Applicant:
Erin Whoriskey,
New England Power
40 Sylvan Road, E2.468
Waltham, MA 02451

Representative:
Alexandra Echandi, BSC Group Inc.
33 Waldo Street
Worcester, MA 01608

Plans: NOI & Environmental Resources Map, pgs. 1-4, Sept. 2018

Hearing time: 9:10 PM

Cliff Matthews opened the hearing. Kaitlyn Rimol of BSC Group was present.

Kaitlyn stated that New England Power has submitted the Notice of Intent to conduct soil borings in resource areas and/or the buffer zone. She stated that two tests, with 4" diameter holes, would take place in the buffer zone at 405 Maple St. One to three tests would take place on Farm Street. Pole #424 (off Farm St.) is located in the buffer zone and pole #405 (off Maple St.) is located within BVW (with 586 sf of temporary disturbance) and Flood Zone (with less than 5 sf of temporary impacts). She stated that access to the site would be by use of construction mats and governed by National Grid's Best Management Practices Guidelines. Access would be within the current footprint of the ROW.

Cliff Matthews stated that based on the straightforwardness of the filing and the fact that the Con Com has been out on both sites for previous permitting, he had instructed the Administrator to develop draft Special Conditions and the Order of Conditions. Cliff read the three proposed Special Conditions. There were no further questions or comments. Mike Roche then moved to close the hearing and issue the prepared Order of Conditions. Motion was seconded by Shawn Wade and passed unanimously.

Project: 105-828 & BWP-195
NOI

Project Description:
398 Hartford Avenue – septic repair

Applicant:
Marylyn Short
398 Hartford Avenue
Bellingham, MA 02019

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

Plans: NOI & Repair of Subsurface Sewage Disposal System, 9/18/18

Hearing time: 9:30 PM

Bill Halsing was present when Cliff Matthews opened the NOI hearing.

Bill stated that he filed the Notice of Intent on behalf of the applicant for a septic system repair at 398 Hartford Avenue. He stated that new information has been brought forward and that the applicant may have the opportunity to hook up to an existing sewer line at Caryville Crossing. Ms. Short needs to meet with the condo association to see if they would grant her a sewer easement. If the easement is granted, the NOI would be revised to include the proposed work in the buffer zone of the easement.

Cliff stated that he and Anne Matthews had reviewed the wetland delineation and found the wetland boundary to be accurate. Bill requested a continuation to the next meeting.

Neal Standley moved to continue the hearing to Nov. 28th at 8:40 PM with a second by Brian Norton, and passing unanimously.

Project: 105-829 & BWP-197
NOI

Project Description:
225 Farm Street – Addition, New Septic System & Grading

Applicant:
Michael DeCastro
225 Farm Street
Bellingham, MA 02019

Representative:
Brian Hassett, Guerriere & Halnon, Inc.
333 West Street
Milford, MA 01757

Plans: NOI & Resource Area Plan for 225 Farm St., Stamped 10/10/2018

Hearing time: 9:50 PM

Cliff Matthews opened the hearing. Brian Hassett and Mike DeCastro were present.

Brian Hassett stated that the Notice of Intent has been filed for a proposed addition, grading and new septic system at the site. The new system has two large leaching chambers and is proposed in the same location as the existing system. A three to four foot stone wall (to retain the fill required for the new septic system) is proposed about three feet from the 25 foot No Disturb Zone. He stated that the wall creates a good barrier to the protection of that area. Staked straw bales backed by silt fence are proposed for erosion control on the site.

Cliff stated that he and Anne Matthews had reviewed the wetland delineation and there were no changes. He added that Goddard Consulting had stated in the wetland report that the wetland on site is a potential vernal pool. While on site, the pond seemed to have the characteristics of a vernal pool but it would have to be explored in the spring. Mike DeCosta said that he would be more than willing to maintain the area behind the newly proposed stone wall as a No Disturb Zone. He also stated that he would like to build a stone wall and not a versa Lok wall as is indicated on the plan details. Con Com members noted that another Special Condition would include that all excavated and new construction materials must be stored out of the buffer zone.

Neal Standley moved to close the hearing and prepare the Order of Conditions for signing at the Special Town Meeting of Wed., Nov. 14th. Brian Norton seconded the motion that passed unanimously. Mike DeCosta said that he would pick up the permit on Thursday, Nov. 15th at the Con Com office.

Cliff reminded all that the Board of Selectmen are holding an All Boards Meeting next Monday, Oct. 29th at 7:00 PM and encouraged attendance.

Mike Roche moved to accept the minutes of the meetings of September 12 and September 26 with a second by Brian Norton. Motion carried. Neal Standley abstained.

The Commission signed:

Orders of Conditions: 105-823 & BWP-191 / 866 South Main St / Hindu Temple

105-827 & BWP-193 / 24 Daniel Drive / Gentile / garage addition

105-830 & BWP-196 / Farm & Maple St. NEP ROW / soil borings

Certificates of Compliance: 105-818 & BWP-185 / 36 Box Pond Road / Hurley / garage

105-399 / 32 Roger Street / Septic Repair / Kevin Zook

Enforcement Order #2 105-815 & BWP-182 / 169 Maple St/ LMP Properties LLC

Michael O'Herron moved to adjourn; a second by Shawn Wade, passing in favor.

Attending the meeting were Cliff Matthews, Neal Standley, Michael O'Herron, Brian Norton, Shawn Wade, Mike Roche, Associate Noel Lioce, and Agent, Anne Matthews.