

**Bellingham Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of September 12, 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, Operation & Maintenance Plan 5/15/2018, Stormwater Management Report 5/15/2018; PSC First Comment Letter Sept. 7, 2018

Hearing time: 7:25 PM

Chairman Matthews opened the hearing. No one from the public was present. He stated that the applicant has requested a continuation to our next meeting. PSC, the peer reviewer, has just submitted the first set of peer review comments for the project. AES is currently revising some of the design in an attempt to minimize buffer zone impacts and would like time to respond to the peer review comments.

Shawn Wade moved to continue the hearing to September 26th at 8:00 PM. Brian Norton 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, 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. Rosalie Stavish, the design engineer for GZA, was present. She stated that GZA is working on the stormwater management design but it is not finalized because the survey has not been completed by Land Planning. She stated that the preliminary Sept. 5th soil evaluation had mixed results that are now being evaluated. By agreement, GZA is using the predevelopment site conditions (wooded site lot and driveway) to accommodate the peak flow rate for the detention basin design. She stated that the applicant requested that the basin be moved to 161 Maple St. Cliff Matthews responded that the basin

cannot be located there because it is a separate residential lot. The basin must be located on the 169 Maple St. industrial lot. She acknowledged his comments.

Regarding the Mass. Multi Sector General Permit for Stormwater Discharges associated with Industrial Activity (MSGP) status, GZA has advised LMP to be in compliance. Cliff Matthews added that there is constant potential for pollutants from vehicles (oils, grease, gas, etc.) due to the on-going migration of the stored mulch piles on site and that the operation of equipment be used in designated area only. She then requested a one month continuation.

Jim Kupfer, Town Planner, then asked Ms. Stavish for a clarification on the status of the project with the Conservation Commission confirming that, at this time there is no survey, no runoff calculations, no stormwater report and no plan presented this evening. She stated that she hoped to have this information in a month's time once the survey is complete.

Cliff then added that the original project design was not a permissible project but the applicant had agreed to proceed with the initial peer review. Therefore, VHB has submitted the initial peer review and invoice and peer review funding is now depleted. Cliff noted that the applicant will have to submit additional funding for peer review once GZA has had an opportunity to respond to the initial VHB review. At that time, VHB would require additional funding to continue the peer review process.

Brian Norton moved to continue to Oct. 10 at 7:30 PM. Motion was seconded by Mike O'Herron and passed unanimously. Cliff Matthews then reminded Ms. Stavish that the revised information must be submitted to the Con Com ten days in advance of the hearing.

At this time, Bill Halsing of Land Planning came into the room for the next scheduled hearing. Cliff Matthews asked Bill when the survey would be completed for the Maple Street project. Bill stated that Land Planning started the work this past week and that it should be completed by the middle of next week. Cliff reminded all parties that the survey information was agreed upon by the applicant, the applicant's attorney and the Con Com in a previous meeting. He confirmed that the survey must include the wetland boundary as delineated by Dan Nitzsche of GZA as well as the existing limits of work on the site in the buffer zones on the northern and southern sides of the property. Ms. Stavish expressed her concern with meeting the time frame for submitting information to the Con Com and then asked if she could continue the hearing to a couple of weeks after Oct. 10th so as to allow time for the survey and the design of the stormwater system to be completed with enough time to submit ten days in advance of the next continuation.

After discussion, motion to reconsider the previous continuation vote was made by Mike O'Herron, seconded by Shawn Wade passing unanimously. Motion was then made by Shawn Wade to continue the hearing to October 24th at 8:00 PM, seconded by Mike O'Herron, passing unanimously.

Project: 105-825 & BWP-190
NOI

Project Description:
633 Pulaski Boulevard
Sewer connection, expansion of building & parking lot

Applicant:
Vohn Davong
52 Pulaski Boulevard
Bellingham, MA 02019

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

Plans: NOI & revised plan, "Existing Conditions & Demolition Plan" sheet one and "Site Plan and Construction Details" sheet two, for 633 Pulaski Boulevard, dated August 29, 2018 and Stormwater Report, August 29, 2018

Continuation time: 8:15 PM

Ms. Davong, Mr. Kourhy, Jack Brockert, and Bill Halsing and Mark Gates, PE, were present when Chairman Matthews opened the continued hearing.

Bill stated that the plan has been modified to address stormwater management. The plan was submitted for review along with a stormwater management report. He stated that deep hole tests numbers 1 through 4 taken previously along the southern and eastern side of the lot detected groundwater at less than four feet. The project is located within the Water Resource Area and must meet separation to groundwater of four feet. In addition, the redevelopment project must also meet the stormwater management criteria as much as is practicable. Bill stated that more recent deep holes tests taken at the front of the property (numbers 5, 6 & 7) detected groundwater at nine feet, a great improvement. These deep holes were the basis for the current stormwater management design. Bill stated that existing parking spaces located in the 100 foot buffer will be removed and that there will be additional parking in the front and side of the lot. Roof run-off will be captured at the front of the property in the proposed infiltration system consisting of a series of Cultec 150 units. A Stormceptor unit will capture parking lot runoff and direct it via a 12 inch RCP to the Cultec infiltrators located at the front of the lot.

Cliff stated that he reviewed the pre and post stormwater calculations and that they are virtually identical and that the project meets the redevelopment criteria for stormwater management. When asked what storm event is completely infiltrated, Mark Gates answered that it is only the ten year storm event that is completely infiltrated. Mike O'Herron stated that the inspection ports for the infiltrators should be included on the plan. He also noted that Standard 4 of the Stormwater Report listed Farm St. as the project. Mr. Gates reassured Mike that the calculations are all good for this project and that the page just needed editing. He added that the project meets the 44% pretreatment noting that the Stormceptor calculations claim 90%.

Cliff then noted that the existing unpermitted pipes draining into the wetlands also need to be placed on the plan with a note that they are to be capped at the building and abandoned.

The applicant received the DEP file number today. There were no other comments or questions.

Shawn Wade moved to continue the hearing to Sept. 26th at 7:20 PM and to prepare the Order of Conditions for signing that evening if the discussed revisions are included in a revised set of plans. Neal Standley seconded the motion that passed unanimously. Cliff reminded the applicant that the Order of Conditions must be recorded at the Registry of Deeds and that there is a ten day appeal period once the Order is issued. He also reminded the applicant of the importance of adhering to the Operation and Maintenance Plan. Jack Brockert stated that he has already contacted a firm to conduct annual maintenance on the Cultec infiltrators and the Stormceptor units.

Project: 105-726 & BWP-61
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

Hearing time: 8:15 PM

Cliff Matthews opened the Amendment hearing. Bob Poxon was present.

Bob stated that the Amendment Request was submitted to reflect the latest set of plans for the sewer line installation on Silver Lake Road, Dupre Road and Douglas Drive. The section of sewer line on Silver Lake Road now includes installation of a water line. A separate Order of Conditions covers the drainage proposed at that location. Referring to Sheet 3, Bob noted that a section of the sewer line at the intersection of Silver Lake Road and Candlelight Lane was moved as part of an earth removal project in 2015. Cliff responded that that change in sewer line location was never permitted by the Con Com and asked Mr. Poxon why the sewer line was relocated. Bob responded that the DPW Director approved the plans under the Chapter 40B project. Cliff responded that the Conservation Commission is the governing authority for the sewer line under a separate Order of Conditions. Cliff noted that the sewer line was moved closer to Silver Lake and again asked why it was relocated.

Cliff explained that when the ZBA issued the Chapter 40B permit for Lakeview Estates, the ZBA permit authorized Don DiMartino, the DPW Director, to make changes to the plans that were non-jurisdictional to the Wetlands Protection Act. In addition, DEP would permit proposed changes under the Superseding Order of Conditions for the Lakeview Estates project. He stated that the sewer line Order of Conditions, a separate project, was issued by the Bellingham Conservation Commission and neither the DPW nor DEP has the authority to approve any changes to that permit. Cliff stated that when he and Anne Matthews had recently met with the applicant and the applicant's representative, Guerriere & Halnon, the applicant's representative maintained that there were no changes made to the sewer line. That is incorrect. Sheet 3 of the Amendment plan shows the changes that were made to a portion of the sewer line in 2015. Cliff added that the applicant is now requesting an Amendment to the original Order of Conditions for the revised location of that portion of the sewer line. He stated that simply because an applicant had already performed the work, it does not require the governing authority to grant an amendment. An amendment is typically issued for projects with lesser or equal impacts. The original Order of Conditions specifies that the applicant should contact the Conservation Commission in the event that they request changes to the plans of record so that the Commission can determine if a new Notice of Intent should be submitted or if an Amendment Request would suffice. In addition, Cliff stated that DEP continues to question the plans submitted by G & H to DEP as revised and updated for the Lakeview Estates plans of record. DEP has maintained that that these new plans are not consistent with these newly revised Amendment Request plans for the sewer line that were recently copied to DEP as required. It is the intent of both DEP and the Conservation Commission to have all plans relating to the three Orders of Conditions (Chapter 40 project, Silver Lake drainage, and the sewer line) all consistent so there is no confusion with what was permitted. Mr. Poxon stated that it was his error when he submitted the incorrect plans to DEP and that he would send the revised plans to DEP this week.

Bob Poxon again responded that he did not know why the sewer line location was changed. Cliff asked him to investigate and determine the reason for the change - if it were good engineering practices or if it were just a matter of convenience for the applicant. Mr. Poxon remarked that the new location is not even completely located in the easement on Silver Lake Road. After some investigation, it was determined that the finish grades in this area are similar and Bob added that it looks as though there was an attempt to keep out of the buffer zone even though the location was closer to Silver Lake. Mr. Poxon stated that he would be ready with some answers by the next meeting.

Neal Standley then moved to continue the hearing to Sept. 26th at 8:30 PM so that Mr. Poxon could get some answers to the questions raised. Brian Norton seconded the motion that passed unanimously.

The Commission signed

Certificate of Compliances 105-113 / 180 Paine St. / New England Country Club
105-95 and Amended 105-95 / 180 Paine St. / NECC
105-802 & BWP-166/316 Center St./sfd/Savard

Cliff stated that the Special Town Meeting will be opened on Wed., Oct. 10th and immediately continued to Wed., November 14th.

The Commission decided to schedule the site walk for the SNET trail at the continued Notice of Intent hearing of September 26th. At that time, the applicant would be able to report on the progress that is being made to the revisions to the plans.

Shawn Wade moved to adjourn the meeting at 9:00 PM. Motion was seconded by Brian Norton and passed unanimously.

Attending the meeting were Cliff Matthews, Neal Standley (arriving at 7:45 PM), Michael O'Herron, Brian Norton, Shawn Wade, and Associate Michael Colman as well as Anne Matthews.