

**Bellingham Conservation Commission
Municipal Center
Bellingham, MA 02019
Minutes of the meeting of September 26, 2018
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Project: 105-825 & BWP-190
CNOI

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: 7:20 PM

Vohn Davong, Jack Brockert and Mr. Kourhy were present when Cliff Matthews opened the hearing. Cliff stated that the applicant has addressed all the outstanding issues and submitted all the revised documents and plans. A draft Special Conditions page was sent out for review. There being no revisions to the Conditions, Neal Standley moved to close the hearing and issue the Order of Conditions. Motion was seconded by Brian Norton and passed unanimously.

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 1-29 (S. Main to Center St.), 5/30/2018

Continuation time: 7:30 PM

Andrea Kendall of LEC was 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 Center St. to South Main St., Bellingham. The proposal also includes a parking area off Harpin Street. The SNET trail is part of a 22 mile long trail system extending from Douglas to Franklin, MA. Portions of the trail on this particular section have been relocated due to very wet conditions and ATV damage. The parts of the trail damaged by ATV's are proposed for restoration. Resource areas include Riverfront to Arnold's Brook, Buffer Zone areas and potential vernal pools. There is no flood zone on the site. The multi-use trail will be ten feet wide stone dust and fully ADA compliant. A privacy fence is also proposed near the school playground.

A public informational session was conducted last Thursday, Sept. 20th at the Municipal Center where public feedback was heard. The parking design in the original plans is currently being revised due to comments from that meeting although no revised plans have been submitted to the Conservation Commission yet. The parking lot will include spaces for horse trailers and car parking. Ms. Kendall then requested a continuation to the October 24th meeting. She also requested that a site inspection be scheduled. Cliff requested confirmation that the wetland flags are still in place and that the parking lot area be staked before inspection.

Some abutters questioned the multi-use proposal and how horses and children would share the trail. This concern would be for DCR to address. Mr. Matthews noted that there is currently a problem with dog waste not being disposed of properly on other parts of the trail in town. Another land owner abutter was concerned with the condition of the existing granite culverts over the trail. Andrea Kendall stated that DCR is responsible for the culverts and the infrastructure along the trail. Cliff Matthews responded that we will inspect all the areas on the trail and make recommendations to the applicant during the hearing process.

Brian Norton moved to conduct a site inspection on Sat., Oct. 20th at 8:30 AM and to continue the hearing to Wed., Oct. 24th at 8:00 PM. Motion was seconded by Michael O'Herron and passed unanimously.

Project: 105-xxx & BWP-193
NOI

Project Description:
24 Daniel Drive – 20 x 30' attached garage and addition

Applicant:
Gary Gentile
24 Daniel Drive
Bellingham, MA

Representative:
Daniel O'Driscoll, O'Driscoll Land Surveying Inc.
24 Cottage Street
Medway, MA 02053

Plans: NOI and plans, "Plan to Accompany Notice of Intent, 24 Daniel Drive" One Sheet, August 28, 2018

Hearing: 7:45 PM

Cliff Matthews opened the hearing. Joyce Mahoney and Daniel O'Driscoll were present.

Mr. O'Driscoll presented the plan and stated that the applicant is proposing to construct an attached garage onto an existing home. The garage will be located 21 feet off the BVW but is located partially on the existing paved driveway. He explained that approximately 25 sf of pavement from the existing driveway would be removed which would equal the approximate 25 sf of impacts from the proposed garage. A new driveway would be added for garage access. The residence is serviced with town water and sewer. An upstairs addition on the garage is also proposed. The basement is half slab/half basement. The house was constructed in the 1950's. Mr. O'Driscoll stated that two lots on opposite sides of the street are currently used for country drainage.

Mike Roche moved to conduct a site walk on Sat., Oct. 6th at 8:30 AM and to continue the hearing to Wed., Oct. 10th at 7:30 PM. Motion as seconded by Shawn Wade and passed unanimously.

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 9/17/2018, Operation & Maintenance Plan 9/17/18 Stormwater Management Report 9/17/2018; PSC First Comment Letter Sept. 7, 2018

Hearing time: 8:00 PM

Chairman Matthews opened the hearing. Travis Brown of Andrews Survey was present as well as four members of the temple.

Travis stated that AES has made several revisions to the plan. Cliff explained to the applicants that the Commission is charged with environmental protection in the town and the importance of thoroughly evaluating the engineering and environmental aspects of this project including habitat.

Travis stated that the Con Com had conducted a site walk and confirmed the wetland delineation which included the proposed replication location and crossing location. He stated that at the main temple location, the infiltration basin has been reduced by 15% and is now located out of the 50' No Disturb Zone. The second infiltration basin previously located on the northern portion of the property has been eliminated and the Mandapan and duplex units have reverse locations so that they, too, are out of the 50' No Disturb Zone. The grades were adjusted at the duplex units which has accounted for removal of the basin. Runoff from this area will be channeled to the basin behind the temple via a closed drainage system. He stated further that total Buffer Zone impacts have been reduced from 27,000 sf which includes 15,000 sf in the 0-25' NDZ and 12,000 in the 50-100' Buffer Zone. In addition, the replication area has been increased to 2:1. The crossing ratio has been met for the culvert crossing standards as indicated on the plan set.

Cliff asked if Travis had spoken with the Fire Dept about the access road behind the Mandapan. Travis answered that he and Jim Kupfer had met with the Deputy Chief and that he preferred the road. Chief Daigle stated that he spoke with the Fire Chief and requested that the road be eliminated as it was very close to the abutting lot owned by the Daigle family.

Cliff then added that the project design is much improved and reflects a reduction to the buffer zone impacts. Referring to Sheet 3.2, he remarked that he understood that the replication was to be down gradient of the wetland but it appears that there is some area upstream of the existing culvert to be used in the replication area. This appears to be acceptable.

On Sheet 4.2, Cliff stated that the DPW requested a water easement for future development for a potential water loop connecting the water main from North St. to towards South Main Street. An email from Don DiMartino confirms that request and states that the HDD method of installation of the water pipe through the wetlands would be utilized for installation.

On Sheet 5.1, Cliff questioned intrusion into the 25' NDZ at the outfall of the basin. Travis explained that the outfall releases stormwater at each storm event and that he is attempting to maintain the flow into the resource area. When questioned, Travis stated that the retaining wall would be 7-8feet high. Cliff stated that any attempt to eliminate grading in this area should be evaluated. Travis stated that he would attempt to remove the grading out of the 25' NDZ. Cliff then explained that there is a potential vernal pool in the wetland located on the southwest corner of the property, at around the 255 contour. The local bylaw requires a 50 foot set back from vernal pools. The boundaries of the vernal pool will be determined next spring. He added that the design should reflect worst case scenario for the 50 foot distance to the vernal pool boundary. Cliff then suggested that Travis review the possibility of moving the retaining wall ten feet to maintain that 50 foot setback. Travis agreed to review that design. There was discussion on also removing or limiting the parking in this area if feasible. The applicant stated that the project would be constructed in two phases, Phase I for the temple area and later, Phase II for the development on the northern section.

Sheet 5.2, the Con Com requested an adjustment to the limit of impact to outside the 50 foot BZ.

Sheet 10.1 was reviewed. Cliff noted that the scale of the wall is wrong. Travis agreed stating that it should be 4 feet and not 40 feet and he will correct that error.

Cliff then noted that the 25 foot NDZ incursions for the proposed crossing have not been included in the replication square footage. Travis agreed to include buffer zone enhancements areas which would include tree plantings in the buffer zone once he locates a degraded buffer zone area and that he would include this on the plan

Special Conditions will include replication area, associated bonding and require a PWS to oversee the design and monitoring and providing monitoring reports. Another SC will be that the Commission must be copied on the SWAPP once it is submitted to EPA. Jim Kupfer explained to Mike O'Herron that the SWAPP is copied to the Planning Board for comment, a preconstruction meeting with the applicant is conducted and then the construction schedule is set.

The Con Com agreed that the large reduction in buffer impacts was a big improvement to the proposed plan.

There being no further comments, Neal Standley moved to continue the hearing to October 10th at 7:45 PM. Motion was seconded by Michael O'Herron and passed unanimously.

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

Hearing time: 8:30 PM

Bob Poxon was present when the continued Amendment Request hearing was opened by Cliff Matthews. Bob stated that he was left with the tasks of discovering why the sewer line was moved and who approved the redesign. He stated that he found some emails from Peter Lavoie, the previous engineer for the project, as well as emails from Don DiMartino. Bob added that it appears that Don DiMartino approved the relocated section of the sewer line and it was constructed in 2015. The field change eliminated deep manholes and avoided some ledge. He then added that he reached out to Mike Harrington, site manager, and Jeff Roelofs, attorney for the applicant, and stated that this section of relocated sewer line installation is outside the 100 foot buffer zone.

Chairman Matthews responded that the applicant is in violation of the Order of Conditions. The Conservation Commission issued the permit. The Special Conditions specifically address the procedure for any proposed changes and the applicant did not adhere to the permit. He added that there has been a lot of this type of activity occurring. Bob Poxon stated that these are now the correct plans and that Don DiMartino has inspected the sewer line construction. Cliff reiterated again that the Con Com was never approached on the proposal to relocate that portion of sewer line including whether the area proposed for redesign was jurisdictional or not. The Con Com never had the opportunity to comment or even know of the proposed changes to the plans of record in the Order of Conditions. He added that the General Statements to the original Order actually state that only the areas in the buffer zone or proximate to resource areas

are jurisdictional. He then questioned whether the work was actually outside the buffer zone. Neal Standley then remarked that the applicant should move the relocated section to its original location. Bob Poxon responded that the area is now all stabilized and restored.

Cliff then requested that Bob Poxon stake the boundary of the buffer zone in that area, locate and stake the easement width and locate the sewer line for a site walk inspection. Once we conduct the inspection, the Con Com will decide how to proceed. Bob agreed to have all this area staked for a site walk scheduled for Sat., Oct. 6th.

Shawn Wade moved to conduct a site visit on Saturday, Oct. 6th at 9:00 AM and to continue the hearing to Wed., Oct. 10th at 8:15 PM. Arianne Barton seconded the motion that carried unanimously.

Project: 105-xxx & BWP-194
NOI

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: 9:00 PM

Paul DeSimone was present when Cliff Matthews opened the hearing. Mr. Matthews stated that we did not receive the advertising check for the legal ad. Paul did not have the check. Cliff then stated that we would open the hearing (but not conduct a review) and continue the hearing until the fee is paid. Mike Roche moved to continue the hearing to Oct. 10th at 8:30 PM. Arianne Barton seconded the motion that carrier unanimously.

The Con Com then conducted an informational session for the proposal. There are two existing dwellings on the site separated by ten feet. One of the houses is located on the property line. The proposed septic system is located approximately 30 feet from the resource area. Four upgrades are proposed 1) separation to groundwater from 4’ to 3’; 2) distance to existing wells from 100’ to 54.3’; 3) distance to existing house #55 from 20’ to 10.8’ with a proposed 40 mil plastic barrier; 4) distance of 50’ to 32’ between the system and the high water mark. There are three other wells proximate to the site and within 100 feet. The building inspector has declared the property abandoned. Cliff stated that the Con Com will require new soil testing since the plan is date 2007 and the evaluator must be changed. Paul DeSimone stated that he would get Ivan Szilassy to evaluate the soils that would be witnessed by the Con Com on the site walk date discussed.

Michael Roche then moved to conduct a site visit on Saturday, Oct. 6th at 9:30 – 9:45 AM. Arianne Barton seconded the motion that passed unanimously.

The Commission signed the Order of Conditions for 633 Pulaski Blvd/ Davong / sewer connection, parking, addition to bldg. / 105-825 & BWP-190

Motion to adjourn was made at 9:30 PM by Neal Standley, seconded by Arianne Barton, passing unanimously.

Attending the meeting were Cliff Matthews, Neal Standley, Michael O’Herron, Brian Norton, Shawn Wade, Arianne Barton, Mike Roche and Agent, Anne Matthews.