MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting:
Cliff Matthews, Chairman
Neal Standley, Vice Chairman
Michael O’Herron, Member
Brian Norton, Member
Shawn Wade, Member
Noel Lioce, Member

Other Officials:
Anne Matthews, Conservation Agent
Amy Sutherland, Recording Secretary

Chairman Matthews opened the meeting at 7:15 p.m.

CONTINUATION HEARING: Project Location: 43 Candlelight Lane Lot 33
Hearing time: 7:15 PM
Project Description: Single Family Dwelling, grading, bioretention area in buffer zone
Application Type: Notice of Intent: DEP File Number 105-857 & BWP-228
Applicant: South Center Realty LLC, 120 Quarry Drive, Milford, MA 01757
Representative: Guerriere & Halnon Inc., Bob Poxon, or Thomas Libby
PO Box 235, Milford, MA 01757
Plans: NOI &” Building Permit Plan of Land, Lot 33, 43 Candlelight Lane, 9/20/2019; Appendix D Stormwater & Operation Plan for Lakeview Estates rev 2/21/2019

The Chairman opened the continued hearing for 43 Candlelight (Lot 33). It was communicated that there have been multiple site visits performed by the internal staff and despite requests no one from the applicant’s representatives have met with the Commission members on site. The applicant representatives have cleared two jurisdictional lots which were not the correct lots demonstrating the confusion with proper signage. Another concern is that there is material being stored in the open space area. It has also been brought the attention of the Commission that the rain gardens have not be constructed on some of the required lots. Also no monitoring reports have been provided. The applicant is currently in front of the Zoning Board of Appeals and has a list of requirements which must be addressed. The Commission has been diligent in working with the applicant, but the information provided has not been forthcoming. It is the recommendation that this hearing be continued to January 8, 2020 to allow the applicant time to address the various issues.

Continuation Vote:
On a motion made by Neal Standley, seconded by Shawn Wade, the Commission voted unanimously to continue the hearing for 43 Candlelight Lane to January 8, 2020.

CONTINUATION HEARING: Project Location: 161 & 169 Maple Street
Hearing time: 7:30 PM
Project Description: Stormwater Retention Basin
Application Type: Notice of Intent: DEP File Number 105-815 & BWP-182
Applicant: LMP Properties, Will Boyle
PO Box 28
Dover Foxcroft, ME 04416

Representative: Daniel Nitzsche, GZA Environmental Inc.
1350 Main Street (Suite 1400)
Springfield, MA 01103

Plans: NOI & Site Plan “Stormwater Management Design, 169 Maple St., 5 Sheets revised
August 15, 2019; Stormwater Management Report, 161 and 169 Maple Street, GZA,
dated November 28, 2018, revised August 15, 2019; VHB Peer Review Memorandum
dated August 26, 2019; Outlet Structure Detail (GZA 4/10/19); Concrete Block Wall
Section View, GZA 4/10/2019, Planting Plan Description (email from Daniel Nitzsche of
GZA) August 28, 2019; email containing questions from GZA and responses by VHB
dated Sept. 20, 2019

The Chairman opened the continued hearing for 161 & 169 Maple Street. It was communicated to the members that the most
recently revised plans dated November 20, 2019 were submitted today at 4:30 pm. The Commission cannot review since
these plans were not provided 10 days prior to the meeting. Currently this project does not meet the performance standards
and has grounds to issue a denial which would necessitate non utilization of the 100’ BZ and complete restoration of the
entire 100’ BZ area.

Project Manager Steven D’Ambrosio reviewed the changes made on sheet C2 which includes the installation of a
24,000-gallon holding tank. This tank will be positioned adjacent to the wet detention basin and will pump upgradient to the
subsurface infiltration system. The proposed design provides requisite 3,110 CF of recharge. The stormwater runoff will be
pre-treated by the sediment forebays. The stormwater within the holding tank will be pumped to the drain manhole
and flow via gravity to the subsurface infiltration system. The volume of this will drain within 72 hours. There will be
scheduling of test pits over the next few weeks. The Commission would like to be informed when the test pits will be done.
The applicant also supplied calculations which will need to be reviewed by peer review. It was suggested that the
Commission not contact peer review until the test pits are completed and t.p. information compiled and submitted.

The Town Attorney communicated that there have been several delays in getting the required information to make a decision.
This has been going on for over two years. It does seem reasonable to allow VHB to do the peer review if the
applicant has provided the required information. The applicant needs to be prepared and have any further information
to the Commission 10 days prior to the next meeting. This information will be communicated to the applicant’s attorney.

Continuation Vote:
On a motion made by Neal Standley, seconded by Brian Norton, the Commission voted unanimously to continue the
hearing for 161 & 169 Maple Street to January 22, 2020 at 7:45 pm.

Other Business in Front of the Commission:
Municipal Certification:
The Conservation Commission signed a Municipal Certification for the Mechanic Street Warehouse Site. This site will be
preserved. It enhances the land with the substantial wetland buffer zone. The restoration will replace a mono-cultural
landscape with a variety of vegetation suitable for wildlife. This site is in close proximity to the Charles River and an active
Town of Bellingham public well.

The Commission was informed that there will be a ground-breaking ceremony to be held on Thursday, November 21, 2019 at
12:30 pm.

On a motion made by Shawn Wade, seconded by Michael O’Herron, the Commission voted unanimously to sign the
Municipal Certification for Mechanic Street as presented.

CONTINUATION HEARING: Project Location: 245 Hartford Avenue
Hearing time: 8:00 PM
Project Description: Retaining wall repair and reconstruction
Application Type: Notice of Intent: DEP File Number 105-854; BWP -Z26
Applicant: Charles River Bellingham II LLC
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330 Boylston Street
Chestnut Hill, MA 02427

Representative:
LEC Environmental (Andrea Kendall)
100 Grove Street (Suite 302)
Worcester, MA 01605

Plans:
NOI & Plans “Overall Modular Block Retaining Wall Refacing Plan” 4 Sheets, 8/27/2019 Sheets 2 & 3 Rev 11/19/19 O & M Rev. 11/19/19.

The Chairman opened the continued hearing for 245 Hartford Avenue. This project is for the repair and reconstruction of a deteriorated 20 plus year-old modular block retaining walls located adjacent to the main access road to an existing retail development known as Charles River Center. The Chairman informed the members that a site visit was done. There are some trees encroaching close to the existing wall. The applicant explained some of the recent revisions included language with specific locations of signage to alert of the limit of vegetation management. The applicant communicated that the vegetation maintenance will continue in perpetuity and will include trimming of overhanging branches, removal of hazard trees and maintaining a low growth in upland areas within 6 ft of the retaining wall. There will be inspections at least once a year during Spring and/or Fall. The Operation and Maintenance plan requires that the applicant submit to the Commission inspection reports on an annual basis. The applicant informed the Commission that the goal is to put this project out to bid just after the new year and start construction Spring 2020.

The Order of Conditions were presented to the Commission to review, approve and sign.

On a motion made by Neal Standley, seconded by Noel Lioce, the Commission voted unanimously to close the hearing for 245 Hartford Avenue and sign the Order of Conditions.

CONTINUATION HEARING; Project Location: Off Sunken Meadow

Hearing time: 8:25 PM
Project Description: Chapter 40 B, 28 Lot Subdivision, Road and Stormwater Mgt & BVW crossing
Application Type: Notice of Intent: DEP File Number 105-856; BWP/NA
Applicant: Hidden Meadow Realty Trust (Edward Gately)
6 Pine Street
Bellingham, MA 02019

Representative: Guerriere & Halnon Inc. (Amanda Cavaliere)
5 West Central Street
Franklin, MA 02038

Plans:

The Chairman opened the continued hearing for Burton Woods.

Representative Amanda Cavaliere provided an update on the recent revision:
- Included language in the Stormwater Report that the application of herbicides and pesticides will be done by a professional certified contractor.
- Updated the 20 scale drawings showing the BZ and RA.
- Included language that no sand, salt, or chemicals for de-icing will be used or be stored outside. Calcium Chloride may be used.
- The stormwater model was adjusted to eliminate the oscillations within the model between the 1P (forebay) and 2P (basin) (Pages 21, 32 in the hydro CAD output)
- Oscillations between PR 2 and AP1 should be eliminated for the 10-year event (pages 63,68)
- The rational method pipe conveyance tabulation has been updated to include the CB#9-DMH#6-Headwall#2 pipe network.
- The work area within the Riverfront has been adjusted to comply with 310 CMR 10.58(4)(d)(1) and the areas of disturbance table has been updated.
- Roof runoff has been disconnected from street drainage system and will be individually captured and recharged by two Cultec Recharger Chambers per dwelling.
• The snow storage in the vicinity of Unit 21 has been relocated outside the 100 ft. buffer to the BVW as requested.

There were the following recommendation made:
• There be a guard rail with a sign “No Snow Storage” around the radius of the cul-de-sac. This will provide a physical barrier for no dumping.
• Extend the fence at Lots 12 & 13 with the inclusion of no disturb signage.
• Correct the numbering on the sheet plans and make sure the index is accurate.
• Include signage for “no dumping” & No Disturb Zone at the wetland at the wetland crossing.

The Chairman referred to the Simplified Wildlife Habitat Evaluation (Appendix A) which was dated October 9, 2019. This was completed due to a concern from an abutter who requested the Commission to utilize its discretionary authority to require said assessment. The Conservation was correct in using Appendix A the Simplified Wildlife Habitat Evaluation form as specifically required in DEP’s Wildlife Habitat Protection Guidelines for Inland Wetlands.

The Commission did let the applicant know that there appears to be debris at the wetland crossing area which should be disposed of. Mr. Gately indicated that he will remove this debris.

There was clarification on the October 9, 2019 minutes indicating that Unit 14 is the only walk out dwelling and that all others are proposed at existing grade elevation. There will need to be 2 to 4 feet of fill needed in the buffer zone behind the dwelling. The applicant clarified and noted that there are going to be no walk outs.

Continuation Vote:
On a motion made by Shawn Wade, seconded by Noel Lioce, the Commission voted unanimously to continue the hearing for Burton Woods to December 11, 2019 at 7:30 pm.

CONTINUATION HEARING: Project Location: 5 Roger Street
Hearing time: 8:55 PM
Project Description: Garage in 25 ft BZ
Application Type: Notice of Intent: DEP File Number 105-859; BWP-227
Applicant: Steve Marino
5 Roger Street
Bellingham, MA 02019
Representative: Land Planning (Bill Halsing)
167 Hartford Ave.
Bellingham, MA 02019
Plans:
NOI & “Site Plan Located at 5 Roger Street”, 9/5/19

The Chairman opened the continued public hearing for 5 Roger Street. It was communicated that at the last meeting there was discussion that the edge of the lawn is right at the BVW boundary field review demonstrated that in fact, the wetland was filled to create some of the awn area. The applicant was tasked with looking at alternatives to decrease infringement into the 25 ft No Disturb Buffer Zone. It was further explained that the shed is within this area. This area appears to be heavily utilized. There is a playground, leaves, debris, and wood storage in the 25 ft. buffer area. It was suggested to let the area revegetate once this materiel is removed. There will need to be restoration of this area. The applicant was again tasked with coming up with a better alternative to what is currently proposed. It was suggested to include a barrier fence, move up the garage or make is smaller, and move the shed. There should also be a plan for the removal of the noted debris. It is a requirement that the project meet the performance standards. Representative Bill Halsing will rework the plan with the recommended suggestions.

Continuation Vote:
On a motion made by Shawn Wade, seconded by Noel Lioce, the Commission voted unanimously to continue the hearing for 5 Roger Street to January 8, 2020 at 7:50 pm.

CONTINUATION HEARING: Project Location: 186 Maple Street
Hearing time: 9:15 PM
Project Description: 4 MW Solar Voltaic System
Application Type: Notice of Intent: DEP File Number 105-855; BWP-223
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Applicant: Borrego Solar Systems (Dave Albrecht)
55 Technology Dr., Suite 102
Lowell, MA 01851

Representative: Borrego Solar Systems (Dave Albrecht)
55 Technology Dr., Suite 102
Lowell, MA 01851

revised Landscaping Plans for Waivers, 9/16/2019; revised plans 10/11/2019

The Chairman opened the continued public hearing for 186 Maple Street (Borrego Solar).
The applicant representative Sami Aslam was present.

All members were provided a draft copy of the Order of Conditions. This was reviewed by the Commission.

On a motion made by Neal Standley, seconded by Noel Lioce, the Commission voted unanimously to close the hearing
for 186 Maple Street and issue the Order of Conditions.

Public Hearing: Project Location: South Main St. & Center St.

Hearing time: 9:30 PM

Project Description: Bellingham Shores: Roadway, Stormwater management &
filling of 1,757 sf of IVW for subdivision road & lots

Application Type: Notice of Intent: DEP File Number 105-864; BWP-230

Applicant: Bellingham Residential #2 Realty LLC (Rick Terrill)
120 Quarry Drive
Milford, MA 01757

Representative: Goddard Consulting LLC
291 Main Street, Suite #8
Northborough, MA 01532

Plans: NOI & Plan Set dated 12/6/18, Revised 8/01/19
Stormwater Management Plan – 12/2018

The Chairman opened the hearing for the Notice of Intent submitted by Bellingham Residential #2 Realty LLC. This
application is for the proposed grading, site work and stormwater management system associated with a 103-lot residential
subdivision entitled “Bellingham Shores” including the construction of the subdivision roadway located within the Buffer
Zone to Bordering Vegetated Wetland with proposed filling of 1,757 sq. ft. of Isolated Vegetated Wetland & Associated
impacts to the 25’ No Disturb Zone and 25’050’ No Build Zone.

Scott Goddard from Goddard Consulting, LLC and Sean Malone from Oak Consulting Group were present. It was explained
that a site assessment was performed to evaluate the impact area on September 10, 2019. The project will be preserving 88
acres of land as open space of which 24.5 acres is wetlands. There will be grading associated with two stormwater
management basins proposed within the 25-50 and 50-100 ft. buffer zones of the on-site northeastern BVW. There will also
be a portion of the roadway built within the 50-100’ buffer to the southern BVW adjacent to Cross Street. There is no work
proposed within the riverfront area of the on-site perennial stream. There will be 3 of the proposed houses within the buffer
zone. In regard to performance standards, the project proposes to fill the small AA series isolated wetland. The applicant is
seeking relief from the 25’ IVW buffer zone and for the proposed IVW impacts. The project also seeks a waiver for IVW
replication as the applicant claims that the IVW impact area consists of a low value IVW of only 1,757 sf. Instead of the
replication, the project is proposing the preservation of on-site BVW and upland. The proposed drainage design will use a
closed drainage to convey stormwater. All the units will have infiltration. The site drainage will be managed through surface
detention and infiltration. The stormwater treatment will include deep sump catch basins, sediment forebays, and surface
infiltration basins which will be designed to remove 80% of the total load of total suspended solids per storm. These basins
will be on separate lots designated by easements. The delineated line has been approved by the previous ANRAD issued in
2016.
Abutter Cynthia Roberts, 437 Center Street expressed her concern about having to go to the post office to get her abutter notification. The Chairman explained that the applicant is required to demonstrate a reasonable attempt which was done. There is a telephone number on the letter for the Conservation Commission office for clarity on dates and times of meeting.

The Commission wanted to know why the open space area at Candlelight Lane is included in the open space calculations for Bellingham Acres as it has a detention basin located within it. This should not be counted as open space for Bellingham Shores. It was commented that this parcel was part of the 40 B Open Space. There is also a sewer line which runs through this area. The Commission would like to get clarification on this from the Planning Board. A question was asked about the snow removal process. The applicant indicated that they will be plowing the cul-de-sac area but will not be depositing the snow into the basin or in any buffer zone to regulated resource areas.

The applicant was instructed to investigate appropriated replication areas aligning it with the performance standards showing what will be filled and or replaced including direct impacts to IVW, 25', 25' NDZ, 25'-50' NBZ and 50'-100' BZ. The applicant was made aware that the Conservation Commission will be running the peer review concurrently with the Planning Board.

Continuation Vote:
On a motion made by Neal Standley, seconded by Noel Lioce, the Commission voted unanimously to continue the hearing for Bellingham Shores to February 12, 2020 at 7:30 pm.

Public Hearing: Project Location: 71 Box Pond Drive:

Hearing time: 10:00 PM
Project Description: Septic Repair
Application Type: Notice of Intent: DEP File Number 105-861; BWP-231
Applicant: Joshua Harper
9 Reade Street
Milford, MA 01757

Representative: Land Planning (Bill Halsing)
167 Hartford Ave.
Bellingham, MA 02019

Plans: NOI Plan Sheet dated 11/14/19

The Chairman opened the public hearing for the Notice of Intent for 71 Box Pond Drive. The applicant is proposing for the removal of an existing failed sewage disposal system and the construction of a new sewage disposal system located within the 25-foot Buffer Zone. Representative Bill Halsing explained that he met with the Town of Bellingham Board of Health last night and presented the plan. It was further conveyed that due to the limitations of the property, there are limited alternatives as to where the septic system can be placed including the proximity to active private wells. The closest disturbance for the proposed work is ten feet from the edge of the wetland.

The Conservation Agent will prepare the Order of Conditions pending the Board of Health approvals which is scheduled for December 3, 2019.

Continuation Vote:
On a motion made by Neal Standley, seconded by Noel Lioce, the Commission voted unanimously to continue the hearing for 71 Box Pond Drive to December 11, 2019 at 8:00 pm.

Public Hearing: Project Location: 373 Hartford Avenue:

Hearing time: 10:20 PM
Project Description: Septic Repair
Application Type: Notice of Intent: DEP File Number 105-862; BWP-232
Applicant: David Azvedo
373 Hartford Avenue
Bellingham, MA

Representative: Land Planning (Bill Halsing)
167 Hartford Ave.
Bellingham, MA 02019
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Plans:

Chairman Matthews opened the hearing for 373 Hartford Avenue. The Notice of Intent is for the removal of an existing failing sewage disposal system and the construction of a new sewage disposal system with proposed disturbances located within the 25-foot Buffer Zone to a Bordering Vegetated Wetlands.

The applicant representative Bill Halsing was present along with the owner David Azevedo. Mr. Halsing explained that the new system will go in the same spot as the current system. This Board of Health has reviewed this application and approved the design. The Conservation Administrator conducted a site inspection and recommended closing the hearing and issuing the Order of Conditions.

On a motion made by Michael O’Herron, seconded by Shawn Wade, the Commission voted unanimously to close the hearing for 373 Hartford Avenue and issue the Order of Conditions.

PUBLIC HEARING: Project Location: 8 Ernie Drive:

Hearing time: 10:40 PM
Project Description: Inground Swimming Pool
Application Type: Notice of Intent: DEP File Number 105-863; BWP-233
Applicant: Erik & Mary Borgendale
8 Ernie Drive
Bellingham, MA 02019

Representative: EBT Environmental Consultants, Inc. (Glenn Krevosky)
601 Main Street
North Oxford, MA 01537

Plans:

The Chairman opened the meeting for 8 Ernie Drive. The applicants Erik & Mary Borgendale were present along with the applicant representative Glen Krevosky from EBT Environmental Consultants, Inc. Mr. Krevosky explained that his client would like to install a fiber glass inground pool, patio and walkway which is located within the 100 ft. buffer zone to bordering vegetative wetland. There will be a straw wattle installed for limit of work.

There was discussion that the area on the northeasterly side of the backyard beyond the pool fencing located at the existing tree line is designated and shall be posted as a No Disturb Zone. Upon the issuance of a Certificate of Compliance, an ongoing condition will be maintenance of this area as a No Disturb Zone. If the pool needs to be drained for maintenance or repair, pool water is not to be pumped into the 50-foot buffer zone but rather transported off site.

On a motion made by Shawn Wade, seconded by Noel Lioce, the Commission voted unanimously to close the hearing for 8 Ernie Drive and issue the Order of Conditions.

APPROVAL OF MINUTES:
October 9, 2019
On a motion made by Neal Standley, seconded by Noel Lioce, the Conservation Commission voted to approve the October 9, 2019 Meeting Minutes as amended.

October 23, 2019
On a motion made by Shawn Wade, seconded by Michael O’Herron, the Conservation Commission voted to approve the October 23, 2019 Meeting Minutes.

ADJOURN:
On a motion made by Shawn Wade, seconded by Neal Standley, the Conservation Commission voted to adjourn the meeting at 10:47 pm.

Meeting Adjourned at 10:47 pm

Respectfully Submitted,
Documents List November 20, 2019

- Minutes October 9, 2019
- Minutes October 23, 2019

Minutes Approved on: 12-11-19  
(Date)  
(Prepared by: Amy Sutherland)