MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

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

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

CONTINUATION HEARING: Project Location: Off Sunken Meadow

Hearing time: 7:30 pm
Project Description: Chapter 40B, 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

Chairman Matthews opened the continued hearing for the Sunken Meadow Road project at 7:30 PM.

Guerriere & Halnon was present to provide information demonstrating how the outstanding issues raised at the last hearing were addressed. As a result, revisions to the project have been made. The split rail fence designating the No Disturb Zone will be lengthened between units 13 and 14 and will tie into the stormwater basin perimeter fence, the guard rail will be installed at the edge of pavement along the eastern cu de sac, the plan set sheet numbers have been revised to include 1 through 16, wooden posts will be installed with signage at the cross country easement wetland crossing and along the rear of the lots on Mohawk Path. No herbicides or chemical de-icing agents will be stored on site. The use of sodium chloride for de-icing is prohibited. A brief discussion was had relative to the type of guard rail to be installed and by agreement, the Commission and applicant will utilize a wooden guard rail and signage to prohibit snow storage in this area. No Disturb Zone badges are required along the split rail fence and are available from the Commission. The Commission is satisfied that the remaining outstanding issues were addressed.

The Commission is in receipt of a letter from Jerry Bruno, 6 Sunken Meadow Road, Franklin. There was no representative at the hearing to discuss the issues raised in the letter. Therefore, the Chairman advised the Commission that we would consider the issues raised on a point by point basis. The issues in section one relate to individual driveways and are normally jurisdictional to the Planning Board. As this is a Chapter 40B project, local Planning Board rules are superseded and authority for these details in under the purview of the Zoning Board.
In section two, the meaning of the 204 foot contour behind the southerly units was questioned. The Commission stated that that contour indicates the limit of a water quality swale. Because the water quality swale provides pretreatment prior to, it meets DEP (as well as Commission) standards.

In section three, questions were raised relative to the location and design for an interconnect located at the corner of lot 102. As this is not jurisdictional to the Commission, we defer to DPW to oversee standard construction practices. Although the wetland crossing and sewer and water lines are plus or minus four feet from abutters’ property, there is no prohibition or standard that would make this location unacceptable. It is the opinion of the Commission that it was not necessary to move the crossing area as the 970 square feet of impact was being properly mitigated and the attendant Buffer Zone enhanced. The Commission scaled the drawings to assure that there was ten feet of separation horizontally between the water and sewer line. Finally, the Order of Conditions to be developed for the project will require pre-construction meetings with project scheduling and weekly progress monitoring reports.

In section four, the stormwater report does not consider roof surface area in the run off calculations because, as a Commission requirement, each unit directly infiltrates its roof run off. Based on soil profiles in the stormwater management system and site observation, it appears that the main body of the project area is substantially above grade from existing groundwater and individual infiltration soil testing is not necessary. Additionally, these areas are for the most part, outside the jurisdiction of the Commission.

In section five, relative to limit of clearing near the property line of the adjacent lots, the Commission has no discretionary authority. The Commission does note, however, that by agreement by the applicant and subject to the order of Conditions, perimeter fencing as well as temporary construction fence shall be employed for the duration of the project to assure no unpermitted access to Buffer Zones or set-backs.

The project engineer stated that the ZBA has reviewed the application and is satisfied that the peer review comments have been addressed and that there are no further issues.

Consistent with past practice, the Commission planned to continue the hearing until January 8, 2020 at which point the continuation would be closed and the Order of Conditions signed and issued.

On a motion made by Shawn Wade, seconded by Michael O'Herron, the Commission voted unanimously to continue the hearing for Off Sunken Meadow Road to January 8, 2020 at 7:15 PM.

**Continuation Public Hearing: Project Location: 71 Box Pond Drive:**

**Hearing time:** 8:00 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 continued 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. The final revisions were successful in reducing the impacts originally proposed. The Conservation Agent prepared the Order of Conditions.

On a motion made by Shawn Wade and seconded by Neal Standley, the Commission voted unanimously to close the hearing for 71 Box Pond Drive and sign the Order of Conditions as presented.

**PUBLIC HEARING: Project Location: Lake Street**
MINUTES OF THE CONSERVATION COMMISSION MEETING

December 11, 2019

Hearing time: 7:15 pm
Project Description: BVW, Perennial Stream, ILSF, MAHWL, Pond, BZ
Application Type: ANRAD Hearing 105-BWP-234
Applicant: Louis Petrozzi, Wallstreet Development Corp. PO Box 272 Westwood, MA 02090
Representative: Arthur Allen, Eco Tec, Inc. 102 Grove Street, Worcester, MA 01605

Plans:

The Chairman opened the public hearing for Lake Street (69-87). This application is in accordance with the Massachusetts Wetland Protection Act, G.L. ch 131 sec 40 and the Bellingham Wetlands Protection Bylaw on the Abbreviated Notice of Resource Area Delineation for confirmation of delineated Bordering Vegetated Wetlands, Isolated Land Subject to Flooding and Mean Annual High-Water Line along two streams identified as perennial for property located at Assessors Map 69, Lot 87. The site consists of two parcels totaling 27 acres and is located in Bellingham and Franklin, abutting Prospect and Lake Street.

Arthur Allen from EcoTec, Inc was present to explain the ANRAD. Mr. Allen explained that the site was inspected in June 29, 31, July 3, and November 1, 2019. The site consists of two parcels totaling 27 acres located in Bellingham and Franklin abutting Prospect and Lake Street. The upland portion of the site consists of hilled terrain with upland forest with evidence of a former gravel mining operation.

There was identified the following wetlands:
- Southwest portion of the site that is associated with a perennial stream and ponded wetlands located to the southwest.
- Isolated Vegetated Wetland in the Southwester portion of the site.
- Bordering Vegetated Wetlands located in the Southern portion of the site that is associated with a perennial stream and a pond located to the South.
- Mapped perennial stream located in the Southwest portion of the site.
- Unmapped perennial stream located in the Southerly portion of the site.

Mr. Allen also communicated that there is wetland hydrology including hydric soils, and evidence of flooding were observed within the delineated wetland. Based on review of the current USGS Map, one stream that is shown as perennial is located on the western site of the site. The second stream that is not shown of the current USGS Map is located below the millpond in the South East.

The Chairman communicated that this is a difficult site and would require a site visit. It was recommended to view this site when there is not snow on the ground.

The Conservation Commission would like to do a preliminary evaluation on this site. It was recommended to do a site walk on December 21, 2019 at 8:30 am

Continuation Vote:
On a motion made by Neal Standley, seconded by Shawn Wade, the Commission voted unanimously to continue the hearing for Lake Street to February 12, 2020 at 8:00 pm and will hold a site visit on Saturday, December 21, 2019 at 8:30 am.

PUBLIC HEARING: Project Location: 3 Duhamel Way, Lot 7:

Hearing time: 8:30 pm
Project Description: Single Family Dwelling, Utilities, Grading
Application Type: Notice of Intent: DEP File Number 105-0866; BWP-233
Applicant: Francis Sebio, Plum Tree Custom Homes LLC, 19 Pine Acre Dr. Bellingham, MA 02019

Representative: Richard Goodreau, United Consultants, 850 Franklin St., Ste 11D, Wrentham, MA 02093

Plans:
Notice of Intent/Site Plan dated 10/31/19 Lot 7

The Chairman opened the public hearing for 3 Duhamel Way, Lot 7, 5 Duhamel Way, Lot 6, and 7 Duhamel Way, Lot 5 at 8:30 pm. The applicant was made aware that there was not a Certificate of Compliance granted for the roadway. This needs to be completed along with putting a bond in place for the stormwater. The Board was made aware that the original and
amended Order of Conditions for the roadway, stormwater management and open space conveyance has expired. This will require a new filing.

The applicant communicated that the basin and wetland crossing is in good shape and the site has been maintained and has been mowed on a regular basis.

The public hearing is in accordance with the Massachusetts Wetland Protection Act, G.L. Ch. 131 sec 40 and the Bellingham Wetlands Protection Bylaw on the Notice of Intent for the construction of a single-family dwelling, driveway, utilities, grading and landscaping located within the buffer zone to bordering vegetated wetlands at Assessors Map 89, Parcel 17 B. There was a site evaluation conducted on August 27, 2019.

The wetland disturbance is noted:
- 50'–100' Buffer Zone = 6,440 sq. ft.

The wetland resource areas were identified and flagged on site. The topography is generally flat. There is a dense canopy of red maple. The soils appear to drain well with loamy sand. There is a seasonally flooded forested swamp adjacent to the eastern portion of the lots. This site is not located within an estimated habitat of rare wildlife or a priority habitat of rare species. The eastern portions of the site are contained within the regulatory buffer zone. This site will require fencing and a posted rail fence and badges posted. Badges will be provided by the Conservation Commission. The erosion control type proposed is a silt fence. The amount of fill proposed for removal from site is 750 cubic yards. There is a concern about the groundwater elevations and site grade. The Commission would like to schedule a site walk.

On a motion made by Michael O’Herron, and seconded by Neal Standley, the Conservation Commission voted to continue the hearing for 5 Duhamel Way Lot 7 to January 22, 2019 at 8:15 pm.

**PUBLIC HEARING: Project Location: 5 Duhamel Way, Lot 6:**

| Hearing time: | 8:30 pm |
| Project Description: | Single Family Dwelling, Utilities, Grading |
| Application Type: | Notice of Intent: DEP File Number 105-0867; BWP-236 |
| Applicant: | Francis Sebio, Plum Tree Custom Homes LLC, 19 Pine Acre Dr. Bellingham, MA 02019 |
| Representative: | Richard Goodreau, United Consultants, 850 Franklin St., Ste 11D, Wrentham, MA 02093 |
| Plans: | Notice of Intent/Site Plan dated 10/31/19 Lot 6 |

The Chairman opened the public hearing for 5 Duhamel Way, Lot 6.

The public hearing is in accordance with the Massachusetts Wetland Protection Act, G.L. Ch. 131 sec 40 and the Bellingham Wetlands Protection Bylaw on the Notice of Intent for the construction of a single-family dwelling, driveway, utilities, grading and landscaping located within the buffer zone to bordering vegetated wetlands at Assessors Map 89, Parcel 17 B.

The wetland disturbance is noted:
- 25' – 50' Buffer Zone = 1,148 sq. ft.
- 50'–100' Buffer Zone = 7,617 sq. ft.

The applicant explained that this is graded toward the wetland area. This lot is not located in a water resource district. The topography within the BVW is flat with evident mound micro-topography, drainage patterns and leaf staining throughout. The eastern portions of the site are contained within the regulatory buffer zone. This site will require fencing and a posted rail fence and badges posted. Badges will be provided by the Conservation Commission. The erosion control type proposed is a silt fence.

On a motion made by Michael O’Herron, and seconded by Neal Standley, the Conservation Commission voted to continue the hearing for 5 Duhamel Way Lot 6 to January 22, 2019 at 8:15 pm.

**PUBLIC HEARING: Project Location: 7 Duhamel Way, Lot 5:**

| Hearing time: | 8:30 pm |
| Project Description: | Single Family Dwelling |

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MINUTES OF THE CONSERVATION COMMISSION MEETING

December 11, 2019

**Application Type:** Notice of Intent: DEP File Number 105-0868; BWP-237

**Applicant:** Francis Sebio, Plum Tree Custom Homes LLC, 19 Pine Acre Dr. Bellingham, MA 02019

**Representative:** Richard Goodreau, United Consultants, 850 Franklin St., Ste 11D, Wrentham, MA 02093

**Plans:** Notice of Intent.Site Plan dated 10/31/19 Lot 5

The Chairman opened the public hearing for 7 Duhamel Way, Lot 5 89 Parcel 17 B, Lot 5.

The public hearing is in accordance with the Massachusetts Wetland Protection Act, G.L. Ch. 131 sec 40 and the Bellingham Wetlands Protection Bylaw on the Notice of Intent for the construction of a single-family dwelling, driveway, utilities, grading and landscaping located within the buffer zone to bordering vegetated wetlands at Assessors Map 89, Parcel 17 B Lot 5. There was a site evaluation conducted on August 27, 2019.

The wetland disturbance is noted:
- 25’ – 50’ Buffer Zone = 836 sq. ft.
- 50’-100’ Buffer Zone = 6,572 sq. ft.

The wetland resource areas were identified and flagged on site. The topography is generally flat. There is a dense canopy of red maple. The residential development abuts the site to the south. Forested land lies to the east and north. The extent of the vegetated wetland was determined through observations of the existing plan communities while verifying wetland hydrology. The upland/wetland boundary to BVW delineated in the field with AES flagging stations #1 through approximately #30. The line within which 50% or more of the vegetation community consists of wetland plants and saturated and inundated conditions exist. The FEMA Floodplain Designation areas determined to be outside the 0.2% annual chance floodplain. This site is not located within the Zone II. The eastern portions of the site are contained within the regulatory buffer zone. This site will require fencing and a posted rail fence and badges posted. Badges will be provided by the Conservation Commission. The erosion type proposed is a silt fence.

The Commission will walk all 3 lots to confirm the wetland delineation in the field.

On a motion made by Michael O’Herron, and seconded by Neal Standley, the Conservation Commission voted to continue the hearing for 7 Duhamel Way Lot 5 to January 22, 2019 at 8:15 pm.

On a motion made by Michael O’Herron, and seconded by Neal Standley, the Conservation Commission voted to schedule a site walk for 7 Duhamel Way Lot 5, 5 Duhamel Way Lot 6 and 3 Duhamel Way Lot 7 for December 21, 2019 at 10:00 am.

**APPROVAL OF MINUTES:**
November 20, 2019

On a motion made by Neal Standley, seconded by Shawn Wade, the Conservation Commission voted to approve the November 20, 2019 Meeting Minutes as amended.

**OTHER BUSINESS:**

**Lincoln Business Park:**

The Commission is in receipt of a request to change the retaining walls originally permitted for the Lincoln Properties warehouse. Lincoln Properties was represented by John Cappellano and George Green of ARCO. A concept plan dated 11/22/2019 along with the originally permitted VHB plans were submitted by ARCO, the general contractor for construction. ARCO demonstrated the ability to lower the overall site by four feet. This in turn means that the toe of slope for the existing walls would be brought closer to the building and further from Buffer Zones. Additionally, the lower elevations mean the elimination of the originally permitted versa-lok walls. The proposal is to utilize twelve inch minus blast rock with 24 inch lifts for compaction. In areas immediately proximate to the 25 foot No Disturb Zone, the toe of slope would be pulled back and large boulder sized blocks would be utilized to stabilize slopes in these areas. The applicant will be attending the Planning Board meeting tomorrow evening requesting the same modification to their approved plan. Due to a reduction in total site impacts, the Commission supports this change. At this point, John Cappellano questioned the need and timing for the bond required in the Order of Conditions. The Chairman informed the applicant that prior to any activity associated with wetlands replication or Buffer Zone enhancement, the bond must be received by the Treasurer.
Certificate of Compliance:
The Commission is in receipt of a Certificate of Compliance Form 8B from PE-Greenman-Pedersen, Inc. c/o Irving Oil Marketing Inc. for work regulated by a final Order of Conditions issued to Irving Oil Marketing, Inc. The project is located at 310 & 320 Pulaski Blvd & 21 Westminster Street. An inspection was completed on December 9, 2019. The applicant did need to clean up the site which was done to the satisfaction of the Conservation Agent. The Conservation Agent recommends signing the Certificate of Compliance.

Solitude Lake Management:
The Commission is in receipt of the following:
- Lake Treatment Contract dated December 6, 2019 in the amount of $3,780.00
- 2020 Silver Lake Treatment Contract dated December 9, 2019 in the amount of $14,975.00 (appropriated funds at annual town meeting) no formal vote needed from Conservation Commission
- Silver Lake Treatment Contract dated December 6, 2019 to treat the phragmites $785.00. (no vote taken)

On a motion made by Shawn Wade seconded by Neal Standley, the Conservation Commission voted unanimously to sign the contract for $3,780.00 as presented.

ADJOURN:
On a motion made by Neal Standley, seconded by Shawn Wade, the Conservation Commission voted to adjourn the meeting at 10:00pm.

Meeting Adjourned at 10:00 pm

Respectfully Submitted,

Amy Sutherland
Recording Secretary

Documents List December 11, 2019

- Minutes November 20, 2019
- Contracts from Solitude Lake Management

Minutes Approved on: 1-14-20
(Date)

Amy Sutherland
(Prepared by: Amy Sutherland)