MEETING LOCATION: Remote Participation through Zoom

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, no in-person attendance of members of the public will be permitted at this meeting.

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

Other Officials:
Anne Matthews, Conservation Agent
Amy Sutherland, Recording Secretary
Jim Kupfer, Town Planner (ran the zoom meeting)

The Chairman opened the meeting at 7:00 pm.

Continued Public Hearing: Project Location: 6 North Main Street, Mill Street, Common Street:

Hearing time: 7:00 pm
Project Description: Construction of a new access road, improvements to existing roadways, construction of stormwater management facilities, utility improvements including pump station
Application Type: Notice of Intent: DEP File Number 105-900; BWP-N/A
Applicant: Denis Fraime
Town of Bellingham
10 Mechanic Street
Bellingham, MA 02019

Representative:
Mark Allen
Allen Engineering & Associates Inc.
One Charles Road, Suite 2
Hopedale, MA 01747

The Chairman opened the continued hearing for 6 North Street for the Notice of Intent for the proposal to construct a new access roadway, improvements including a pump station located within the 100-foot buffer zone to bordering vegetated wetlands including proposed alteration of 150 sq. ft of bordering vegetated wetlands.

Allen Engineering & Associated Representative, Mark Allen was present via zoom. Mark Allen provided an update from the last meeting. There was a site walk with the Commission to determine the accuracy of the wetland delineation. The Commission agreed on the delineation of the wetlands and those are depicted on the plans. There were very general peer review comments provided in the form of a memo rather than a comment letter. A screen share was shown of the sheets G2-G12. The Commission Agent responded that the Commission is not in receipt of the plans shown on the screen share and as new information and no decision or review should take place. The applicant explained that based on BSC correspondence the wrong plans were reviewed which it appeared to be the plans dated March 5, 2020 and not June 30, 2020. The shared screen plans have not been provided to the Commission. The applicant would like the Consultant to do a review of the recently revised plan set which were dated today.
The applicant responded that they have completed a comprehensive revision to the plan based on the comments from the August 26, 2020 meeting. The Chairman allowed the presentation to proceed but maintained that no action could take place.

The following are the revisions to the plan:
- The plan now has the 25 ft. no disturb zone represented.
- The applicant has been working with the DPW to coordinate the flows from Common Street to the area along Mechanic Street. This resulted in changing the grading to address the flow requirements.
- There was a section noted with a small wetland impact near the sidewalk. This required a 400 sq. ft replication which is now shown on the plan.
- There was discussion at the last meeting about the basin on site. The applicant communicated that a second basin has been completely removed from the town property.
- The applicant was informed that there was flooding in this area, so there was revaluation of the 12-inch pipe. There will be an installation of a second 15-inch pipe to help with flooding.
- Mill Street will be regraded to help with the low points and is proposing a double catch basin.
- There has been grading shifted to the pump station and it is now out of the 25 ft. buffer and is in the 50 ft. buffer zone.
- There was an added turn out for the trucks at the end of Mill Street on town property. This is outside the resource area.

The Commission would like the following:
- Consultant to review the calculations for stormwater based on the new information.
- Review responses to be separate from the Red Mill project.
- Further review of the drainage with peer review comments specific to the new plan set.

The applicant will provide to the Commission a set of new full set plans and 11" x 17" plans to review. The Commission will be consulting with peer review to discuss the areas which need review. The applicant communicated that by the next meeting they will be preparing responses to all the review comments from BSC group. A comprehensive package will be provided by the end of the week. The applicant will also be addressing the two different comment letters from the DEP.

The Chairman asked the members if there were comments relative to the site inspection. Vice Chairman Standley asked about the water on Mill Street and where is this water going. The Consultant will be looking at this area since it is noted as an area subject to flooding.

On a motion made by Brian Norton, and seconded by Neal Standley, the Conservation Commission voted to continue the hearing to December 9, 2020 at 9:00 pm.

Roll Call Vote:
Neal Standley, Vice Chairman        aye
Michael O’Herron, Member            aye
Brian Norton, Member                aye
Shawn M. Wade, Member               aye

Continued Public Hearing: Project Location: Mechanic Street & Mill Street:
Hearing time: 7:30 pm
Project Description: Roadway, Utilities. Stormwater Management for Residential Subdivision – Red Mill on the Charles
Application Type: Notice of Intent: DEP File Number 105-910; BWP-268
Applicant: Kevin Lobisser
Snowflake, LLC
One Charlesview Road Suite 1
Hopedale, MA 01747
Representative: Mark Allen
Allen Engineering & Associates Inc.
One Charles Road, Suite 2
Hopedale, MA 01747
The Chairman opened the continuation hearing for Red Mill on the Charles.

The applicant representative Mike Dryden presented an overview with bullet points of what has been done to date based on recommendations from the last meeting: (the applicant screen shared the plans)

- Revised plans are dated today, and the commission will have those by weekend.
- Consultant BSC commented at the last meeting that the plans were difficult to read, so the applicant improved the legibility of the plan.
- The plan set has been broken up to include adding separate open space plans, and resource area impact plans.

As noted in the previous access road hearing, these are new plans submitted today and not in compliance with the ten-day prior submission rule. The next topic discussed was the Open Space and the elements which are contained within it. The detention basins have been removed from the Open Space area and put on separate drainage parcels which will be conveyed to the town. The applicant then noted that the Commission at the last meeting asked about the slopes and grading on open space some areas. This was show in the gray areas noted on the screen share. The total of the sloped area is 2.7 acres and if removed from the open space calculations, the applicant would still have 38.9 acres or 43% of open space which meets the requirement. The plan has been revised so that all work within the 25 ft. no disturb zone with the exception of the two stream crossing areas have been removed on the revised plans. All encroachment within the 50’ no disturb buffer for vernal pools have been removed on the revised plans. The waiver is no longer needed. All vernal pools are contained within the open space. Many of the lots were reshaped and scaled back. The Riverfront area impact has been reduced by 8,000 sq. ft. from the initial submission. The applicant must do a habitat evaluation for the resource area where the thresholds are exceeded but not the entire site.

The last item the applicant discussed in their presentation were the waivers. In the initial submission there were 5 waivers requested, but by reworking the plan, there are now three waivers:

1. 25 ft. no touch for crossing areas
2. Work within 50 ft. vernal buffer zone. This waiver is not needed
3. 1’ freeboard from 100-year ponding evaluation within basins and the emergency overflow spillway.
4. Frozen ground conditions for 25-year storm event
5. No increase in volume for the 25yr storm event. This waiver is not needed.

The Chairman thanked the applicant for the overview and indicated that as this moves forward, the Commission will have more questions about the construction of the stormwater structures above grade. Consultant DiPietro communicated that it appears the plans are improved, but he needs to see the revised plans before making definitive comments.

The Chairman asked for a motion to continue the hearing.

On a motion made by Neal Standley, seconded by Brian Norton, the Conservation Commission voted by roll call vote to continue the hearing to December 9, 2020 at 9:30 pm.

**Roll Call Vote:**

Neal Standley, Vice Chairman                      aye
Michael O'Herron, Member                         aye
Brian Norton, Member                            aye
Shawn M. Wade, Member                          aye

The Chairman opened the following continuation hearings: 16 Celestial Circle (Lot 76 A), 5 Lovers Lane (Lot 79 A), 7 Lovers Lane (Lot 80), and 9 Lovers Lane (Lot 81). The last noted date on the plans were September 8, 2020. There were revisions to some of the lot lines. The Agent informed the applicant that they have not received copies. She would like six sets of the plan along with a pdf sent. The applicant indicated that he will be presenting a revised plan for Lot 80 and 81.

**Continued Public Hearing: Project Location: 16 Celestial Circle (Lot 76 A):**

**Hearing time:** 8:00 pm

**Project Description:** Grading, Landscaping, Utilities, Bioretention Area

**Application Type:** Notice of Intent: DEP File Number 105-888; BWP-258

**Applicant:** South Center Realty LLC

120 Quarry Drive
The Chairman opened the continued hearing for 16 Celestial Circle (Lot 76A). The applicant representative Mr. Frederico communicated that in regard to Lots 76 and 79, there have been no changes. The applicant was waiting for a site visit with Dan Hazen. This site visit occurred. A recommendation was made for the relocation of a sedimentation basin and a silt fence outside of a 100-foot buffer.

The Agent communicated that there are no further issues with this site.

**Continued Public Hearing: Project Location: 5 Lovers Lane (Lot 79 A):**

**Hearing time:** 8:00 pm  
**Project Description:** Grading, Landscaping, Utilities, Bioretention Area  
**Application Type:** Notice of Intent: DEP File Number 105-887; BWP-259  
**Applicant:** South Center Realty LLC  
120 Quarry Drive  
Milford, MA 01757  

**Representative:**  
John Frederico  
Guerriere & Halnon, Inc.  
PO Box 235  
Milford, MA 01757

The Chairman opened the continued hearing for 5 Lovers Lane (Lot 79A)  

The applicant communicated that the plan for Lot 80 and Lot 81 has been revised. The applicant showed a share screen. The date of the plan is dated September 8, 2020. There were a few changes to the lot lines. The issue was also with the sedimentation basin being used while constructing the roadway and the infrastructure was located within the 100 ft. buffer. This was relocated outside the buffer as well as area being flattened out and restored. The house footprint has been updated. There have been no grading charges. There have been corrections to the topography based on the soil piles and grading for the rain gardens. There were no comments from the Commission on Lot 79.

**Continued Public Hearing: Project Location: 7 Lovers Lane (Lot 80):**

**Hearing time:** 8:00 pm  
**Project Description:** Grading, Landscaping, Utilities, Bioretention Area  
**Application Type:** Notice of Intent: DEP File Number 105-890; BWP-260  
**Applicant:** South Center Realty LLC  
120 Quarry Drive  
Milford, MA 01757  

**Representative:**  
John Frederico  
Guerriere & Halnon, Inc.  
PO Box 235  
Milford, MA 01757

The Chairman opened the Continued Hearing for 7 Lovers Lane (Lot 80). The applicant provided an overview on Lot 80. After the site visit, the Commission asked for a detail of the retaining wall which is being proposed. The wall height is to not exceed 4 ft tall. There is a detail showing this along with the fence along the top of the wall. The fence will meet building code requirements. The revision date on this plan is October 8, 2020. The applicant will forward the revised plan and pdf to the Commission Agent. The applicant will provide three plan sets. The applicant did inform the Commission that the infiltration chambers were moved to be below where the retaining wall was previously noted. This will be a boulder wall which will not need to be structurally designed with height not to exceed 4 ft.

The Commission asked about the boulder wall and the elevation which is a 3 to 1 slope and the stabilization of the wall. The Chairman communicated that the applicant will excavate into the slope so that the wall is sitting below grade but on a level surface. The applicant responded that they will be proposing boulders so it would not be easily moved. There is filter fabric
behind the wall and clean backfill behind. The length of the wall is about 60 ft. There will not be any stamped drawings of the wall. The wall on Lot 81 will have engineered plans which will be stamped and designed by a structural engineer. The Commission has reservations about this wall. The applicant noted that there will be leveling of the rocks and care to make sure the wall will not fail.

There were no further comments on Lot 80.

The applicant John Frederico began the presentation by indicating that there is no updated plan revision date. The last revision date was October 8, 2020. The boulder wall detail was shown which will be 4 ft. or less. The wall between the end of Lot 81 and Parcel B will be designed by a structural engineer. The maximum height of the wall will be about 10 ft. The wall is proposed to be one foot off of the property line. This has been staked out in the field. There are also stakes for the silt fence. This will be designed by a structural engineer. The agent wants to make sure that there is a note on the plan that the wall will be designed by a structural engineer or other. This could be conditioned within the Order of Conditions that no construction can begin on site until the information has been provided and reviewed by the building inspector.

There was a comment on Lot 81 that the wall is being constructed within one foot of the property line. The question was asked if there will be any incursion or temporary disturbance into the open space for construction. The applicant communicated that he is not anticipating this to have any sort of temporary disturbances. The applicant is intending to keep the silt fence right at the property line. It was suggested to put a condition to make sure there is no disturbance during or after construction. The Commission would like the developer to come back to the Commission before issuing the Order of Conditions about how they are going to build a wall in that area especially considering the proximity of the wall to the house foundation. There has been an abuse of the open space from this project in the past. The applicant will talk to the contractor to see what methodology they will be utilizing. The applicant is not anticipating any fill brought in prior to construction. The Commission would like the contractor to provide something in writing from a structural engineer to elaborate on the design and construction of the wall prior to closing the hearing.

On a motion made by Neal Standley, seconded by Michael O’Herron, the Conservation Commission voted by roll call to continue the hearing for Lot 76, Lot 79, Lot 80 and Lot 81 to November 4, 2020 at 7:50 and have the Order of Conditions prepared for Lot 76, Lot 79, Lot 80 and possibly Lot 81 pending additional information.

Roll Call Vote:
Neal Standley, Vice Chairman aye
Michael O’Herron, Member aye
Brian Norton, Member aye
Shawn M. Wade, Member aye

Amendment Request 9 Plain Street: Project Location: 41 Parcel 1:
Hearing time: 8:30 pm
Project Description: Site Design change
Application Type: Notice of Intent: DEP File Number 105-881; BWP-250
Applicant: Paul and Linda Germano
141 Farm Street
Millis, MA 02054

Representative:
Jeff Kane
LAL Engineering Group
730 Main Street
Millis, MA 02054

The Chairman opened the hearing for 9 Plain Street. The public hearing notice was read.

The applicant Jeff Kane from LAL Engineering Group was present representing Paul and Linda Germano. The applicant provided a share screen. This request it to amend the Order of Conditions for DEP File #105-881 and BWP-250 to reflect a change in the site design of the proposed residence located in the buffer zone at assessor’s map 4A, Parcel 1. It was explained that an OOC was issued to the OA homes and the applicant entered into a P&S. They would like to build their own retirement home of similar size and shape. This was approved with a two-car garage and the applicant wants a three-car garage. This lot was previously disturbed. The proposed structure will remain in the same location. The soil will be stabilized on site, removing the overgrown weeds, trash and woody waste and will provide the 50 ft. buffer as required along
with the post and badges. There will be some public safety aspects added as far as new hydrant at the street, repaving a section of the road.

The Chairman communicated that this is relatively straight forward. Under the original Order of Conditions, there was some clean up that was going to take place. The recommendation was to keep the special conditions in place and allow the plan to be amended.

On a motion made by Neal Standley, seconded by Michael O’Herron, the Conservation Commission voted by roll call to close the hearing and allow the issuance of the amendment to the original Order of Conditions.

**Roll Call Vote:**
Neal Standley, Vice Chairman  
Michael O’Herron, Member  
Brian Norton, Member  
Shawn M. Wade, Member  
aye

**Public Hearing: Project Location: Candlelight Lane and Silver Lake Road:**

- **Hearing time:** 9:00 pm
- **Project Description:** Drainage Improvements Basin C
- **Application Type:** Notice of Intent: DEP File Number; BWP-271
- **Applicant:** Bellingham DPW  
And South Venter Realty LLC, 120 Quarry Drive  
Milford, MA 01757
- **Representative:** Rob Poxon  
Guerriere & Halon, Inc.  
PO Box 235  
Milford, MA 01757

The Chairman opened the public hearing for Candlelight Lane and Silver Lake Road. The public hearing notice was read. This project is for the drainage improvements for Basin C at Candlelight Lane and Silver Lake Road. The Chairman informed the Commission that the scope of the peer review was just received this afternoon. This will be reviewed by the Conservation Agent. This will then be forwarded to the applicant who will begin their review and response to the comments.

The applicant Bob Poxon and Elizabeth Manini from Guerriere and Halon were present. Angela Conforti, Attorney for the applicant was also present. The applicant explained that this Notice of Intent is to address the drainage of Basin C and the outfall on Lot 10. To date, there has been no file number provided. This NOI is limited to the reconfiguration of the way that the Silver Lake Road drainage and Lakeview basin connect into the manhole. The grading of the swale will be improved. The NOI will allow the flattening of the swale for better distribution. This design will improve what is currently there. This would establishment the 25 ft. buffer. At the request of Commission and ZBA the applicant expanded the analysis to include the evaluation of the as-built conditions to verify the current configuration and to verify consistency of design with standard engineering practices and the stormwater management standards. This will all be reviewed by peer review. Ms. Mainini noted that this functions in accordance with the stormwater regulations. The proposed changes do not negatively effect the stormwater system. This is a minor change. The goal is to separate the two systems and have discharges at the headwall. This is for storms greater than the 100-year storm. There is less run off to Silverlake Road prior to the development of Lakeview Estates. The applicant would like to meet with the Conservation Commission again prior to the Zoning Board of Appeals meeting. The Chairman communicated that the Commission will review BSC proposal. All calculations will be reviewed. The Chairman asked for a motion to continue this hearing.

On a motion made by Neal Standley, seconded by Michael O’Herron, the Conservation Commission voted by roll call to continue the hearing for Candlelight Lane and Silver Lake Road to December 9, 2020 at 7:00 pm.

**Roll Call Vote:**
Neal Standley, Vice Chairman  
Michael O’Herron, Member  
Brian Norton, Member  
Shawn M. Wade, Member  
aye
The Chairman opened the following hearings: 18 Celestial Circle (Lot 75A), 20 Celestial Circle (Lot 73 A), and 24 Celestial Circle (Lot 72A). The applicant provided a share screen.

**Public Hearing: Project Location: 18 Celestial Circle (Lot 75 A):**

- **Hearing time:** 9:15 pm
- **Project Description:** Grading, Landscaping, Utilities, Bioretention Area
- **Application Type:** Notice of Intent: DEP File Number 105-904; BWP-276
- **Applicant:** Bellingham DPW
- **Representative:** South Center Realty LLC
- **Representative:** 120 Quarry Drive
- **Representative:** Milford, MA 01757

The applicant began the presentation for Lot 75A. This is straightforward. There is an access easement noted on the plan. There is a single-family house proposed and grading at a 3 to 1 slope. There will be a split and post and rail fence. The Chairman noted that there will be grading in the buffer zone. The perimeter drain was noted on the plan. The applicant would like to schedule a site walk. The Commission would like to have a site walk on November 14, 2020 at 8:30 am on site and will review all lots. The applicant will stake out the lots based on the revised lot lines.

**Public Hearing: Project Location: 20 Celestial Circle (Lot 74A):**

- **Hearing time:** 9:15 pm
- **Project Description:** Grading, Landscaping, Utilities, Bioretention Area
- **Application Type:** Notice of Intent: DEP File Number 105-902; BWP-274
- **Applicant:** Bellingham DPW
- **Representative:** South Center Realty LLC
- **Representative:** 120 Quarry Drive
- **Representative:** Milford, MA 01757

The applicant provided a quick overview. The 100 ft. buffer and outlet drain were noted on the screen share. The rain garden was shown on the plan. The access would be Lot 75 and Lot 76. There is an easement in the back of the lots. This is a flatter lot in regard to the grades. This is proposed at a 3 to 1 slope. The contour elevations will be clarified. There appears to be a 12-foot drop in proposed grade. The applicant communicated the goal was to keep this as level as possible. The Chairman noted that there is a 10-foot cut in the back. The plan will be brought to the site visit to look at this.

**Public Hearing: Project Location: 22 Celestial Circle (Lot 73A):**

- **Hearing time:** 9:15 pm
- **Project Description:** Grading, Landscaping, Utilities, Bioretention Area
- **Application Type:** Notice of Intent: DEP File Number 105-905; BWP-277
- **Applicant:** Bellingham DPW
- **Representative:** South Center Realty LLC
- **Representative:** 120 Quarry Drive
- **Representative:** Milford, MA 01757

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Guerriere & Halnon, Inc.
PO Box 235
Milford, MA 01757

The applicant noted that the 100 ft buffer was located on plan along with the foundation drain and outlet. The rain garden is also proposed. There will be work within the buffer. The contour was 274 followed by 276 and also 280. This will be verified in the field. The Commission noted that there is a lot of fill. The applicant noted that the slope can be adjusted a little bit. The Commission asked the applicant to stake out the area for the site walk and locate the back of the houses.

**Public Hearing: Project Location: 24 Celestial Circle (Lot 72A):**

**Hearing time:** 9:15 pm

**Project Description:** Grading, Landscaping, Utilities, Bioretention Area

**Application Type:** Notice of Intent: DEP File Number 105-903; BWP-275

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

**Representative:**
John Federico
Guerriere & Halnon, Inc.
PO Box 235
Milford, MA 01757

The Chairman opened the hearing for 24 Celestial Circle (Lot72 A). This Notice of Intent is for site work in the buffer zone and bioretention area. This site will also need to be visited at the site walk on Saturday, November 14, 2020. This hearing will be continued.

On a motion made by Brian Norton, and seconded by Shawn Wade, the Conservation Commission voted to continue the hearing for 18 Celestial Circle Lot 75 A, 20 Celestial Circle Lot 74 A, 22 Celestial Circle Lot 73 A, 24 Celestial Circle Lot 72A to December 9, 2020.

**Roll Call Vote:**
Neal Standley, Vice Chairman   aye
Michael O’Herron, Member   aye
Brian Norton, Member   aye
Shawn M. Wade, Member   aye

**Next Meeting:**
- Wednesday, November 4, 2020

**ADJOURN:**
On a motion made by Michael O’Herron, seconded by Shawn Wade, the Conservation Commission voted by Roll Call vote to adjourn the meeting at 9:45 pm.

**Roll Call Vote:**
Neal Standley, Vice Chairman   aye
Michael O’Herron, Member   aye
Brian Norton, Member   aye
Shawn M. Wade, Member   aye

Respectfully Submitted,

Amy Sutherland
Recording Secretary