

BELLINGHAM PLANNING BOARD
BELLINGHAM, MASS.

Joint Meeting of August 12, 1965

RE: Water Dept. & Town Counsel

Members present were: Frank Prior
Robert Chase
Joseph Dalpe
Warren C. Curran

Frank Prior opened the meeting by introducing the newly appointed member of the board, Warren C. Curran. Mr. Curran was appointed by a Joint Meeting with the selectmen on August 9, 1965 and his appointment will run to March, 1966.

Because the clerk was unable to attend this meeting, minutes were taken by Robert Chase.

The Joint Meeting of the Planning Board, Water Commissioners and Town Counsel was opened at 8:00 P.M. Present for this meeting were Wilrose Dalpe and Thomas Heavey for the Water Board and Lee Ambler, Town Counsel.

Chairman of the Planning Board, Frank Prior, opened the meeting by stating that the reason for the Joint Meeting was to receive a ruling from Town Counsel as to whom has the authority to change plans in an approved subdivision.

Town Counsel stated that under the Subdivision Control Laws of Chapter 41 General Laws- Section 81, only the Planning Board has the right to change the plans after approval. This right will be found under Section 81-U. The Subdivision Control Law allows the Planning Brd. to change plans through waivers.

Town Counsel further stated that under the rules and regulations of the Planning Brd. Sect. 5B, the Planning Brd. maintained control over the water system by stating in the rules the depth in which the mains are to be laid- 5 feet. The type of pipe- Cast iron. The size of the mains - not less than 8". Hydrants placed not in excess of 500' and gates to hydrants. The Planning Board delegated to the Water Dept. the rights to place gates along the mains and to increase the size of the main over 8". The gates, valves and hydrants required by the Water Commissioners shall conform to the Bellingham Standards as accepted by the Water Commissioners.

Town Counsel added that there appears to be a lack of communication between the two boards and that they are imposing upon the builder conflicting requirements which the builder cannot perform. The board should meet and correct the areas of differences.

The Water Comms. and the Planning Brd members agreed to meet unofficially on Sept. 2 to go over existing board rules and standards so that there can be uniform standards in this one area.

P.D.C. J.D. W.C.C. R.M.C.

Robert Cournoyer representing Campanelli Bros. presented three plans for signatures by the board for Land Court purposes. Said plans cover the area of: (1) Land on both sides of Mills St, (2) Land running south of N.Y., N.H. & H. tracks, between Depot St. and North Main St. (3) Land at junction of North Main and Depot Sts. Plans were signed as "Planning Board Approval Not Required", on motion of R. Chase and seconded by J. Dalpe.

Vincent Thayer presented the board with a personal Surety Bond in the amount of \$12,000.00 to cover the cost of utility installation in subdivision of "Brookside Estates". The bond was for the release of lot #30 only. On a motion of R. Chase and seconded by W. Curran, the board unanimously approved the release.

George Morin appeared at the board meeting to explain that required 12" drain on Almo Heights Subdivision is setting on ledge and that he would like to change the location of the drain catch basin. The board said that members and Town Hghwy. Supt., Gerard Daigle, would meet the subdivider at the site on Friday, August 13, 1965 at 7:00 P.M. to view the proposed changes.

Sanford Kaplan appeared before the board, submitting letter requesting: (1) Permission to omit the three gate valves on Plymouth Rd., (2) The extending of water mains on Standish, Arapahoe- Apache and Sioux Circle with cement asbestos water pipe, and (3) The filing of the Engineer's letter of road grades and monument as required by the board. The Engineer's letter was accepted. The changing to cement asbestos pipe was not accepted pending conference with the Water Board and the permission to omit gate valves was not accepted for the same reason. Kaplan then presented to the board a bank book (Chestnut Hill Cooperative Bank) with a deposit of \$1000.00 in the name of Sanford A. Kaplan, to be held by said bank to guarantee performance by Sanford Const. Co. Inc., to install three gate valves on Plymouth Rd. The sum in escrow can be released only by the Planning Brd. On a motion of R. Chase and seconded by J. Dalpe, the release of covenant on lots 54 through 60, 93 through 97, 132 through 134, 136 through 138 and 160.

Ferigno & Walker of HILLSDALE ESTATES appeared before the board for Partial Release of Covenants of this subdivision. Said release to cover lots on Laurel Lane, #5, #6 and #27 through #58. The water and drains are in and ways completed except for the finish. The subdivider is submitting a "performance bond" in the amount of \$10,000.00 to cover the completion of ways and defects covering these lots. The Bond is to be effective for a period of one year after the completion of the road. F. Prior said that Town Counsel read

J.D. W.C.C. RUC

the Bond and found it binding on the subdivider.

The question of a 6" cement asbestos water line on Laurel Lane in place of the 8" cast iron shown on the plan of the subdivision was discussed. Ferigno & Walker presented the plan of the subdivision and showed the water layout marked in red noting 6" mains on Laurel Lane and signed by the Water Dept. The subdivider said that they have complied fully with requirements as stipulated by the town departments. Motion of R. Chase and seconded by W. Curran to release Lots as aforementioned. Said Partial Release is by a Performance Bond of Trans American Insurance Co. for the sum of \$10,000.00 in lieu of finish road surface and any defects found. This bond to be effective for one year after completion of road.

The board agreed that they will attend the next Water Brd. meeting on August 23, 1965 to discuss pending subdivision water installation where there is a conflict between the two boards, so that these differences may be corrected now rather than when the subdivider appears for release of lots.

Meeting was then adjourned.

Respectfully submitted,

Robert M. Chase

RMC/JMG

Approved as read:

Francis J. Prior
J. Eugene Corrigan
Joseph R. Delp
Warren Curran
Robert M. Chase