

BELLINGHAM PLANNING BOARD
TOWN HALL - PLANNING BOARD ROOM
BELLINGHAM, MASS.

Meeting of October 13, 1966. "SUBDIVISION"

Members present: Francis J. Prior Robert M. Chase
J. Eugene Corriveau David E. Andrews
Roland G. Beauregard

Meeting was called to order by the chairman at 8:05 P.M. The regular order of business was dispensed with in order to proceed with matters at hand.

Sumner E. Ellsworth, Surveyor from Franklin, representing Miriam MacFarlane of Washington D.C., presented a plan containing 1.13 acres of land at Blackstone Street. Plan was signed as "Approval Not Required".

Board members signed a lien release as required by the F.H.A. re the Saddle Back Hill Acres Subdivision.

The board again discussed the revised plan of "ALMO HEIGHTS - SECT 2" and stipulated that two lots in the Daniel Drive area are to be left open as a retention area and are not to be built upon. The board will act on this plan at its next meeting.

Minutes of 9/22/66 were approved as read by the clerk on a motion of Corriveau and (2) by Chase. Vote unanimous.

Minutes of 9/28/66 were approved with a change on a motion of Chase and (2) by Corriveau. Vote unanimous.

The clerk noted that there was no official meeting held on October 6, 1966 because of the lack of a quorum.

Incoming correspondence was reviewed by the board and it was agreed that three members would attend the Massachusetts Federation of Planning Boards Fall Meeting at Framingham Motor Inn on October 29, 1966.

Board members signed a petition from the County Commission for the relocation of Depot Street.

On a motion made by Chase and (2) by Corriveau, the board went into an EXECUTIVE SESSION with ATTY. Abraham T. Handverger.

The decision of the Court in the action of Morton Schafer vs the Planning Board having been discussed and in compliance with the order of the Court to clarify the vote of February 17, 1966 the Board now takes the following action.

That as a result of the statements and representations made by the petitioner to the Board, the Board would be given

Francis J. Prior
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David E. Andrews

10/13/66.

time within which to make a search of its records to determine whether the plan submitted for "Approval Not Required" had ever received prior approval and further that before any action be taken by the Board the matter would be referred to Town Counsel for an opinion as to the status of the submitted plan all of which was made known to the petitioner and further that no action would be taken on said plan until these matters were determined, the Board being of the opinion that unless said plan had received prior approval, it did require approval under the subdivision control law.

After making a complete examination of its records through the year 1956 the Board could not find that said plan had been previously approved and after receiving opinion of Town Counsel that the submitted plan was one that required approval under the subdivision control law the Board with due diligence notified the Town Clerk and the petitioner of its action.

Therefore upon motion duly made by Robert M. Chase and seconded by Francis J. Prior it is VOTED:- That the plan dated February 1956 and recorded on June 8, 1965 with Norfolk Registry of Deeds as Plan No. 547 of 1965 in Plan Book 218 did not comply with the Zoning By-Laws at the time of its submission to the Board nor at the time of its recording in that each and every lot shown on said plan is deficient as to frontage and area; that said plan is one that requires approval under the subdivision control law and that any

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validity that said plan acquired by being recorded is hereby rescinded.

It is further VOTED:- That a certified copy of this vote be recorded with Norfolk Registry of Deeds and copies thereof be sent to the petitioner and the Town Clerk.

Voting in favor was Francis J. Prior, Robert M. Chase and J. Eugene Corriveau. David E. Andrews did not vote.

End of Executive Session.

Board member Roland G. Beauregard arrived late.
Regular meeting was resumed.

On a motion of Chase and (2) by Beauregard, it was voted unanimously to pay Philip B. Herr & Associates the sum of \$200.00 as the third quarter payment for the up-dating of the Master Plan and \$800.00 for the up-dating of the land use map etc. as was agreed.

Chairman Francis Prior requested permission to use the Planning Board Room for meetings of the Capital Improvements Committee. There were no objections.

Maurice Morin informed the board that he has purchased the Wade Estate on Easy Street consisting of about 20 acres. He said the town could have first option to purchase the "Lakeview Pond" area consisting of about 15 acres. He said he would reserve the front lots for home sites. Board members were all in favor of purchasing the pond and referred Morin to the Conservation Commission which can obtain a 50% grant for such purchases.

A Public Hearing has been scheduled by the board in each of the three precincts: November 15, No. Community Bldg., Nov. 22, Center Town Hall and Nov. 29, at the Lyndon Murray Mem. Bldg. in the south. Each meeting is scheduled for 8:00 P.M. to discuss proposed changes in the Zoning By-Laws.
Meeting adjourned at 10:00 P.M.

APPROVED AS READ:

Respectfully submitted,

Joan M. Giard
Joan M. Giard, Clerk

Francis J. Prior

J. Eugene Corriveau

Roland G. Beauregard

David E. Andrews

Robert M. Chase