

BELLINGHAM PLANNING BOARD
TOWN HALL - PLANNING BOARD ROOM
BELLINGHAM, MASSACHUSETTS

Regular Meeting of May 13, 1971

Members Present: Sergio Rotatori, Chairman
Gerard L. Daigle, Clerk
Joseph G. Cortese
Timothy J. Hannigan
James E. Hart

Chairman Rotatori opened the meeting at 8:00 P.M. and dispensed with the regular order of business. No objections.

Leo Demerious presented a plan of land for Roger and Pauline Cournoyer for two lots off North Street. One lot had less than the required frontage. Plan will be presented again at a future date.

On a Hart-Cortese motion it was unanimously voted to release Lot 31 of Brookside Estates.

The following bills were unanimously approved for payment on a Hart-Hannigan motion:

Milford Daily News - Earth Removal - \$118.40, Advertising Acct.
Woonsocket Call - Earth Removal = \$71.36, Advertising Acct.
Philip B. Herr & Assoc. \$750.00 retainer for 1st quarter '71

Bob Callahan requested additional information with regards to Bruce Drive Extension. Callahan was informed he would have to put in the section of the street he was building on or post a bond. Daigle will check the amount of the bond to be posted.

Philip B. Herr & Associates stated in a letter dated April 27, 1971 what the Board will receive in consultant services for 1971-1972 from the firm. On a Hart-Cortese motion the Board unanimously voted to accept Herr's services as stated.

Peter J. Rutherford of Medway requested an appointment with the Board to discuss the possibility of a zoning change. Rutherford represents Irving Finklestein and Morris Nirenberg. A date of June 10th at 8:30 P.M. was set. Rutherford will be notified.

PUBLIC HEARING - EARTH REMOVAL BY-LAW

Chairman Rotatori opened the Public Hearing on the Proposed earth removal by-law. Reading of the notice as it appeared in the papers was dispensed with after no objections were raised.

Joseph Rosenfeld opened the discussion saying it would be a hardship on the industry and so was protesting. He felt he was being picked on, and was concerned for both himself and his people who lived in town. Other business in town was not

S.R.
G.L.D.
J.E.H.

PUBLIC HEARING - EARTH REMOVAL AMENDMENT

being singled out and put out of business.

Hart replied that the Board had held meetings and discussions with both Varney and Rosenfeld on the amendment and it had been revised several times to include their suggestions and thus felt the Board had been fair.

Varney stated he would just like to resolve certain issues, and make the article one they can work with. For example the issue of stumps. The town doesn't want them in the dump, and they just can't be thrown away into the air. He has always buried the stumps within the land and put them where there was no danger of them settling. Varney objected that financially it would be quite a cost coming up with 5' contours specified and would like to see the 1974 deadline extended and the phrase "no exceptions can be made" changed. Another issue is bonds where there is no limit specified the Board of Appeals could make the bond any size they want.

Dick Hill also specified some of his objections. Trees and stumps can be a very large problem for both the operator and the town. It wouldn't take many stumps to fill up the dump and then the town would have a real problem. Stumps could be buried just the same as boulders. Also surveying costs are very high, with no real guarantee that the land is going to be good for gravel. Five feet contour are very bad as five foot cross sectioning would be involved and this requires a registered surveyor and they come high.

Donald Thayer also objected to the surveying requirements saying they were very costly and would put small people like him out of business, and thus thinks the surveying is unreasonable. He also objected to the requirements of 4" topsoil saying it might be very hard for a small operator to find enough cover to do the job. This is an undue hardship and where it has been defeated twice at the town meetings doesn't understand why the Board is still trying to get the article passed.

Rotatori inserted that every business has rules and regulations and doesn't know why they don't need any. If the industry is doing almost everything already why are you objecting.

Thayer asked why the Board wanted to change them. Hart replied it is a zoning article and it should be taken out of the Selectmen hands and given to the Zoning Board of Appeals. We all have rules and regulations and that is what this is.

Varney objected that the Board was trying to make it retroactive to 30 years ago, and that he had no objections to following them on any new permits.

After further discussion the following changes will be made to the amendment on the town floor by Thayer.

1.3910 General c) Last sentence to end after "said Board."

Following is to be omitted. "In any event no exception is to be granted whose expiration date is later than January 1, 1974."

2. 3921 to be omitted "at 5 foot contour interval of the site and all land 100 feet of the area" and replace by "from the most recent U.S. Government geodetic map"

Last sentence to be omitted "If involving more than five acres and/or 10,000 cubic yards of removal, the plan shall be pre-

54
G.L.D.
J.R.

pared by a Registered Land Surveyor or Engineer."

3922 "shall" to be changed to "may".

3934 "shall" to be changed to "may"

3942 Sentence changed to read "All boulders larger than one-half cubic yard and all tree stumps shall be removed or buried".

Public Hearing adjourned at 11:10 P.M

Meeting adjourned at 11:15 P.M. on a Hannigan-Hart motion.
Unanimous.

APPROVED AS READ:

Respectfully submitted:

Gerard L. Daigle
Gerard L. Daigle, Clerk

Sergio Roberto
Gerard L. Daigle
James E. Hart