

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

Regular Meeting of September 23, 1971

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

Chairman Rotatori called the meeting to order at 8:05 P.M. and dispensed with the regular order of business.

Town Counsel Ambler requested a Public Hearing on a proposed amendment to the Earth Removal By-Law. On a Hart-Daigle motion it was unanimously voted to set a date of October 14th at 8:00 P.M. to hold a hearing amending Section 3910 by adding "d. The removal on land owned by the Town for municipal purposes."

Attorney Peter Rutherford representing Morris Nirenberg and Irving Finkelstein of Medway spoke about a piece of land off Maple Street containing 38 acres. Land is situated across from Ray Avenue and is currently zoned Agriculture. Rutherford would like to get it rezoned to multi-family. Land currently has a 150' frontage on Maple St. An arterial Street could be built from Maple Street, conforming to the Boards definition. Before doing anything definite Rutherford wanted to feel out the Board. Part of the parcel is zoned industrial and this would not be included in the rezoning. Rutherford's people would be ready to build as soon as the rezoning is approved. They already have multi-families started in Boylston and they would build and maintain the buildings themselves for an investment. Land was looked up in the soils map which showed the portion zoned industrial was gravel but the upper portion was classified 3W. Herr suggested they bring in a definite plan of the proposed road so the Board would have something definite to see.

PUBLIC HEARING - TOWN HOUSES IN CLUSTER

Chairman Rotatori opened the Public Hearing on town houses in cluster at 8:30 P.M. Secretary read the notice as it appeared in the papers. Two interested persons attended. Consultant Herr suggested the following change under 1) change "3 and 20 dwelling units" to "three or more units". There were no comments or questions from the floor. On a Hannigan-Hart motion the hearing was closed at 8:33 P.M., unanimous.

A discussion was held between the Board and members from the Water Board. The Water Dept. requested that a plan of all new multi-family projects be sent to their office. Herr suggested that four copies be submitted to the Zoning Board and the by-laws be reworded to have a copy sent to the Water Board. The same could be worked out in Cluster Developments. The Building Inspector could be required to forward a copy of all large

S.R.
LH
G.L.P.

potential water users plans to both the Water Dept. and the Planning Board. Any use for which ten or more off street parking spaces are required could be classified as a potential large water user. Herr will draft the notice and a public hearing was set for October 14th at 8:30 P.M. with the Water Department sponsoring and being billed for the cost of the hearing.

The application of Raymond I. Menard, 705 Wrentham Road was submitted to the Board Approval Not Required. Lot is situated on the corner of Locust and Wrentham Road with three hundred feet frontage on Wrentham Road containing 3.00 acres more or less and recorded in the Norfolk County Registry Book 3396, Page 262. On a Hart-Hannigan the plan of Raymond I. Menard was unanimously approved.

PUBLIC HEARING - APARTMENT ZONING CHANGES

Chairman Rotatori opened the Public Hearing on Apartment Zoning Changes at 9:00 P.M. Secretary read the notice as it appeared in the papers.

Consultant Herr went through the proposed changes with an explanation of what was being changed as follows: 1) multi-family dwellings should be set back further from the street as they are usually larger than regular buildings 2) addition of footnote f. increases the front yard instead of having 20' for the front yard would have to be twice the building height and the yard would not provide any parking. This would insure that the green area between the street and the apartments is provided. 3) Would provide for the inserting of 2560 which would give the town the right to enforce their rules and regulations. Michele Parisi suggested 2560 should be broken down into 2560 and 2570 to avoid any confusion. Two family houses would be allowed on one lot if it met all the requirements. 4) Would amend Section 3300 off street parking. No changes in single family homes, two family from three to four parking spaces, multi-family would require one space per one bedroom unit and two per unit for all others. 5) Adding to Section 3700 Section 3723 which would define lighting in multi-family. Herr stated he was not sure whether we could really enforce or interpret it. Hart suggested leaving the wording in as it would give the Town something to go by. Herr suggested the building engineer would know what it was. Public Hearing closed at 9:30 P.M. on a Hannigan-Hart motion, unanimous.

Michele Parisi asked a point of information on Town Houses. Town houses would be allowed in districts outside of multi-family sections, also no allowance was made restricting the number of three bedroom apartments to 10%. This might encourage houses that would bring in school aged children, one of the biggest hurdles in getting multi-family approved. This seems to be a relaxing of the specifications of multi-family. Hart stated they were just changing the uses and would provide more

S.R.
LH
GLD

September 23, 1971

Page 3

open space. Herr stated they would be just encouraging the structure type; they would still have to meet the area requirements of the districts. Number of units could not exceed that of single families and the intent is to encourage open spaces. The town should get the same amount of school children as a single home would attract. He suggested the Board make this clear at the town meeting that one unit requires not less than 1,000 sq. ft.

PUBLIC HEARING - ZONING AGENT APPOINTMENT

Chairman Rotatori opened the Public Hearing on the Zoning Agent Appointment at 9:30 P.M. Secretary read the notice as it appeared in the papers. Five interested people attended. Proposed amendment would have the Zoning Agent appointed by the Planning Board rather than the Board of Selectmen. Herr asked Selectmen Parisi what he thought of the change. Parisi said he did not think too much of the plan as it is just a duplication of effort to have both a Zoning Agent and a Building Inspector. There would not be enough work for two men, and the areas of work are so closely related, it might just be a duplication of effort. Zoning Agent should be under the Selectmen. Hart suggested the Zoning Agent should be answerable to Planning Board who are concerned with zoning, and would give the Board more supervision over the enforcing of the zoning laws. If there was a question of the Attorney General approving such a plan, Hart would have him under the Zoning Board's supervision. Bob Kingdon of the Zoning Board said the Zoning Agent should come under the jurisdiction of the Planning or Zoning Board rather than the Selectmen. Parisi stated that more than 99% of the complaints received are related to the Building-Inspector's duties. To his knowledge no zoning violations have been brought to the Selectmen's attention, and that any townspeople can bring up a zoning complaint. Hart stated the Agent needs the violation in writing and it would carry more weight coming from the Board rather than just a citizen. Rotatori said if there are any zoning complaints most people call the Planning or Zoning Boards. Leo Perreault of the Zoning Board asked Herr if he had made a survey to see if other towns have the Agent under the Planning or Zoning Boards. Herr answered none of his clients do it this way but there are certainly other town that might be handling it this way. Hannigan stated zoning violations can be better handled by the Planning Board rather than the Selectmen.

On a Hannigan-Hart motion, the public hearing was closed at 10:00 P.M., unanimous.

A plan of land containing 9 lots and 379 acres submitted by Larkin off North Street was approved on a Hannigan-Daigle motion, unanimous. Approval Not Required.

The Board considered a plan of Elsworth Crooks on Lakeview Avenue. Crooks indicated to Hart that he just wanted to put

SP
LH

September 23, 1971

Page 4

the plan on record so the people could look it up if they wanted to. Herr looked the plan over and said he doubted if the registry would accept them. Board will suggest to Crook that he hire a registered engineer to draw up a proper plan.

On a Hart-Hannigan motion it was unanimously voted to approve the following proposed amendments to the by-laws with changes as follows:

Town Houses in Cluster under 1) change 3 and 20 dwelling to 3 or more dwellings; Apartment Zoning Changes 3) 2560 to include first sentence, second sentence to be separated into 2570. Zoning Agent Appointment would not be changed.

On a Hart-Hannigan motion it was unanimously voted to pay the following bills: Milford Daily News - - Town Houses \$25.90, Apartment Zoning Changes \$48.10, Zoning Agent \$11.10, Woonsocket Daily Call - Zoning Agent \$9.92, Town Houses, \$21.76 and Apartment Zoning Changes \$28.48.

Minutes of the September 9th meeting were unanimously approved as read on a Hannigan-Hart motion.

Letter was received from Carl Rosenlund, Zoning Board of Appeals asking to be notified prior to any public hearings as to the subject matter and proposed changes as they could then be discussed and perhaps offer their suggestions. Board agreed to do this.

Meeting was adjourned at 11:15 P.M. on a Hannigan-Hart motion, unanimous.

APPROVED AS READ:

Seymour R. Rattner
Lenny Skupin
Gerard L. Daigle

Respectfully Submitted

Gerard L. Daigle
Gerard L. Daigle