

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

Regular Meeting of April 27, 1972

Members Present: Sergio Rotatori, Vice Chairman
Joseph G. Cortes
Wilfred P. Arcand
Timothy J. Hannigan

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

Alva A. Brown, Jr. presented a plan of land containing 2.9 acres off Hartford Avenue. Form A filed with Town Clerk. Land if being transferred to the Boston Edison Company. On a Hannigan-Arcand motion, it was unanimously voted to approve the plan of Alva Brown for approximately 2.9 acres off Hartford Avenue.

Inga A. Cook, So. Main Street presented a plan of land located on the southerly side of Oak Street containing approx. 5,540 sq. ft. On an Arcand-Hannigan motion the plan of Inga A. Cook was unanimously approved, Approval Not Required.

Roland Cesaroni, Prospect Street, presented a plan of land off Linwood Ave. containing Lots 1199, 1200, 1201, and 1202. Form A filed with Town Clerk. Lot contains 10,800 sq. ft. Lot is undersized. Arcand stated the Board could accept the plan as presented, but before any building is done it would have to go before the Zoning Board of Appeals for a variance. On an Arcand-Hannigan motion the plan of Roland Cesaroni for approx. 10,800 sq. ft. was unanimously approved.

A discussion was held with Consultant Philip B. Herr on the amount of vacant land on Dalpe's application for multi-family rezoning. Herr will compute it further and get back to the Board. As far as Herr is concerned vacant land is defined as any undivided land. If a man wants to rezone to multi-family he must have 70% vacant land on his own property. It was his feeling that this was the intent of the law on vacant land. Herr stated Dalpe took his own vacant land plus land over 20,000 sq. ft. even if it had a house on it.

Walter Stearns discussed the plan of Roland Cesaroni with the Board, stating Cesaroni had adjacent land and that he should go before the Appeals Board. Arcand stated the Board had signed the plan as presented. Herr suggested the Board shouldn't have signed the plan because it did not have the sufficient land. On an Arcand-Hannigan motion, the plan of Roland Cesaroni was recinded, unanimous.

Walter Stearns discussed George Rhodes' three lots off So. Main

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St. stating there were three sets of plans for the lots. Planning Board signed the plans of February, 1972. Rotatori suggested that Stearns tell Rhodes to get a certified engineering report showing the lay-out of the lots and where the houses and septic systems are, and to pull his building permit until that time.

Joseph Cortes arrived at 9:20 P.M.

Philip Herr presented a proposed amendment on Fee to Subdivision Streets, where the developer is held responsible for all streets or roads until the Town accepts them. The Board would not release the bond until the developer is willing to turn the street over to the Town. Herr will draft up an amendment that the Board would not release more than 80% of the Bond until the street is accepted by the town.

Arcand asked Herr if there was some way the Board could make the developer pipe water rather than have open trenches. Herr stated the Board did not have to put it in their rules and regulations, when the plan comes in the Board just makes the developer put in piping rather than open trenches.

Arcand questioned Herr if an amendment to the Subdivision Rules could be made to place the homes above a certain plane of the road. Herr suggested a lot of the lots the Board is concerned with does not fall under subdivision control. The best place might be in the by-laws. Several things would have to be considered. An owner might want his house a good deal from the road, distance from the road should be taken under consideration. Grade level is hard also to define, foundation might be better to control. A provision could be made that the builder is required to produce a surveyors certificate before he gets a permit to do the framing. Herr will make a draft.

Further discussion was held on open trenches and knowing the right size pipe to do the job. Hannigan stated if there is a brook running through a subdivision the State comes in and tells what can be done. Section 62 of regulations provides for engineering costs to be paid by the developer. The Town could hire an engineer to look the plans over to protect the Town.

Arcand also questioned Herr when zoning was made up why more area was not zoned commercial. Herr stated the Board at that time felt when a developer had some definite plans in mind he could present them to the Board and would have no trouble in getting the area rezoned.

Cortes questioned Herr on the Flood Plain Map which is defined by elevations. Herr stated there are some town that have developed Conservation Districts, where nothing can be done with the land. Herr stated he could find nothing in the Enabling Act that says you can do this. As it stand a man within

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the flood zone comes before the Appeals Board, if they feel all the conditions are met, it should be OK. We could go one step further and prohibit any land use at all, but Herr didn't think this would be legal. He would suggest the Board do nothing further.

A meeting will be held in Woonsocket on May 19th with the Board to discuss among other things a regional sewerage plant. Herr will attend.

Rotatori reported that a meeting with interested departments in Town was held on sewerage. A rough cost for just the main trunk was given. A community study was discussed where Bellingham would not be the only community involved. It was the general feeling that the north end of town would not cost the Town. Herr pointed out that the MAPC is going to do a two year study on sewerage

Herr presented Multi-Family Special Permit amendment that will be sent to the Board of Appeals for their comments.

On a Hannigan-Cortes motion, Wilfred Arcand was selected as the Boards recommendation to serve on the MAPC, unanimous. Alternate member to be selected later.

On all future public hearings regarding rezoning the following departments will be notified: Fire, Water, Highway and Police Departments, Conservation Committee, Zoning Board of Appeals, Health and Zoning Agent. Move made on an Arcand-Hannigan motion was unanimous.

On an Arcand-Hannigan motion the minutes of the April 13th meeting were unanimously approved.

On a Hannigan-Cortes motion meeting was adjourned at 11:20 P.M.

APPROVED AS READ:

Respectfully Submitted;

Sergio Rotatori
Clerk

Sergio Rotatori
James D. Cortes
Wilfred Arcand