

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

Regular Meeting of October 12, 1972


Members Present: James E. Hart, Chairman
Setgio Rotatori, Vice Chairman, Clerk
Wilfred P. Arcand, Joseph G. Cortes,
Timothy J. Hannigan

Chairman Hart called the meeting to order at 8:00 P.M., and dispensed with the regular order of business.

Robert Cournoyer representing Arthur Flinton, Jr. presented a plan of two parcels on the southerly side of Park St, Approval Not Required. On a Hannigan-Rotatori motion the plan of Arthur Flinton, Jr. of Parcel A Containing 1.50 acres and Parcel B. Containing 2.86 acres was unanimously approved.

Roland Harpin, Jr. presented a plan of a subdivision to be called Harmany Hills Estates off North Street containing 25 lots. Main Street will be off North Street over AT&T's right of way to be 50' wide. Harpin told the Board he has already talked with and obtained approval of the telephone company. Area is zoned agricultural and all lots have over the necessary 40,000 sq. ft., and will be single family homes. Board pointed out that the main street will have to be widened to 60' as required by a collector street with the secondary street to be a minor street at 50'. Historical Society will be contacted for suggestions for street names. Artesian wells are planned as there is no town water. Board suggested Harpin contact the Water Dept. to see if something could be worked out. Harpin will meet with the Board on October 26th at 9:00 P.M.

Highway Superintendent Gerard Daigle met with the Board to discuss Center Park Estates. Daigle stated he would like to see two catch basins and one manhole near Center Street and sidewalks as required in the rules. The drainage system is already installed according to the plans but the system is not according to our rules. He would be satisfied if the end near Center Street is tied in. On the sidewalks Daigle stated he would be willing to compromise with sidewalks on one side. Arcand told the Board at the end of Susan Lane there is a headwall with about 100' of open trench and he was against open trenching as the town has had trouble with them in the past and would like to see them pipe it to the end of their property. Arcand stated his motion to recind both plans still stands. Cortes said the Board has no way of proving that Clack received the letter requesting him to be at this meeting. Hannigan suggested a letter be sent return receipt requested to have him and one of his engineers appear at the next meeting and then if he doesn't show pull his permits. Arcand said Clack substituted a new set of plans as the 1965 plans had the sidewalks and manholes as required. Hart stated the Board should wait to see if he appears at the next meeting, and if not, then pull the plans.



October 12, 1972

Page -2-

The whole issue started because they did not have to post a bond and Herr looked the plans over and said they were OK. The man showed his faith by giving us a bond. Rotatori stated it was the plans that the Board has to go by, and the Board is going by the old plans which requires sidewalks and manholes. Arcand stated he falsified the plan that the Board signed as Clack told the Board the plan was not changed from the old one except the lots were larger and the drainage deeper. Hannigan said we signed the plan without the sidewalks and manholes. If we went before a judge and tell him we signed a set of plans without sidewalks and now we want to have him put them in we lose in court before we even went in. We put ourselves in this hole and we should get Clack in to straighten it out first if we can. Arcand asked if legally has the Planning Board ever recinded a set of plans where the Board has made a mistake. Hannigan again stated Clack and one of his engineers should be asked to discuss the whole layout and that he must appear or action will be taken on the plan. Letter should be sent return receipt and then if he doesn't appear take action to recind the whole plan. Board agreeded. Clack will be asked to appear on October 26th at 9:30 P.M.

Minutes of the October 2, 1972 special meeting were unanimously approved with the correction that Daniels Drive was not voted on by an Arcand-Cortes motion.


Daniels Drive was discussed. On a Hannigan-Arcand motion, it was unanimously voted to recommend that Daniels Drive be approved for acceptance at the special town meeting.

Article 5 on the last special town meeting for rezoning to commercial all agricultural and residential land on Rte. 140 from Mendon to Franklin was discussed. Article was not approved at the town meeting. Hannigan stated the Board was not interested in the conflict between Clark and Hood. Hart stated when the Board started action on the rezoning they had no idea of the conflict. Board agreeded to hold another public hearing and present it at the next town meeting.

Arcand told the board that a real estate man from Blackstone had approached him expressing interest in cluster development near the Franklin line on Pulaski Blvd.

On a Hannigan-Rotatori motion the following bills were unanimously approved for payment; Boston Blue Print Co., 300 copies street maps--\$27.10, Trafalgar Square, office supplies --\$5.45, Philip B. Herr & Associates, retainer third quarter --\$750.00.

Draft from Philip B. Herr to Commissioner of Public Health William Bicknell and Attorney General Robert Quinn regarding Board of Health Rules and Regulations, Section 9 was discussed. Letter was approved with the addition of the following on the first paragraph "The Planning Board strongly feels the Board of Health has no right to put a minimum on lot size."



October 12, 1972

Page -3-

Letter was received from Town Counsel Ambler with his opinion on political signs and will be sent to Zoning Agent Borowski.

Copy of a letter sent to the Zoning Board of Appeals from Ambler was received. Ambler advised the Zoning Board that one copy of three plans as required in Sec . 3722 should be sent to the Planning Board.

Arcand brought up the violation of the American Legion and that the addition that was denied them by the Appeals Board was still up, and the 20 day appeals gone by. Arcand has talked to the Chairman of the Selectmen and he suggested the Planning Board write a formal letter to the Selectmen regarding the violation. On a Hannigan-Arcand motion it was unanimously voted to write the Selectmen stating the addition to the American Legion was denied by the Appeals Board and that the 20 day appeal period has passed. The Planning Board would like the Zoning Agent visit the Legion and correct the situation.

Rezoning to Multi-family on Wrentham Street was discussed. On an Arcand-Rotatori motion it was unanimously voted to refuse the application of Dalpe and Marchand to rezone to multi-family district 41.45 acres of land situated on the northerly side of Wrentham Street and the westerly side of Lake Street. Reason for the decision is that the Board feels it does not conform with the already existing residential area that is made up of mostly single family homes. Marchand and Dalpe will be notified.

Meeting was adjourned at 10:55 P.M. on a Rotatori-Hannigan motion.

APPROVED AS READ:

Respectfully Submitted:

Sergio Rotatori, Clerk
JEB Sec.

Walter Blucas
Sergio Rotatori
Joseph D. Cortez, Jr.