

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

Regular meeting of October 25, 1973

Members present: Sergio Rotatori, Chairman
James E. Hart, Vice Chairman
Wilfred P. Arcand
Joseph G. Cortes
James A. McElroy

Chairman Rotatori opened the meeting at 8:00 P.M. and dispensed with the regular order of business.

Howard Wilson presented a plan of four lots off South Main Street, Approval not Required. Area zoned residential. Arcand made a motion to approve the plan with McElroy seconding. Rotatori asked to hold off acting on the plan until later in the meeting. Arcand withdrew his motion with McElroy seconding.

A discussion was held on having bounds placed on new lots. Arcand pointed out it would take a public hearing plus a town meeting vote to have bounds mandatory on lots that were not in a new subdivision, to make an addition to the subdivision rules would only take a public hearing and action by the Board.

On an Arcand-McElroy motion, the plan of Howard Wilson for four lots on South Main Street was unanimously approved.

Plan of the proposed subdivision off Blackstone Street was reviewed with the Board and Consultant Philip Herr. Herr will talk to the engineer about the changes on the four front lots on Blackstone Street.

PUBLIC HEARING - RESCINDING OF KINGSWOOD ESTATES

Chairman Rotatori opened the public hearing on the rescinding of Kingswood Estates between Hartford Avenue and Farm Street. Secretary read the notice as it appeared in the papers.

Austin O'Toole owner of the subdivision spoke saying he was opposing the rescinding. His Attorney Daley was sick and not able to attend. The land was currently under litigation and wanted to go on record as opposing the rescinding. Arcand asked O'Toole if he held a mortgage on the land. O'Toole stated since litigation is still going on he would prefer not to answer at this time.

Mrs. Harold Smith an abuttor stated she would like to see the subdivision rescinded.

Rotatori asked if anyone else wanted to be heard.

On a Hart-McElroy motion the public hearing was closed at 8:35 P.M., unanimous.

Robert Cournoyer presented a plan of Maurice and Hilda Bedez for two lots situated on the easterly and westerly side of Lakeview Avenue. Lot A containing 21,490 sq. ft and Lot B with

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34,601 sq. ft. Lakeview Avenue is an accepted town street. Property was three lots but were all lumped into one lot. One lot is going to be sold, with both lots being undersized. Arcand pointed out if the lots were empty without houses, the plan could not be signed, but all lots have houses on them. Consultant Philip Herr stated if the Board signed the plan he did not think it violated the intent of zoning, and stated he thought the Board should sign the plan after cautioning Cournoyer of the possible zoning violation. Under Definitions in the Rules and Regulations of Subdivision Herr pointed out lots with buildings on them before subdivision control laws is not a subdivision. Cournoyer might have to go before the Zoning Board but the Planning Board should sign the plan. On a Hart-Cortes motion it was unanimously voted to sign the plan of two lots of Maurice and Hilda Bedwz on Lakeview Avenue as it did not constitute a subdivision, Approval Not Required.

Gerard Marchand presented a plan of two lots, 1 and 2 off Med Street, Approval Not Required. On an Arcand-McElroy motion, it was unanimously voted to approve the above plan.

Board review again the proposed subdivision off Blackstone St. Herr pointed out the linen and copies differed and the Board should act on the linen. Herr will talk to the engineer regarding an easement for drainage, closing almost 500' of open ditch, if an easement is shown to the Board; easement should be shown on the plan; and catch basins on corners.

Board met with Clifford Grover, Attorney Jim White, Engineers John Hawao and E. G. Neofotistos of Dana Perkins & Sons in Reading and Mitchell Adams of Commonwealth Development regarding multi-family land off North Main Street and High Street. White stated he was concerned about Section 65 of the subdivision rules. Board reviewed the plans with the architect. Herr pointed out some points of concern and suggested with the Board's approval that he go over the plans with the engineers later and in the meantime would draft a letter for the Board's consideration for a conditional consent to the development. Edward Boiteau of the Board of Health stated they could not approve the sewerage without the state's approval and unless they had assurances it would be constructed and maintained properly. the Board of Health and the developer then could iron out some sort of an agreement. He did not think there was any problems at this time. White stated they were going for an extention of three months before the Zoning Board. Herr went over the questionnaire from the State Enviromental office, and gave the Board a notice that appeared in the Boston Globe on October 22, 1973.

Board reviewed the rescinding of Kingswood Estates. On a Hart-Cortes motion it was unanimously voted to rescind Kingswood Estates.

Release of Lots 2011, 2014, 2015, 2017 and 2018 on Bruce Road



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was discussed. Herr pointed out the maintenance bond ran out one year after issuance. Planning Board release of all lots in Wethersfield III dated October 5, 1964 was not in proper form and was probably not registered. Attorney Zaltas will be notified the Board will release the lots upon receipt of a certified check for \$375.00.

Herr review the rezoning of Rte. 126 with the Board. A large map showing the road with all vacant land, houses and businesses was studied. Board will study the map.

Arcand asked Herr if the Board could make a developer change drainage plans on a subdivision when the seven years are up on the plan. Permits were issued before the seven years were up. Herr replied the Board could ask him but could not make him.

Rotatori told Zoning Inspector Henry Borowski that two houses were built on Lots 14 and 15 on Rome Avenue and they did not have sufficient footage and the subdivision had run out. Borowski stated he had looked into the situation and the builder is trying to buy a few more feet of land. Rotatori asked how long the sand that was trucked in had been there. Borowski replied the sand was just in the back of the house and not under it. Arcand asked Borowski if he had told the builder to stop building. Borowski replied no. On an Arcand-Hart motion the Board voted unanimously to advise the Zoning Agent that Lots 14 and 15 were in violation of the zoning laws as they lacked sufficient footage. Copy to go to the Selectmen.

The following bills were unanimously approved on a Hart-Cortes motion:

Woonsocket Call -- O'Toole hearing....\$9.36
Milford News ---O'Toole Hearing ...\$10.00
Trafalgar Square --- Supplies ... \$7.49

Public hearing will be set for November 29th on subdivision changes to change the wording so that each lot will have at least one lot line monument and to change the date on which subdivision plans and for plans Approval Not Required are considered to be submitted. Regular Board meeting on the 22nd, Thanksgiving Day, will be cancelled; Town Clerk to be so notified.

Meeting adjourned at 11:30 P.M. on a Hart-Cortes motion.

APPROVED AS READ:

Serge Rotatori
William J. Hart
James E. Hart

Respectfully submitted:

James E. Hart
Chairman