

BELLINGHAM PLANNING BOARD
BELLINGHAM HIGH SCHOOL

Regular Meeting of January 9, 1975

Members Present: Sergio Rotatori, Chairman
James E. Hart, Vice Chairman
Francis O. Forte
James A. McElroy

Chairman Rotatori opened the meeting at 8:10 P.M. and dispensed with the regular order of business.

The following bills were approved unanimously on a McElroy-Forte motion:

Woonsocket Call-	DiBona hearing advertising	\$37.40
Milford Daily -	DiBona hearing advertising	\$18.81
"	"	\$19.80
Certified Mail	"	\$7.70

Leroy Manor, Blackstone Street, requested the Board's permission to requesting another hearing before the Zoning Board to construct a 2-car garage on his property. Manor told the Board he could not comply with the side yard requirements because of the slant of his property, which was the reason he was requesting a variance. He was unfamiliar with the zoning laws and felt he had presented a bad case for himself. He wanted another hearing to present all the facts. He showed a plan of his house where there would be only 8' instead of the required 15' in the back from the side lot line. If the proposed garage is pushed back it would be on top of his leaching field. He felt the Zoning members should see his property. On a McElroy-Forte motion the Board voted unanimously to pass Leroy Manor's case back to the Zoning Board without waiting the two years. Letter to be sent to the Zoning Board.

Minutes of the December 26th meeting were approved as read on a Forte-Hart motion. McElroy abstaining.

McElroy brought up the rezoning of South Main Street and asked if this was the first time that the Board has not backed an article to be placed on the town meeting. Forte answered it was not a case of the Board not backing the article, but simply they felt it would draw more support if the people sponsored the article. McElroy stated it was his feeling that the Board should back the rezoning and not try to save themselves some money in advertising. Hart stated the Board had sponsored the rezoning at the last town meeting and the people did not show up to back the article. On a McElroy-Forte motion the Board voted unanimously to sponsor the rezoning article for So. Main Street.

PUBLIC HEARING - HERITAGE PINES

Chairman Rotatori opened the public hearing on the application of Mario DiBona Construction for Heritage Pines subdivision at 8:30 P.M. Secretary read the notice of hearing as it appeared

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in the papers. Approximately 38 people in attendance. Plans of the subdivision were placed on the walls where George L. Esper, engineer, explained them. Twenty lots were shown on approximately twelve acres. Street width and hydrents were pointed out. Meeting was opened for questions.

Kenneth Bogan questioned Esper if there were going to be sidewalks and berms on both sides coming down from So. Main St. Esper answered if they could get the Board's permission there would be only one sidewalk with berms on both sides.

Bogan stated he was concerned with his leaching field in the back, and asked if the road was to be elevated. Esper stated there would be heavy fill from So. Main St. for about 100'. The proposed street is on the crown of So. Main and the drainage from this road should not effect the proposed road. At the beginning of the new road will be a bump to divert any water flow. There will not be any water flow and this might be an advantage to Bogan.

Consultant Philip Herr questioned Esper if he was going to be using retention walls since he has only 40' to bring in the road from the main street. He questioned how he was going to make the correct vertical grade. Esper admitted this was a problem. Herr stated he did not see how the Board could accept the plan until this issue was settled. The Plans were unclear on this point. He did not see how the problem could be settled by a retention wall. Neil McAneny of Saddleback Hill Road questioned how much width such a wall would take. Herr answered about about a foot.

Michele Parisi questioned how far the lan was from Potter Drive. Forte answered at least 200'. Parisi pointed out all the problems they have had with water in that area. He asked if any perk tests have been taken on the land since they are necessary before final approval. Henry Borowski stated no tests have been taken yet. Parisi stated before the Planning Board comes to any conclusions, it probably would be a wise requirement that several perk tests be made. First area to be tested should be picked out by the Board. He felt this was a very pertinent issue.

George Chapman of the Conservation Commission said they had walked the area last Saturday and found trenches that had been dug which looked like test borings. The holes are full of water at this time. Everything else was frozen. There was running water running into the swamp. According to their wetlands map, this area was in a wetlands area. The area is designated as having very poor drainage and he did not feel the area could support on side drainage and the water will run right into the swamp. He questioned where the drainage would go since the streams are running right now. They end up in a large retention area. Esper stated they were not concerned with the other side of their wall. They had no control over the swamp.

McAneny stated his concern was with the sanitary systems. The area was notorious for this problem. Esper stated they did not know what the land would hold yet.

Chapman asked who owns the property. Esper answered Howard Wilson.

~~Mrs. McAneny asked where their drainage was going to empty out~~

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into. Esper answered into the swamp..

Mrs. Mc Aneny pointed out the houses were going to be built in a valley where there is a known water problem. Esper denied this. McElroy stated the rate of flow of the water would be changed. Herr agreed more water will get there faster. The level in the receiving area will be higher. He was concerned that there was going to be a redistribution of the water. Esper stated this has not been determined. Herr asked if the results in the water table will be raised. Esper stated the results will be negligent. The retention area is 6' below their lowest level.

McAneny stated if the septic systems overflow, it will end up in his swamp. Esper stated once the flow infiltrates through the ground, there will be no results.

Chapman asked if they had considered what they are going to be doing with the streams that are on the property. Esper stated they most likely will be untouched.

Chapman asked if they were aware of how far back they have to build a house from a stream. Esper stated he knew they were restricted by the rules and regulations in the town and state. Bogan asked if they were planning to come in and build twenty homes were they have not run perk tests. Suppose he is able to build only five homes out of the twenty lots after he has put in roads, sidewalks, drainage, etc. McElroy stated until the plan is approved there are no lots. Once the lots are subdivided the Health Board has the responsibility to run perk tests under Borowski's direction. This is their responsibility.

James Courtney asked if they would have a chance to sit in on this hearing also. Borowski stated the meeting are opened to the public. Herr stated this plan should have been submitted to the Board of Health. They then have 45 days to set any limitations on these lots. and to notify the Planning Board. Usually what happens is that the Board of Health sends a letter saying they will approve each lot individually.

Chapman said the plan of this land had been approved and later rescinded. Board explained this was rescinded because the time of the plan had run out.

Bogan asked if there was any recourse to him once the plan was approved that he could come back on them. Herr answered yes through a civil complaint.

Courtney asked what type of homes and in what price ranges they would be in. Forte stated our by-laws don't require that information.

Parisi stated he would like to suggest, in view of the active interest shown by the people here tonight, most of them abutters, that the public hearing be continued until some information is received from the Board of Health.

Borowski stated the Board of Health had received the plans and had set them aside because there was not enough information for them to judge the plan. The contractor has to take some tests, either on every lot or he can spot test on different lots, and then the results come back before the Board. McElroy stated he was against continuing the public hearing and would like to see it closed. Forte stated they could make a note in the papers when they would be discussing it again.

[Handwritten signature and initials]

On a Hart-McElroy motion, it was unanimously voted to close the hearing at 9:35 P.M.

On a McElroy-Forte motion it was unanimously voted to take the plan under consideration.

Anthony Ozella submitted a preliminary plan of West View Acres off Maple Street containing 40 lots. Schofield Brothers are the engineers and the land is zoned agricultural. Land runs from Maple Street up to the Charles River and Richard Hills land on the side. Lots will have artesian wells. Herr will review the plans and get back to the Board before the next meeting. A hearing date then could be set for the 27th of February. Ozella will come before the Board on January 23rd, for further information.

Roger Belanger and Bob Hidell discussed Whispering Pines with the Board. Hidell stated he would like to submit the preliminary plans at this meeting and stated he had already given his letter of intent to the secretary and will file a Form B with the Town Clerk tomorrow. Subdivision consists of 44 lots, 24.5 acres of one lot for conservation, 43 for house lots. Hidell requested the Board grant some waivers. They would like only one sidewalk since most of the pedestrian traffic would be within the street itself. They requested the utilities be put above ground along the same side that the walks are on. They would like to eliminate catchbasins that are required on the end of each intersection. They did not feel they were necessary. They requested that the roads be 26' wide.

Herr stated they had reviewed the plans and made the following comments.

1. Lot area for Lot #8 was not shown.
2. Locus plan scale should be at 1" = 800', plan is shown at 1" = 2000'. The Board should insist this be corrected.
3. Would suggest the names of the abutters across the street on Hartford Avenue be given.
4. Sidewalks on one side of the street. You could waive this.
5. Road C is 600' long. Rules call for no longer than 500'. Feel this could be waived.
6. Catchbasins missing from intersection. Should check with Gerard Daigle about this. The Board should make it clear that the utilities are carried all the way to Hixon Street.
7. He could see no reason to change the regulations for underground utilities.
8. Pavement width. Shown as 26', rules require 29'. We are suggesting that you change your regulations to 26'.
9. Drainage on Lot 30 should be piped all the way to Beaver Pond. Is opened now.
10. Regulations calls for a .05 grade. This shows .02.
11. They would like to see a copy of the Zoning Board's decision on this special permit to see if they have added any requirements. Hidell will get a copy from his files.

Forte stated this was the first of this type of zoning coming into town. He has received a number of calls from people opposing it. For all intents and purposes he would like to see

the plan conform as closely as possible to the rules. He would like to see underground wiring. Children can drown in 2' of water and he would like to see the water piped. The length of the road would be OK. He would like to see two sidewalks. William Redman of Hartford Avenue stated there was a conflict between property lines with the engineers of the plan. He asked if the Board could make a decision on a plan were there was a difference in lot lines with his deed. Hidell told the Board their land surveyor, Mr. Perkins, was present and that they were aware of the problem and had satisfied themselves on this issue and thought it was a civil matter now. Herr stated they should go by whatever the plan calls for. If there was a difference, it would be a civil matter.

McElroy stated he was against making any blanket exceptions. George Chapman stated that the Conservation Commission has made a stand against piping existing water. Hidell questioned who he should follow, the Planning Board or the Conservation Commission. Herr stated how can the Conservation people tell you to unpipe it.

McElroy stated he thought it was in keeping with past performances for walks on one side.

Road width was discussed. Board asked Herr what he thought. Herr stated, regretfully, they should stay with 29' on Road A and B. Board agreed.

A date of February 27th at 8:30 P.M. was set to hold the public hearing.

Discussion on Heritage Pines was held with DiBona and Esper. Herr stated the following.

1. Biggest issue was the width of pavement.
2. Curves of the street are not really curves but corners. There could be trouble if the Board would to insist that corners are at an intersection.
3. Scale is not at the scale we request.
4. Street numbers are not shown.
5. Monuments are only shown on the profile. He wants them on the first sheet.
6. Description of the drainage relocation is supposed to be noted on the plan profile.
7. Board requires sheets of the plan in a reduced size. Esper gave them to the Board.
8. Catchbasins on the top of So. Main are not there. Should check with Gerard Daigle.
9. Entrance from So. Main street is a problem. You might have to have retaining walls. On Courtney's side it would blend in very nicely. On Bogan's side it is different. Something has to be done on this issue. Maybe it could be sloped.
10. Regulations do not allow a set up as shown near Lots 19, 20 14 and 16. Catchbasins and manholes are both required.
11. Water is not looped.
12. Is there a gate on the main water system. DiBona has talked with the Water Dept. and if the Planning Board wanted they could approve the plan subject to the Water Dept. approval.

DiBona stated he would attend the next Water Board's meeting. He would go along with whatever they wanted. Herr stated if you are going to have hydrants on people's property you will have to have easements. Street width is more difficult. He found the 26' width pavement OK.

13. Cross section should show where the water is going to go.

14. There is a 600' deadend. Rules call for 500' limit.

Esper stated they were asking for a waiver on the sidewalks on both sides. They would like to put in walks on one side.

Whatever side the walks are on you could add an additional 2' for utilities. On the grass side you could put in water close to the curbing. The longest stretch of road is at the 40' right of way on So. Main St. This is where we need the width the most and we can do nothing about it.

Forte stated he would like to see the grading on the top of the plan resolved with Bogan and Courtney.

Names of the street are confusing and should be resolved and names changed.

Herr stated the Board could waive one sidewalk and have Esper change the cross section with water on the grass side.

Herr stated he had talked with Morton Schafer before the meeting and had cleared up their problems with him. Schafer told Herr he would be at the hearing and would bring the people with him. Herr will draft an article for the town warrant.

Herr gave the Board copies of proposed articles for the annual. Herr will draw up final articles before the next meeting. Board can decide if they want to include them in the annual.

Rotatori stated that he had received a request for a meeting with Blackstone regarding the proposed race track.

Rotatori told Herr they were having trouble with the bond covering Center Park Estates. Herr told the Board they did not have any choice over either a bond or a covenant. It was up to the developer.

Rotatori told the Board at a recent Chairmen meeting it was pointed out the town owned 20 acres of land behind the town Hall. They had decided it was a lot easier to move the Fire Department than the Police. Fire Chief would like to close the Center and North Station and build another new one next to Larries Package Store. Herr stated his firm has not done any long study on this.

Meeting was adjourned at 12:00 P.M. on a Forte-Hart motion.

APPROVED AS READ:

Respectfully submitted,

James E. Hart, Clerk

James Rotatori
James E. Hart
James E. Hart
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