

BELLINGHAM PLANNING BOARD
TOWN HALL
BELLINGHAM, MASSACHUSETTS

Regular Meeting of May 13, 1976

Members Present: James A. McElroy, Chairman
Sergio Rotatori, Vice-Chairman, Clerk
James E. Hart
John P. Murray
Glen S. Whitten

Meeting was called to order at 8:10 P.M., regular order of business was dispensed.

Robert Cournoyer presented a plan of Lot 3 on Depot Street owned by Thomas S. Clark. The plan was revised to allow for the extra 10' needed for new subdivision road. All requirements are met. On a Whitten-Murray motion, the Board voted unanimously to approve the plan of Lot 3 Hart voting yes.

Cournoyer presented a plan of Country Club Estates II. Plan was labeled Approval Not Required since it is to be used for land court registration purposes only, and since it already has been approved by the Bellingham Planning Board and filed in the Norfolk Registry of Deeds as Plan No. 473 of 1974 in Plan Book 244. Developer is now trying to resolve the problem with the fee on the road. Plan was compared with Board's subdivision copy and was found to be the same. On a Rotatori-Whitten motion, the Board voted unanimously to sign the plan, Hart and Murray voting yes.

Leroy Manor spoke with the Board stating he would like permission to go back before the Zoning Board of Appeals to seek a variance. His land has now been rezoned to residential making his side lot requirements lesser. Rotatori told Manor the Attorney General has not approved the zoning yet, and the Board has to go by the old laws until it has been approved. Manor stated he would not seek another variance until this has been done. Attorney Ambler has told him he did not really need the Planning Board's permission since it was a case of a rezoning, but he was seeking a waiver of the two year waiting period in order to do everything proper. Hart informed Manor he needed four out of the five members to vote for his request and asked if he wanted to wait until the fifth member showed up. Manor answered no, it was not necessary. On a Rotatori-Murray motion, the Board voted a waiver of the two year waiting period Hart and Whitten voting yes. Letter to be sent to the Zoning Board.

Mr. & Mrs. Raymond Lemire told the Board they wanted to convert their single family home into a two family one. The Lemires' told the Board they were denied a variance because of their 100' X 100" sized lot. There used to be seven family members and now there were only three. House would not be extended in any way, just a dormer put on. Hart asked if they would be making

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an apartment for rental purposes. The Lemires' answered yes. Hart told them they already have half the lot size they should be required to have. He advised them they would need four favorable votes and asked if they wanted to wait until later in evening when the fifth member would be present. The Lemires' told the Board they would wait.

Minutes of the April 22, 1976 meeting were unanimously approved as read on a Hart-Murray motion.

The following bills were unanimously approved for payment on a Rotatori-Murray motion.


National Office Supply Co. desk sign for Murray.....\$10.30
Philip B. Herr & Associates, 4/1/76 thru 6/30/76.....\$900.00

Letter was received from Adelmo Pontremoli, 10 Joyce Lane advising the Board his property had improper landscaping, draining, and foundation leaks. Whitten suggested a copy of the letter be sent to the Highway Dept. Wilfred Arcand told the Board they had already received a copy and felt it was a civil matter to be settled between the developer and the owner.

On a Whitten-Murray motion the Board voted unanimously to recess the meeting until 9:30 P.M.

Meeting resumed with members McElroy, Murray, Rotatori and Whitten present.

Mr. and Mrs. Lemire told the Board they needed the additional income from an apartment because Mr. Lemire is unemployed indefinitely. McElroy asked them if they felt there were any circumstances that have changed since their original appeal for a variance. Mrs. Lemire stated yes, since then Mr. Lemire is now unable to work. Whitten asked if the apartment would be for extra income. Lemire told the Board, yes. Murray questioned how the septic system would handle the extra apartment. Mrs. Lemire told the Board there would be no problem in that area as they had had a large family and now there are just the three of them. The Lemires' told the Board they were not even thinking of selling their home. Even if Mr. Lemire would go back to work, he would not be able to do much work. McElroy told the Board he knew the Lemires' and their family and would like to see them able to go back to the Zoning Board for another chance. He felt the hardship had become greater since the initial appeal. Since he has become more disabled the best thing the Board could do for him was to enable him to go back to the Appeals Board. Whitten stated he was a little concerned with setting a precedent, a 10,000 sq. ft. lot was a very small lot. With a two family house, the Board would really be going against its own rules. McElroy informed the Lemires' they had the choice of waiting for another meeting when there were five members present or of asking for a vote now. Four affirmative votes are needed to be able to go back to the Appeals Board. The Lemires' stated they would like the vote now. On a



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Rotatori-Murray motion the Board voted to allow a waiver of the two year waiting period to allow the Lemires' to return to the Appeals Board, McElroy and Whitten voting yes.

Board meet with Sewer Commissioners, Paul Bokoski, Charles Poitras, William Laplante along with their consultant Blake. Bokoski asked each Board member how they felt about sewerage coming into Town. McElroy told him he felt they have to first give them a feeling about how it will affect the future growth of the Town. Rotatori stated he did not know too much about it and wanted to know where the funds are going to come from and how sure they were. Whitten stated he had questions on how it was going to be funded and who is going to be paying for it. Laplante stated the funds were definitely 90% reimbursable. They had broken it down into three or four methods of financing - betterman totally, taxes totally and taxes with the tie-in with the home owner paying. McElroy asked if they intended to service any industrial areas. Map was pointed out showing three areas in red, Pilgrim Village area, Wethersfield area and the south portion of town. If any industrial areas are included in those areas they would be served. The two northern areas would tie in with the Medway treatment plant which is in the design phase. Murray stated he could not see why a man who might never get sewerage in has to pay taxes for it. McElroy asked how much open spaces would be served by the present plan. Blake told him they would never be able to get funding for an industrial plant or for open spaces from either the state or federal funding. The area must be 2/3 developed and have been developed by Oct. 18, 1972. Problem areas would get priority, as some areas become more intense, this plan could be varied at that time. McElroy questioned if sewerage lines will by-pass the open space off So. Main St and if so could the Town then tell the developer he cannot tie in. Blake stated no he felt you might have to let him hook up, if he is willing to finance it. We cannot infringe on any of our laws. A coordination of zoning and sewerage regulations with good design practice would be a good thing. McElroy stated his concern was with land that cannot now be built upon, being developed with sewerage. Blake told the Board the Sewerage Commissioners did not have that capacity. McElroy told them the plans outlined for sewerage here did not present any problems as far as he was concerned, what he was concerned about was 15 years from now. Blake pointed out in the second stage it does take in an industrial district. He pointed out no one stage hinges on the other. There is 90% funding for the first stage right now. If there is no money for the second stage, the Town would not have to go through with it unless an investigation of the waterways would reveal that residential or industry people are polluting the streams, then you might be compelled to go through with sewerage. Right now the Town is not being faced with that situation. McElroy asked if any State or Federal Agency has said Bellingham is polluting. Bokoski said there have been cases of septic system failure. They have sampled above and below Bellingham and have found indications that there is

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Pollution.

Rotatori questioned the cost, and was told that Phase I was going to cost \$12,274,500 and with the 90% eligibility the cost to Bellingham is \$1,242,700. Town will have to appropriate the full share. Bokoski told the Board the design state would cost \$40,000 and the Town would get \$35,000 back. Bokoski told the Board they would like to go with the taxation method of financing. Whitten questioned if this would mean equal taxation for both users and non-users. Bokoski answered yes, but the users would have to pay a users fee. If the entire project is put on the tax roles @ 7% for 30 years would = \$100,150 which would come down to \$1.14 per thousand and based on a \$30,000 home this would mean \$34.14/year. Operation and Maintenance would be \$68.97/year. Connection cost would be \$59.80/year for 10 years or \$33.85 for 30 years. Total Cost for a user would be \$162.91/year for 10 years and \$103.11/year thereafter or \$137/year for 30 years. Cost for a non user would be \$34.14/year.

Under the Betterment assessment method the cost would be @7% interest for 10 years for \$18.58/year for 10 years. Connection based on a 35 foot setback @ \$12/foot = \$420 and @ 7% for 10 years this would = to \$59.80 for 10 years. One condition of the MDWPC limits maximum betterment assessment to \$411,200 the rest to be raised by taxes. The tax cost would be \$1,050,030 @ 7% for 30 years = \$84,622. For a \$30,000 home this would = \$28.85/year. Operation and Maintenance would be \$68.97/year. Total Cost to a user = \$177.20 for 10 years and \$98.80 thereafter. Cost to non-user would be \$28.85/year.

Blake told the Board EPA funds were not being spent fast enough for 76-77 to satisfy their personnel, so funding is now going to include street sewers. If the money is not spent by Sept. 30, '77 it is sent back into the Federal government. Mass. got an extension to '77. If a town does not apply by July 1, 1976 they will lose their priority and will be put back on the end list of fiscal '77. The grant has to be given out by Sept. 30th. Phase II has to have a whole new priority list which has to be prepared by October '76 and will depend on needs. There is no more extensions after Sept. '77. The Commission is trying to get an article together for design and at the same time to place a letter asking for construction by July 1, 1977 in anticipation of need. McElroy stated that it was a possibility then that it could end before Phase II.

Dennis Roy of the Finance Committee stated that the Planning Board originally disagreed with the first sewer proposal, and asked if they could now back it. Finance Committee would be holding their hearings on the article and would like the Board's input. McElroy stated he felt the problem for future growth was still there. Murray asked what other boards in Town had approved the new proposal. Poitras stated the Board of Health had not officially sanctioned the plan, Water Board seems favorable. Laplante said with the 90% reimbursement they had the feeling that they had the backing of the Selectmen. Black stated the Commissioners would like to get the Boards feelings on the revised project.

Letter from Adelmo Pontremoli of 15 Joyce Lane was discussed. Letter will be sent to Pontremoli acknowledging receipt of the



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letter but stating the Board had no control over anything other than the street and walks.

Meeting was adjourned at 11:10 P.M. on a Rotatori-Murray motion.

APPROVED AS READ:

Respectfully submitted:

Sergio Rotatori

Sergio Rotatori
John P. Murray