

BELLINGHAM PLANNING BOARD  
Town Hall Annex  
BELLINGHAM, MASSACHUSETTS

Regular meeting of October 26, 1978

Members Present: John P. Murray, Chairman  
Sergio Rotatori, Vice-Chairman, Clerk  
Gerald R. Brisson  
James E. Hart  
Normand Langlais

Chairman Murray opened the meeting at 8:10 P.M.

Donald DeMetric presented an Approval Not Required plan of land on Pine St. Plan had been presented to the Board at the last meeting. Land was zoned Suburban. The notation Not to be a Buildable Lot was inserted on each lot. Brisson told DeMetric that the Board did not request that and it only required that a notation as to how Lot 7 was being broken up be put on the plan. Plan was unanimously approved on a Hart-Brisson motion after the following notation was written on the plan "Lot 1, 2 and 7C is to be combined into one lot; Lot 7B is to be combined with Lot 3 into one lot Lot 7A to remain as is.

Board meet with Roger Belanger and his Superintendent Willie Desrocher of Harmany Hills Estates off North Street. Brisson told them the following item had to be corrected.

- 1) Street signs are knocked out. Belanger told the Board that they did not put up the signs that they merely gave the money to the Town (The Highway Department) and then the Highway Dept. put them up. The signs had been installed, but had been taken down probably by kids. Brisson told them to put the signs in to stay. Langlais felt the Board should be reasonable and if Belanger put the sign up once more and it came down again, he shouldn't be made to put it up again.
- 2) On the right hand side of Irene Court there is no grass and it wasn't even graded stated Brisson. Desrocher told the Board it had been done but that the owners of Lots 1 and 2 had taken their stones and just thrown them across the street.
- 3) At the curve on the right hand side of Irene Court there is a slope that comes up right from the gutter. Desrocher told Brisson that there is a telephone cable there and they cannot touch it. The Telephone Company just wants them to put in chips. Brisson questioned how close to the road was the cable and was told 2-3'. The cable is about 3' from the bound. Brisson stated that the chips are already washing away and that there is going to be an erosion problem there. Desrocher said the kids in the neighborhood are sliding down the hill.
- 4) There is also the same problem but to a lesser degree on Lots 25 and 14. There is about a 5-6' embankment there. On Lot 25 Belanger told the Board the slope is on the owner's property, there is only a 6' taking on the side of the road. Brisson told them it is supposed to go out flat for 6' and then slope up to a 3 to 1. The slope starts up right from the street. Belanger questioned what if he couldn't get the owner's permission. Brisson told him that it should have been taken care of before the land was sold. He didn't feel that is a legitimate excuse. Langlais asked if there

wasn't some solution to the problem on the slope. Brisson said the only other thing was to have him put up a retaining wall. The slopes are a big problem. It is only going to erode and then it would be the town's problem. Belanger pointed out the telephone cable was a trans Atlanta cable. Brisson stated that particular slope was a very bad one, the only other solution would be a retaining wall. Desrocher stated that there is ledge there and questioned how they could put up a retaining wall. Brisson pointed out that their plan doesn't show that kind of slopes on it. Langlais told them that they were aware of the problem at the time and they didn't make any effort to get in touch with the Board to find out if there could be any solution to the problem. Desrocher told the Board he couldn't understand it, since there wasn't going to be any water running down off the slope. Belanger suggested that they might put in shrubs like the kind that they use on highways. Brisson told them if the kids are already sliding down on the slope they would just rip out the shrubs. Belanger told the Board Lots 25 and 14 were not that bad. Brisson agreed but also stated he couldn't understand it happening in the first place if it were done right. What would have happened if they had been able to get a waiver from the Board on the sidewalks. It is a possibility that the Town might be faced with putting in sidewalks in the future. They have to come up with a solution to stop the erosion. Langlais stated that the first step would be to approach the owners. Belanger told the Board they might have to cut down some trees and they would never go for that. Langlais stated then they might have to offer to plan some additional trees for them. Belanger questioned if he had any idea of how much that would cost him. It would be too expensive. Brisson told them that was not the Board's problem.

5) Brisson also pointed out that there is supposed to be filed with the Board a Record of Plan. Belanger questioned if that was required in the regulations at the time his plan was signed. Secretary will look into that.

6) Fee to the street was also requested. Belanger told the Board that the streets belonged half way across to each property owner. He was told that was not the right thing to have done and it was now up to him to get the approval of the owners to have the street accepted. Rotatori told them to go over the problems, approach the owners and come back to the Board with something. Belanger told the Board that he would come back.

Thomas Clark approached the Board to see if light manufacturing is allowed in a B-2 area. He had a potential customer that makes staple boxes. Consultant Herr stated that there was no way that this type of business would be allowed. His only other recourse would be to go for a rezoning at a town meeting.

Jim Brennan of the Zoning Board meet with the Board and Consultant Herr for a discussion on the recent adoption of the zoning laws. Brennan had made an amendment on the floor on Sec. 2530. Herr gave the Board a paper on the comparison of the effect between the original proposal and the one as amended that was adopted. There would be no effect on Grandfathering for single family dwelling, for two-family dwellings under the original proposal it would not be permitted, as adopted it would be allowed, there is no effect on multi-family dwellings and on business use the original proposal would allow it while the new proposal as adopted would not allow it for business. Herr pointed out that the state statute dealt only with one or two family dwellings. There are odd pieces of industrial or business zoned

land that could want to utilize the grandfathering. Herr did not seem to feel that it was a very serious thing; if you had an undersized business lot you could always get a variance anyway. Brennan stated his board would like to encourage all undersized lots to seek a variance also, for their own protection. Herr stated his original amendment would exempt two-family and multi-family dwellings. Under the state statute and the one passed at the town meeting exemptions are granted for two-family dwellings. Brennan stated unless a person knew what the state statute was they would be out of luck. Herr stated they were not trying to take away what the state is saying.

Brennan pointed out Article 1 which refers to master plans, he had his doubts as to whether or not Bellingham has a master plan. Herr stated the state did not define what a master plan was. It could refer to something voted on at a town meeting or one adopted by a vote of the Planning Board. Brennan stated he did not feel that the words "if any" should be in there. On Section 1240 Brennan felt it was confusing. Herr stated the state is saying that you must provide for a date requirement. Brennan felt it should be established who is responsible; it should be spelled out "to completion" and add "as determined by the Building Inspector". Herr did not feel that adding those words would add anything.

Brennan also suggested changing the abbreviation of the Zoning Board, Board of Selectmen and Planning Board from their initials to some other designation.

Board reviewed the copy of Hart's subdivision off Horseshoe Drive. The extension of time will be up the day after the Board's next meeting. Hart told the Board he had meet with the Water Department and would have something by the next meeting. Brisson looked over the plan and pointed out that some of the elevation figures did not seem to be right. He felt it was just a mistake in the figures. The curve of the swale behind the lots was not on the plans and Brisson felt they should be shown. Hart and his engineer will be at the Board's next meeting on the 9th of November at 8:15 P.M. Engineer will be asked to bring in a couple sets of the plan, which show the swale and the correct elevation figures.

Murray questioned Herr on the projections by the State Department of Public Health showing the Town to have a drop in population by 1985. Herr felt he could not agree with their figuring and gave the Board a copy of the memorandum sent by him regarding the topic dated October 12, 1978. The Public Health figures were based on migration on the experience of the past ten years with particular weight given to experience in the last five year. Since in these five years Bellingham has produced no growth, it can be expected that a projection based on those five years would also show the same downward trend. If the worst possible were to continue the town could expect a stable population. Murray pointed out the Building Inspector's report of only about 15 new house lots this year. With that kind of figures, the population would go down.

Board will meet on November 30th, the fifth Thursday due to the Thanksgiving holiday, instead of November 23rd.

Meeting adjourned at 11:20 P.M. on a Rotatori-Langlais motion.

Respectfully submitted,

  
Sergio Rotatori, Clerk