

BELLINGHAM PLANNING BOARD

TOWN HALL ANNEX

BELLINGHAM, MASSACHUSETTS

Regular Meeting of November 9, 1978

Members Present: John P. Murray, Chairman

Sergio Rotatori, Vice-Chairman, Clerk

Gerald Brisson

James E. Hart

Normand Langlais

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

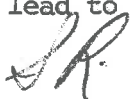
Engineer Walter Sampson and Dave Arnold of the Board of Health meet to discuss the subdivision off Horseshoe Drive. Arnold told the Board that Sampson and his Board had discussions at some length at several times. The Planning Board reviewed the revised plans brought in by Sampson. Brisson stated that all of the changes that had been requested have been made on the plans. He pointed out that there was to be a 12" drain pipe used with a 24" pipe going thru the embankment.

Arnold brought out plans that Sampson had given to his Board and explained that he had colored in the various sections to show existing contours vs the proposed contours. His Board was concerned about the excessive amount of water being dumped into the back of Lots 3 and 4. He pointed out where each future house lot was going to be located. Elevations of the houses are 232', the highest elevation on the property. The septic system has to be 40' from the house. The system would have to be placed very deep. If the system should leak it could cause problems. He personally had concerns about the swale. There is the possibility that someone would buy the land and the first thing that would be done would be to fill in the ditch. That would cause all kinds of problems. Murray pointed out that when a developer comes in and does everything that we tell him to do, you cannot hold it against him what some future owner might or might not do. Arnold pointed out when the swale has been constructed, there is fill involved, it is still only a ditch. He felt the sewerage problems will be of some concern to us. He felt the present plan had a very slim chance to gain the Board of Health's approval. The swale has to work, he was just not confident with swales. Hart told the Board he was speaking as the developer and not as a Board member. All of the proposed lots are 30,000 sq. ft. or more. Most of the homes in the area don't come anywhere near that in area. All is being proposed is four lots and you will never find perfect land no matter where you look. He was willing to do whatever he is told to do to make the land acceptable and to meet all the regulations. He asked the Board of Health to tell him exactly what they wanted.

Arnold told Hart he did not feel that there was enough flat land on the lots. If they can show him a plan that has more substantial fill in it, his board would look at it again. The present plan as presented is not acceptable.

Sampson told Arnold that the Planning Board's regulations do not require contours. Arnold stated usually his Board does not either, but on this plan his Board felt they needed it. If everything isn't documented and put down on the plan, future boards are at a loss to know how things stand or why things happened as it did.

Sampson questioned if it wasn't the usual way that once the plan is approved by the Planning Board as a subdivision then it goes thru the Board of Health and each individual lot is gone over and approved. Arnold stated yes, but that had led to problems in the past, and he was just trying to avoid problems.



He does agree that the concept will work on paper. Sampson asked Arnold if the Board of Health is not satisfied what recommendations are they now making to him. Arnold told them if they wanted to fill in all the land it would be OK with him. Hart stated that he did not understand the situation, Sampson and Arnold had talked many times and nothing was ever indicated that this wasn't acceptable. Brisson told Arnold it was upsetting to him that the engineer has been working with the Board of Health and it appears that he is now just getting the run around. The Planning Board had some problems with the plan, told the engineer about them, the engineer corrected them. Why can't this happen with the Board of Health. Langlais agreed saying the engineer has meet all of the Board's requests and have gone out of their way to do what the Board wanted them to do. Arnold pointed out that maybe his Board was not that convinced that he could build on those lots. There is all kinds of water there. Sampson pointed out that that problem is due to the fact that the subdivisions in the area are dumping their excess water on this property.

Brisson told Arnold the Basis concept of the swale is right. Each lot is going to have to come before the Board of Health individually. They will not come before you with a system that is not going to work. Arnold stated that they have committed themselves to the extent that they agree with the concept. Hart told Arnold that a developer when he comes before the Planning Board has to follow all of the rules and regulations. He wanted to know what regulations his plan was not meeting of the Board of Health. Why was his Board picking on this particular piece of land. Arnold stated that he had to live with the problems every day. Some are the results of the Building Inspector, some with the Board of Health, some of the land shouldn't have been developed at all. Why should we continue following the same course of action. Right now he was not comfortable with this plan and he will not approve it. He looks at this piece of land and it is difficult to see what is going to happen. The developer could in fact after the subdivision has been approved by the Boards sell each lot individually. His board did not want each lot sold or built on separately. Hart felt the Board of Health was going over and above their duties. Arnold disagreed. There were four lots, there is surface water on all four lots and they should be built on at the same time to eliminate any future problems. Arnold told the Board he was stunned with them for fighting him. Brisson countered that he was stunned that the Board of Health has let this plan go this far and they are still not satisfied. Arnold told the board he was not saying that the engineer was not doing his job.

Sampson asked Arnold if he was saying that this piece of land was not a buildable piece. Arnold stated he did not want to give him a yes or a no. If he were to change this plan and put in a substantial amount of fill, he supposed it would be OK. A swale concept is OK on paper, but this is a big swale going behind four lots. He was concerned with the swale staying the way it was on paper after the houses are built.

Brisson suggested to Sampson that he design a workable sewerage system and bring it back to the Board of Health. The Planning Board cannot approve the plan as long as the Board of Health won't recommend it. On a Rotatori-Langlais motion the Board recommended unanimously to accept the extension of time on the subdivision until, Friday, December 15, 1978.

On a Rotatori-Hart motion a bill for \$10.00 to the Postoffice for 100 10¢ post cards was unanimously approved.

Meeting adjourned at 9:55 P.M. on a Brisson-Langlais motion.

Respectfully submitted,


Sergio Rotatori