

BELLINGHAM PLANNING BOARD  
TOWN HALL ANNEX  
BELLINGHAM, MASSACHUSETTS

Regular Meeting of February 8, 1979

Members Present: John P. Murray, Chairman  
Gerald R. Brisson  
James E. Hart  
Normand Langlais

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

Board discussed Brookside Estates with Vincent Thayer. There are nineteen lots remaining to be built on a subdivision dated 1965. Thayer gave the Board a topo plan. After review them Brisson pointed out that the plans do not give any information, that they do not show where the water goes, no elevations are shown and no grades. It was only an "eyeball" job. There is no way that anyone could build a road using the plan shown by Thayer. Brisson showed Thayer a copy of a recent subdivision and suggested that he get a copy of the rules and regulations governing subdivisions. Brisson stated the Board was concerned with the finished product and there was a good possibility that the 50' road could be waived, he was not particularly concerned with the 40' width. He asked if there was any water on the land and Thayer told the Board there was a brook that ran through the property. Brisson pointed out that it wasn't even shown on the plan presented and the Board had no idea what happens to it. One of the major requirements is a profile showing where the drainage is going to go. Langlais told Thayer it was not the Board's intention to have him go out and spend a lot of money on plans, but there was no other way that they could see if the plan meets the current rules and regulations. A letter was received from Town Counsel Lee Ambler dated February 8th regarding the rescission of subdivisions. It was his contention that a subdivision does not automatically run out at the end of 5 or 7 years, but rather the subdivider may lose the protection and benefit of being able his houses using the zoning laws in effect at the time of his submission. By accepting a new covenant the Planning Board does not give any protection to the developer if any zoning changes should occur. The Planning Board has the power to waive any of its own rules and regulations but only the Zoning Board of Appeals has the power to grant variances on the zoning by-laws. Ambler also advised that he had tried to get in touch with Attorney Shaw (Thayer's lawyer) and he is out of the state and Ambler requested that the Board take no action with Thayer at this time. Thayer told the Board he would get a set of the current rules and regulations and take it from there.

Joseph Tominsky of Milford told the Board he was interested in buying the eight remaining lots on Susan Lane (Center Park Estates) and it was suggested by the secretary that he speak to the Board regarding them. Herr told Tominsky that the bank that hold the lots now knows what has to be done in order to get building permits on the remaining lots. All of the roadway and drainage on Susan and Sharon Lanes have to be completed. Board showed him an estimate given in 1974 by Highway Superintendent Daigle of \$35,000 to finish up the remaining work. Tominsky asked what the town was doing to get the work finished and was told that the bond for \$84,000 is currently in the hands of Town Counsel. Tominsky thanked the Board and felt it was not feasible to buy the remaining lots on Susan Lane until the road have been settled.

Ralph Costello, a partner in Delta Realty, told the Board he was also here tonight because he was interested in the property and had talked to the bank about it. Brisson told Costello that the \$35,000 figure was anybody's guess and he should

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get his own estimate. Langlais pointed out it might well cost a lot more to bring the streets up to par. They have been sitting there for the last five years. The manhole covers have been removed and the drains filled by the Highway Department with sand for the safety of the residents. The binder coat would have to be looked at also, after all this time they might have to be treated so that the final coat of surface will adhere. He was not even sure if the elevations were correct. Costello told the Board he had enough information now to make a decision. Board advised him to contact Ambler if he had any further questions on the subdivision regarding the bond.

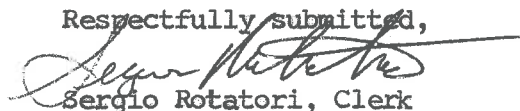
The proposed subdivision off Horseshoe Drive was discussed. Letter was read from the Board of Health dated January 31st. Hart requested the Board to give him an extension until March 9, 1979 for his subdivision to enable him to meet the requirements of the Board of Health. On a Langlais-Brisson motion, the Board voted unanimously to grant the extension until March 9, 1979, Hart abstaining. Brisson told the other Board members that he had talked with Dave Arnold and that the Health Board will give their approval as soon as they receive a letter from the Conservation Commission. Arnold requested that his Board receive a copy of the signed plans for their files.

The release of the remaining \$1,000 bond on Benelli Street on Country Club Estates II was discussed. Brisson told the Board he looked over the street and had some serious questions on the placement of the road at the corner. He could not locate any of the monuments and strongly felt that requirement for Record Plans be submitted. All Board members agreed and a letter will be sent to Nick Goulet, Woonsocket requesting that he file a Record Plan according to Sec 556 and Monuments as required in Sec. 551 be installed according to the rules and regulations governing subdivisions.

Murray told the Board he had attended the Finance Committee's meeting on February 7th on another matter and found out that the Finance Committee was going to make their decision on salaries at that meeting. Murray stated he voiced his objections that the Board members had not been notified and that the rest of the Board wanted a chance to speak on their request for salaries. He did not get very far and the Finance Committee voted not to recommend the salary request at the Annual Town Meeting.

Meeting was adjourned at 10:50 P.M. on a Langlais-Brisson motion.

Respectfully submitted,



Sergio Rotatori, Clerk