

BELLINGHAM PLANNING BOARD
TOWN HALL ANNEX
BELLINGHAM, MASSACHUSETTS

Regular meeting of April 12, 1979


Members Present: John P. Murray, Chairman
Sergio Rotatori, Vice Chairman
Gerald R. Brisson
Normand Langlais
Carl Rosenlund

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

Cecile and Ronald Dalpe presented an approval not required plan of one parcel on Wrentham Road, Land owned by Laurent, Ronald and Gerald V. Dalpe. Parcel A contains 66,713 sq. ft with 1.5316 acres. Brisson questioned if the remaining land had enough frontage and acreage as these figures were not shown on the plan. Dalpes were told to see if the Assessors could give them this information, and come back to the Board.

Viola Beliso of 71 Center Street asked the Board's advise on her land. She showed the Board copy of a plan showing Lots 1, 2 and 3. She wanted to sell two lots and keep the garage. Brisson told her since the three lots are in one ownership and there is only 300' frontage she could not divide the land even in two. The required frontage of 200' could not be meet. If the lots were in separte ownership it would be OK. Her only recourse would be to seek a variance from the Zoning Board. Rosenlund told her the Board could not say what here chances were of granting a variance. He advised her to seek legal advise.

Roger Belanger spoke with the Board regarding Harmany Hill Subdivision. He pointed out that street signs have been installed and inspected. Fee to street has been turned over to the Board of Selectmen. Record of Plans as required under Sec. 63 was given to the Board. Belanger showed the Board pictures of Lot 18 taken on March 6, 1979 pointing out the covering has been on the land all winter long and there has been very little erosion. He felt it was in very stable condition as there was a lot of rain during January and February. The owners of the land does not wish him to come onto his property for any excavation work. He then showed the Board pictures of Lot 25 on Irene Court taken on the same day. He claimed there has been very little erosion in this case also. Again this homeowner does not wish him to enter onto his property. Roselund asked if he had talked to them lately. Belanger stated he has not talked to them since they last came before the Planning Board. Brisson pointed out to Belanger that the problem that he had last year is still there. Belanger told Brisson if the slope was taken from the edge of the asphalt it would be at a 2 to 1 slope. Brisson told him that was not correct and Belanger stated if the 6' taking was taken into account, no it would not be right. Belanger stated again that there was little or no erosion there now. Brisson said it does not solve the slope problem and if the town ever were to put in sidewalks at any future time then the town has a problem. Langlais asked Belanger if he was willing to plant some trees there and was told Belanger was willing to plant some shrubs such as you would see on the highways. Langlais told him the Board would be willing to consider some alternatives. Rosenlund told Belanger that there was a real steep bank on the right side of Irene Court. Belanger told him that was where there was a lot of ledge and the transatlantic telephone cable was buried. He suggested building a wall 3-4' tall to a lenght of 15' or so, made out of railroad ties. Brisson stated the ties are out and suggested a nice looking field stone wall. Langlais agreeded he would probably go along with a field stone or even a pured concrete wall. belanger suggested using a heavy concentration of plantings. He did not like messing around the cable with a ledge and having to use explosions.



April 12, 1979

Page two


Rosenlund stated plantings on Lot 18 and 25 are not objectionable to him, but not for the big slope. Brisson suggested to Belanger that he come in with a sketch spelling out exactly what he is going to do with each area and give specifications. Langlais told him to put numbers on the specifications so the Board will have something concrete to look at. Brisson suggested detailing what kind of shrubs and how many units in each area.

Belanger told of reading about the drainage problem on Lot 16. He explained that the owner contracted to put in a double driveway as an addition to the one supplied with the house. Gerry Daigle was called in at the last rain storm and he didn't seem too concerned with the problem. At that time it was suggested that a slit in the grove could be put in the driveway addition to allow the water to drain. Belanger pointed out he was responsible for one 6' driveway and the problem is with the extra 6' driveway. He told the Board that the owners have signed off with the VA on all their complaints and this has been taken care of. Langlais and the Board agreed if this was the case, it is no longer a problem with the Board.

On the right hand side coming off North Street, Belanger stated he would have it raked up again and some grass thrown in with some chips. Rosenlund told the Board there was a piece of green aluminum about 25 yards in on the left hand side from North Street. It looks very bad. Belanger stated he knew nothing about it and it must be the homeowners who put it there. Belanger told the Board he would get some specifications together and get back to the Board.

The Dalpe's came back in with a copy of the Assessors Sheet on their land. It showed 433 feet remaining as the frontage on the large lot. On a Langlais-Brisson motion the Board voted unanimously to sign the plan presented on Wrentham Road on Parcel A.

Leo Gosselin again presented his plan for Angelo and Clara Padula on the corner of Elm and South Main Street. He pointed out to the Board that the building is 4' away from the property line. The two lines shown represent the concrete walk surrounding the entire restaurant. He reinstated that the buildings were there before 1956 and submitted a new form A stating that. Langlais pointed out once the Board signs the plan they are creating two lots that are non-conforming. Gosselin agreed that if the new owners want to expand the business they will have to seek a variance. Rosenlund suggested that if the new owners seek a variance at some future date he cannot justify it. He will be responsible for looking into the problem before he buys the business. Gosselin pointed out the Board has to remember that the buildings were in existence before the zoning laws existed. You cannot penalize the owners for that. He hoped adding a foot note to the plan would not create a problem for the bank examiners. Rosenlund it could just be that they won't give him a mortgage on the property. Rotatori stated he felt the right way to do it would be to get a variance first. Once the lot is split in two, you do not have enough frontage for the two lots and you have a violation of the present zoning by-laws. Brisson stated by putting in a footnot saying "compliance with the zoning by-law not determined" we are just not saying that it is a conforming or a non-conform lot. On a Langlais-Brisson motion the Board voted to approve the plan of the Padula's with the above notation, Rosenlund abstaining. Letter will be sent to the Town Clerk and the Zoning Board of Appeal indicating the plan has been approved with the conditions of the zoning laws being met not determined.



April 12, 1979

Page Three

Mr. Joseph Ustinowich presented an approval not required plan of land on Maple Street. He told the Board he already owns the land with a house and barn located on it. He was just buying additional land in the event more homes are built. An additional 26,280 sq. ft. is to be added to the side and back of his present Lot 1. On a Brisson-Langlais motion the board voted to approve the plan of Joseph Ustinowich on Maple Street, Rosenlund abstaining.

Thomas Clark told the Board his land on No. Main Street has now been approved by the attorney General for rezoning and he wanted to put up another building. He wanted to put in the foundation and footings in now. It will take a little while longer before the drawings can be made by the engineer. Brisson told Clark the Board needed a site plan first if he was going to have more than 20 parking spaces. The Board did not know what he wanted to do unless it is put down on paper. Rotatori told Clark to get his surveyor working on the plan and then bring it in for the Board's approval. He would have to wait for his building permit until this was done.

Rotatori asked Henry Borowski if the building on Pulaski Blvd. next to Mosteks Hardware store was going to be torn down. Borowski told the Board he had just talked to them the other week and they are going to clean it out and then tear it down.

On a Rotatori-Brisson motion a bill for \$30.32 to Marshall's, Milford for a plaque for James Hart was unanimously approved.

Rosenlund discussed the article on foundation placement that was defeated at the annual town meeting. Both Brisson and Langlais felt it should be pursued. Rosenlund felt if it was for new dwellings only it would have passed without any trouble, but Dennis Roy raised questions on additions and the additional cost on the homw owner. Murray suggested that the Building Inspector inspect the site and if it then appears that there is any questions on it he can have a site plan. Brisson and Langlais disagreeded and felt it should be on all new dwellings and on all additions to dwellings. They were not too concerned with swimming pools and sheds. It was agreeded that it would be brought up at the next meeting with Phil Herr.

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

Respectfully submitted,

Sergio Rotatori, Clerk

