

BELLINGHAM PLANNING BOARD
TOWN HALL ANNEX
BELLINGHAM, MASSACHUSETTS

Regular meeting of May 24, 1979

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

Chairman Murray opened the meeting at 8:00 P.M. with Consultant Philip B. Herr and associate Marilyn Gallant in attendance.

Lloyd Nelson of 421 South Main Street requested information on dividing his land on South Main Street into two lots. Area zoned suburban with total frontage of 328 feet and area of 70,852 sq. ft. Nelson desired to build another house but was unsure if it conformed. Brisson, after looking over the plan, told Nelson that it did not conform and he should seek a variance from the Zoning Board of Appeals. Rosenlund suggested that he get a copy of the zoning by-laws to be sure if he wanted to get a variance or a special permit. Nelson was told to get the applications and file them with the Town Clerk. A hearing date would then be set.

Thomas Clark and Robert Cournoyer meet to discuss the site plan on the shopping center on North Main Street. Herr stated he had reviewed a set of plans sent to him by the Board and in a telephone conversation with Cournoyer had suggested that he put in another catch basin.

Herr questioned if a sign were going to be put up as there was no sign noted on the plan. Clark told the Board he was not going to put in a sign. Herr again stated if they intended on putting up a sign it has to be put on the plan. If at a later date they change their mind and want a sign it has to come back before the Planning Board for approval. Murray suggested it might be a good idea to put one on the plan now. Clark again stated there was not going to be a sign put up.

Brisson questioned Clark on what he was going to do with the slope and was told by Clark that he has already started getting the trees cut down and is just waiting for the gas company to finish up.

Herr questioned the use of the island in the middle of the plan and suggested that the island be rounded for better traffic control. Cournoyer and Clark agreed it could be changed easy enough.

Brisson told Clark he wanted to see it put down on paper what is going to happen. Clark reassured Brisson that he would loam and seed the slope and continue reseeding until it takes.


Herr questioned parking in front of the stores. Everyone now parks in front so why not just show it as parking spaces.

Herr questioned loading for the stores. He felt it would be easy for the first stores to load in the back but not so in the last stores. Clark told the Board loading is now being done in the existing stores from the front. Herr pointed out loading is supposed to be shown on the plan.

Handicap parking should be so designated on the plan and it is not.

Herr also pointed out that no trash areas are shown. Clark stated that dumpsters are going to be in the back of the buildings. Herr stated it should also be shown.

Langlais stated that the railroad easement bothers him and questioned what would happen if the railroad were to tell him to get off their land. He was uneasy with the situation.



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Herr was questioned if he felt the culvert would work, and told the Board if it didn't work it would just act as a retention area.

Cournoyer would get back to the Board with the changes in plans. Dates of the revisions would also be put on the plans to avoid any confusion in the future.

Rezoning of Pulaski Blvd. was discussed. Brisson excused himself as a member of the Board because he would be acting as the engineer of the plan. Consultant Herr showed the Board copies of the Assessors' Map showing the land in the area. Brisson showed a map of Marchand and Dalpe's land, outlining where the building and parking would be.

Murray pointed out if only one parcel of land were rezoned it could be called spot zoning, and this was the main reason for including the drive-in on the proposal. Brisson stated the drive-in is being leased from Elsworth Crooks on a 50 acre piece of land.

Board studied the area with Herr. Herr pointed out a buffer strip of land should be left at the end of the drive-in and Muron Avenue to be sure that the road will not be used as an egress. That would reassure the owners in that area.

Langlais questioned Herr if the Board advertised for only the three parcels in question if they could then at the Town Meeting or the hearing add more land to the proposal. Herr stated the Board can eliminate area but cannot add more than what was advertised. Langlais told the Board he felt they should consider the future. It could be that the hearing will bring someone else who wants their land rezoned. The whole area up to Center Street could be considered.

Herr pointed out if a large area is proposed for rezoning you will have a large amount of people coming down. The neighbors will all come out. A more modest proposal will not draw such a large crowd. He pointed out the rezoning of all of Rte 140, from the public point of view did not do the town much good.


He questioned if there was already enough commercial area in town. That much area would be making a bigger change than was made on Rte 140. The area has one very visible non conforming use. The town made businesses already in existence at the time of zoning to be non-conforming rather than to zone the area business. A rezoning could change the nature of the whole road.

Rosenlund questioned Herr as to what makes spot zoning. Herr replied if you were to single out one parcel and not base the zoning on the characteristics of the land. In this case of rezoning the drive-in makes the difference. You could do it on a small scale or on a large scale. Langlais stated what the Board could do is put a lot of people in a conforming situation. Between the drive-in and Center has a lot of vacant land. Herr cautioned in rezoning if the Board went for a really large area, you could get shot down completely. Rosenlund pointed out if the Board only rezoned the small area, what they would be doing is letting in another business without giving the businesses already there in a non-conforming use the shot of becoming conforming. Herr pointed out there was a lot of commercial land in town, the question is should you create more commercial land. Langlais told the Board he did not have any strong feelings on the matter and would go along with whatever the Board decides.

Herr pointed out another matter to consider is the type of business you are going to be allowing by this rezoning, do you want to allow it in this area.

Herr suggested not looking at too large a piece of rezoning and if that hearing warrants a larger parcel you could still hold it. The hearing has to be at least six months withing the town meeting. Dalpe told the Board they were aiming to shoot for a special town meeting.

Langlais asked Herr if there was some way of putting restrictions along with the rezoning. Herr stated there is really no way you could do this without it being very complicated



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Board looked over the area on the Assessor's map and voted unanimously to hold a public hearing on June 14th at 8:30 P.M. on rezoning approximately 15 acres of land on Pulaski from Residential District to B-2 District. Herr drafted the notice and Surveyor Brisson will draw up the necessary maps.

On a Rotatori-Brisson motion a bill to the Bellingham Postoffice was approved for \$27.00 for 120 10¢ post cards and a roll of 15¢ stamps, unanimously.

Release of Lot 43 on Mendon Street part of Rose Avenue Extension subdivision was discussed. Lot is located on a major street and therefore was not covered by a covenant on the subdivision. On a Rotatori-Brisson motion the Board voted unanimously to release Lot 43 from the force and effect of the conditions in the covenant between Joseph Winiker and the Board dated May 31, 1961.

Murray told Herr the Board had signed an Approval Not Required plan where the man had an undersized lot with an existing non-conforming lot next to it. At one point he added land on to one lot, but it was still a non-conforming size. An approval not required plan was then signed by the Board giving part of the additional land to the adjoining lot. Neither lot was or is now conforming. Herr pointed out that Section 2530 Isolated Lots and Subdivisions deals with lots such as described. The plan was proper as it did not increase the actual or potential number of buildable lots.

Meeting was adjourned at 10:25 on a Langlais-Rotatori motion, unanimous.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Sergio Rotatori", with a stylized flourish at the end.

Sergio Rotatori, Clerk