

BELLINGHAM PLANNING BOARD
TOWN HALL ANNEX
BELLINGHAM, MASSACHUSETTS

Regular Meeting of June 28, 1979

Members Present: Sergio Rotatori, Vice Chairman, Clerk
Gerald R. Brisson
Carl Rosenlund


Vice Chairman Rotatori called the meeting to order at 8:00 P.M.

Roger Belanger spoke with the Board to clarify the area on Harmany Hills Estates which was referred to as being on the right hand side as you enter the subdivision from North Street. Belanger suggested the area in question was just the grade of the road which is about 6' from the gutter to where the ditch begins. He will cut, rake and loam the area and throw some rye down. He was concerned that the Board meant the ditch area also. Board agreed with Belanger. Rosenlund also stated that Belanger was to also pick up cans and any tires, etc. that were there.

Angelo Lomberti, an attorney from Milford, requested release of Lot #16 on Kathy Drive on the Evergree Estates subdisision. The present owner of the home now wants to sell and Attorney Lomberti in doing the title search found that only Lot #10 has ever been released. Rotatori pointed out that the roads are all in along with the drainage and could see no reason why a formal release could not be granted. On a Brisson-Rosenlund motion the Board voted unanimously to release Lot #16 on Kathy Drive.

Brisson stepped down as member of the Board, and presented an Approval Not Required plan of land located on South Main Street located in a business zoned area. A total of 37 acres are deeded to Agafea Zhawred and plan shows two front lots that are already existing and recorded. The owner is cutting out 6.57 acres out of the original lot to sell. Bruno Santani the broker told the Board he would appreciate the Board signing the plan as soon as possible so that the deal could be recorded. Since there were only two members of the Board eligible to sign the plan a meeting was set at 7:30 P.M. on Monday, July 2nd in the annex. Meeting to be posted and other board members informed.

Gerard Marchand and Fernand Dalpe appeared before the Board in response to the Board's inquiry on Rakeville Circle subdivision. The present plans call for a sidewalk on the inner circle with berms on the other side. The developers requested a waiver of the sidewalk using just berms on both sides. They would then landscape a little bit more on the sides putting in trees. Marchand told the Board they had not put in the berms and sidewalk because of the use of heavy equipment and the damage that could be done. Rosenlund questioned why the sidewalks were proposed in the first place. Rotatori stated the regulations for subdivision control require two sidewalks, in most cases a waiver of one walk is granted in exchange for something else. Brisson pointed out that when the plans were signed a promise was made between the Planning Board and the developers that sidewalks were to be constructed. Paul Farrell, Rakeville Circle, told the Board that when he bought his home, he was told by the developers that there would be sidewalks. His property is now landscaped for sidewalks. He has talked to a few of his neighbors and none of them have been contacted. His frontage is 250', having one of the largest lots frontage wise and his opinion was never asked for. Marchand told the Board that they intended contacting all of the neighbors to ask for their opinion, probably by letter. Rosenlund pointed out when the people bought their homes it was with the idea that they were going to have sidewalks. Marchand told the Board that the cost



of asphalt has gone up very high. Walks now will cost between \$8,000 to \$9,000 to install. Brisson stated in the past developers have approached home owners and given them some trees, etc. to get their OK to eliminate the walks. All it takes is for one child to get hurt and these same people want the Town to put in walks. Rotatori told the developers they could not act on their request for the elimination of walks without more information and until there is a full board present. The developers assured the Board they would finish the remaining work before the winter.

Walter Stearns, Assistant Building Inspector, spoke with the Board regarding a plan of Thomas Clark on No. Main St. The lot is fronting No. Main St. and he has put in a foundation without a building permit. Stearns has issued Clark a stop work order because he does not have a building permit. As soon as Clark gets the necessary health permits, etc. he will have to issue him a building permit. Stearns wanted to be sure there was no reason of the Planning Board to stop the permit. The latest site plan on the shopping center was reviewed by the Board. Brisson pointed out the lot and the site plan seemed to be in conflict with each other. It seemed on the site plan that parking spaces for the shopping center were on the front lot. If a building goes up there, then there would not be enough parking spaces for the shopping center. Rosenlund suggested that Clark should come before the Board to get the situation cleared up. If the front lot is separate, then he can't be stopped from building. Stearns told the Board he did not suggest to Clark that he would be in conflict with the Board's site plan, this is not his area. Rotatori told Stearns that if everything is OK then he would have to issue him a permit, if he were satisfied in his own mind that everything conforms. Stearns told the Board he would accept a certified plot plan, unless the Board could point out some violation to him, and once Clark has complied with all the necessary requirements, Stearns would give him a building permit on the front lot. Brisson told Stearns that the Board has not been able to give approval on a site plan on the shopping center and told Stearns that he was not to issue any building permits without the Board's site plan approval. Stearns pointed out that a building permit for the foundation only was issued on Phase III. Rosenlund stated no one is saying that he can't finish the work once he complies with the Board's requests. On a Brisson-Rosenlund motion the Board voted unanimously to confirm to Stearns that until an approved site plan is accepted by the Planning Board no further building permits are to be issued. Letter to be sent to Stearns.

Stearns showed the Board a copy of a plan of land on Mendon Street for Hood Enterprises, dated May, 1979. Stearns pointed out that the building shown in dark is being transferred from in back of the Paddock. Stearns is assuming that he has the necessary building permits on the first building. He is now requesting a building permit for a second building. The use is being stated to be used for a storage building. Brisson questioned if two buildings are OK on the same lot. Stearns has 30 days in which to act on the request. Brisson pointed out that if the building requires more than 20 parking spaces then he the owner, has to come before the Planning Board with a site plan. Stearns pointed out that he has no health permit yet, so he has to use it for storage. Rosenlund stated he didn't see any zoning violations. Brisson stated he doesn't have to have separate lots to put up a second building where it is a commercial area. It would not come under the subdivision control laws. On a Brisson-Rosenlund motion the Board voted to send a letter to Stearns stating that the plan as presented to the Board dated May, 1979, does not fall under the subdivision control laws.

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Rotatori showed the Board a copy of the land on Pine Grove Avenue. Area is in the suburban district and a request has been made to change it to residential district. Don Horan explained to the Board that Bertrand Remillard had bought his house lot in 1950 and built his home. He then bought the abutting lot in 1960 with the intention of a future home site for one of his children. Since that time zoning came into being and he is not able now to use his second piece of land. Secretary will check with Phil Herr to see if this might possibly come under the grandfather clause. If it does not, then a public hearing date can be set next Monday.

A phone bill in the amount of \$4.00 to Philip B. Herr & Associates was unanimously approved for payment on a Brisson-Rosenlund motion.

On a Brisson-Rosenlund motion the meeting was closed at 10:25 P.M.

Respectfully submitted,



Sergio Rotatori, Clerk