

BELLINGHAM PLANNING BOARD
TOWN HALL ANNEX
BELLINGHAM, MASSACHUSETTS

Regular Meeting of August 23, 1979

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

Chairman Murray opened the meeting at 8:00 P.M.

On a Rotatori-Rosenlund motion the following bills were unanimously approved for payment: Milford Daily News - Public hearing advertising - \$26.40

Woonsocket Call - " " " - \$12.25

Woonsocket, Call - " " " - \$24.50

Lawrence Douglas Stamp Works, Date stamp - \$26.08

National Office Supply Co, typewriter ribbons \$ 8.85

Lot 1076 on Caroline Drive, shown as #37, on Assessors Map was released on a Rosenlund-Brisson motion, unanimously. It was pointed out that the lot and street have been developed and just not ever released.

Correspondance was reviewed. Rosenlund requested that the Board attend a public hearing on an appeal of a refusal of the Ass't Building Inspector Stearns to grant a building permit. Rosenlund felt this was something that could come back at a later date to the Planning Board.


PUBLIC HEARING - REZONING OF PULASKI FROM B-2 TO RESIDENTIAL

Board member Gerald Brisson stepped down as board member.

Chairman Murray called the hearing to order at 8:30 P.M. Secretary read the notice as it appeared in the papers. Approximately 34 people in attendance. Personal money order for hearing advertising was received from David L. Tuttle Jr.

Chairman Murray made a statement denying that anything was wrong with the procedures leading up to the public hearing of the last rezoning on Pulaski Blvd. Statements were made by individuals at the last Finance Committee meeting that were wrong.

Dave Tuttle spoke for the group who requested the rezoning. He stated he was trying to revert the action of the June 22nd town meeting vote which changed the area from residential to B-2. The residents feel very strongly that it is a residential area, and zoning is to protect the people. They realized that there was some confusion at the last town meeting, and if they were not so confused the rezoning would not have gone through. They were making another attempt to protect their neighborhood as residential property. They have petitioned for another town meeting for an article to rezone the land back to residential. As far as he was aware, the Attorney General has not given approval to the first rezoning. Murray questioned what their reasons were for the rezoning back to residential. Tuttle answered that their attitude is that the rezoning encompasses more than just one particular business. With the last rezoning the drive-in theatre was changed from a non-conforming residential area to B-2 business area and if it were to remain zoned as a non-conforming use in a residential area, in the event that the theatre were to go down the drain, the neighborhood would get rid of it. There is the possibility that with the land as B-2 zoned, they could get in a much more undesirable thing than a drive-in theatre. Murray stated he felt that Tuttle was just speaking his own



opinion about the possibility of the theatre closing down. Tuttle stated his statements were based on an article in the papers stating that drive-ins in New England were folding up. Murray stated that now that the drive-in was in a B-2 area, if it were to close down you could possibly get an office or a store in there. He questioned Tuttle if he would like such a thing in there. Tuttle stated he was not here to speculate. Murray stated he had heard that a trucking terminal was interested.

Tuttle stated that the area that the drive-in covers, the area of the proposed business and the area of the third parcel is now all B-2 zoned. We would rather see it left as it was in residential.

Murray pointed out where Tuttle lived on 22 Liberty Street on the assessor map. Diane Martin, 721 Pulaski Blvd stated that the street is one thing, we are right on the corner and it is badly lit. Murray pinpointed where the Martin's lived on the map. There were tire marks on the lawn all the time stated Mrs. Martin. They have one sidewalk stopping at Harpin. She questioned how many accidents the rink was going to cause on the street. It would jeopardize the children also. Murray stated he could not answer about the accidents. Right now you have two schools in the area, you have baseball fields, and a tennis court in the area. He did not think that a roller skating rink is going to bring anything unique into the area. Mrs. Martin stated she lives three houses from where the drive-in is. Murray pointed out that she was not in sight of where the skating rink will be. Mrs. Martin stated right now there are trees and a brook there. Dan Langlais, 640 Pulaski Blvd spoke for the rezoning stating that his first problem is that he is worried that the valuation of his home could be affected. He has two children. He grew up next to a roller skating rink in Pawtucket. He did not like it. There was a lot of drinking in the parking lot at night. He is already picking up bottles and cans off his front lawn now.

Murray questioned him if he was at the last town meeting or public hearing. Langlais stated no. His home was his life's investment and he did not like to see it go down the drain. That was why he was here tonight. Murray started to say that he had checked with a real estate man on the effect of real estate values and was interrupted by Tuttle who felt that in Murray's capacity as chairman of the Planning Board he would think that he should be impartial, he felt Murray was serving in a bias role. We are expressing our viewpoint for the rezoning to residential and then the opponents will speak in their turn. Tuttle did not feel that it was Murray's place to rebut everything stated but just that he should listen to everything. Murray told the audience that he had done a lot of homework before the meeting.

Rosenlund asked Mr. Langlais if he was only opposed to a roller skating rink in the neighborhood or if he was just opposed to any commercial venture going in there. Langlais stated at this point he would be opposed to a business area. When he bought his home it was zoned for residential use.

Adolfo Romiti, 563 Pulaski Blvd. complained that cars are going to be going by their homes all times of the day and night, and questioned if the Board would like it next to their homes. The rink is in business to make money, but it is their homes. There are a lot of children in the neighborhood and he felt the beer cans, etc. problem would only increase. If the town wants a rink then they should put in in a zoned already made for that business.

Henry Kogut, 725 Pulaski Blvd. stated that sidewalks only go up as far as Harpin Street. The street is narrow and the traffic is already a problem. Trucks and cars are already going up over his lawn. He questioned where St. Paul Blvd stood. Board could not locate it in the street map.

Sandra Kelly, 703 Pulaski Blvd (1st house after the proposed site) stated that St. Paul Blvd is an unrecognized road between #711 and 703 Pulaski Blvd. It goes about 60' towards Franklin.

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Richard Martin stated that the street was shown on a plan when he bought his home. Mrs. Martin stated that the road could eventually go into another entrance for the proposed rezoning.

Paul Lemire, 5 Chestnut Street stated that the road (if it was where he was thinking it was) goes directly into a conservation area.

Mr. Romiti stated if they put up a skating rink there will not be any more homes.

Diane Martin stated she works with real estate and people do not want to live in a commercial area. Pulaski Blvd is badly lighted, all the Board had to do is come sit in here lot and watch the cars go racing by. There would be more traffic at Crooks Cornor from Woonsocket, you will be getting more people from Milford using Center Street and people from Franklin and 495 using Pulaski Blvd. She questioned if the Planning Board took that into consideration.

Bertha Kogut stated she lived next to Mrs. Martin. She did not feel that people realized how much Pulaski Blvd is used for people going to Rte 495. The traffic is very bad. She has witnessed a fatality and many auto accidents. The tennis courts are not opened at this time of night as the skating rink will be. They will be walking to the rink on a bad street.

Frances Kornicki, 610 Pulaski Blvd stated when the theatre lets out there are a lot of cars and now they want to add more cars from the rink.

Mrs. Martin stated she has called the Police Department many times about the traffic problems. The school bus cannot stop to let children off the bus for both sides of the street. It lets one side off turns around the street and lets the other side off. The cars will not stop for the bus.

Mrs. John Tuttle stated they were talking about just one business, the rink. That is just one business they can be others. She again stated the existing traffic problem.

Mrs. Martin stated the perk test results are good until May 27, 1980 but questioned where they were taken, it just says as far as location that it is on Pulaski Blvd. adjacent to the drive-in. Murray felt that questions was not relevant to the rezoning. Gerry Marchand stated that the perk test was done on his lot. Mrs. Martin felt that lot numbers should be put on the tests. There was also a question of a conflict of interest since the engineer is on the Planning Board and is a relative of one of the people whose land is being rezoned.

Gerald Brisson stated that he is not voting on the Board. Engineering is his livelihood and made his living doing such work.

Rosenlund felt that the perk tests were not relavent to the rezoning. If they cannot get a good perk test then they will not be able to get a building permit.

Langlais stated that he felt Mrs. Martin had a point with the perk tests, but that she should take it up with the Board of Health.

Joyce Quimby, 13 Newland Avenue stated that she felt the tests were relevant. The subject did come up and your board told us there was no possibility what so ever that they would be able to get a building permit before we had a chance to speak at the next town meeting. Gerry Marchand stated that Mrs. Martin did ask the Board of Health if a perk test had been taken and was told yes, but it was outdated. At that point the Planning Board did state that another perk test could not be taken until next September. Mrs. Martin stated she was going by what the Building Inspector had told her. Marchand stated that they do have a valid perk test.

Mrs. Martin questioned why the rink couldn't be built in a place that is already zoned for commercial. They want a recreational area for their children but in the proper place.

Mr. Kogut stated if the rink is put up it will be at their expense. They will have no peace of mind at all.

Mrs. Tuttle stated she felt the developer must know how the people feel about the rink. Nearly 100% of us on the boulevard are against it. They were trying to protest themselves. They would be heartbroken if this goes in.

Mr. Langlais stated there is a problem in putting in businesses spasmodically, you upset the homes in all of these areas. You cannot spot locate business everywhere. Almost everyone in town has a business next to them. When he bought his home the area was zoned for residential. Murray pointed out that Mr. Langlais lives three houses from the body shop and across from the current drive-in.

Mr. Langlais stated he knew what was already in the neighborhood, and the property across the street was zoned for residential use.

Mrs. Martin questioned what the value of the homes near the tennis court were.

Mrs. Tuttle stated that one of the owners told her last week that they were thinking of selling their home and leaving. They felt they could get a certain amount for their home and their valuation dropped off by \$10,000.00

Mr. Kogut stated he has lived in town for 18 years and it was a quiet section at that time. Mrs. Tuttle questioned whether the protection of zoning was for the home owners. It could happen to anyone.

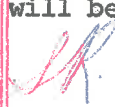
Murray stated that Dalpe and Marchand went thru due process of the law to get the land rezoned to business.

Gerald Marchand spoke out against the proposed rezoning to residential. He stated that Mr. Tuttle said he was ignorant of the law when the land was rezoned to B-1. This he did not understand as he had been active in the political area and in town for many years. He did not feel that it was right that Tuttle was willing to assume that the theatre was going to fail, but will not speculate on what might take its place. As far as picking up cans along the street, he did not think that anyone could find any more trash on any road than they would find on Wrentham Road where he lives. As far as cans on the roads, there are no easy answers anywhere in town for that. Someone else brought up cars going over lawns. That can happen anywhere, regardless if there is a theatre or a roller skating rink there. Someone said why not build homes. That is not practical. Someone made a hollow on the property when it was intended to be a race track. They have had an estimate of \$20,000 for fill. The cost eliminates homes. Someone else said why not buy land somewhere else. The answer is simple, land is expensive. If they bought land in the north end of town, they would be in conflict with Milford. There is not any more commercial land in the south end of town. The width of Paulski Blvd. is probably one of the widest roads in town. Walks do go as far as Harpin Street which will not be too far from the rink. Everyone is saying it will be a traffic hazard. At the time that the rink is open, there will not be the heavy trucking on the street. When people come to skate they do not all come at the same time. He had contacted the police in the town of Milford and So. Attleboro, and they both stated that the roller skating crowd is one of the less troublesome people. If two homes were to be put in place of the rink, the population of children would average 3-4 children to a home. Murray stated that he felt that was an inaccurate statement, it would be more like 1 to two children per home.

Marchand pointed out he was here a few weeks ago when a recreation area was proposed for the town at Silver Lake at a high cost. We would be bringing in recreation plus taxes at no cost to the town.

Lighting will be better with the rink in the area. He pointed out he maintained a machine shop where he trained 6 to 7 youths a year and they have gone on to be responsible people. He was proud of that fact. He wants to give the children something to do rather than hang out on the street corners.

Frances Korniki brought up the element of noise. Marchand pointed out there will be very few windows in the building. They have an air circulator and the building will be well insulated with the high cost of fuel.




Dave Tuttle stated he hoped the Board would consider the whole area being changed not just the issue of a skating rink. There have been a lot of conflict-ing stories about rinks. His main concern is changing the residential area to a commercial area. They want to protect themselves from that change in use. He felt the Board has to consider not a roller skating rink, but a zoning change. Mrs. Martin felt the Board should take into consideration the safety factor, traffice and also the valuation of homes in the area. Their children are affective by this. At present she cannot use her front yard, but has to use the back yard due to the traffic.

Marchand stated they did plan to have police directing traffic. He expressed sympathy with her regarding the traffic, but did not feel it had anything to do with his rink.

Marchand questioned who paid for the cost of the hearing, and was told it was a check signed by Dave Tuttle. Tuttle felt it was not a legal question at the hearing. Marchand stated he felt it was his right to know who paid for the ad. Jean Sutherland, 22 Center Street, stated she had four children 11 to 16 years. She would like to have a skating rink close to her. Because of the gas situation, it would be easier than driving to Milford. She pointed out Marchand keeps his property on Wrentham Road in good condition, and felt he would keep up the rink property. Normand Langlais pointed out she was Mr. Dalpe's sister. Carl Rosenlund stated he has heard out both sides of the story and did not think anything further could be added at this time and made a motion to close the public hearing (2) by Langlais, unanimous decision to close the hearing at 9:53P.M. Bruce Lord of the Finance Committee stated he hoped the Board would make their decision this evening as they have to make a recommendation the following Monday. Discussion was held on the Board's decision. Roselund stated that he was prepared to make a decision immediately. Langlais stated he did not see any difference between this hearing and the last one held. Roselund stated his concern was with zoning and not with the roller skating rink. He was not in opposition to a rink. The rink could or could not come into being. He had heard nothing this evening to change his mind from the last hearing. Rotatori stated he was in agreement with Rosenlund, and that the Board should be concerned with rezoning residential area to commercial. He felt bad for the people who live in the area and also for the people who want to put in a business there. Murry stated that like it or not there is a roller skating rink that is being considered. He did a lot of homework on it, going to the Milford Police, etc. The Milford police did not feel that they would want to see their skating rink close down. Litter is a problem all over town. On a Langlais-Rosenlund motio the board voted to recommend the rezoning on Pulaski Blvd. from B-2 to residential, Rotatori voting yes with Murray opposed.

Normand Langlais left the meeting at 10:20 P.M.

Thomas Clark and Engineer Norbert Therien spoke with the Board on the Bellingham Shopping Center off No. Main Street. Therien pointed out on a plan where the dumpsters, guard rail, protective coverage of the culverts and the handicapped parking were located. Parking was eliminated from where the car wash is being proposed and place on the side of the plan. Rosenlund questioned Clark on where the drainage on Phase I was. It was shown on the original site plan and is not now there. Clark explained that he had regraded the lot and found he did not need the drainage. He explained that he had taken pictures during a heavy rain storm and there was no water built up on the lot. Rosenlund brought up the grading in the back of the banking. Clark told the Board he has started wood chipping. Brisson stated unless Clark did ~~the~~ regrading, chipping would not be sufficient. It was his understanding after their meeting at the shopping center that he would put in rip rap. Clark stated this would be very expensive. Rosenlund stated he felt that rip rapping was the best but the zoning by-laws say seeding or covered with vegetation. Clark suggested using the method as they did for highways whereby they spray on a mixture of grass with cardboard.



Brisson told Clark he would have to cut down the trees on the slope. Clark stated he already has started doing this.

No lights were shown on the plan. Therien stated he would put them on.

Brisson pointed out the drainage is going to go right down Mill St. Originally there were two catch basins and the drainage was going into the back and not onto Mill St. There are water spouts on the roof which goes down the back of the buildings. Rosenlund pointed out where the delivery trucks will be crossing the sidewalk in front of the stores, and felt it could be a safety factor. Clark suggested putting in speed bumps on the plan. This would slow down the truck traffic. On a Brisson-Rotatori motion the Board unanimously voted to set a public hearing date for September 13, 1979 at 8:30 P.M. to consider the application of Thomas Clark for a Special Permit for a Major Commercial Complex. Brisson asked Marilyn Gallant to have Phil Herr review the plans as a special permit application and as a site plan review.

Meeting adjourned at 12:00 midnight on a Rotatori-Brisson motion, unanimously.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Sergio Rotatori".

Sergio Rotatori, Clerk