

Regular Meeting of October 23, 1980

Members Present: John P. Murray, Chairman

Gerald Brisson, Vice Chairman, Clerk

James F. Brennan, Jr.

Carl R. Rosenlund

Sergio Rotatori

Chairman Murray opened the meeting at 7:30 p.m.

Two applicants for the position of Secretary to the Board were interviewed, Jeanne Canelli and Joan King. Rosenlund questioned why the position had not been advertised in the papers as voted at the last meeting. Murray explained that since there were two highly qualified applicants interested in the position, it was his feelings that it did not need to be advertised. Rosenlund and Brennan disagreed.

Brennan told the Board that he will be resigning the Board effective December 31, 1980. This will give the Town Clerk time enough to place the position on the March elections and leave the least amount of time for the Board to be without a member.

Brennan also stated that since he would be leaving the Board, he did not feel as though he should be representing the Board in talking with Dick Silvia from the General Accounting Office. It was decided that Phil Herr would fill out the data information sheet, and send it back to the Board. The Board can then talk with Silvia as a whole.

Vern Brown and Joseph Johnson of Fernwood Estates talked with the Board regarding Townhouse apartments. A copy of the Ashland and Hopkinton regulations were given to the Board. Herr gave the Board a proposal which he had drawn up on Townhouse Development. Board reviewed proposal. Step 1 would allow development in any place that a single family is allowed. Step 2 would change the Intensity of Use Schedule. Step 3 outlined the advantages to the town and Step 4 would change the definitions by adding the definition of bedroom and dwelling townhouse. Rosenlund questioned why the Planning Board had been chosen to be the Special Permit authority. Herr stated it was a alternative to a single family subdivision which the Planning Board now handles.

Brennan questioned the change under definitions. Herr stated it had been a problem at Oak Woods regarding bedrooms or rooms that could be converted into bedrooms. This has been a problem in others towns and could also happen in Bellingham. What the bylaw says is, whatever the developer wants to call the room if it falls into this category it will be considered a bedroom as far as the town is concerned. The figure of 60 sq. ft. was from the state health code which is the minimum for a bedroom.

Herr felt the key to townhouses is that the developer has to get a special permit. He has to prove to the town that it would better serve the town than a single family development.

Murray questioned who would sponsor the article. Herr felt since it would be townwide it should be the responsibility of the Planning Board.

Brennan pointed out that Ashland put a limit on the floor area of 700 sq. ft. This seemed to be a good idea to him. Herr agreed they could put it in if the Board wanted it. He did not think that very small family units are a concern. Somebody

October 23, 1980

Page -2-

could argue that since they are separately owned, they are covered by the single family law.

Herr stated the case of Fernwood Estates clearly showed where a reduction in the area that has to be disturbed and the municipal cost for street would be of benefit to the town over single family homes. There are a lot of people in the community that a single detached unit is not for them.

Joseph Johnson pointed out to Herr and to the Town that they did not propose this type of townhouse development. It was at the Board's desire to look at other alternatives other than duplex housing, that they came this evening to discuss what other towns were doing.

Rosenlund stated under the current amendment under discussion, the Board would not be replacing multi-family. There would also be a separate section for townhouses. It would also not be creating a new zone. Multi-family would still have to be rezoned at a town meeting. The 20 acre for cluster development would also not be required.

Brennan questioned Herr on why the frontage would be the same as for a single family home. Herr stated if you were to raise the frontage you would be requiring the developer to put in more road. That is what they were trying to get away from. Rosenlund questioned Herr if this was a duplicate to another community that he could see how it was working. Herr stated that it was brand new concept for Bellingham only. It is similar to what has been done in towns like Bournne and Duxbury. Low density multi-family is very new.

Rosenlund questioned Herr if this would have any effect on the government's mandate regarding having so many of low income dwellings. Herr stated no.

Rosenlund stated he would be concerned with sewerage.

Brisson and Murray were concerned with the specific mention of the number eight.

Herr stated if they was a problem they could go back to six. Under the Ashland laws you can have as many as you want. There is no limit.

Herr stated that the Planning Board tried to get involved in the sewerage problem and were shot down at a town meeting. This was in regards to perk tests under title 5 and the towns people said the Planning Board should not deal with it.

The current regulations are OK. How they are applied and enforced is another matter.

Vern Brown stated they they would like to work with the Board on this and that they were in favor of it. Herr suggested that Brown sketch a rough idea of what he would do with his land if they had this bylaw to work with.

Preliminary plan on Fernwood Estates was discussed with developer Fern Brown.

60 day period was running out and Board had to take some action on it. There is no extension time on a preliminary plan according to Herr. He pointed out that they could skip the whole concept of a preliminary plan and just submit a definitive plan when they had finalized their plans. The preliminary plan does reserve the zoning in effect at the time of the plan. Zoning will not change until the town meeting in spring and there are no subdivision changes planned in the near future.

Vern Brown told the Board he wanted to withdraw his preliminary plan for Fernwood Estates. Brown will be back in one month for further discussion on townhouses.

Murray questioned Herr if there was some way to limit the number of houses in a business district. Homes were being built more and more around businesses and then creating problems with business. Herr stated that some communities do limit the amount of homes in a business district. This was not a new idea.

October 23, 1980

Page -3-

Herr gave the Board copies of Mobil Homes for the Elderly proposals. Brennan questioned why they would be limited to a suburban or agricultural area. Herr stated they would need the same density as a single family home which means they would need a lot of room. Departure from a community pattern might create problems on the town meeting floor. When questioned by Brennan on where he might find some mobil homes, Herr stated that Wareham would be his suggestion.

Brennan suggested that they eliminate the word "camper". Herr stated he could do this but would have to work it out.

Under 4253 (a) it was questioned why the period of a year's lease. It was agreeded it would be changed to a month.

Under (b) 62 years or older is used by the federal government

Herr will revise the amendment for the Board's next meeting and copies will be sent to the Council on Aging and to the Housing Authority for their comments.

Signs were again discussed, and table for another meeting.

Rosenlund discussed earth removal with Herr and stated that the Building Inspector was having trouble with removal incidental to building. Rosenlund felt the wording was too vague. Herr did not see the problem as the builder has to flag any earth removal to be done on his building permit. Some towns around have regulated this by setting a yardage limit on what can be removed from the site. Herr will draw up an amendment.

Use Regulations Schedule was discussed. On a Rotatori-Rosenlund motion a public hearing date was set up for November 13, 1980 at 8:30 P.M. to hear the proposed amendment to the zoning by-law.

Position of secretary was briefly discussed and again Rosenlund suggested that the Board advertise the position as previously voted upon. Murray felt it was not necessary since they had two qualified applicants.

On a Rotatori-Brennan motion the Board voted to appoint Joan King as Secretary to the Board, Brisson abstaining as he was not at the meeting when the two applicant were interviewed.

Meeting adjourned at 10:45 P.M. on a Brennan/Rotatori motion.

Respectfully submitted,



Gerald R. Brisson  
Clerk