

BELLINGHAM PLANNING BOARD  
TOWN HALL ANNEX  
BELLINGHAM, WA.

Regular meeting - July 23, 1981.

Members present-

Gerald Brisson, Chairman

Joan King

Sergio Rotatori

John Murray

The meeting was called to order at 7:39 PM by the chairman.

Dove Garrigan, representing Cumberland Construction appeared before the Board. He said he wanted information and direction. Someone from Cumberland Construction had appeared before the Board some time ago regarding a permit for a perk test for a now proposed building. Mr. Garrigan said he had talked to the building inspector and wanted to know where he goes from here.

Mr. Brisson said Mr. Garrigan was seeking a gravel removal permit. Mr. Garrigan said he understood that anything over 2,500 yards to be removed needed a permit. He said he had filled out the application out and did not know where to go from here. He said the proposed building is similar to what is there now.

Mr. Rotatori said that when a permit is not granted by the Zoning Board one then has to come before the Planning Board.

Mr. Murray said all Mr. Garrigan had to do is get the votes from the Planning Board to go back to the Zoning Board.

Mr. Garrigan wanted to be prepared with all the information he needed. The total amount of gravel removal would be 30,000 yards.

Mr. Murray said a gravel removal permit is from the building inspector.

Mr. Rotatori said anything over that goes to the Zoning Board.

Mr. Brisson said an attorney from Cumberland Construction came before the Planning Board before with other plans.

Mr. Garrigan said the drainage would be the same and that the building has already started. The building inspector said to get a special permit. Mr. Garrigan said he did not know which way to go.

Mr. Herr said he still needed a special permit.

Mr. Brisson said it is up to the Planning Board to allow Mr. Garrigan to go before the Zoning Board before the 2 year waiting period. He said a public hearing has to be held on SubSection 1633 - 100 foot strip on the plan may have to

be revised to show the proposed grade.

Mr. Garrigan said they were trying to maintain the grade. They were trying to get a slope that would not interfere with the natural drainage system.

Mr. Brisson noted that the grade was lower than the new building.

Mr. Herr asked why have such a small building with such a huge area to be surfaced.

Mr. Garrigan said for storage of large machinery. The plan was to get enough storage area as possible.

Mr. Brisson said the application has to go to the Zoning Board.

Mr. Herr said it should come before the Planning Board and a notice of a public meeting should be sent to the abutters.

Mr. Brisson said the plans needed some revisions on the rear section.

The meeting was set for August 27, 1981 at 8:00 PM on a John Murray/Joan King motion. (vote 4-0)

Mr. Garrigan left at 8:29 PM.

Mr. Brisson directed the secretary to send a letter to Thomas Clark requesting him to appear before the Planning Board at 9:00 PM on August 27, 1981. He also said the Planning Board does not issue permits and there are no time limits. He stated he knew it did not give much protection. If Mr. Clark applied for other permits the building inspector could refuse them.

Mr. Kearnan, 25 North Main St., asked if the Planning Board can put a time limit on special permits.

Mr. Rotatori said the Planning Board does not direct the building inspector to do anything.

Mr. Kearnan asked if nothing can be done as far as this project goes.

Mr. Herr said it can be looked in to as far as the granting of the special permit to see if it's being followed.

Mr. Brisson said there is no time limit on completion of the work. The Board could possibly direct the building inspector not to give permits to Mr. Clark.

Mr. Herr said the Planning Board can request the building inspector not to give a permit. Possibly the Board could request Mr. Clark and Mr. Oakley to come to the next meeting.

Mr. Larry Cibley, selectman, said the building inspector has

made a list of things not being complied with in the Bellingham Plaza project. Legal action if necessary would be taken by the Board of Selectmen.

Mr. Kearnan said when the special permit was requested he said he was never notified of the public hearing.

Mr. Brisson said he was sure Mr. Kearnan was notified and that no, Mr. Kearnan does not loose.

On a Sergio Rotatori/Joan King motion the Board voted 4-0 to ask Mr. Clark and Mr. Oakley to the next meeting.

Alex Galuza, 81 Pickering Avenue, then appeared before the Board. He said he had some property that he wanted divide for his children. He said he was concerned about the rest of the land because one could not get in or out. He said there is only a 30 ft. wide road down on Pickering Ave. He said he gave the Highway Department part of his land for the road. He said he sold some of his property and buildt 2 houses that abut his property.

Mr. Herr asked if he wanted 2 or 3 lots.

Mr. Galuza said 3 lots if the Planning Baord approved.

Mr. Brission said 85' x 40' wuld give Mr. Galuza enough frontage.

Mr. Galuza said he already had a variance on the frontage.

Mr. Herr said Mr. Galuza had to have it in one piece - one part not a building lot.

Mr. Galuza said he understood that it was not be sold.

Mr. Brisson said if Mr. Galuza buildt a road, he would have a conforming lot and than a non-buildable one remaining. He said it could be done.

Mr. Murray suggested Mr. Galuza get an engineer to survey this property and work up the plans.

Mr. Brisson said he would have to comply with all the subdivision regualtion, show the raod, a cul de sac, more to Mr. Galuza's advantage to show the construction of the road.

Mr. Herr told Mr. Galuza to come in with a definitive plan and then a public hearing could be set.

Mr. Galuza agreed, understood, and thanked the Board for its time.

Mr. Robert Cournotyer then approached the Board concerning

some property owned by Henry Cournoyer. He said the owner had 3 lots of 30,000 square feet and a 25 ft. right of way. He wanted to have it comply with regulations.

From looking at the plans, Mr. Brisson said he needs a waiver on the frontage.

Mr. Cournoyer said he had everything but a frontage variance application.

Mr. Herr said the plan has to come before the Planning Board and be formally refused.

Mr. Cournoyer explained the houses were together. The owner wanted to know where the lot line is. He wants to keep 2 lots himself.

Mr. Brisson said if the right of way was left he did not know if it would be an advantage or not.

Mr. Cournoyer was directed to start at the Zoning Board first. He thanked the Board and left at 9:01.

Mr. John Ryfa of 16 Elm Street said he was selling some land with frontage on South Main Street. He wanted the Board to approve the plans. The Board saw no problems and on a John Murray/S. Rotatori motion the Board voted 4-0 to sign the plans.

Mr. Al Florentz then approached the Board and said he had one deed for 2 parcels of land. He wanted to separate the lots again.

Mr. Brisson said he could not make it more non-conforming.

Mr. Herr said he wanted the whole thing with a single deed and cited Section 2530 which talks about isolation. He said there is no requirement and it is not a public issue. It is not a subdivision.

Mr. Rotatori said for 50 years it was owned by one person.

Mr. Herr said it was not a subdivision and the Planning Board should sign it.

On a John Murray/Joan King motion the Board voted 4-0 to sign the plans.

Mr. Gerald Burke, 11 Scott St., appeared before the Board about his property off Lakeshore Drive. The building inspector had turned down the permit because a road is needed.

Mr. Brisson asked who would be responsible for a road being put in. The area could end up with 10 houses and 10 driveways.

Mrs. King suggested if Mr. Burke wanted a road to request it on an article at a town meeting.

Mr. Burke said there was only so much money for roads and the town could not approve it.

Mr. Herr asked if the plan for the subdivision was approved before? Could a road come in the other end?

Mr. Rotatori asked who owned the rest of the lots.

Mr. Brisson said that if there was only a gravel way over a period of years the town would have to supply a road.

Mr. Burke said he doesnot own the raod.

Mr. Austin, Zoning Board member, said the Zoning Board did not want to make a decision on the matter of a street.

Mr. Murray said the Board could not make one person build a street.

Mr. Brisson said the Board was asking for something adequate to serve the houses there.

Mr. Rotatori said the lots were not back far enough to build on.

Mr. Brisson asked what does the Board consider satisfactory to service the lots. Mr. Burke is only going to own the land until a house is built.

Mr. Brisson said what is satisfactory is something to conform to the raod that is there now.

Mr. Burke said he was not asking the town for water or sewerage.

Mr. Herr suggested Mr. Burke would have to satisfy the Planning Board then the building inspector would have to issur a permit.

<sup>Burke</sup>  
Mr. ~~Brisson~~ said okay and left at 9:50 PM.

Mr. Brisson and then Planning Board then met with the members of the Zoning Board. Mr. Brisson said he thought that what had happened at the last meeting had been blown out of proportion by the press. The Planning Board was questioning the decision of the Zoning Board. He said he thought the controversy should be forgotten. He thought the new by law did not approve what had been granted on the Debra decision.

Mr. Johnson said the decision was not made because of money.

Mr. Brisson said that the hardship could only be to the property. He said the decision satnds because no one has app ealed it.

Mr. Brennan had some suggestions as to how the 2 Boards could work together. One is that each appoints a liason to the other

Board to attend their meetings and also that if a member of either Board goes before that Board for plans, etc. that he or she should resign. Then the other members of the Board would not feel pressured.

Mr. Austin said he did not think members should step down but did agree with the liasons.

Mr. Duby, Zoning Board member, felt that the Industrial Development should also work with the 2 Boards. There are many places in town that are zoned incorrectly. Perhaps the Boards could sit down and look at this.

Mr. Murray agreed zoning changes need to be made.

Mrs. King said she had noticed signs on Rte. 495 about the Bellingham Milford Industrial Committee.

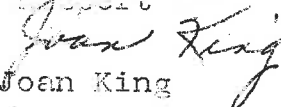
Mr. Austin said that was a private committee.

Both Boards took the suggestions under advisement. The Zoning Board members left at 10:15 PM.

Mr. Brisson then stepped down as chairman and presented the Board with plans to sign for Lots A & B on Scott Street. The Board voted 3-0 to do so.

The Board voted 4-0 to adjourn at 11:08 PM.

Respectfully submitted

  
Joan King