

BELLINGHAM PLANNING BOARD
TOWN HALL ANNEX
BELLINGHAM, MA.

Regular Meeting - April 8, 1982

Members present -
Sergio Rotatori, Vice Chairman
Joan King
Bertrand Boiteau

The meeting was called to order at 7:32 PM by Vice Chairman Rotatori. Members went through the mail.

On a Joan King/Bert Boiteau motion the Board unanimously approved to pay the bills of: \$5 - Registry of Deeds to register members; \$12.60 - Old Print Shop for Mr. Boiteau's desk plate; \$50 - Herr & Assoc. for Subdivision Rules and Regs; \$900 - Herr & Assoc. Consultant fee; \$76.66 - secretary's salary; and to sign on the bills from the previous month. The total amount of bills was \$1139.01

Bruce Lord, Finance Committee Chairman, approached the Board. He said that he saw 2 problems with the change concerning condominiums. He said the state law is long on condominiums and that it does have a different definition than we do. The change is what concerned him. At present Bellingham has 3 condominiums. The Planning Board would have had to hear this according to the by law. The Board did not hear this therefore a loophole may have been created.

Mrs. King said this was done before the by law.

Mr. Lord said that one would still have to go before the Planning Board. It is not legal and there could be many problems.

Mr. Rotatori said that his was a subdivision first. He said he could not understand that it was a subdivision and then turn around and it was a condominium.

Mr. Lord said in reading the by law he understands it as one comes before the Planning Board. If this by law on clarification is passed it would set up a procedure that would create a 1 loophole. He said Mr. Ambler has a problem with this by law also. Mr. Lord said he understood that one individual could lose a lot of money if this was not passed. But the Town Meeting should clarify it first or until it is looked at again.

Mr. Rotatori said he could not understand. Some people came in to push the by law on townhouses and the Board has not seen them since.

Mrs. King read the definition of multi-family - "3 not more than 8 units." Therefore, the existing "condominiums" do not fall in that classification.

Mr. Lord said that is the problem. If one can go through that

maybe it is creating a loophole. Something is not working right.

Mr. Rotatori said this is one reason why the Town needs a 40 hour per week building inspector. A lot is going up because no one know what is going on.

Mrs. King said the more she read the definition the less she felt these exisitng building fall into this categoru.

Mr. Lord said one has to be sure it is legal. You do not want to have to clarify it at Town Meeting. He left at 7:48 PM.

Mr. and Mrs. Plante of 835 South Main St. then approached the Board. They stated they had 3,4 acres of land and they would like to sell the house and keep the right of way and build another house further back. How much frontage do they need?

Mrs. King said thew must have frontage on the street.

Mrs. Plante asked if they needed 125 ft. of frontage for each house.

Mr. LaPlante, building inspector, said it was up to the individual. You could have 125 ft. for one lot - 50 ft. for the right of way.

Mr. Rotatori said 150 ft. of frontage is needed.

Mrs. King said one would have to see the plans first and the Plante's surveyor would have to know the laws.

Mr. Rotatori said for suburban zoned you need 40,000 sq. ft. lot. He said the Plante's would have frontage for the back lot. He suggested the Plante's have the plan drawn up and then go to the Zoning Board for a variance. They can get the forms for this from the building inspector

The Plante's left at 8:04 PM.

The Board then interviewed Caroline Mackay and Martha Russo for the position of Planning Board secretary.

Mr. Robert Chase of Mechanic Street approached the Board. He asked the Board when they had a site plan review for Mr. Clark's building on Mechanic Street and how many parking spaced did it show.

Mrs. King explained that the Board had received from Mr. Oakley, then building inspector, some plans on this to look over. The Board had sent back a letter stating that Mr. Clark was going for a variance on this. The letter stated Mr. Clark would have to come back for a review if the variance was not granted. The plans would have to state the use of each building.

Mr. Chase said Mr. Clark wanted a permit for earth removal for 5,000 cubic yards. It was granted but with the stipulation that

a \$25,000 bond be put up. Mr. Clark did not want to do this. He went to the building inspector and asked for a permit to remove 2,500 cubic yards.

Mrs. King said the application states how many parking spaces and the Planning Board does not receive the application.

Mr. LaPlante said the building inspector can request to see the plans for a reason. The existing building is 6 ft. from the road.

Mrs. King asked how this could happen.

Mr. LaPlante said he has put a stop work order on this building.

Mr. Chase said there has been no activity.

Mr. LaPlante said Mr. Clark now has to propose what he is going to do. Mr. Clark is responsible not the Town.

Mrs. King asked Mr. Chase where that leaves him.

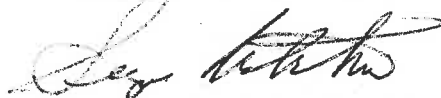
Mr. Chase said Mr. Clark has trespassed on his land with this project. He could start a civil suit against Mr. Clark. The Board gave Mr. Chase a copy of the letter sent to Mr. Oakley.

Mrs. King said she had talked to Mr. LaPlante since the last meeting and that Mr. LaPlante had gone to the Registry of Deeds and could not find a record of the special permit for the Bellingham Plaza. He then met with Mr. Ambler who said he had a copy of the permit. Mrs. King asked that the Board send a letter to Mr. Ambler asking for a copy of this permit before the next meeting. The Board agreed.

Mr. LaPlante said that it (special permit) probably was recorded in some different way that he could not find.

On a Bert Boiteau/Joan King motion the Board unanimously voted to adjourn at 9:25 PM.

Respectfully submitted,



Sergio Rotatori, Clerk