

Bellingham Planning Board  
Town Hall Annex  
Bellingham, Mass.

Regular Meeting - April 28, 1983  
Members Present - Carl Rosenlund, Chairman  
Sergio Rotatori, Vice Chairman  
Joan M. King  
Bertrand Boiteau  
John P. Murray

The meeting was called to order by Chairman Rosenlund at 7:35 P.M.

On a Rotatori/Boiteau motion the Board voted 5-0 to pay the bills of: \$900.00 to Philip Herr, consultant, for retainer period Jan.1, 1983 through Mar. 31, 1983.

Members reviewed the mail. Mr. Rosenlund read a letter from the Finance Committee which stated that they are not recommending any salary raises.

Referring to Mr. Ambler's reply to the Board's inquiry regarding the Kaplan case as it applies to Lawrence Cade's application, Mr. Rosenlund noted that there would be no problem with that.

A discussion was held concerning condominiums. Mr. Rosenlund suggested that the Board consider sending a letter to Town Counsel with the question, do we or do we not have provisions in our zoning bylaws for condominiums. Mr. Herr said he does not recall the term condominium in the bylaws. Mr. Rosenlund said we proposed a bylaw that was adopted but the word condominium was not in there. He asked whether the Board can legally act. Mr. Herr said yes, under the Townhouse bylaw. Herr also said Mr. Ambler was asked that question. Mr. Rosenlund asked if the Board agrees to send a letter to Mr. Ambler to clarify this. It was agreed the secretary to send a letter to Mr. Ambler.

Mr. Herr will draft the letter and send the proposed article on Separating Townhouses to the secretary to be forwarded to Mr. Ambler with the letter.

Mr. Herr referred to the article on Separating Townhouses which was revised several times. He noted that it was not discussed and wondered whether it was not discussed due to litigation. Mr. Rosenlund said no reason other than the Board was working on other articles for the Town Meeting. The Townhouse article was just set aside for future consideration. Mr. Herr made reference to the changes in the article which addresses condominiums.

Mr. Rosenlund noted that the Town Meeting was moved up to May 18th.

Lawrence Cade approached the Board on his application for a proposed subdivision.

At this time it was made clear to the Board by Mr. Cade that he is proposing a cluster development. It was a misunderstanding from a previous meeting that Mr. Cade was proposing a conventional plan. Mr. Rosenlund informed Mr. Cade that for a cluster development he must set up a public hearing. An application for a special permit must be filed with the Town Clerk and a fee of \$6.00 per lot plus estimated cost of advertising paid to the Planning Board. Mr. Cade filled out the form and gave his check for \$106.00 to the secretary. This is for 11 lots plus \$40.00 estimated cost of advertising. On a Rotatori/Murray motion the Board voted 5-0 to hold the public hearing on May 26, 1983 at 8:00 P.M.

At 8:35 P.M. John Audet approached the Board for an informal discussion regarding property off Edgehill Rd. proposed for a subdivision known as "Brookside Estates". This proposed subdivision contains 16 lots. Mr. Audet expressed his interest in developing the Edgehill Rd. area and not the Woodside Rd. area. Mr. Rosenlund asked whether Mr. Audet has plans to present on this proposed development. Mr. Audet said that 3 years ago the Planning Board had accepted the plan. The file was brought out for a review of the former plan. It was noted that there are 16 building lots involved.

A discussion followed concerning the drainage system which was formerly a problem faced. Mr. Herr noted that the plan was apparently originally rejected by the Board but was revised. Mr. Rosenlund asked whether the Board can waive any restrictions without a public hearing. Mr. Herr said he did not think it was a matter of waiving. Mr. Rosenlund inquired if Audet could construct one section which did not require any changes. Also if there is anything that says Audet has to build in sequence. Herr said it appears all the water winds up in the same place with perhaps one exception. Herr also said that Audet has to prepare the drainage before he can do anything. Rosenlund pointed out that considerable time and preparation had been involved in reaching a final plan previously. Rosenlund said he is not opposed to any change but a public hearing must be held prior to any changes.

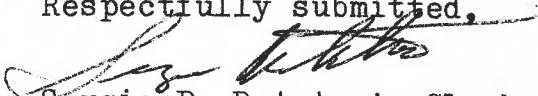
Mr. Rosenlund suggested that Mr. Audet contact Mr. Robinson, the engineer who was involved and knows the details and perhaps he could present it in such a way to satisfy all the people involved. Rosenlund said that for Audet to request to have those agreements waived would not prove beneficial to him. He also suggested Audet contact the people. Audet asked if the plan was still good. Phil Herr said it was. There has not been any zoning change. Mr. Audet thanked the Board and left at 9:05 P.M.

At 9:10 P.M. Roland Lavalley approached the Board on a approval not required plan representing Joseph Rosenfeld. The property involved is off Centre Street. Lavalley estimates there would be 6 or 7 lots involved. Members and Mr. Herr reviewed the plan. On a Rotatori/King motion the Board voted 5-0 to sign the plan. Lavalley presented the Form A and \$10.00 fee paid in cash. The secretary gave him a receipt. Lavalley thanked the Board and left at 9:30 P.M.

On a Boiteau/King motion the Board voted 5-0 to adjourn.

Adjournment at 9:35 P.M.

Respectfully submitted,



Sergio P. Rotatori, Clerk