

Bellingham Planning Board  
Town Hall Annex  
Bellingham, Ma.

Regular Meeting - October 13, 1983  
Members Present - Carl R. Rosenlund, Chairman  
Sergio P. Rotatori, Vice Chairman/Clerk  
Joan M. King  
John P. Murray

The meeting was called to order by Chairman Rosenlund at 7:30 P.M.

Members reviewed the mail. Mr. Rosenlund read the letter of September 30 1983 from Emma Cousens of the Board of Health regarding reviewing the drainage on the proposed "Cade Estates". She requested to be placed on the agenda for the Board's next meeting at which time Mr. Herr will be present for discussion.

Also reviewed was a letter from Ropes & Gray of Boston, Ma. dated Sept. 21, 1983 bond counsel for the financing by industrial revenue bonds an industrial development project for Fiber-Taxis, Inc. This was a notification of the project, which was approved by the Board of Selectmen on Aug. 8, 1983, and to request if the proposed project conflicts with any existing local or regional comprehensive plan. There was no response since their requested time of 15 days has expired.

A letter from Hakanson/O'Connor Associates, Inc. dated Sept. 22, 1983 regarding the Rosa property on Maple Street and addressed to the Town Clerk, was forwarded to the Board for a reply. Secretary to reply with a copy to Industrial Dev. Commission.

Mr. San Clemente of Guerriere & Halnon, Inc. Engineering & Land Surveying presented two approval not required plans before the Board. Each had the appropriate Form As and \$10. filing fee for each. Members reviewed the plan presented for Ronald P. & Julia Mary Dankowitz regarding the property off Gail Drive. A plan had been previously presented in July, 1983. The present plan shows a section of land the abutter wishes to swap. Mr. San Clemente pointed out the parcel as shown on the revised plan. Members agreed to sign the plan. On a Rotatori/King motion the Board voted 4-0 to sign the plan. The second approval not required plan was for the Estate of Charles G. Lesieur. This property is located on the south side of Silver Lake Rd. and in the area of Silver Lake. The plan shows two existing lots. This is existing property and Mr. San Clemente pointed out that new land is not being created. He also said that one of the problems is that they are not completely sure of the boundaries there. Mr. Rotatori questioned that. Mr. San Clemente said that essentially those lines shown on the drawing are the boundaries but he was referring to the technical aspects. Mr. Rosenlund asked whether Mr. San Clemente had a copy of the original assessor's plan. He said he did not but that it goes back to the 1920s. Mr. Rosenlund expressed concern regarding the lot with a 50 ft. frontage. Mr. San Clemente said that is what the existing lot shows. However, Mr. Rosenlund said it would be preferable if he could see a back up map plan from the assessor's file. Particularly so that a comparison could be made of the area. Mr. Murray noted that Mr. Halnon had signed the plan under certification that this plan has been prepared in accordance with the rules and regulations of the Registers of Deeds. He feels that its right. Mr. San Clemente said that its a survey of what's existing in ft. and it their interpretation of where the points are. Following further review of the plan and a discussion of old properties,

members agreed to sign the plan with the stamp "Compliance with Zoning Not Established". On a Rotatori/King motion the Board voted 4-0 to sign the plan.

Mr. Rosenlund recognized two gentlemen in the audience. They said they were residents of Franklin just listening in. They were interested in the Cade Estates.

Mr. Richard Holmes approached the Board with an approval not required plan as scheduled. However, he did not have the necessary Form As with him and was requested to return to the next meeting. No copier was available for use.

Edward Shea of Shea Engineering and Mrs. Cade, representing her husband, Lawrence Cade who is out of town, came before the Board and presented the required Covenant (Form F) and notarized signature of the mortgagees.

Mr. Shea pointed out that this is the Board's standard form under rules and regulations, but they have added numbers 4 and 5. He said Mr. Herr had made this recommendation. Members reviewed the covenant and noted that the signature of the mortgagee is Sanford Kaplan, Trustee of Pilgrim Village Trust. Kaplan was the party who had brought suit against the Board some years ago. Mr. Rosenlund asked Mr. Shea if Town Counsel had seen any of the material. Mr. Shea said yes that he had sent a letter to Mr. Ambler with copies of the material and requested his comments if he had any problems with the covenant. Mr. Shea had no correspondence from Mr. Ambler on this. The Board received no correspondence.

Mr. Rosenlund did not feel satisfied with the wording of the added number 4 on the covenant, which reads "All construction shall be completed within twenty-four months of this date".

Mrs. King also expressed dissatisfaction with the wording.

Mr. Shea said that it was the suggestion of Mr. Herr to include that in the covenant. It is a part of the Form D-1 specific qualifications under the certificate of approval of definitive subdivision plan.

In a discussion regarding No. 4, Mrs. King's concern was what was to follow if construction was not completed within 24 months. Mr. Rotatori said that they would have to come back to the Planning Board for an extension. Mr. Rosenlund said that if necessary the Board could require a financial bond. He also reminded those present that the Special Permit for Cluster development is good for one year and action must be taken within that time.

Mrs. King inquired whether the land as specified has been deeded to the Conservation Commission. Mr. Rosenlund said to date it had not been. It was pointed out that this must be done before anything can be done. The Board accepted the covenant as presented and the notarized signature of mortgagee and agreed to sign the plan. On a Rotatori/King motion the Board voted 4-0 to sign the plan.

Mr. & Mrs. Plante presented the Board with their Form A and \$10.00 filing fee for an approval not required plan. Members reviewed the plan. A request for Special Permit was granted to the Plantes on August 25, 1983 under the Zoning Bylaw Back Lot Division.

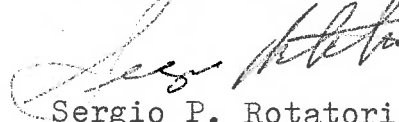
Members agreed to sign the plan. On a Rotatori/King motion the Board voted 4-0 to sign the plan.

Phil Chaput of 170 Maple St. presented the Board with an approval not required plan. His request concerns a plan with an undersized lot. Property is located in an industrial area. The Board requested he return to the next meeting. Mr. Chaput agreed.

On a Rotatori/King motion the Board voted 4-0 to adjourn.

Adjournment at 9:30 P.M.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Sergio P. Rotatori", written in a cursive style.

Sergio P. Rotatori, Clerk