

Bellingham Planning Board
Town Hall Annex
Bellingham, Ma.

Regular Meeting - May 23, 1985
Members Present - John P. Murray
Glenn E. Gerrior
Emile W. Niedzwiadek
Matthew F. Pytko

The meeting was called to order by acting Chairman Murray at 8:00 P.M.

James Reger of Millis Engineering presented Form A plans on property off So. Main Street for applicant Onallam Realty. He said this is for new lot lines and pointed out the Nason property adjacent to the Onallam Realty property. He said Nason is planning to sell which will join in with the Brown property. He said those pieces of land are to be joined to the Onallam Realty property.

Mr. Niedzwiadek asked if there is going to be building done on this. Mr. Reger said yes.

The Conservation Commission asked about the plan. Reger said all they are doing now is presenting the 81-P plan and pointed out they are going to try to set up a public hearing regarding the property proposed for "Crystal Springs".

On a Niedzwiadek/Gerrior motion the Board voted 4-0 to sign the plan.

At 8:30 Mr. Murray called for Mr. Doliner. He was not present as yet. Mr. Murray explained to the people present that this public hearing requested by Mr. Doliner for special permit for townhouses on the golf course property to be called "Fairway Hills" will have to be re-scheduled because plans were not submitted to the Town Clerk's office by the applicant as stated in the public hearing notice; therefore is defective. Mr. Murray read the letter of May 13th from the town clerk. He said he also talked with town counsel and was told that it's a State law and it is mandatory that the plan be in the Town Clerk's office for inspection; therefore before any hearing is to take place it must be readvertised.

Mr. Doliner had been notified by the secretary on two occasions by telephone to provide plans to the Town Clerk's office before the notice; however, the plans were not presented.

Mr. Doliner, who had arrived as Mr. Murray was explaining the above, said that after a hearing, the following day he brought to the Town Clerk a copy of the plan and certificate and left it with him to check. They reviewed the plan and Mr. Doliner said he left it there in the Town Clerk's office, but what happened after that he said he would see the Town Clerk himself.

The earliest time to reschedule a public hearing would be June 27th.

Regarding their plans Mr. Herr suggested the Board look at the plans they have now and also he said there was some question about the adequacy of the plans that was submitted.

Mr. Gerrior suggested that the Board look at their plan now since there are so many people present who are interested. The Board agreed.

Mr. Murray pointed out to the people present that this is not a public hearing. Mr. Drake had a large plan which he placed for viewing. Also present was Ken Racicot.

Mr. Murray said he does not want a formal presentation, just a discussion about what they plan to do.

Mr. Drake said the plan has been changed from the original version, so it all works out for the best that the hearing was to be re-scheduled.

Mr. Drake said there are two drawings to look at; one is a basic mark up to show the general layout of the roads and building locations and the golf course layout as there was concern about what was happening to the golf course.

The second plan shows a mark up of the utilities.

Mr. Drake discussed the plans briefly pointing out that the golf course remains extensively intact; with minor changes in locations of the 9th and 10th and 11th holes but still retaining the 18 hole layout. The entrance is relocated and parking area expanded.

He pointed out the new entrance to the condos.

The total acreage of the property is 170.9 acres, less 15% for wetlands, which Drake said gives them a net land area for townhouse development of 143 acres which could generate potentially 890 bedrooms or 418 units if you count 10% for 3 bedroom units.

Drake said what they are proposing to do is 221 units. So they are leaving a lot of open space.

Regarding utilities, Drake said arrangements are being made to have all sewer and water services for this project from the City of Woonsocket Water System and Sewer System.

This will be going into a 8 inch sewer line which is on Diamond Hill Rd. So the system would be gravity to a pump and then pumped up to Woonsocket.

He said everything that is built in Bellingham will be built by Bellingham specs and everything built in Woonsocket will be built by Woonsocket specs.

Regarding parking they are providing 2.25 spaces per unit, this is in consideration of visitor parking. Bylaw requires 2.

Mr. Herr asked if he has any information on the units themselves, and the buildings. Mr. Drake showed a plan of 6 unit and 8 unit buildings, townhouse condominiums. He said if they look familiar it is because it is extensively the same buildings that are being built in Maple Brook.

At this point one person asked who these people are.

Mr. Drake of Drake Associates, engineers introduced himself and Ken Racicot of Celtic Construction and said they are going to be the developers of the site and Mr. Doliner is the owner.

One party abutting this site expressed his concern about the drainage and wetlands area. The Conservation Commission will be in on this.

Mr. Gerrior made a motion that this discussion come to an end. Seconded by Mr. Niedzwiadek. The Board voted unanimously to end the discussion.

Mr. Murray said the public hearing on this is going to be set for June 27th and plans are going to be available in the Town Clerk's office and invited everyone back.

On a Niedzwiadek/Gerrior motion the Board voted 3-0 to hold a public hearing for "Fairway Hills" on June 27, 1985 at 9:00 P.M.

Mr. Murray opened the public hearing for "Reservoir Estates" at 9:00 P.M. Secretary read the hearing notice.

The application of Leo Dalpe and Burt Rhodes for approval of a definitive plan for the proposed subdivision contains 8 lots. Plans prepared by Gerald Brisson, Land Surveyor, Bellingham, Ma. The proposed subdivision to be named "reservior Estates" is located on property off Lake Street and northerly of Jenks Reservoir.

Mr. Brisson made the presentation. The map was hung on the wall for

viewing. He pointed out that there is about 40,000 sq. ft. of lot area and approximately 900 feet of road with a cul de sac at the end a new proposed roadway goes the entire distance of the property to the property line of Gareau. He said the reason it was done this way was to eliminate a dead end cul de sac that couldn't be extended at a later date. He said there is quite a bit of open property adjacent to this property.

Mr. Brisson said the drainage basically is going into Jenks Reservoir. He said that it is a fairly simple subdivision.

Highway Dept. reviewed the plan and they said they found no problem with the drainage and the roadway. Water Supt. said he spoke to Burt (Rhodes) about the water and said he thinks that has been taken care of.

The Fire Chief said they requested an additional hydrant be installed and that Brisson assured him that it would be done.

Police Dept. Safety Officer had to leave the meeting earlier and there was no report.

The Conservation Commission is concerned about the bottom part of the plan showing 4 lots which are within the 100 year flood plain and 100 ft. of the buffer zone. The lots are Nos. 1, 2, 5, and 7. Conservation Commission asked Brisson what his intentions are in those areas. Brisson said their intentions are to do nothing in that area, nothing whatsoever, other than the retention basins which he said they probably saw on the plans.

There was no report from the Board of Health. Mr. Murray asked Brisson if they have been before the Board of Health. Mr. Brisson said he assumes they have looked at the plans. Planning Consultant Phil Herr pointed out to the Board that the applicant has to file a copy of the plan with the Board of Health. The Board of Health has 45 days to report to the Board. If they don't report within 45 days the presumption is that it is o.k. There is no requirement that the applicant go before the Board of Health, he may choose to do that.

Mr. Murray said the applicant has told him that he has not filed with the Board of Health. Mr. Brisson inquired of Mr. Herr the term "file", and Mr. Herr said to submit a plan. Mr. Brisson said he is of the understanding that it has been the practice that they submit plans to the Planning Board and the Board distributes. He was told that it is the obligation of the applicant to submit a plan to the Board of Health.

Following a discussion, Mr. Herr said they may require an extension in the decision period because the Board is not supposed to make a decision until the Board of Health has had 45 days to cogitate.

The due date for action by the Board is June 8th. The next meeting is June 13th. The Board has 60 days from the date of application, which was April 8th. Mr. Herr suggested that it would be in Mr. Brisson's client's interests to request an extension, which they must request in writing. Mr. Dalpe and Mr. Rhodes agreed, and they will send a letter requesting that extension of 30 days.

Mr. Herr had a question concerning one lot that he said this swoops all around, the Arnold & Elizabeth Thompson parcel. He asked if that was still separate from this. Mr. Brisson acknowledged.

Mr. Herr said the issue that concerns him is he noticed the road is cut relatively deep below grade and asked Mr. Brisson to explain the reason for this.

Mr. Brisson said the reason for that is to get the drainage to that particular low point, it's the only logical place for the drainage. Mr. Herr said, what happens as a result of that is, looking at the plan, pushing the grade of the land down about 6 feet and that means a great deal of regrading. That is going to mean bare soil being pushed down anywhere from 6 feet to nothing, which is a fairly deep pushing down immediately next to the Thompson lot.

Mr. Herr said he can't figure out how Brisson will make up the difference in grade across there, whether they have an easement from them. Mr. Herr said he just can't read the drawing down there and felt that on the preliminary the drain was somewhere else. Brisson said it was generally in the same location; the lots were different.

Mr. Herr said the concern is what's happening to the grading at the edges of that lot and are those people happy. There was no reply to this. Mr. Herr pointed out that there is an existing hollow. Arnold & Elizabeth Thompson were not present. Discussion followed concerning the grading in this area, and Mr. Herr said he had a small concern about the radii at a point on the cemetery side of the proposed grading, and said it appears to be correct as Mr. Brisson represented at the time of the preliminary, that is he does have enough room in there to get the required radius.

Mr. Herr said this question about the grading in this area is a matter of looking out for these people, and he said he can't read the drawing as there are some missing contra-lines in there and he pointed to the plan where he said there are some contra-lines mis-drawn.

One of the abutters discussed the way the land might slope and noted a corner that he said catches water and pointed out the way his land slopes and he is concerned about drainage. It was felt by Mr. Herr that this grading would make it better for him. Mr. Brisson said it was going to take all of the water and push it away. The abutter said he didn't feel assured; they are moving gravel and it looks like a bomb hit the place.

Mr. Herr said the developer is going to remove more gravel; what is going on here is a large cubage of materials being removed over that area. Mr. Murray asked if they had a permit from the Zoning Board to do this. Mr. Herr said he thinks they are going to say it is incidental to the subdivision. Mr. Brisson will bring in more information and more details of the plan at the June 27th meeting.

Question was raised about the impact on Jenks Reservoir as far as run off. He said he will have children swimming there and it is going to be open all summer long, and would like to know what the impact would be, as far as run off.

Abutting property containing the cemetery was represented by Diana Crooks, 425 Lake Street, Bellingham. The Wilcox Cemetery Corp. is owner of the property. Mrs. Crooks said they did not receive direct notice of this hearing, but received the information from Mr. Chase of the Cemetery Committee. The certified list of abutters provided by the assessor's office listed the cemetery address as Town of Bellingham. The cemetery is a private corporation. But it is recorded on the assessor's records as Town of Bellingham.

Regarding the discussion about fencing, Mr. Brisson suggested a 4 ft. green chain link fence on a area along the road and screened with some shrubs. There was discussion about keeping dirt bikes out. Burt Rhodes said you cannot keep the bikes out, referring to the fencing, and said he thinks it is a police problem.

The Wilcox Cemetery Corp.'s concern is to protect the cemetery property and pointed out that the subdivision will be bringing in more people and there should be some fencing.

In a discussion with Mr. Rhodes and Mr. Dalpe it was agreed to put in the 3 foot fencing and shrubs.

On a Gerrior/Niedzwiadek motion the Board voted 4-0 to accept the 3 foot fencing along with the shrubs to be installed at the Wilcox Cemetery site by the Reservior Estate developers.

The Board accepted the 30 day request for extension which was given to the Board by Mr. Brisson.

Mr. Herr asked for a clarification where the plan seems to show only walks on one side. He asked if the intent is that there will be a walk on both sides of the street.

Mr. Brisson said, at this point, the owners may choose to ask for a waiver. Mr. Herr asked, to what.

Then Mr. Dalpe told Mr. Brisson they want sidewalk on one side.

Mr. Murray said that has to be requested in writing. Mr. Herr agreed it should be.

On a Gerrior/Niedzwiadek motion the Board voted 4-0 to continue the hearing on Reservoir Estates on June 27, 1985 at 10.00 P.M.

Mr. Brisson brought forth the plans for "Rolling Hills Estates" for the Board's signature. The plan is for the property off David Rd. which was approved at the April 11th meeting. The Board and Mr. Herr reviewed it briefly and Mr. Murray asked Mr. Herr if he had found any problems with the plan. Mr. Herr said to his knowledge there was no problem with it. If the Board approved it, it must be all right. Mr. Murray asked about the sidewalks.

Mr. Brisson said he has a letter from the owners requesting two waivers. He said he also has the covenant which the Board needs before signing the plan.

They are requesting sidewalks on one side and overhead wiring. The request is for David Road Extension and Rolling Hills Drive.

Mr. Murray asked Mr. Herr if this is the right time to ask for these waivers. Mr. Herr said his view is that they can be asked for at any point.

Mr. Murray feels the Board may not be able to act on this tonight.

Information given by the Building Inspector Gregoire was that a proposal from Bella Construction to finish out the whole thing would take \$14,000.00. Mr. Murray said the people from Rol Realty should be here, and told the Building Inspector not to issue any building permits until they post a bond.

It was agreed to discuss this at the next meeting.

On a Niedzwiadek/Gerrior motion the Board voted unanimously to sign the plan. Mr. Brisson to take the plan of Rolling Hills to the Town Clerk for signature and also to give two copies to the Board. They thanked the Board and left at 10:30 P.M.

Frank Morse appeared before the Board on a Form A plan to change the lot line off Fox Run Road. The Board found no problems with the plan. On a Gerrior/Niedzwiadek motion the Board voted unanimously to sign the plan. He paid the \$10.00 filing fee and left at 10:35 P.M.

Bob Drake and Ken Racicot of Celtic Construction returned to discuss the feasibility of a hearing regarding the special permit amendment previously discussed, and the question on the item of rate of development. He asked how the Board has decided on this.

Mr. Niedzwiadek said a public hearing has to be held and depending upon the public hearing and how the people feel will have a lot to do with any decision.

Mr. Gerrior said it would be, at this point, of interest on the Board's part to see how the public feels about growth and he said since the last meeting he has heard a lot of negative aspects. People are talking about the growth control. Also talking to some of the departments the reaction was negative.

Mr. Drake was told that it is not their project, but the growth in general.

Mr. Racicot said as of today they have 80 sales and a waiting list of over 200 right now for the next 80.

Mr. Herr told Mr. Racicot that any information he could bring helps people understand what role this development is actually having, such as the effect on the school system, demographics on what their buyers are. The Water Dept. has concerns.

Mr. Drake said what they are looking for is 30 more units per year which he said they equated to 15 four-bedroom houses. He said they are looking to finish their Maple Brook project in 3 years instead of waiting 5 years to complete it so they can have nice finished road, nice buildings. Drake said he thinks they can do it in 3 years but it might take 4 years, but all they are asking so that they don't have to physically be waiting in the lurch for the fifth year to happen to finish the job. He said they just want to finish it. Is a 3 year build out at Maple Brook a major problem. He asked the Board's feeling on this.

Mr. Niedzwiadek pointed out that if he is looking toward that end he has to have a public hearing, and he said he feels all Boards are swayed by what the people say at that particular point in time.

Drake said he is following the letter of the law and they would want a public hearing, but he said he is trying to get a sense of the spirit of what's going on as far as what the sentiment of the Board is.

Mr. Murray said that is why you have a public hearing. Mr. Pytko said he does not think it's fair for the Board to commit itself.

Mr. Drake asked Mr. Herr for any other information. Mr. Herr said it would be easier if they had occupancy and had it for a while. He pointed out the debates about how much parking is this going to require, access for emergency services, number of trips generated per unit as to traffic. There is expressed concern regarding water consumption. There is concern about the impact on schools. Mr. Herr said once they have been occupied for a while you are going to know.

Mr. Racicot said he could get that information because he knows who his buyers are. Mr. Herr said but he doesn't know whether the amount of parking that he is going to provide is really adequate.

Mr. Herr said one of the reasons for saying that things ought to be developed relatively slowly, and he does not think 5 years for the biggest development in a generation in this town is all that slow, is in order to be able to benefit from the experience of early years to the later years and you don't learn anything from the first year until you are into the second year. You have really committed 2/3 of the project before you learn anything. So, Mr. Herr said, they should bring whatever they can from what they have in order to make the best case.

Drake to follow up with more information on this. Regarding a hearing date Mr. Racicot was told the earliest would be July 25th.

Mr. Drake asked if the Board would briefly discuss the plan they have on the Doliner golf course property. They would also like to discuss the hearing on this. Ken Racicot gave his check for \$90.07 to pay for the previous ad for "Fairway Hills".

Mr. Racicot pointed out that one of the changes they made was to eliminate some of the condos because of traffic problems. Mr. Drake said sewer-wise there will be pumps and it will be piped up to Woonsocket. Mr. Niedzwiadek asked Drake if all of those homes in the subdivision are going to be piped to Woonsocket. Mr. Drake said that is right. No part of the development will be in Woonsocket.

Mr. Racicot said that they talked to the Police Dept. and the chief is reasonably happy and he said he would get a letter from the chief and from the Fire Chief because he said for the last three days they have been sitting down and going over this.

Mr. Racicot said he has six copies of the plans he can bring in and said he could drop them off to the various boards if the Planning Board desires. Mr. Murray pointed out that a problem with that is if one of the boards does not show at a public hearing there is no way of knowing if they got the plans. Mr. Racicot said he could try to get letters from those boards. It was suggested that some type of receipt be signed by the person accepting the plan in a department. The secretary requested a copy of the plan for the Board's file.

It was determined that these plans are the same as previously submitted by Mr. Brisson which was brought to Celtic by Doliner. At this time it was agreed that Mr. Racicot will deliver the plans.

Mr. Herr said the hearing notice will read the same with the exception of changing the number of units from 228 to 221 units.

Mr. Drake said they have 221 units and 10% will be three bedrooms.

Mr. Herr asked if the plan they are going to bring contains two sheets, the site plan and the architectural plan. Mr. Drake said yes.

The hearing date was scheduled for June 27, 1985 at 9:00 P.M. for "Fairway Hills". Mr. Racicot is to fill in a new special permit application form.

Mr. Murray read a letter from the Board of Selectmen regarding a petition for a zoning change on property off Hartford Avenue from Industrial to Residential district. This is the old Wong property. The petitioners will have to get a map of the area.

On a Gerrior/Niedzwiadek motion the Board voted unanimously to hold the public hearing on the petition on July 25, 1985 at 9.00 P.M.

On a Niedzwiadek/Pytko motion the Board voted 4-0 to adjourn.

Adjournment at 11:55 P.M.

Respectfully submitted,

Acting Clerk