

Bellingham Planning Board
Town Hall Annex
Bellingham, Ma.

Regular Meeting - October 24, 1985
Members Present - John P. Murray, Chairman
Glenn E. Gerrior, Vice Chairman/Clerk
Emile W. Niedzwiadek
Matthew F. Pytko
Edward T. Moore

Meeting was called to order by Chairman Murray at 7:40 P.M.

Al Florentz of Bibeault & Florentz and Edward Dill, owner of the "Chestnut Estates" subdivision brought in the plans to be signed.

Mr. Florentz said they would return with the Form F Covenant later at this meeting. The Board agreed.

Dennis Marguerite, developer of the "Cliff Estates" subdivision off High Street returned to pick up the Certificate of Approval, Form D-1. The Board reviewed the form. On a Niedzwiadek/Gerrior motion the Board voted 5-0 to sign the Certificate of Approval for the subdivision known as "Cliff Estates"

Leo Meyewski brought in plans to show the Maple Street area he would like to rezone from Agricultural to Suburban. The land contains about 18 acres. Mr. Murray said he talked with the selectmen about this request. Mr. Meyewski was told the earliest date on the agenda for his public hearing would be December 19, 1985. On a Niedzwiadek/Gerrior motion the Board voted 5-0 to hold the public hearing on December 19, 1985 at 8:15 P.M. on the request of Leo Meyewski for rezoning.

8:00 P.M. The Fafard Companies discussion on their revised preliminary plan for the proposed condominium project of 438 units on 141 acres bounded by So. Main St., Center St., Cross St., and a short portion of Silver Lake Rd.

James McLoughlin, Director of Land Planning for Fafard made the presentation. Also present John Halnon of Guerriere & Halnon Engineering and John Mack of Neilsen Engineering, Boston.

Their revised preliminary plan dated October 10, 1985 was displayed. It shows three roads. The first road marked "A" enters the project from So. Main St. and two roadways branching off that are marked "Road B" and "C" which ends in a cul de sac.

Mr. McLoughlin distributed copies of his letter dated October 24, 1985 to the Board members regarding the suggested changes. He pointed out the first change was to the name of the subdivision from Shores at Crystal Lake to Shores at Silver Lake, which avoids confusion with an existing one proposed to be called Crystal Springs.

Mr. McLoughlin said the main purpose of their meeting tonight is to gain the Board's approval of the proposed roadways in the development.

Mr. McLoughlin pointed out they have changed the number of units from 438 to 386, and changed the building style. They are showing a neighborhood type layouts in the groupings. There are 2 and 3 car garages. Each unit will have its own parking area. He described them as short "L" and long "L". He said about 80% of the vegetation will be retained with this concept.

He said there would be emergency access, not paved, but where vehicles can get around. There is to be a 100 ft. strip around the entire development.

The Fire Dept. requested fire hydrants every 500 ft. which they plan to do. They plan quick access for the Fire and Police Depts. and the Post Office.

Mr. McLoughlin said another big item is traffic. One of the Board's biggest concerns was the access on So. Main St. and he said they have moved it down 500 ft.

Originally they had a straight road, now he said they have a curve which should reduce excessive speed throughout. He said they removed a group of lots to eliminate traffic on Silver Lake Rd. They have emergency access only on Cross St.

He said although the State has determined that it is not necessary for them to do a traffic analysis, at the town's request they will engage someone to do a traffic study.

McLoughlin said the positive impact to the town primarily is taxes. He discussed single family homes vs. condominiums, using their prepared chart which is part of the letter. It showed less tax revenue for single family homes and more students vs. more tax revenue for condos and less students.

He said the road length for condos would be 6440 ft. vs. 9300 ft. for single homes which require more roadway because of frontage.

They feel prospective buyers for condos would be small families, professionals, retired people, single professionals, and first time home buyers.

Question was raised from the floor about what the town would have to provide for condos vs. single family.

Mr. Murray said in a condo development the town does not have to maintain the roads.

Water Supt. Trudel said condominiums are new to him and because it is new, one of his concerns (as with Maple Brook) is they remain private. He said they are going to make money with this and the town should not have to maintain these roads.

Mr. Herr asked how he feels this is different from single family.

Mr. Trudel said once the road gets accepted by the town it could be the town's responsibility.

Trudel said he is leary about this; he has had no experience with a development this size.

Mr. Herr said if they want to take a chance since there is only one way out, they could have a guard house at the entrance, and once they are shut off to the public they are a private road.

It was pointed out that it is a private road until the street gets accepted by the town.

Police Chief Boucher asked about lighting in the area. Fafard's engineer said there would be security lighting on the lanes.

Chief Boucher said the residents of another subdivision called Hilltop Estates complain because there is no lighting on the streets. It is a safety issue.

Mr. Murray said the town pays for the lights and the Planning Board cannot make them put lights on the street.

Mr. Murray asked McLoughlin if they were proposing underground wiring. McLoughlin said according to the Subdivision Regulations it is underground.

Regarding the emergency access road and width of the lane, he said the roadway is to be 60 ft. with 16 ft. lanes. Each building represents 4 units. They propose 12 dwelling units per 16 ft. driveway.

Mr. Murray asked Mr. Herr if he finds this preliminary plan meets the Bellingham subdivision regulations.

In a review of the plan, Mr. Herr noted that the abutters are not shown; that the requirement sketch of owner's remaining land that is not being subdivided.

Mr. Herr said there is a question of qualitativity, the dead end streets only designed as lanes; question of layout, if it is safe; appropriateness of serving that many dwelling units is a question.

Mr. McLoughlin said there is going to be a traffic analysis.

Mr. Herr said that there are two lots that is not shown on this drawing. The drawing he reviewed had two lots. Mr. Herr said, however, this scheme is a large step forward from an earlier one.

Mr. Herr said the appropriateness of approving is a question; some 400 units on this site, the general configuration of this subdivision plan. Two questions should be considered; whether one egress is right and 40 dwelling units served by dead end street.

In reviewing the plan, Mr. Herr said it is better to show 1" = 100 ft. and to waive the requirement of 1" = 40 ft; the subdivision boundaries should be clear.

Abutters across the street should be notified for any public hearing.

Question of environmental analysis should be made clear, it is needed for this size subdivision.

One of the residents on Silver Lake said one of the biggest concerns is what is going to happen to Silver Lake with all of these run-offs. A body of water was pointed out on the map to be wetlands which flows into Silver Lake.

Highway Supt Trudel said they are going to make a traffic study. It appears Center St. has a lot less traffice than So. Main and some effort should be made for access from Center St.

Mr. Halnon said there is a piece of property on Center St. they are trying to buy and use for access area.

Mr. McLoughlin said they propose to bring sewer system to the site. One of the concerns on Silver Lake would be the sewers. He said the homes presently around the lake could be doing more harm to the lake than this development would do with its own sewers.

Mr. Halnon said they have botonists and naturalists looking at the area and now they have a better idea of the wetlands.

Mr. McLoughlin pointed out retention ponds as shown on the map. He pointed out that they will work with the Highway Dept. regarding the access on Cross St. They propose to widen Cross St.

Mr. Murray pointed out that they are serving so many units with only one egress. He said the traffic study and environmental impact study should be done.

Mr. Herr asked how is the application for a special permit going to be related.

Mr. McLoughlin said they cannot commit to single family or a multi-family at this time. He said they are seeking approval of the roadways. Herr said the Planning Board is not obligated to act on the plan they do not know what is going to happen on, and he pointed out the complicated street layout.

Mr. Murray said the Board is being asked to approve a preliminary plan that does not show the proper roadway.

Mr. Herr said the reason is they want the Board to approve the street layout without the Board knowing whether it is going to be a single family or multi-family subdivision. They want to lock this in until the sewer question is figured out.

Mr. Herr pointed out they want to proceed with their planning and that is fine, but feels it is premature for the Board to be placed in the

position of giving locked in approval.

Mr. Murray asked the Board's opinions. Mr. Pytko expressed concern with the one egress for cars making an estimated 127 trips per day. He expressed concern with 40 units on a cul de sac. He said the environmental impact is a great concern. All of this has to be addressed to the Board's satisfaction.

Mr. Niedzwiadek said he has those same concerns and in addition the emergency entrance proposed on Cross St. needs to be addressed. So. Main St. (Rte. 126) is heavily traveled and said perhaps access would be better on Center St. He said the Board has no options, they don't know what is going up there. He said he wants to know what is going on this preliminary plan.

Mr. Gerrior said he agrees with the other members, and the traffic is a concern, especially if they come in with a second egress. He said this is one of the worst sites for this size development. He said he believes the retention ponds will not solve the run off problem.

Mr. Moore said it could be prohibitive to go single family and put in sewerage because of the wetlands. He also feels there should be two means of egress, and that entrance should not be off Rte. 126 because of traffic problems, and the concern about the inadequacy of Cross St. as expressed at the last meeting.

Mr. Halnon said that they are surveying the boundaries.

Mr. Herr feels the preliminary plan is not properly submitted as it does not show sufficient information.

Mr. Herr said he could write up what the people are concerned about; 1. Concern of single egress; 2. Don't want to approve a scheme showing more than 20 units on a cul de sac; 3. Want to see what is planned prior to acting on the development; 4. Careful analysis of the effects on the quality of Silver Lake; 5. The effects on environment, ecology and wetlands; 6. The Board wants to see the traffic analysis; 7. Environmental assessment is a requirement of a development of this size.

Addressing the Fafard Co. representatives, Mr. Herr said to expect the Planning Board to approve this plan not knowing where the road is going to be is ludicrous. He asked Mr. Mack if he agrees. Mr. Mack did agree.

Mr. Herr pointed out that this plan is not approved or disapproved. The Board took no action on this plan at this time.

Fafard Co. representatives left at 9:30 P.M.

Edward & Kathleen Dill and Al Florentz returned to the Board with their Form F Covenant. On a Pytko/Niedzwiadek motion the Board voted 5-0 to sign the plan for "Chestnut Estates".

Following some discussion about the Fafard preliminary plan the Board agreed the plan is not properly submitted as it does not show enough information. Motion was made by Mr. Moore to disapprove the preliminary plan of "Shores at Silver Lake" as presented by Fafard Companies for the reasons as set forth by Consultant Herr.

Mr. Herr said the Board's grounds for disapproval of this plan could be as listed:

1. The drawing didn't sufficiently and clearly show the subdivision boundaries.
2. There is uncertainty regarding the inclusion or not of land of the same owner which extends to Silver Lake.
3. That the existing streets adjacent to the subdivision are not shown clearly.
4. That dead end streets are shown which are functionally shown as minor streets instead of lanes.

5. More than 20 units as shown on a cul de sac with only one egress.
6. Concern that the configuration is such that all of the traffic would egress onto So. Main St. at a point that has not been demonstrated to be satisfactory from a capacity point of view.
7. That the lack of commitment on the part of the developer regarding the use of the land makes it impossible to judge even at a conceptual level the adequacy of the drainage scheme proposed.
8. That the Board has particular concern regarding the possibility that the configuration of the subdivision boundaries might be changed to allow second means of egress.
9. That widening of Cross Street does not improve the problem for those who live on it.

On a Gerrior/Niedzwiadek motion the Board voted 5-0 to disapprove the preliminary plan of Shores at Silver Lake based on the grounds as set forth by Consultant Phil Herr.

Lancer Luntz of Blakeley Co., Boston, Bob Loverud, Architect of Design Systems International of Boston, and Attorney Dennis Crimmins were present for the public hearing scheduled on the 264 unit proposed condominium development to be known as Meadow Wood. The property is located off So. Main St. behind the Schafer Farm Nursery, currently owned by Morton and Beverly Schafer.

This hearing is being rescheduled due to a defect in the advertising.

Mr. Luntz said they have been working very diligently on this project since the Board told them to go back to the drawing board, and requests another hearing date as soon as possible, before the Dec. 19th date. Mr. Murray said he feels that the Board can come up with a decision on January 23rd.

Mr. Luntz said this is a large project and they would like to have the agreement to go ahead.

Mr. Murray read a letter from Water Supt. Trudel regarding their concerns about water supply and suggesting limitations until the water problems are solved. He mentioned problems with well #2 on Cross St. They have to clean and surge it, and he said normally at this time of year they don't use well #8 because of the iron. He spoke about the vyrodox and new pumping station, and mentioned it takes 6 months to test the water (by DEQE). He said we have potential water sources but it takes time to have these things done.

Mr. Murray said he spoke with Town Counsel and it is difficult to give a development of this size more than 50 units per year.

Mr. Trudel commented that they have 180 new service applications that came in and he is quite concerned.

Mr. Loverud pointed out that a project of this magnitude is very costly and said he knows the town has recently opened up test holes.

Mr. Loverud was told that it was a mistake and the paper retracted the statement. He said they were anxious to make the time period when testing would be open sometime in April.

Mr. Murray said he does not feel it would make any difference as far as the Dec. 19th meeting date for the hearing. Mr. Murray said the Board would like to ask Mr. Schafer's viewpoint.

Mr. Schafer, Mr. Crimmins and Mr. Luntz stepped aside for conference.

Mr. Loverud gave the Board a revised plan of the recreational area showing the change in shape of buildings, tennis courts and swimming pool.

Following their discussion, Mr. Luntz said what they came up with regarding keeping their schedule on track is that the company is likely to suffer economic consequences if they did not keep on their schedule. They are looking to schedule the hearing before Dec. 19th.

Mr. Murray asked if the Board still came up with a decision on Jan. 23rd would it make any difference. They have 90 days to take final action after the public hearing.

Following a discussion it was agreed to schedule the public hearing on December 9th. They withdrew their application without prejudice. Mr. Luntz said their new application will be now dated October 24, 1985.

Additional pieces of information was given showing the land area without the wetlands.

On a Niedzwiadek/Gerrior motion the Board voted 5-0 to hold the public hearing on December 9, 1985 at 7:30 P.M.

Timothy Jones of Franklin, Ma. brought in a Form A with plans on property off So. Maple St. He proposes to join Lot 18 and Lot 17 as shown on the plan to form one building lot. The Board found no problems with this.

On a Gerrior/Niedzwiadek motion the Board voted 5-0 to sign the plan.

Referring back to the Fafard Company, Mr. Herr said his theory is that their concern is that the zoning on that parcel will change between now and the time to do something. They want to secure their rights under the current zoning. Submitting the preliminary plan puts the foot in the door. They have 7 months to get their definitive plan in to the Board from the time the preliminary is submitted.

Mr. Herr said he has dealt with the same organization in Ashland and they have done what they say they are going to do.

Referring to "Crystal Springs" Mr. Herr said they are going to have a substantial change in scheme. He said Onallam Realty and Attorney Fernandes came to his office with a whole new thing. Regarding topography he said they ripped the whole side of the hill.

Mr. Niedzwiadek said if this is a brand new plan, we are going to have a new hearing.

On a Niedzwiadek/Gerrior motion the Board voted 5-0 to adjourn.

Adjournment at 12:15 A.M.

Respectfully submitted,

Glenn E. Gerrior, Clerk