



BELLINGHAM PLANNING BOARD

P.O. BOX 43

TOWN HALL, BELLINGHAM, MASSACHUSETTS 02019

John P. Murray, Chairman
Edward T. Moore
Emile Niedzwiadek
Glenn E. Gerrior
Anne Farris

MINUTES OF REGULAR MEETING MARCH 27., 1986

The meeting was called to order at 7:55 a.m. All members were present.

Site Plan Review - Crystal Springs - Phase I was reviewed with Consultant Herr. Consultant questioned the architectural design - walk-out basements would easily lend themselves to a third bedroom. Consultant agreed to review the aspects of design intermittently during the hearings scheduled for the evening.

Oak Knoll Estates - Definitive Plan - Public Hearing

Clerk read notice of public hearing which opened at 8:15 p.m.

Chairman explained the participation procedures for public hearings.

Gerald Brisson, P.L.S. gave the presentation. Seven (7) lots proposed 32,000 to 85,000 s.f. in area. This subdivision opens up the current dead ended Pickering Avenue and water will be looped to Bliss Road.

The lots are large due to the wetlands on the site and the topography of the site. Mr. Galuza, developer, stated that the homes would be small colonials and garrisons.

Consultant Herr: Ascertained that 90% of the lot area was satisfied without including the wetland area.

Galuza stated that he had received some calls of concern regarding the road being constructed all the way through the site to Bliss Road and Mann Street. That situation is not going to happen.

Conservation Commission confirmed that the applicant had filed a Notice of Intent with their Commission.

Consultant Herr confirmed that such a study would calculate flows and pipe sizes necessary to develop the site properly.

Brisson: The site is a former gravel pit. The vegetation has not grown back. Homes may effectively reduce the amount of run-off into the wetland/perhaps reduce the silt.

Herr: Questioned "traps" on the catch basins - Definitive plan doesn't show them. Also noted that the designer's address wasn't included in the title block.

Herr also stated that a written request for waivers was needed to complete the file. E.N. moved to close the public hearing. E.M. seconded the motion. Motion carried by unanimous vote of 5. E.N. questioned whether or not sidewalks existed on Pickering Avenue presently. Chairman Murray answered none.

E.M. moved to approve the Definitive Plan entitled "Oak Knoll Estates" with the following waivers: 1) overhead utilities in lieu of underground utilities, and 2) one sidewalk in lieu of two sidewalks.



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E.N. seconded the motion; motion carried by unanimous vote of 5.
Hearing over at 8:25 P.M.

*8:30 P.M. PUBLIC HEARING - Major Commercial Complex

This amendment provides that a major commercial complex can be built in an Industrial Zone with planning board approval, and is recommended through the Master Plan Update. The threshold is being raised from 20,000 s.f. to 50,000 s.f. The 20,000 s.f. projects are considered relatively small and should not have to go through the special permit process from the Planning Board standpoint or from the developer's standpoint.

Herr felt that this proposal was reasonable, would reduce disincentive of commercial development and reduce the paperwork of this already overburdened Board.

Carl Rosenlund: Townspeople have input regarding major proposals through their elected officials.

Lord: If a major developer (commercial) had to confront Town Meeting for a proposal larger than 100,000 s.f. or 300,000 s.f. it would be too costly a process for the developer to undergo and therefore, the Town would lose out on what could be a beneficial proposal.

Rosenlund: Question the wisdom of Town Meeting versus the decision of an elected Board.

Anne M. Farris: If I want something (a proposal), I can stack town meeting.

Lynda V. Martell: Town Meeting vote may undermine the philosophy of the Planning Board.

E.N. Rules are established by the Planning Board. Unfortunately, we get more input after the meetings. People should be more aware and take an active part at the Board meetings.

Jim McElroy - Selectman: Told the Board to operate under their own parameters. The Board has rules and regulations - Town Meeting is purely emotional. They (the public) elects the planning board members - they should abide by the established rules and regulations.

Herr reminded the forum that the Board was discussing this allowance in Industrial zones; not talking blanket commercial development.

E.M. moved to close the public hearing; E.N. seconded the motion. Motion carried by unanimous vote of 5. E.M. moved to recommend the article known as Major Commercial Complex at Town Meeting. E.N. seconded the motion. Motion carried by unanimous vote of 5.



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PUBLIC HEARING - Townhouse Revision - 9:00 P.M.

E.M. moved to dispense with the reading of the Notice of Public Hearing

E.N. seconded the motion. Motion carried by unanimous vote of 5.

Consultant Herr explained the article to the forum in capsule form. Six parts were contained in all. #3 was the heart of the article. Parts 1,2,5, were technical changes. Part 6 was a rewording. Town counsel had stated that present language could be misconstrued, and would be a departure of the meaning of this Board and Town Meeting.

Parts 3 & 4 Town meeting never intended for townhouse development without specific sites in mind. #3 provides for approval at Town Meeting regarding location. The developer would have to have his "scheme" approved at Town Meeting which would prevent him from showing pictures of one proposal and then physically constructing another. If the Townhouse proposal dies and goes away, the land itself doesn't change it's status. The land remains as shown or reverts to former use.

Part 4 provides the Planning Board the ability to attach build-out schedules for each proposed development which is important and gives notice to the townspeople. The zoning map shouldn't be changed every time an applicant comes forward with such a proposal; he should rather have his scheme approved at Town Meeting/

Kathy A.J. Roberto, ZBA Chairman, would the Town be left to a lawsuit if the applicant meets all the Board's criteria in a proper location and the neighbors shut the project down because they don't want such a project in their neighborhood and the Town Meeting votes "no"?

Herr: Location, scheme and occupancy is proposed prior to Town Meeting with the Planning Board public hearing.

Rosenlund cited Oak Woods as being anything but what was proposed - financing and occupancy were quite different from the original approved proposal. He also felt, that this type proposal (Townhouse Development) should be limited to the Annual Warrant and Not Special Town Meetings.

Martell: Felt that if developers were at the mercy of Town Meeting, they would select an easier more sure type of development - tracks and tracks of single family and duplex housing.

Herr stated that less development would be experienced. Town Counsel and other principals have stated that large scale proposals should be approved at Town Meeting. There have been many revisions of this article. Density should be rolled back.



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McElroy reminded the Board members that they are in a position of leadership/ by enacting this amendment they would be giving up their authority. If the course charted in the rules and regulations is followed, the developers would have a good threshold for litigation. Planning Board (or any other department) recommendations do not hold up at town meeting.

Brisson: Special Permits are discretionary for the Board increasing the density would ease the townhouse problem. If such an article passed, the developers would go the duplex route. . .

Chairman doesn't want to see Bellingham become Framingham.

Consultant Herr in support of the article; the by-law was so fashioned as to make townhouses more favorable than duplexes. He suggested that the Town adopt something quickly.

Moore stated that Town Meeting provides a "say" for all townspeople.

Martell: If this passes you'll force duplex housing. Planning Board has all of the discretionary powers at hand, such as traffic, environment. . .

Stanley Spont: Bliss Road voiced his concern over being notified so late, re. Oak Knoll. For the record, March 27, 1986 was Holy Thursday, and the Spont family took exception to the fact that hearing was scheduled for a night when they would be attending church. The fact of the matter was that the Town's copy machine was broken for two (2) weeks which delayed the processing of Planning Board correspondence across the board.

A.F. moved to table this hearing. E.M. seconded the motion.

9:35 p.m. PUBLIC HEARING/Pheasant Hill Estates

Chairman explained participation procedures for public hearings. Clerk read the notice of public hearing.

Atty. Lord offered the presentation. 19 units one main road (one means of ingress and egress) The developer of Hilltop is developing this proposal, Joseph Menfi of ROL Realty. Houses will range in price from \$200,000 to \$220,000 and up. The subdivision is located in a suburban zone and are layed out in compliance with the subdivision rules and regs. The development greatly improves that section of Chestnut Street - formerly the Rattie farm.

Menfi would personally prefer to develop single family dwellings.

Abutter - Normand Gentes concerned as to how close the dwelling would be to his/her property.

Menfi answered that the house would be 70' back from the centerline of the road at the end of the culdusac. House placement is dependent upon percolation tests.



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Menfi himself quoted the prices of his homes at \$225,000 and \$240,000 on the largest lot near Cranberry Meadow Road.

E.M. questioned the drainage plan. The drainage easment was shown to the existing wetland with 15" pipe crossing Cranberry Meadow Road. The drainage was designed on the 25 yr. storm.

Lord explained the drainage easement to the Clark property and then crossing Cranberry Meadow Rd.

Fred Stavinski from SEA, Inc. was on hand to offer his expertise regarding Pheasant Hill Estates.

Herr questioned what happened between the wetland and the pipe

Stavinski indicated that no provision had been made on the plan to replace the pipe.

Menfi added that the wetland activity had been metered.

Herr questioned the rip rap at the cul-du-sac at Pheasant Hill Road.

Stavinski stated that velocity of runoff decreased as it goes to the ditch.

Phil Herr questioned "dead end streets" and the fact that Bellingham has no definition.

Murray stated that a 19 lot subdivision on a street with single means of ingress and egress was within the confines of the subdivision rules and regulations.

Herr requested that there be a further analysis of drainage and runoff and continue this hearing until April 24, 1986.

Murray called for abutters questions. None at this time.

Bruce Lord indicated to the public that they were free to call his office to discuss any questions regarding the Pheasant Hill proposal.

Letter requesting waivers is as follows:

1. two hydrants involved in this design; Fire department requested that they be located at the ends of the cul-du-sacs;
2. 26' of pavement in lieu of 19' pavement;
3. overhead utilities in lieu of underground utilities;
4. One sidewalk in lieu of two;



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5. Cape Cod berm where sidewalk is located;
6. Use of blue brute or vinyl iron pipe for the water system.

E.M. moved to postpone Pheasant Hill hearing until April 24th at 7:45 p.m.

E.N. seconded the motion. Motion carried by unanimous vote of 5.

REZONING ARTICLE-Richard and June Hill from Agricultural to Industrial
10:30 P.M. Clerk read the notice of public hearing.

Richard Hill was on hand to participate in the hearing as were Howard A. and Madelyn Fafard from the Fafard Companies, 290 Eliot St., Ashland, MA

Jim McLoughlin gave the presentation. He stated that in Bellingham's Master Plan regarding industrial development priority should be given to Maple Street. Stated that proposal includes 1,000 acre district of unparalleled quality. Total proposal is business and industrial development. 8 million square feet of business and industrial space, approximately 8,000 jobs for Bellingham, and 8,000,000 in taxes-annual revenues realized. Fafard companies would have to provide a substantial infrastructure taking into consideration the water, sewer and roadway. The Fafard Companies stated a willingness to pay for all improvements not covered by State and Federal grants which should be applied for by the Town as is it's right. Mr. Hill's property alone would represent 2,500 jobs and tax revenues of \$2.5 million annually. McLoughlin stated that the company was looking forward to working with the Town and that they fully expected the Town to seek out Grant Money.

Murray questioned the location of the parcels, and why is rezoning them so important at this time.

H.A. Fafard address his comments. A project of this magnitude, where a company is working a joint venture with the community cannot be phases - both parties have to be "up front". Infrastructures are a major capital investment and have to be dealt with in their entirety now; i.e., sewer, roadways, utilities. While we (Fafard Co.) are doing this, we are taking into consideration every house, we are following all recommendations of the Town through the wisdom of it's consultants, taking traffice away from the residential properties. We propose a route internally rather than by their homes. They are very willing to sit down with abutters and discuss berms and vegetative buffers.

Rosenlund asked how much of High St. is going to be rezoned.
(High St.)

Hill explained that at the time the Town was zoned he made a special request to retain the land where the barm was as agrigultural and the big field along the Road as well in case industry came in right away (within five years of the zoning districts.



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Hill stated that is has been 30 years and it's time for him to quit the "agricultural business." In explaining the portion for rezoning, he explained that it is right where the swamp stops, at the bend of the road 60' r.o.w., 500 west of the bridge.

Rosenlund continued, "behind the Circle C?"

Hill answered that the strip right along Clif Grover's property line - 120' strip varrying in width, from place to place.

McLoughlin: Roadways are proposed off Maple Street and into Fafard property. They propose to rebuild the street including the culvert capacity there.

Murray questioned egress.

McLoughlin countered with a ramp system onto 495 as proposed in the Bellingham Master Plan.

E.N. questioned the rehabilitation of Maple St.

McLoughlin confirmed that statement.

Fafard indicated that his company would cover whatever shortfall from State and Federal Grants, that they would ask the Town to make applications for, in rehabilitating Maple St. and installing utilities. He clearly stated that the Town is entitled to make application for state and federal monies regarding roadway, sewer and other utility work and his company would expect them to do so.

Herr questioned the proposed location of the interchange.

Fafard: Offered an overrun of the entire project. The intersection of 126 and 495 they have aquired all the entrance property to 495. Dotted line is representative of land where ower cannot work out an agreement at this time, which would provide direct access to the Hill property on Hill St. The prospective buyers have a flooding problem and would have to rebuild the bridge into the Hill property out on Maple St. and add the interchange at Maple Street and I-495. The Town has recommended the interchange through it's master plan and the Town should apply to the state and federal government for funding. Fafard stated that his company would pick-up or cover the shortfall.

Access would be from Maple and High St., but our plans are not to service this project from Maple and High Sts.



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Herr commented that the report indicated an outstanding opportunity for economic growth and development. The utilities are a solveable problem access is the only problem apparent.

Kathy Roberto from the ZBA voiced concern over the Charles River Watershed and requested that a letter from the Association be read aloud.

E.M. stated that they must be misinformed as to the rezoning proposal. He stated that industry was planned for and already exists along both sides of the Charles River.

Herr stated that with regard to the Charles River water basin, this is one of the few areas where the geology is such that development wouldn't have much impact on the water. Futhermore, the Town has controls through its' by-law over toxic wastes and the Boards pay attention to the issues.

Roberto concerned that there are places already in need of sewer around town and that may be pushed aside for all the new development.

McLoughlin: stated that sewer plans were submitted to the Selectmen and to Weston & Sampson, sewer consultants. General overview of the proposal is up High St., across the Charles over to Pilgrim Village all gravity fed with no pumping station. Fafard Co. is committed to pay for the additional increase in pipe size. From Pilgrim Village to the Mine Brook interceptor. The company is also prepared to lay sewage for Wethersfield and Center of Bellingham.

Crowd did not want to table this hearing in favor of Glockner and Valleyview. This issue much greater.

Fafard suggested that his company would meet with the neighborhood - any night, any place to discuss this large proposal. This industrial project represents millions of dollars and years of planning and development. It is a committment.

Herr stated that Fafard was making real the possibility of an industrial park by way of utilities.

John Plouffe, Essex St., South Bellingham stated that the Charles river was a big issue with him. It is one of the unspoiled areas of the Town.

Murray indicated that the by-law would restrict and dictate what would be built near the river.

Plouffe wanted to know if Planning Board was providing for preserved, unspoiled



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areas in other sections of town.

Mr. Hill rather irate stated that it was his turn to speak. The Town would have to match Mr. Fafard's price/offer and the Town couldn't come close.

McElroy verified that it would be a considerable appropriation to which the Town had no access.

Mr. Hill stated that the so-called "aesthetics" were his livelihood for 40 years. He had applied to the Agricultural Preservation section of the government - they stated that they could not match to be returned in benefits to the Town and remuneration to Mr. Hill. It took Mr. Hill 1 1/2 years to get their decision and should have only taken 120 days. The Town in its wisdom cut the cord for him when they zoned everything around him Industrial - since 1958. He could have developed it into 10 small factories like on Depot St. Not once did any one offer him one cent - the townspeople weren't paying his bills. He carried it all alone - for everyone else to enjoy the beauty. Now is the time Mr. Hill can turn the land over to a quality development which will help the residents of Bellingham in their tax bill. For the past 20 years he has lost \$20,000 each year. Mr. Hill stated that he felt that "dotted line" on the Fafard proposal would become a road into the property and would probably be a five (5) year proposition - he felt strongly that the dotted line would be straightened out.

Murray indicated that Mr. Hill points were well taken. The rezoning in fact effects very few homes.

McLoughlin indicated that the 60 acre parcel (Hill) would be the area of least development. The other areas would be developed first.

Roberto: Since interchanges aren't guaranteed, how much will traffic be impacted on Maple and High Sts.

Fafard stated that if he wasn't sure that access to the property could be obtained from either the 495 interchange or Rte 126 they wouldn't be there with the proposal.

McElroy favors the dotted line access to the Rte 126. \$8,000,000 tax dollars, 8,000 jobs can't be overlooked. That means full and part-time jobs for the community and good solid tax money.

Frank Morse - member of ZBA stated that Bellingham should wake up - it's the 20th Century and the town should allow Mr. Fafard to do what he must do - he cannot play games in phases.

JoAnn Pacquette from Blackstone concerned about gallonage into Franklin sewer system.



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McElroy - We can build alternative units if we have the tax base to work with. We have been crying for a project like this one which would support our own sewer plant.

Tom Glass - Maple Street - The increased tax revenues would improve roads, services level and in general be a major benefit to the town.

Fafard stated that his project would not have adverse effects on residential sewage. They propose to follow the Town's own master plan - interceptor along the Charles River and in the Center of Town. This project would bring sewer lines down there without costing the town 10¢.

E.N. needs more explanation concerning access roads.

Moore: Already zoned Industrial - we're only discussing a couple of 200' strips and a field. The industrial traffic would be going be there anyway as presently zoned.

Betty Capucci - Belanger Drive (along Hartford Ave.) Mr. Fafard cannot go into this project piece meal - rezone his 200' strips and get the project done right.

Hill: Abundantly clear - he is the key to industry in the Town of Bellingham Without Mr. Hill's property the town has zilch. He could sell off to housing which would provide more and more abutters - as long as I meet the criteria. If he has to lose his farm, the town had better take quick advantage or he shall do something else. Recognize that he is the man that is going to make this proposal happen.

G.G. Homes would not help tax revenues.

Murray: He has visited Granite Park in Milford and it is a quality development.

Roberto: Will people be allowed to pass on Maple and High St.

Plouffe: questioned a buffer zone on High St. parcel.

Herr explained: the two small strips are critical to the Fafard proposal. It liberates development of the Industrial Land. Mr. Hill could have subdivided his land 15 years ago - he will be good to his word. Piece meal is not good zoning. He is sure that the road system can be agreed upon.

McLoughlin: An interchange is not an easy undertaking. He has been working on obtaining an interchange at Route 146 and the Mass Pike. Nothing is impossible if a Company and Town works together to obtain it.



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Fafard/Hill proposal

E.N. moved to close the public hearing and take it under advisement.

E.M. seconded the motion. Motion carried by unanimous vote of 5.

11:45 P.M. PUBLIC HEARING - Glockner Property

Joseph R. Santos attorney for Kenneth Dale proponent of the article appeared on behalf of MaGlockner's, Inc. They requested to withdraw their proposal without prejudice. G.G. moved to grant the request; E.N. seconded the motion; motion carried by unanimous vote of 5.

11:55 Valleyview Road - Public Hearing - Rezoning

Clerk read notice of public hearing. Bruce Lord gave the presentation.

1) protects residential area;

2) creates a buffer for residences already there;

3 & 4 east side of 495 and Farm St. both ends are heavily industrial and remain undeveloped as Industrial land.

There is no money for an access road - that had been transferred to Depot St. Land owners don't want the access road.

Mr. & Mrs. Stockton have not been notified.

Anne Farris questioned how the abutters were contacted.

Lord replied by phone when abutters or owners answered.

He further explained that the neighborhood tried to work with developers to industrialize the sites. Mr. Varney would not allow the access road on his property. The residents don't feel they will infringe on anyone - it is heavily residential.

Betty Capucci - I work with Mr. Stockton he has no idea about the rezoning.

Herr stated that description of Area 4 was sketchy - unclear.

Moore: saw no problem with 1 and 2, 3 should be dropped or deleted.

Ed Shea from Shea Engineering spoke on behalf of Varney and his 12 acres. Varney is against any change in the zoning of that property.

Lord stated that regarding an access road from Medway, Gamewell Rd. doesn't go all the way to meet Alder St. There is a real title problem with that street and other problems with the property on the Bellingham/Medway line.

Murray stated that trucks don't belong on Farm Street.



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E.Moore stated that changing the end to prohibit industrial development was not a good move in his opinion.

JoAnn Pacquette Farm St. is no wider than Maple St. - is this a reversal from the Fafard hearing.

Lord answered that the big difference between this rezoning and the other was that residents tried all along to provide a road system suitable for industrial development - no access is available - they tried to access the industrial property.

Roberto: ZBA Chairman, people on Farm St. seem to be left hanging - they don't know what they can do with their property.

Lord they have had prior knowledge.

Herr suggested that each item be voted separately.

E.M. moved to close the public hearing. E.N. seconded the motion; motion carried unanimously.

E.M. moved to recommend 1 and 2 at town meeting; E.N. seconded the motion; motion carried by unanimous vote of 5. Lord withdrew #4 - no action taken. E.M. moved for negative recommendation on #3 at town meeting; A.F. seconded the motion; motion carried by unanimous vote of 5.

1:45 a.m. Townhouse Revision - Concept Plan re-opened

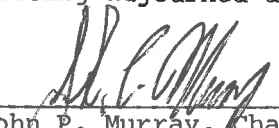
Herr suggested that the Town go with it. E.M. moved to close the public hearing.


E.N. seconded the motion. Motion carried unanimously.

E.M. voted to recommend the article "Townhouse Revisions", E.N. seconded the motion. Motion carried 4 in favor; Anne M. Farris opposed.

Board scheduled a special meeting for April 15, 1986 at 7:30 p.m. at the Town Hall Annex. Clerk to notify Town Clerk and Selectmen's Office.

Meeting adjourned at 2:00 p.m.


John P. Murray, Chairman


Edward T. Moore


Glenn E. Gerrior, Vice-Chairman


Emile W. Niedzwiadek


Anne M. Farris