



BELLINGHAM PLANNING BOARD

P.O. BOX 43

TOWN HALL, BELLINGHAM, MASSACHUSETTS 02019

Edward T. Moore
Glenn E. Gerrior
Emile W. Niedzwiadek
Anne M. Farris
John P. Murray

Minutes of Regular Meeting
May 8, 1986

The meeting was called to order at 8:00 P.M. All members were present.

\$5.00 cash was received from Michael Moroz for Zoning By-Law - High Street.

OAK KNOLL ESTATES - Signing of Plan

Letter from Town Clerk dated 5/2/86 stating that there were no appeals filed.

Letter dated 4/15/86 from the Conservation Commission verifying Notice of Intent.
Form D-1 was send to the applicant.

Anne Farris moved to sign the plan, E. Niedzwiadek seconded the motion; motion carried by unanimous vote - all members signed the plan.

COPY OF THE COVENANT TO BE SENT TO THE BUILDING INSPECTOR.

81-P Dante & Marion D'Errico

The lot lines were redrawn and \$10.00 cash fee was received. Tom DeVitt appeared on their behalf.

BOARD REORGANIZATION

Chairman Murray offered a brief speech citing his accomplishments on behalf of the Town (years of dedication to the Planning Board as well as Cable Commission, etc.). He further stated that newspaper coverage wasn't always fair or accurate. Meeting was turned over to Clerk, Lavallee who opened the nominations for chairman. E.N. nominated Edward T. Moore Chairman for 1986-87; G.G. seconded the nomination. No discussion. Nominations for Chairman closed. Mr. Moore was elected chairman by unanimous vote of 5.

J.P. Murray nominated Glenn E. Gerrior, Vice Chairman; E. Niedzwiadek seconded the motion. No discussion. Nominations were closed. Mr. Gerrior was elected vice-chairman by unanimous vote of 5.

LETTER TO FOLLOW TO TOWN CLERK - REORGANIZATION & SIGNATURES TO BE RECORDED AT NORFOLK REGISTRY OF DEEDS IN DEDHAM.

ELM ESTATES - Signing of Plan which was previously held-up for appeal by Daniel Downey of Elm Street in the Milford District Court.

Chairman Murray stated that he had held a conference with Town Counsel who advised that since no appeal had been filed in Superior Court, it was appropriate for the members to sign the plan. The mylar of the subdivision had been altered to read that "no appeal had been filed in Superior Court." Bruce W. Lord, Esq. appeared on behalf of the developer, Gilbert L. Trudeau and cited M.G.L. Chapter 41:81V. He also re-affirmed that no correspondence



BELLINGHAM PLANNING BOARD

P.O. BOX 43

TOWN HALL, BELLINGHAM, MASSACHUSETTS 02019

Minutes of Regular Meeting
05/08/86

had been received from Superior Court. Town Clerk, Kathleen Harvey, requested something in writing from the members substantiating their move.

A.F. moved to sign the plan; E.N. seconded the motion; motion carried by unanimous vote of 5.

BEECHWOOD CONTINUED TO 9:30 p.m. due to an error on behalf of the Milford Daily News in the legal ad. The paper posed both Bellwood and Beechwood for 8:30 p.m.

BELLWOOD CONDOMINIUMS - Clerk (planning board) inadvertently failed to notify the Town Clerk regarding the public hearing. Mr. Huna Rosenfeld, from the Davna Corporation was present along with members of his design team. G.G. moved to readvertise the hearing for June 12, 1986 at 8:30 p.m. JPM seconded the motion; motion carried by unanimous vote.

Donna Thayer Trudeau interested abutter stated that all abutters were not properly notified; referring to Joyce Schreffler Godbout who had recently purchased Brookside II from Mrs. Trudeau's father, Vincent Thayer. Mrs. Trudeau was told that notices were mailed certified to all abutters as having been first certified by the Assessors and that if Mrs. Godbout's deed hadn't returned from the Dedham Registry, she would not have been notified. However, obviously, she had received notification of this hearing because Mrs. Godbout was in attendance and voiced her concern.

Kathleen M. Harvey, Town Clerk, who is an immediate abutter of this project, addressed the forum and stated that she felt that the hearing was not legal due to the fact that as an abutter she received proper notice - but as Town Clerk - she hadn't received a copy of the Public Hearing Notice. It was explained to Mrs. Harvey that the Chapter 40A dictates that a notice be published in a conspicuous place (not the Town Clerk's office). However, since the Clerk's office is most conspicuous, that is where traditionally such notices have been filed.

Mr. Rosenfeld and his team entertained an informal discussion in the copy room of the annex with the abutters.

HILL PROPERTY REZONING - Planning Board Recommendation

8:05 p.m. James McLoughlin from the Fafard Companies presented a letter of Commitment on behalf of the company and read it aloud in response to the Letter from Town Administrator, Michael Jaillet. JPM moved to recommend the re-zoning of the Hill property as set forth in Article 21 of the annual town warrant. Mr. Murray went on to cite all the reasons why he as a planner felt the proposal was quality and much needed in the town. Anne Farris seconded the motion; motion carried by unanimous vote of 5.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

TOWN HALL, BELLINGHAM, MASSACHUSETTS 02019

Minutes of Regular Meeting
05/08/86

D.E.Q.E. Letter regarding Crystal Springs to the Board of Health was read for benefit of the Board Members. They expressed disapproval of the Town's giving the go-ahead for the sewer system when in fact D.E.Q.E. governed such an installation and plan.

John V. Fernandes, Esq. was present for Onallam the developers of Crystal Springs. He stated that he does not necessarily agree with their ruling; however, they must comply. J.P.M. stated that due to the D.E.Q.E. ruling establishing a certain number of units, gallonage of sewage, and imposition of installation on site sewage disposal systems, the town will be ruined by duplex projects.

Correspondence received regarding William Way - Park 140 bond reduction request. Highway Department must be consulted to determine which amounts may be removed from the bond.

9:30 p.m. PUBLIC HEARING -- BEECHWOOD ESTATES

The attorneys check and there was no defect in the manner in which the public hearing notice was published. The abutters were present. Atty. Fernandes stated that since they were not seeking a special permit, no notification to the town clerk was required under Chapter 41. The applicants proceeded with their presentation.

Subdivision of a 60 acre parcel of land - east of 495 and west of Hartford Ave. 3½ acres is impervious which represents less than 6% of the entire parcel. The road would come in off Farm Street, loops around the wetlands near the entrance. Individual septic systems would be required and installed in accordance with Title V. Town Wells are to the southeast and an 8" main would serve to loop the water and provide better water service.

Telephone call received by the planning board clerk from Jean Trudel, water commissioner stated that this project would be good for the Town, loop the water and increase pressure and volume for domestic and fire protection. Call came in on May 5, 1986.

Two lots (residential) at the entrance to the street are owned by Paul Farrell and Gary Cummings. Gary Sanford, Ph.D., Sanford Ecological Services prepared the Environmental Impact Statement. Dr. Sanford is an environmentalist.

Chairman Philip Matthews from the Conservation Commission stated that this proposal as shown involves the filling of 15,000 s.f. of wetlands at the entrance. (limited access) The commission did not look upon this plan favorably.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

TOWN HALL, BELLINGHAM, MASSACHUSETTS 02019

Minutes of Regular Meeting
May 8, 1986

Chairman Moore stated that the Board could not act favorably tonight due to the Conservation Commission's concerns.

Bruce W. Lord, Esq. representing Farrell and Cummings stated that there is a legal question with the limited access. According to Wetland Protection Act, 310 CMR only 3,000 s.f. of wetland can be filled - D.E.Q.E. must be involved for larger proposals and impacts.

E.N. asked if the stream overflowed.

Lord cited sewage and drainage problems all over Farm Street and especially the icy road conditions in winter. Lord is pushing for DEQE involvement.

Board's consultant relayed the following concerns:

1. Conservation Commission dissatisfaction; had to be addressed;
2. Center of the Road 3' higher than the wetland which could be taken care of with a waiver;
3. catch basin placed further than the regulation dictates; 375' from crest of hill as opposed to 350';
4. Lots 2 & 5 don't have enough area - lot lines must be moved;
5. Environmental report was super. . .

Question was raised by Mr. Lord - can a municipal water system be piped through a wetland. What about the aquifer district near Stallbrook. Where does the drainage go? How long does it take to get there.. Lord stated that the previous owner created the limited access.

Conservation Commission stated that applicants must file a Notice of Intent and Environmental Impact Statement with DEQE.

Dr. Sanford explained that an E.I.R. was filed with MEEPA. The local conservation commission requires an Environmental Impact Assessment. DEQE decides whether a EIR is required after having reviewed the Cons. Comm. Notice of Intent.

DEQE intercedes after the Order of Conditions.

Chairman Moore stated that communication with Consultant Herr was necessary.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

TOWN HALL, BELLINGHAM, MASSACHUSETTS 02019

Minutes of REgular Meeting
May 8, 1986

Atty. Lord stated that the previous owners limited the access to this parcel, thereby limiting the Board's decision.

Atty. Fernandes: Stated that the access shown on the plan was the only available access to the property. Potential changes in the design of the Road to avoid the wetlands would still require substantial filling. His clients have complied with the regulations of the Board.

Chairman moore stated that he would require a letter from the Conservation Commission.

JPM moved to continue the hearing regarding Beechwood Estates to June 19, 1986, at 8:30 p.m. G.G. seconded the motion. Motion carried by unanimous vote of 5.

Board discussed setting the public hearing request (2nd) for Leo Mayewski. When all of the necessary information is received a date will be set.


A copy of Herr's letter to the Board regarding the Schafer Property Preliminary plan and a copy of Goodwin, Proctor and Hoar's letter should be forwarded to the Town Counsel's office.

JPM moved to appoint Emile Niedzwiadek to the Policy Committee; seconded by Glenn Gerrior. JPM moved to appoint Glenn Gerrior alternate member of the policy committee; E.N. seconded the motion; motions carried by unanimous vote of 4, each.

June meeting dates were set for Thursday, June 12, 1986 and Thursday, June 19, 1986 at 7:30 p.m. at the Town Hall Annex.

REports of Public Hearing: Regarding Major Commercial Complex and Townhouse Revisions - motion was made by G.G. and seconded by E.N. to waive the reading of the reports due to the fact that the Consultant had previously read and approved the text, and accept the reports for signature by all members. Motion carried by unanimous vote of 5.

Meeting Adjourned at 11:45 p.m.



Edward T. Moore, Chairman

Emile W. Niedzwiadek

Glenn E. Gerrior, Vice-Chairman

John P. Murray

Anne M. Farris