



BELLINGHAM PLANNING BOARD

P.O. BOX 43

TOWN HALL, BELLINGHAM, MASSACHUSETTS 02019

EDWARD T. MOORE, CHAIRMAN
GLENN E. GERRIOR, VICE-CHAIRMAN
EMILE W. NIEDZWIADK
ANNE M. FARRIS
JOHN P. MURRAY

MINUTES OF THE REGULAR MEETING APRIL 23, 1987

The meeting was called to order at 7:55 p.m. All members were present. Board's consultant, Philip B. Herr was also present.

Letter from the Conservation Commission to N.E. Country Club Development Corporation, 180 Paine St., Bellingham was read aloud by the Chairman. Clifford Matthews, chairman of Cons Com was present to explain that the Commission had been within their legal rights to seek the support of another town Board in requesting the Valley Partners to perform an E.N.F. regarding the country club proposal at the planning board meeting of April 9, 1987. As of April 22, 1987, the ConsCom has decided to have the Valley Partners hire a consultant of the commission's choice to review all of the pertinent environmental data. They do however, reserve their right to have the state D.E.M. step in at any future time as deemed necessary by the commission.

Mr. LaPlante was in the audience to give a verbal update of the Country Club project and the Consultant politely explained that we (the Board) do not expect bi-weekly progress reports simply because the agenda prohibits it.

81-P Plan

Applicant: ABS Realty Trust, Box 121 Mendon, MA
Bruce and Susan Wright.

Owner: John L. and Marie T. Kantzer, Chestnut St.,
Bellingham MA \$10.00 fee received. The plan provides access to Birch Tree Estates. E.N. moved to sign the plan; JPM seconded the motion; motion carried by unanimous vote of 5.

The Board Members presented the Clerk with a lovely basket of Pink and Purple Violets. Clerk expressed her gratitude to the Board Members for their generosity and thoughtfulness.



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SITE PLAN REVIEW

Bellwood Condominiums - Davna Corp.

Herr questioned what the best way to show an easement on Lot 1 would be so that problems could be avoided in future years, down the road. He stated it was tough to do commercial and residential property in same lot. He suggested if they came in with a subdivision, they might be able to solve the situation.

Herr noted a "tree note" on the plan 2" in diameter or greater. He stated that the detention area now appeared on the plans (it wasn't there originally) and now they had drainage calcs to back up the design.

Chairman opened public hearing on **Brook Estates**; JPM moved to continue the hearing to 8:50 p.m.; E.N. seconded the motion, motion carried by unanimous vote of 5.

JPM moved to continue **Maplebrook** public hearing to 9:20 p.m.; E.N. seconded the motion; motion carried by unanimous vote of 5.

Herr noted that the storm drainage runs out into the woods. He stated applicants said they would pick it up and pipe it into the detention area. He further noted that once in 25 years it was expected that the collected water would spill over and gradually seep out. Retention Basin holds water back - when the road is constructed the retention basin will be a detention basin when the other half of the road is complete.

Hanlon: Design was predicated upon the S.C.S. (Soil Conservation Service) mapping. He noted that the site was thought to contain Canton Soils - permeable - 1" per hour and 2" per hour in the worst case.

Herr: Remarked that the Designers were pointing out the rates so that 6 mos. from now folks won't be saying "how come?"

Hanlon suggested that the applicants could install a 12" pipe to the existing wetlands - resulting in a detention area instead of a retention area.



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SITE PLAN REVIEW

Bellwood Condominiums

Dave Macreadie from the Davna Corp. and Joe Hanlon from Millis Engineering Associates were present.

Herr: As he reviewed the plans he referred to the Special Permit. He noticed that the drainage scheme was distinctly different on the site plans than on the original concept. Swale is open and recharging water all the way.

Macreadie: At this point his associates didn't know how to proceed.

Herr: What is the house being used for now.

Macreadie: stated that Davna owned it - it was inhabited- the house had a cellar and the house had been built up.

Herr stated he would be concerned if he lived there. He stated that the applicants couldn't cut into the wetlands. He noted that the applicants had been working on these plans for at least a month. He also noted that some contour lines had been relocated.

Hanlon stated that the topo showed a 2 foot grade.

Herr replied that was hard to believe that the hollow in question was less than two feet. He questioned whether the applicants thought this scheme was a better situation for their property. He cited another issue: 1st sheet did the Board endorse an 81-P for this property last year. Why is access to the residential land over an easement. He stated that he didn't know of a law that said you could not. But the access should be made a part of Lot 1 or labelled Right of Way (R.O.W.)

EN: Legally not a problem - why not include it as part of the same parcel?

Herr cited a possible problem with the entrance being counted "twice." Functionally, it is part of the multi-family development.

He suggested they get a concrete answer to the problem. It looked awfully tight out at the roadway. He restated that he did not know why an easement couldn't be used as a right of access, but it would not be as clean as having it part of the condominium ownership for maintenance, etc.



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Site Plan Review - Bellwood Condominiums

Herr reminded all that a question remained unanswered - the question of access over an easement and retention versus detention carrying drainage around the upper portion of the property and the 25 year storm.

Herr suggested that the Board could approve this site plan to the Building Inspector providing that this Board periodically examine the retention basin and that upon notification from this Board, further building permits be held up if the drainage isn't operating to the Planning Board's specifications and satisfaction.

Hanlon suggested that the applicants install a subdrain which is completely covered over like a giant leaching field, loamed and seeded. By building a subdrain, it would be self contained and would allow them to get started.

E.N. moved to recommend this site plan Revised and Dated: April 23, 1987 to the Building Inspector with the following provisions:

- That the Applicants install a sub-drain which would be self-contained to enable the project to get started;
- That the Applicants return before the Board with revised 81-P lots and a legal answer to Easement versus Right of Way access to the residential portion of the site;
- That the Applicants furnish plans showing sidewalks at the residential portion of the site; and that
- The Planning Board reserved the right to examine the drainage system at the Bellwood Condominium site periodically and upon that inspection authorize the Building Inspector to suspend further building permits until such time as the drainage system is properly constructed and functioning in accordance with proper standards.

A.F. seconded the motion; motion carried by unanimous vote of 5.

Davna to distribute copies of the revised plans to the various boards as requested at this meeting by the Planning Board.



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DEFINITIVE PLAN CONTINUED PUBLIC HEARING BROOK ESTATES _ MARLEX REALTY TRUST

Theodore Goguen, Esq. was representing Marlex and John D. Halnon, PLS of Guerriere & Halnon, Inc., Franklin, MA were on hand for the presentation. It was explained that the scale of the plan was 1" = 20'. Existing pavement had been increased wherever possible. from 14' to 18 or 19' and where 18' existed, 21' was now proposed, and so forth.

The road was determined to be 20 to 21 feet at the culvert. Trees were showing on the plan as well as the existing culvert. They proposed a width of 22 feet at Mendon St. and at some points as much as 24 ft. Of course this being restricted by property lines and stone walls in the area. The existing culvert of 12 to 14" of pipe under Brook St. had been carrying record amounts last month. They propose to redesign this culvert for post and pre development flows from above which would eliminate existing problems.

Don Nielson from G & H, Inc. answered engineering design questions.

Chairman cited problems with the intersection of Brook and Rte 140, the 90° angle and the intersection of Steeplechase with Brook St. at a "T" angle.

Halnon: Right angle with Rte 140 is a major problem.

Paul Flaherty identified himself as owner of the corner house which had been for sale when this proposal had begun in 1986. His address is 140 Winthrop St., Medway, MA.

Halnon: If you could have 40' paved radius, would this solve the problems?

The 14' width road restriction were not at this end. In most cases the road could be improved to 24' wide.

Herr clarified that the width of the reconstructed area was basically 20 to 21 ft.

Halnon noted that there would be some tree removal.

Nielson: Stated that utility poles somewhat restricted paving.

EN suggested they be reset or moved.

Nielson: Replied such would be a major undertaking for the utility companies.



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DEFINITIVE PLAN - CONTINUED PUBLIC HEARING BROOK ESTATES

Goguen: 18 homes are proposed and stated it wouldn't be a major through road.

JPM stated applicants were taking a country road and trying to make it conform to today's standards. In present state it is unsafe for kids, two cars or a bus.

ETM questioned adequacy for one sidewalk.

Nielson: A 3-4 ft. sidewalk could meander through the trees. a 5-6 ft. sidewalk (more or less the standard) would be out of the question.

Nielson and Goguen spoke with Celtic construction about widening the radius. to about 10 ft. and bring the road up to our subdivision.

ETM questioned if another road would be going in off Brook St. above Steeplechase.

Goguen: Indicated that they were only in the sketch stage of talks.

ETM: If Celtic is going to develop, would they be using Brook St. as well.

Goguen: Reminded the Board he had agree to loop the water up to Saddleback Hill Rd. and is trying to consider the Board's legitimate concerns. And, work with them.

EN remarked that the applicants couldn't manufacture a road. That they are making legitimate attempts to widen the road and seem to be doing everything they can.

Halnon: Stated serious attempts were being made to acquire property on the other side of Brook St. and RT 140.

JPM remarked that the Board should take a field trip.

Halnon: Suggested a road widening from 14' to 22' was substantial. Brush clearing was necessary to perform an accurate survey.

Herr stated no questions on his part.

ETM suggested that sidewalks could be handled through a waiver.

EN Permission would have to be sought from the Town or highway department to proceed with the improvements.



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DEFINITIVE PLAN - CONTINUED PUBLIC HEARING BROOK ESTATES

Jeanne Kempton (abutter) questioned how construction equipment could be gotten up to Steeplechase Rd. at the sharp left.

Wayne Carboni (abutter) How much to they have to play with "bound to bound"?

Halnon: Top of hill approximately 33' (old two rod road)

Herr questioned the narrowest part of road.

Joanne Pacquette (abutter) 90° bend in Brook St. and looks considerably narrower than Brook St. above. Have arrangements been made with the property owners to improve to the 24 ft. road. She doubted that a 24' road would be substantial to handle Celtic's equipment.

Halnon: Sugeested that this Board would have to take a hard look at other developers.

JPM asked Celtic (out in the audience) if all this was true?

Racicot from Celtic replied from the audience that they had three (3) possible accesses through very preliminary concepts at this stage.

Herr stated that this affirmed ETM question - there is a definite potential for further development.

Kempton remarked that at the back corner (Steeplechase intersecting Brook) there were three (3) houses - the corner would have to be widened and she felt Marlex was assuming alot.

Pacquette: Didn't think it was right for the Board to approve a plan with a 90° angle intersection with a major road such as Rte.140. They don't know for sure whether they can acquire land to widen the intersections.

Fran Newton questioned the intersection with Rt 140.

Goguen explained that he had prepared a request for extension. From an engineering standpoint, everything has been explored.



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DEFINITIVE PLAN - CONTINUED PUBLIC HEARING _ Brook Estates

Halnon: Two (2) preliminary plans had been formerly submitted. We have been addressing all of the concerns right along. The first concern was looping the water to Saddleback Hill -

GG indicated his prime issue was access to Mendon St.
JPM If you were concerned with the access on that corner, you would have acquired the property when it was for sale.
ETM stated the road was not workable, they knew that.

Herr: Stated the other concern was the proposed Steeplechase to Brook St.

Chairman opened the continued public hearing on Crestview Commons; E.N. moved to continue same to 10:30 P.M.; JPM seconded the motion; motion carried by unanimous vote of 5.

E.N. MOVED TO CONTINUE MAPLEBROOK PUBLIC HEARING TO 10:00 P.M.;
JPM seconded the motion ; motion carried by unanimous vote of 5.

Nielson: The larger rounding of Brook St. will create a 50' layout. If an agreement with Celtic Construction can be arranged, which is presently under discussion, a stone wall can be eliminated.

The drainage scheme was reviewed.

Herr: Questioned the drainage and reconstruction of upper leg of Brook St. Originally had open swails.

An agreement could be worked out with Celtic Construction to accomplish that.

Goguen: presented a request for continuance dated 4/23/87 for 60 days from this dated. GG Moved to continue this public hearing to May 28, 1987 at 9:00 p.m. Seconded by E.N.
Motion carried unanimously.

Herr: Stated that Bellwood went smooth - let us look it over in advance.

Nielson stated that it was a feasible solution - they are going in the right direction.

ETM: Squeeze the sidewalk in, work the radius out with Celtic and the Brook ST. angle must be improved at the intersection of Rte 140.

MAPLEBROOK SPECIAL PERMIT - continuation of public hearing



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MAPLEBROOK SPECIAL PERMIT con't

Chairman Moore removed himself from the Board and left the hall.

Ed Clemmens from Whitman & Howard gave an overview of the project. Three (3) months ago they requested a reduction in parking. Sought a variance from the ZBA for 30% impervious cover rule. It had been denied. His clients have to build on a lot by lot basis. Van Lumber, Bradford Novelty and DeAngelus Iron were the original tenants of the sites. DeAngelis has since withdrawn.

Because of the ZBA decision, they are presenting substitute plans.

GG (vice-chairman presiding over this hearing) asked the following: if 290 spaces were required, and a reduction to 40 was granted, would the site still be able to meet the impervious rule?

Answer from the Design Engineers was no.

Herr: If you needed more parking, you would exceed 30% impervious rule and the "then" owner would have to seek a special permit or variance.

Letter dated 4/23/87 from Bradford Novelty stating that parking requirements for employees and visitors would be 47 as shown on the plans.

Whitman & Howard (W & H): the building proposed is currently 60,000 s.f. it may be expanded to 80,000s.f. The total requirement for parking in both situations is 47.

Herr suggested that the formula appeared unusually low.

Racicot stated high use of warehouse space.

Mr. Frank representative of Bradford Novelty stated that it was all storage until the middle of August or September.

Herr questioned the number of employees altogether?.

Frank answered 20-25 office and would build up to 35 maximum foreseeable employees.

EN questioned the impact "down the road" when a new business occupied the site and required all of the spaces.

Herr stated new business would be acquiring a limited use building.

AF vehemently stated that this board would be creating a hardship which would necessitate a variance later.



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MAPLEBROOK SPECIAL PERMIT con't

Herr stated that with present circumstances it could be made to work. If it were manufacturing, an application for variance for 30% coverage rule would apply. JPM questioned the significance of the 30% Rule.

Herr stated that the regulation may be overbearing. Reasonable spaces for this business happens to be 47. If they end up on Maple St. with trucks and parking the Board will have a problem.

JPM cited an example of Showcase Cinemas in Dedham. Miles of paved parking area which appears unused.

Herr stated that if Bradford has a future problem, the Board will oblige them to solve it on their own property.

GG cited A & A Welding and problem with pulling in at a radius of driveway. We are working it out with them to widen the road.

JPM can it be written into the Special Permit to revoke permit if parking flows over onto So. Maple St. and can an enforcement procedure be written in. He asked if they were non-polluting and non water consuming.

Herr reminded the Board that new site plans would have to be reviewed and approved with change of business/use. All new plans should be reviewed.

EN we don't have protection, we must create protection.

Herr: Special Permit expires on change of use or ownership. Board should be poled with regard to Bradford.

GG stated that plans meets requirements based on existing needs. JPM stated it was o.k. with protection incorporated for the Town in the Special Permit Decision.

EN saw it as a problem with creating a hardship and future variance case

AF was opposed due to appearance of creating a hardship for business which would have to be dealt with later on by a variance application with the ZBA.

AF stood firm stating this situation would be subject to a variance.

Herr approval would not preclude the possibility of a variance later on



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MAPLEBROOK SPECIAL PERMIT con't

AF stated she could not do this in good conscience - it would be creating a future problem for the Zoning Board.

JPM the Board is supposed to draw business into Bellingham and broaden the tax base.

Herr: Suggested the Board review this regulation and bring to a public hearing an amendment which would determine on a site by site basis the impact on the groundwater systems. The by-law as it stands is categorically prohibitive in most cases.

VAN LUMBER SPECIAL PERMIT TO REDUCE PARKING

Racicot was spokesperson. Van employs 12 persons they expect up to 15 to 20 people. With expansion the maximum would not go beyond 33 people. They store finished products. Small mfg. moldings around doors and jams. Materials come in and go out. They have two (2) small box type trucks. No Tractor trailers.

Herr: There is space on the premises for expanded parking. Later on the by-law may have to change and the difference will be less extreme.

JPM voiced opposition for monstrous parking lots for no apparent reasons.

AF does not like little parking lots, citing cars parking on side streets, roads, in front of homes, etc.

Herr stated that Board can't preclude down the road going to be a conflict.

Frank from Bradford indicated that unless our merchandise is transferred to this warehouse by July, we lose the entire season - if we can't get an answer.

EN moved to continue Crestview Commons to 10:55 p.m.; JPM seconded the motion; motion carried by unanimous vote.

AF suggested that the language be put together and check with Town Counsel. EN we want the businesses in Bellingham, but with no problems.

A copy of the special permit application, all letters and correspondence must be given to Phil to sort and compile. Clerk excused her self to accomplish the photocopying at the Annex.

JPM moved to close the public hearing and take matter under advisement;



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Maplebrook Special Permits continued

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

Discussion on Northeast Acres preliminary was continued to May 14, 1987 at 9:00 p.m. Since this is informal preliminary discussion no notification is required.

CONTINUED PUBLIC HEARING - CRESTVIEW COMMONS A/K/A CORLAN HEIGHTS (townhouse proposal)

Atty. Doug Resnick from Greenwald, Resnick, Poirier & Williams, Milford was present on behalf of the developers. Resnick reviewed the Board's major concerns. 1st concern was the difference in type of condo being offered. Changes have been made to 6 units with one floor, two (1) bedroom units and four (2) bedroom units. More accessibility to handicapped persons etc. He further stated that notice had been given by certified mail to the changes in the original plans to the original certified abutters.

Joe Hanlon from Millis Engineering explained that two (2) buildings had been redesigned.

Scott Richardson - developed one story buildings as indicated by last Planning Board Meeting. Changes were made in the facade to individualize each unit. Each building would look different.

One 1-bedroom would sell for \$89,900.

ETM questioned what made these condos different.

Herr: Questioned if the units were handicapped equipped.

Resnick: Stated two (2) units would be fully handicapped equipped.

Scott Richardson - Units can be equipped for elderly or handicapped.

REsnick- Many people need one floor units. Two units will be outfitted for handicapped - others are adaptable.

ETM- Suggested ads would invite people with disabilities and help them a great deal.



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CRESTVIEW COMMONS continued public hearing

Resnick indicated that this expanded the range of housing choice and offered what other proposals around the town did not.

The remaining buildings would sell for approximately \$137,900 be two (2) stories and have two (2) bedrooms.

Herr: Stated that he needed data from Barbara Decelles "Suburban Mkt Concepts" to make a comparison between Twin Brook II and this. The compilation by P.Herr has not been seen by B. Decelles.

Clerk resumed taking the minutes of the meeting from E. Niedzwiadek.

The Board and consultant needed report on municipal costs and revenues - conclusions were the same and not a strong basis for approval. Herr stated that this proposal offers two relatively cheaper units and units on a single floor. Provides service to a special group of population.

A statistic from somewhere was that 30 families moved into Twin Brook Condo's (29 families came from out-of-town). Regarding support to local businesses, more residents, more purchases. Traffic safety and congestion remains unchanged. Impact on schools regarding number of pupils from this site would be identical to others around town. visual impacts - the project can be readily seen from the road.

Resnick stated the developers responded to the needs of a special group and that Postmaster, Mary Forbes said she would be very interested in one of the redesigned units.

EN stated that with this response to different needs we had a shot at keeping Bellingham residents in Bellingham.

ETM About 6 out of 30 specially designed units is a start.

Resnick stated it represented 20% of the development.

Herr stated the town may have a new design trend - 2 out of 30 units affordable won't do it. Next development can argue 20%.

JPM stated a one-bedroom condo served a need not previously addressed. He would personally like to see more of the same.



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Crestview Commons con't Public Hearing

ETM stated the cycle was complete

Herr: Musical chairs with the same housing.

Molloy an abutter from Hilltop Estates and a member of the finance committee spoke. He cited the construction of many new single family homes in Bellingham now in the price range of \$250,000 and upwards. Multi-family is hitting between \$89,900 and \$120,000. 30 units with people commuting on route 126 it's becoming more and more fun to drive. He cited that he was surprised at water runoff on the other side of the water tower. He stated it must pass a perc test. Hilltop homes were pumping water at fantastic rate. The biggest issue for Mr. Molloy was what would low cost condos do the prices of the quality single family homes in the immediate vicinity.

JPM cited that the abutters to a high class single family subdivision were subsidized duplex homes and the project went on line and homes have been sold.

Resnick stated that the houses would have trees surrounding them. and the buildings would be set back and not have a negative effect on the neighborhood.

(Minutes taken by E.N. in clerk's absence)

John Molloy: Single family homes would be better maintained than duplex or multifamily developments.

Resnick: People vary but that doesn't mean it carries a negative effect on single family residential housing.

Clerk resume minutes.

Resnick explained that the market forces have appreciated the costs of 2-bedroom units in the town.

Herr stated that applicants should be held to the prices they quoted as affordable and increases should only take effect if the cost of materials increases appreciably and not because the market heats up.

Molloy stated that condo ownership is mostly transient. With single family homes, you're here for a while.



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CRESTVIEW COMMONS continued public hearing

EN stated that new homes turn over too.

Molloy stated that homes start at \$130,000 and \$150,000 in Bellingham which makes this community the leader for new home purchases. He cited an article in Globe last May which stated that Bellingham and Franklin were the fastest growing communities in Massachusetts.

Ken Lane added that the police requested visitor parking.

Board Members (JPM, ETM, & GG) stated that the department was out of line.

JPM cited that if two (2) out of 30 were affordable, or offered an alternative we could expect 6 out of 90 to be the norm. Regarding future condo developments he wanted to see more one-bedroom units.

Lord Esq. representing Joe Menfi developer of Pheasant Hill Estates and Hilltop Estates requested that the area adjacent to Pheasant Hill be fenced along the mutual border and evergreens be planted and incorporate same in special permit decision. We're not asking anything different than you've required in the by-law a "suitable buffer."

GG & EN echoed "suitable buffer"

J. Molloy stated that it goes to show what I was emphasizing protection between the different neighborhoods.

GG stated that more impervious surface where it is not needed shouldn't be created.

Herr: Stated he didn't think visitor parking was necessary.

JPM questioned what kind of build-out rate was expected.

Resnick stated it was unclear to him what constituted a "build-out" rate for this project.

GG suggested not going beyond two (2) years. No need for a lengthy build-out rate in a residential neighborhood and cited noise and construction nuisance.



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CRESTVIEW COMMONS continued

Resnick stated the by-law was unclear regarding build-out rate on proposals not requiring concept plan approval.

GG moved to close the public hearing and take matter under advisement; JPM seconded the motion; motion carried by unanimous vote. A.F. did not participate in the vote.

CONCEPT PLAN HEARING - ONALLAM REALTY TRUST

12:15 a.m. this concept hearing was continued from 3/26/87

John V. Fernandes, Esq. was representing Onallam Realty

96 townhouse units are proposed. He stated that a package got forwarded to the members.

JPM requested that an over-view analysis be done regarding criteria under section 4424 of the by-law.

Regarding the zoning article - materials submitted were a perimeter plan zoning map showing area, series of maps showing water, sewer and topography, architectural renderings, traffic study and Criteria for Section 4424.

He explained the original concept plan which generated the first concern that being a possible exit onto Farm St.. That concern has been remedied by moving the position of the buildings so that no new means of egress will be provided to Farm St. or Hartford Ave.
The 8 criteria have to be discussed.

ETM questioned the industrial access road.

Fernandes: The opening is a pre-existing, non-conforming use.

ETM : there has been a site plan approved for the mini warehouses - this is slated for May's Town Meeting.

ETM reaffirmed why the Board recommended rezoning and doing away with a bad piece of industrial property which should not have been there in the first place. He explained that a member or two of the finance committee stated that every time he turned around the town was doing away with industrial land. He repeated that Farm St. is not capable of handling major industrial traffic. It was problem land and I was very strong in my recommendation - I believe it is good for the Town of Bellingham.

Fernandes: The proposal was preliminary - industrial subdivision plan was workable but lousy for the town.

Molloy: The Finance Committee held the hearing on the zoning article. At the time I was about to move to recommend when the remark was made that the applicants were protected for three (3) years - I withdrew the motion. There are two options: either industrial or residential.



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CONCEPT PLAN HEARING - Farm St.- Onallam Realty

GG: If they were going to go industrial, they wouldn't have gone to all the trouble.

Fernandes: There are existing uses on them and one's a different owner. The area to be rezoned would be entirely for condominiums.

ETM Mini warehouses are the least use of an Industrially zoned piece of land.

Fernandes: Stated that the 81-P Plan freezed the industrial zone.

JPM: Stated that the applicants have shown the Board something different.

Fernandes: We could make a range of choice available - we just walked in on the last proposal and just realized that there is a need.

JPM: How many units/compared to comparable single family homes; how many two-bedrooms as opposed to one-bedroom, etc. Build out rate. ..

JPM stated he was not ready to vote yet - he would like to read the data

It was established that this is Article 29.

Fernandes stated he would talk to the applicants regarding the one-bedroom units and the range of choice.

JPM would recommend that 10% be one-bedroom units.

EN moved to continue to 5/14/87 at 10:00 p.m.; A.F. seconded the motion; motion carried by unanimous vote of 5.

Fernandes stated he would have his clients work on range of housing choice and a build-out rate proposal. If the builder says he can't - your're talking alot of money here. He stated that there was some material in the booklet which hadn't been addressed yet and requested the Board ot review it.

BEAVER BROOK GARDENS - Preliminary Plan Discussion

The Planning Board wished to discuss Beaver Brook Gardens, off Wethersfield Road with consultant, Phil Herr. There was a delegation from that neighborhood in attendance even at this late hour.

A copy of a letter to the Board of Health dated 4/23/87 was presented to the Planning Board by Marc Laverdiere, member of the Water/Sewer Commission. There were some questions regarding the percs. John DeSimone was representing the B.O.H. at the time of the percs.



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BEAVER BROOK GARDENS, Preliminary plan discussion

Questions were summarized as follows: DeSimone did not have a watch - he relied on the developer's engineer's watch. What was the purpose of "rounding up" the results. With percs under 2 minutes/inch, would there be a problem with containment and the town well. Lot 8 had a minimum perc, second hole 5' away is it permitted from the original. He felt there were discrepancies - he requested answers.

ETM: The Planning Board can't furnish answers. It was confirmed that the percs were performed last Saturday A.M. No member of the Board of Health was present.

Dowley (the developer) stated that the engineer for Millis Engineering was present - John DeSimone.

Hanlon: Mr. Dowley decided he would go to single family and would make that concession rather than construct duplexes. He decided to move the road up to keep the road out of the buffer zone. The proposed houses would be located back off the street.

EN suggested that single family homes would be more in conformity with the existing neighborhood.

Herr: Stated that shared driveways create problems.

EN questioned the necessity of going with shared driveways. He stated that the lots would be long and how would maintenance be effectively shared?

ETM nobody took any measurements - didn't see any instruments.

Hanlon: Questioned whether or not there were any transits out there.

ETM: Dowley willing to concede to single family homes - pulled the road back to take it out of wetland buffer. He has made tremendous concessions.

Denise Pasciuto: With the new percs she has a lot of new questions. Although single family homes are in keeping with the neighborhood, we don't see where anything can be located. They couldn't use the first hole on Lot #5 the water came in fast. Couldn't use the second hole either. The engineer came out of the woods and spoke to me. He said something funny was going on here - there must be a stream something.

Hanlon: stated that the houses must be placed where the percs were taken.



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BEAVER BROOK GARDENS - Preliminary Plan Discussion

It was established that DeSimone was acting as agent for the town.

ETM: Shared driveways may not work. I didn't appreciate going out in the rain for percolation testing.

Dowley stated that at 5' deep water was hit - at 7' deep water was hit.

ETM: Explained that at the Definitive Stage abutters would be notified.

JPM If the BOH (Board of Health) determined the percs are o.k. - it's out of the Planning Board's hands.

EN explained the same thing to the abutters.

Pasciuto: Title V addresses groundwater discharge and well sites. Even though the road is out of the buffer zone, it still falls under this criteria.

Jim Langell (abutter) Questioned the location of the percs and the accuracy of the drawings as they were before the Planning Board.

Hanlon: Possibly not as shown on the plan in the preliminary stage.

ETM: This is a preliminary concept - pulling the road away from the wetlands is a plus. Going to single family from duplex is a plus.

Langell: You mentioned duplexes, were cellars planned for same and what was the projected price per house?. Any information on single family.

Dowley: Small colonials or raised ranches and the range would remain in the \$140 to \$170,000 range. The colonials would fall in the upper range of price and the ranches would scale in lower.

He indicated that the property perc'd before he bought it. The land had been offered to the abutters of R.O.W. for \$5,000. It was offered to the neighborhood at \$30,000.

Lord, Esq. clarified the situation - one neighbor contacted him, he contacted Dowley and communicated the facts.

ETM: Reviewed the history of the proposal from the Planning Board's point of view. It had come in last year showing just the R.O.W. The Board rejected that idea. Proponents purchased the house for proper access.



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BEAVER BROOK GARDENS continued discussion preliminary plan

Glenna Laverdiere from the Milford Daily News verified the person who sold the home for access was Mr. Alberts.

ETM called for action on this plan.

JPM moved to disapprove the plan even though the developer conceded to go from duplex lots to single family homes, and that he moved the road and homes out of the buffer zone of the wetlands, due to shared driveways and lot lines; A motion carried by unanimous vote .

JPM suggested that an impact fee be imposed on developers, that it was in force in Woonsocket and further suggested a by-law to impose dry-sewering on developers.

Consultant explained that couldn't work because the Town really didn't have a plan and elevations could not be determined to ascertain feasibility of hooking into a municipal sewer system at this point.

DEFINITIVE PLAN - BIRCH TREE ESTATES

Consultant suggested the Board obtain security before the plan is endorsed and get a Covenant or Bond which would prohibit pulling Building Permits or selling lots until the Town was sure of security.

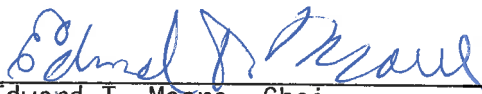
EN questioned if Bruce Wright (developer of Birch Tree Estates) understood what he was endorsing.

Wright replied that he could sell the entire development but couldn't sell individual lots.

Herr: Stated he could get a release on the Lot on South Main St. but it hadn't been 81-P'd out yet. An annotation was missing from the definitive plan "subject to the Covenant recorded herewith."

Herr stated that in the case where a road is constructed without a Bond or Covenant, the Town cannot retain 15%. Nothing is retained when a developer installs a road for cash and it has been properly inspected by the Highway Department and Water Department.

Meeting adjourned at 2:00 a.m.


Edward T. Moore, Chairman

Glenn E. Gerrior, Vice-Chairman



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Emile W. Niedzwiadek

Anne M. Farris

Anne M. Farris

J.P. Murray

John P. Murray

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