

BELLINGHAM PLANNING BOARD

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Billiegene Lavallee - absent due to  
scheduled vacation.

MINUTES OF REGULAR MEETING  
JUNE 25, 1987

Meeting opened with all members present.

Bruce Wright appeared. Resigned smudged sub-division plan Birch Tree Estates. J. M. moved to sign A. F. second Unanimous.

Preliminary Submittal Blackstone Valley Partners. Submitted by Michel Laplante.

HILLSIDE ESTATES: Error in topography. New grades proposed - 5% to 7% See highway department letter regarding road dated 6-22-87. Water is in and drainage has begun. P.H. questioned whether this is a major change because there is a 10 ft. difference. Because neighbors are concerned over drainage they should have a chance to comment on it. The drawings need to be clearer. E. M. viewed property this afternoon and did not see how water run-off would affect the abutters. He stated that lot 5 and 6 on the plan be held until the new prints show all changes and the covenant not be released until the Planning Board is assured that all work has been done properly. P. H. stated that the detention basis is 12 Ft. lower than on the original plans. A new plan needs to be presented to him before 7-9-87. Tom Devitt stated that they would proceed with drainage at their own risk.

SHELLENDY ESTATES: POSTPONED to 8:35 P. M. on a J. M. motion second A. F. unanimous. Notice read by G. G.

Form A Frederick Sullivan \$19.00 payment received. Motion to sign plan by J. M. second by A. F. Unanimous.

CRESTVIEW COMMONS: revised plans to be checked.

81-P Blackstone Valley Partners: Received \$10.00. Michel Laplante Re: The Palmer property on the Bellingham Woonsocket, R. I. Line. O. K. by P. H. J. M. motion to sign, second by A. F. unanimous.

NUISAL ESTATES: postpone until 9P.M. Motion by J. M. second by A. F. unanimous. Notice read by G. G.

SHELLENDY ESTATES: opened and postponed until 8:45 on a motion by J. M. and seconded by A. F. unanimous.

8:41 P. M. Letter read by G. G. Copy attached.

SHELLENDY ESTATES: 8:45 P. M. Presentation by Mr. Brisson. A 5 lot sub-division. Portion of lots 4 and 5 are Franklin. Mr. Brisson stated that he was not certain whether a house located on the property will be moved at this time. The property drainage pitches toward locust st and Pulaski Blvd.

See letter Water Department dated 6-25-87

See letter Highway department dated 6-23-87

Highway department claims that the present drainage pipes are inadequate.

WEST PINE VILLAGE:: Postponed until 9:45 on a motion by J. M. Second by G. G. Unanimous

Re: Shellendy Estates: Drainage Hydraulics enclosed. J. M. asked if Franklin Planning Board had seen this plan? Mr Brisson No.

Ernest MacQuarrie Pulaski Blvd. He stated that a brook runs in back of his property, and into a culvert in front of his house at the corner of his driveway. He stated that the back of his property is full of water and that the highway department has made some repairs to the culvert.

Arthur Chadbourne 145 Pulaski Blvd. He stated that water runs off his property to a catch basin on Pulaski Blvd. and that his back yard is also very wet.

Pat Cassidy 81 Locust St. He stated that he also has a great deal of water on his property and that he had to spend \$11,000 to have the necessary work done to eliminate water in his cellar. His property is in the North East corner of the property.

John Reis for Shellendy claims that some problems will be taken care of with his system and stated that a double pipe capacity will be placed in the ground. He referred to his drainage report.

Safety Officer D. S. has not been contacted at this time. He had no recommendations. J. M. suggested a field trip. The plans to be worked out at a later date.

Jim Couture 99 Locust St. asked what kind of system will be used in Shellendy Estates? Mr. Brisson stated that the runoff will be directed through a series of pipes and will help all the neighbors.

E. M. stated that the Planning Board is aware of the water problems and that this system in fact might help all the neighbors. Mr. Brisson said that he would show the location of headwalls and where all the pipes are to be placed.

P. M. stated that the runoff could not be more than 10% and that the plans now show 14%. and that the cumulative affect could be disastrous and that the drainage problem could not be resolved at this time because more details are needed. It was stated that all the house would be built in Bellingham. A motion by J. M. to continue the hearing to 7-23-87 at 10:30 P. M. was seconded by A. F. Unanimous. Carol Pelletier of Pulaski Blvd. asked why the hearing would be so late? E. M. stated that many hearings must be heard within a certain time after submittal.

SHELLENDY ESTATES asked for an extension to 8-7-87. Motion by J. M. second E. N. Unanimous. Letter enclosed.

NUISAL ESTATES:: Open 9:38 p.m. Bruce Lord making presentation. Two lot subdivision on 5 acres of land, a short road and a cul-de-sac. Houses will have well water. This subdivision was once turned down as a back lot subdivision and a preliminary plan turned down Planning Board.

WEST PINE VILLAGE: Motion to postpone to 10:15 p.m. by J. M., second by A. F. unanimous.

LAKEWOOD DEVELOPMENT: Open 9:46 p.m. Notice read by G. G. Motion to postpone to 10:45 p.m. by E. N., second by G. G., 4-member unanimous. J. M. not present for vote, left room for short period of time.

NUISAL ESTATES Cont'd: Street name change to Nusal Way instead of previous name.

See Highway Dept. letter dated 6-25-87. Does not recommend.

See letter Paul Shew, Franklin, MA. dated 6-8-87 read by E. M.

Two neighbors claim septic system fouled up. J. M. claims back lot subdivision turned down before.

Atty. Bruce Lord claims now there is a road and not a driveway. G. G. claims it's still a dangerous curve. P. H. questions the hazards at this location. Sight distance seems to be poor. Bad location, problem created by the applicant. Safety officer is to check the area. G. G. stated that the sight distance from Prospect Street looking toward Franklin is poor. Atty. Bruce Lord has tried to do different things. P. H. states that the problem is created by the applicant. This plan does not requirements and that we should know the sight distances.

WATER RESOURCE HEARING: Open 10:00 p.m. Notice read by G. G. Motion to postpone by A. F. to 11:15 p.m., second by G. G. unanimous.

NUISAL ESTATES cont'd: Statement by Vincent Machnig, 111 Prospect St., Franklin, MA. Issue of sight distance a safety hazard. He also claimed that there will be a water run-off problem. Water presently goes from the street onto his property flooding his basement and his septic system.

Statement by Fred Muller, 109 Prospect Street, Franklin, MA. He was also flooded and had the same problems.

These two people live in Bellingham, but for some reason, the mailing address is Franklin, MA. P. H. asked Atty. Lord how drainage will work. Atty. Lord stated that the drainage is to be manhole and galley with stone on Nusal Way. P. H. If the drainage is to be down toward Nusal Way then to a 12" drain then to a precast galley which recharges water into the ground, then. This is a leaching drainage system. Atty. Bruce Lord said he would bring in drainage plans. P. H. There must be an intersector before the water goes into the precast galley. Mr. Machnig questioned the locations. Atty. Bruce Lord stated that they would be along side Nusal Way on east side of the road. Motion to continue hearing to 8-13-87 at 8:15 p.m. by J. M., second by A. F., unanimous. Extension granted, as per letter, to 9-1-87. See attached abutters list.

WEST PINE VILLAGE: Open 10:27 p.m. Atty. Resnick recapped 30 unit Condo project. Showed plans. Joe Hanlon gave presentation and stated that the Conservation Commission has flagged all wet areas. J. M. wanted to know if land area was correct. There were two different

surveyors involved. Atty. Resnick stated that the parcel was added-on to but the owners are still the same, and that Mr. Sullivan owns the abutting land. J. M. stated that he had a problem with the validity of the map and its area. Atty. Resnick stated that the new plan meets the intent of the by-law. P. H. asked how much land is included now relative to before. Joe Hanlon said it was 156 feet. P. H. stated that the board was discussing something other than advertised and that this may not be a proper hearing. Atty. Resnick stated that the 300 foot requirement was met. P. H. read Section II of the Zoning Act and stated that the extension could include other abutters. A lack of notice could present a problem. Atty. Resnick said that knowing this that he would proceed and take his chances.

OAK CREST: Motion to postpone to 11:59 p.m. by A. F., second by G. G. unanimous. Notice read by G. G.

WEST PINE VILLAGE cont'd: Joe Hanlon stated that the theme is still the same and only the wet lands changed. E. M. asked if the septic systems were on the road. Joe Hanlon said "No". He also stated that the road is to be widened to 17 feet. The road is presently 14 feet. J. M. questioned the safety factor. Joe Hanlon said that there is adequate sight distance and that the road will be improved and will maintain its rural character. E. M. stated that the roads would be hard to plow because of the different sizes. P. H. There must be an adequacy of access and that the Planning Board position is still the same. Atty. Resnick acknowledged problems and that the road would be widened to have a continuous width. P. H. stated that land usage that increases traffic should not be entertained unless the road is a proper size. Atty. Resnick has a constitutional right to use his land. P. H. stated that the road should regulate the intensity of land use, and that 17 feet may be too small to handle the traffic flow.

John Inacio, 25 Pine Street, Bellingham, MA. stated that as industrial property is built up, more traffic will occur. He asked if residents can petition to have road use restricted to certain vehicles because of safety factors. He also asked if the trees along must be cut.

A. F. asked about sight distance. Safety Officer D. S. said they would probably be O.K. if the road was widened.

Stanley Fabien, 6 Pine Street, Bellingham, MA. stated he was not sure whether should be widened. He said that the road should be widened when the problem occurs.

Norman McLinden, 13 Pine Street, Bellingham, MA. stated that there is presently a drainage problem and that the surrounding property will deteriorate. Joe Hanlon stated that the water will be contained and will protect the street.

Vicki Coates, 63 Maple Street, Bellingham, MA. asked if a buffer was needed. P. H. said "Yes." Vicki Coates asked if there was higher than a 25% trip generation. P. H. stated that this does not apply to multi-family dwellings. Vicki Coates stated she and her neighbors feel that the criteria has not been proved based on the impact of traffic and safety factors.

Rick Maslich, 21 Pine Street, Bellingham, MA. showed pictures of Pine Street where the water runs on private property. There is also vegetation bordering wetlands. E. M. stated that the Planning Board should get a ruling as to whether this is a valid public hearing due to the change of plans. A motion to close the public hearing made by J. M. Mike Fabien, 6 Pine Street, Bellingham, MA. stated the last plan was for 8 lots and now the plan has 9 lots. Motion to close was seconded by G. G. unanimous.

J. M. said that the decision must be made by July 23, 1987 and that August 11, 1987 is the last possible date.

E. M. stated the copies of new plans are needed.

J. M. Motion to take under advisement, second A. F. unanimous.

LAKEWOOD DEVELOPMENT - WATER RESOURCE HEARING; Motion by J. M. to postpone to 11:58 p.m., second G. G. unanimous.

LAKEWOOD DEVELOPMENT: Open 11:37 p.m. Mr. Anthony Lionetta of Whitman & Howard making presentation for Celtic Corp. He stated that this is a 68 acre subdivision off Lake and Park Street. It is to be divided into 6 lots. There is town water and that the drainage would consist of a piping system to two retention areas as shown on the plans plus one detention area in back of the parcel. The Condos would have a central septic system and the two-family houses would be separate. J. M. questioned if all the units would be under <sup>one</sup> association. The answer was "No", all individual associations. P. H. The applicant must respond to all problems. J. M. asked if the drainage problem has been addressed. E. M. "No". Joe Antenallis for Celtic stated that is there was a question of maintenance, that Celtic would make different arrangements, if necessary. P. H. It's not a problem.

Joanne Arcand, 367 Lake Street, Bellingham, MA. asked how many retention ponds and detention ponds there would be. Anthony Lionetta stated there would be two retention ponds if the front and one in the back. Joanne Arcand questioned the overflow. A. Lionetta stated that it should stay the same.

P. H. The calculations seem right as far as drainage. The problem will not be worse, but will stay the same.

Joanne Arcand stated that Celtic was creating a new problem and that there would be more water that would be 10 feet deep.

A. Lionetta stated that this will collect only surface water.

Jim Barbuito of Whitman & Howard for Celtic stated that the system was designed for 100-year storm. The two-foot deep system would do the same as it is now. It would flow to the present Lake Street drainage area.

Joanne Arcand stated that the problem would be worse than it is now, with no guarantee.

A. Lionetta stated that the problem would not be worse than it is now.

Roland Arcand, 367 Lake Street, Bellingham, MA. stated that if the culvit were to be enlarged, the problem would lessened.

J. Antenallis stated that the problem would not be worse, and if the culvit were to be enlarged, it could create another problem further down, but Celtic would be willing to do this if the Planning Board so stated.

Joanne Arcand asked who the owner of the property was.

E. M. said that is was Carmine Larusso.

Claire Couture, 367 Lake Street, Bellingham, MA. stated that her driveway is low and it would be flooded out.

A. Lionetta stated that the flow of water can be controlled.

See Water Dept. letter dated 6-25-87.

See Conservation Commission letter dated 11-20-86.

A. Lionetta stated that the notice of intent will be filed for the whole parcel.

Michael Burke, 336 Lake Street, Bellingham, MA. stated that looping the water system will have no effect. There would not be enough water in the pipe. He also stated that the pipe on his property is plugged, and there is no easement on his property.

Marsha Crooks, 45 Lake Street, Bellingham, MA. asked where the water main will start and if the pressure would be increased.

E. M. stated that he thinks the pressure would increase.

Michael Burke stated that looking at the system would not work. There is not enough water and the town well is going dry, and the closer you are to the dead end, the lower the pressure.

Claire Couture stated that there would be more problems than before and stated that her driveway has to be raised. She also stated that she has heard different stories as to how the problem is to be solved.

Ernest Taft, Blackmar Street, Bellingham, MA. asked if they were going to utilize their own water.

A. Lionetta answered "No".

Motion to close the public hearing by J. M., second by A. F. unanimous. It was noted that the P. B. has till July 4, 1987 to make a decision. A request was made for an extension to August 7, 1987 for this subdivision. (See letter enclosed from Celtic Co. dated June 25, 1987).

The P. B. continued the public hearing regarding Lakewood Water Resource special permit to July 23, 1987. Motion made by A. F., second by G. G. unanimous.

OAK CREST: Open at 11:35 p.m. Atty. John Fernandez made presentation. He stated that one house is to be moved behind Shirley Road to make room for a road and six lots.

See Water Dept. letter dated 6-25-87.

See Highway Dept. letter dated 6-25-87. The Highway Dept. states does not work and adding more water to the existing system will not improve the area at all. They do not recommend.

Mike Simmons from G. & Halnon stated that they have an easement around a detention pond to collect water then send it to the existing drainage system. He stated that this will not make the system any worse.

P.H. stated that he hasnot seen the plan.

Nev Meehan, 251 Shirley Road, Bellingham, MA. claims the water comes from Lisa Ann Drive and that tree removal has hurt water retention. Water gathers on the street and is very dangerous because of the closeness of Macy School. The present pond has a foul smell. He also stated that there would be an increase in traffic causing many safety problems. In addition to this, there is a playground being built beside Macy School.

Jim McDonald, 271 Shirley Road, Bellingham, MA. stated that he has three roads surrounding his house and the additional would be a safety factor.

E. M. states that there is also a detention pond on one side.

Arthur Tonelli, 128 Lisa Ann Drive, Bellingham, MA. questioned the present poor drainage and asked what type of house was being built and its price range.

Atty. Fernandez stated that all lots are according to the by-law. He also stated the reason that this property is now being developed is because there was no clear title until now. Now the title is clear.

Bonnie Baldeli, 246 Shirley Road, Bellingham, MA. stated that she presently has a water problem and that she lives in a flood zone. In order to pass papers, she had to get flood insurance.

E. M. stated that the P. B. would have to hear from the Conservation Commission and that this meeting would have to be continued.

Ted Bailey, 260 Shirley Road, Bellingham, MA. stated the drainage would slope into his driveway.

Mike Simmons stated there would be two additional basins needed to take care of the water.

Ted Bailey wanted to know what would happen to the septic system when the house would be moved.

Bob Foxon from G. & Halnon stated that the septic system would be removed and filled in.

Jim Mullany, 293 Shirley Road, Bellingham, MA. wanted to know the size of the lot. The answer was 20,000 sq. ft.



Gram Wallace, 110 Shirley Road, Bellingham, MA. stated that adding basins will not help.

A request for extension was granted to September 15, 1987.  
See letter dated June 25, 1987 from Brad Leturneau.  
Motion by J. M., second by G. G. unanimous vote of 4 (A. F. did not note, she was temporarily out of the room).

Public hearing continued to August 13, 1987 at 8:45 p.m. Motion by G.G., second by A. F. unanimous.

Atty. Bruce Lord requested an extension for ROL Realty Estate Development Corp.  
See letter dated 6-25-87.

P.H. stated that the request may be out or order because the Zoning By-law states no authority for granting an extension.

Atty. Lord stated that others have been granted.

P.H. The building design has been changed and must come back to the P.B.

E. M. told Atty. Lord to come back to the next meeting and he would be taken care of under general business.

#### THE WOODLANDS (Leo Majewski)

Mr. Majewski stated that all drains will be piped.

J. M. stated that the road should be 26 feet wide, not less.

L. Majewski stated that eyebrows in the plan should not be a problem according to Daigle. Some changes have been made.

E. M. stated that he could not go with eyebrows at all.

A motion was made by J. M. to disapprove the preliminary plans, The Woodlands. The reasons stated for denial were the following:

1. Road only 24 feet.
2. Leaching catch basin not recommended.
3. Eyebrows (must be done-away with).
4. Not cul-de-sac is shown.

Motion seconded by A. F. unanimous.

Philip B. Herr submitted the following data: (copies enclosed)

1. Revising subdivision timing rules dated May 29, 1987.
2. Lot area definition dated June 23, 1987.
3. Water resource refinements dated June 23, 1987.
4. Density revisions dated June 25, 1987.

A motion to close the Planning Board meeting was made by G. G. at 2:20 a.m. on June 26, 1987, second by A. F. unanimous.

*Grand 8 Moore Anne M. Favis J. M. Lord*