



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 MEETING 9/17/87

The meeting was called to order at 7:45 p.m. All members were present.

Bruce W. Lord, Esq. presented the irrevocable letter of credit to bond Bellstone Dr. in Elm Estates on behalf of Graytone Builders.
GG moved to accept the bond; seconded by EN. Vote three in favor, one abstention (Anne Farris).

Site Plan Review: Q.D.C. Building

Location 167 Hartford Ave., Bellingham zoned business 2. Developer is Norman Hill of Hillarie Construction. He explained that the plan is now stamped by an engineer; shows the outside lighting next to each of the two (2) entrances 10' up on the 15' high floodlights.

ETM conferred with the safety officer regarding the light specs.

SGT. Sulahain recommended a pole at the corners of the building and lighting at the intersections of the driveways with Hartford Ave. The lighting should be mercury vapor - standard lighting - lights to be located one on each corner. If the developer goes with one entrance-then only one light will be required.

Safety Officer has not check for sight distance in either direction. He requested that the developer make an appointment as soon as possible.
Hill explained that there were four (4) offices planned on each of the two floors. They did not count the basement in their calculations as leasable area. They plan to use that space for storage and maintenance.

ETM suggested that the town has an enforcement problem regarding the useage of basement spaces.

Hill stated that they designed 12 extra parking spaces and they will lose 4 spaces with the adjusted set-back dimension. He noted that the building is 11,360 s.f.

ETM pointed out that the by-law requires that driveways be 200 ft. apart.
Hill stated that as shown the distance is only 145 ft. apart. he pointed out that the plan shows 68 parking spaces and 56.6 are required.

ETM suggested that they go back to the drawing board. He referenced #5 & 6 of consultants comments regarding retention/detention and cited that the drainage question had not been answered on the original plan.

Hill pointed out that the plan was revised to include drainage.



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N.E. COUNTRY CLUB ESTATES - Preliminary Plan

8:20 informal discussion

Mr. DeFrancesco of Ronald M. Ashe and Assoc. was spokesperson. He referenced a meeting with P.Herr and other officials - highway & police.

They extended Minor St. A which was formerly a lane.

Upgraded streets and rights of way which are now in conformance with the Rules & Regs
Paine St. entrance will be closed off.

Proposed entrance is located on Wrentham Road.

They have added some land on the boundary near Paine St.

Three (3) lots are being added.

AF questioned whether the new acquisitions had been rezoned.

ETM questioned the zoning of the Vandewal property. Response was AG.

LaPlante: We'll rezone the Vande Wal parcel. He offered to sell the land rather than buy land. About 2 1/4 acres are involved. The Vandewal acquisition would be left off the Definitive Plan until the rezoning.

Minor Street E extended to Locust St. on the eastern side.

EN questioned whether Locust St. was being treated as a town road.

LaPlante: Stated that it was never approved.

Courmoyer (Partner/Eng./Surv.): No abutters own parts of the road. Ownership of that road has never been established.

LaPlante: referenced the two stone walls.

ETM remarked that Whipple and Phillips are abutters to this project and street.

ETM, AF, EN all agreed and stated that if this preliminary plan is approved as shown, they board would be conceptually approving a 20 ft. wide street, which they felt they could not do.

Proponents: Stated that the R.O.W. would be developed as it was legally proved to be.



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JPM emphasized that if this concept "preliminary plan" is approved, that the proponents would have a good case of "hardship" if the Board later stated that the road had to be regulation width.

ETM emphatically agreed with Mr. Murray and stated that this preliminary plan could not be approved.

According to P.Herr (consultant) Bound Road has not been approved.

ETM stated that if they paved to an acceptable width and we could stipulate approval.

9./16/87 N.E.C.C. drainage revisions were sent to Mike jaillet. Planning Board had requested a study of open drainage vs. a closed system of catchbasins and gutters. There were issues of maintenance. The applicant had agreed to a reasonable fee to conduct an independent study.

EN stated he wouldn't want open drainage all over town.

ETM Reminded the forum that even though there were protective covenants on this property, this must be treated as a simple subdivision. The magnitude of this project is greater than any other yet proposed in town and would be setting a precedent.

Ashe Eng: reminded all that their site was unique - utilizing detention to recharge their project.

ETM preferred to have the highway dept. review and comment on this proposal even though proposed as a private development.

Ashe: Daigle had o.k.'d an independent engineering study.

JPM questioned whether the B.O.H. had seen this proposal.
There had been an apparent lack of communication in the past.

ETM stated that Water and ConSCom had responded.

JPM stated that due to the magnitude of the project, a site visit was definitely in order. He visited the course by "golf cart" and had seen the true to density scale model.

ETM,EN,JPM enthusiastic about organizing a field trip.

Eng: Noted the addition of a small cul-du-sac at the front curve of Minor STs. A & C.



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Preliminary Plan Discussion - N.E. Country Club Estates

LaPlante reassured all that nothing would be coming out onto Paine St. the covenant had clearly specified that.

Ashe: Sewer line would be going up Paine St. and out to the intersection of Mendon and Diamond Hill Roads.

JPM: Disappointed about the pipe not going down along the Peters River to intercept/service South Bellingham residents.

Courmoyer: Stated that was an impossible situation - a master plan was needed and Bellingham did not have one at this time.

Ashe: Can't even dry sewer - the depths are known. He stated that 8 original lots would be lost to the increased R.O.W.s.

EN how did you handle the subtraction of wetlands.

Ashe: 90% rule & 9 mos. doesn't affect these lots. The design features were kept out of the wetlands.

ETM strongly suggested working on the rezoning to bring all into conformance.

JPM was told sewer would be going down into So. Bellingham. The developers who made promises of sewer installation are not coming forward with the money. We were promised that at the rezoning hearings.

LaPlante: Challenged Murray to speak with Mr. Gagne (water dept.) about our cooperation.

JPM stated that N.E.CC was a self-serving sewage plan.

ETM stated that Mr. Daigle could not resolve the Bound Rd. problem. It would require combined efforts of Mr. Ambler, Mr. Daigle and land court.

Courmoyer stated a legal brief would be forwarded to Atty. Ambler. He knows for a fact that the abutters don't own an interest in the road.

ETM this project is so big, we must be assured that everything works. He reminded the Board that they approved 4 lots on a street 17 ft. wide and haven't heard the end of it. (Chestnut St.) This proposal is for 290 homes on 18 to 20 ft. width of pavement.

Ashe stated that other widths were all rights-of-way at 50 ft. wide, the streets shown are at 20 - 24 - 26 ft. pavement width. The collector street pavement width is presently at 26 ft.



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Preliminary Plan - N.E.C.C. Estates discussion

JPM explained the customary waivers concerning pavement widths: 36' to 20' and 29' to 26' etc.

Ashe: questioned the Board's preference regarding open drainage.

JPM skeptical of plan because G. Daigle might not approve of open-drainage.

ETM: I thought this was going to be private. Are you looking for conceptual approval without the Bound Rd. issue.

LaPlante: Could we go with conditional approval.

ETM: I've been told it can't be proved that Bound Road is an actual road.

JPM explained the purpose of preliminary plans, - so that you don't go to the expense of drawing definitive plans that won't work. What he needs for this Town is a reason to grant the waiver. The road is a major issue. Is it town approved? Is it private? What is the widest possible width it can be developed to? Why should we grant such a waiver?

ETM reminded all the proponents that at the town meeting, they all assured town officials they were going to fully comply with the town's rules and regulations. Last month you didn't come close. We're not judging a golf course, we're making a determination on a subdivision.

SITE PLAN REVIEW - ONALLAM REALTY TRUST

ETM stated that the road had been installed Monday and he was under the impression nothing would be done until this Board meeting.

He reviewed a letter from Atty. Ambler dated 9/11/87 regarding the Mini-Warehouses and possible violations of rules and regs.

He reviewed letter dated 7/22/87 from Building Inspector. He reviewed the responses to the Building Inspector's letter from consultant Herr dated 8/27/87. A special permit from the Board of Appeals would be required.

Atty. Moody for Onallam Realty Trust stated that last June the Planning Board determined the required number of parking spaces weren't necessary. It was counsel's understanding that the Building Inspector had deferred to the Planning Board for their opinion before making his decision.

ETM reminded counsel that the parking spaces had not been shown on the plan. Nowhere to divide that lot and split it.



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S.P.R. - Mini-Warehouses, Farm St.

Moody: last year his clients had Planning Board approval and a Building Permit. N.E. Power Company would not let us use their property - a recent dispute.

Moody reviewed the revisions to the plan. There is 250 ft. between Green Earth and the property driveway. The plan was amended as soon as possible. In one direction there is an excess of 500 ft. of sight distance and in the other direction 385 ft. of sight distance. He next read from Section 3330 G(1) - 250 ft. doesn't apply to this instance.

Tom Palli

310 Farm St.: Called Don negligent - he should move his driveway 20 ft. to be in compliance. You have not been cut off from your road. 18 wheelers and dump trucks use the road.

He further cited that "you"(Onallam) pulled four (4) trucks out of the property between 8:00 and 8:15 a.m. this morning by "Ed's" property.

ETM questioned whether Atty Moody had the interpretation from Lee Ambler.

Moody: cited section 3330G(1)/ you've got to look at the old one. to determine the spaces. This plan showing doesn't sever the warehouses, if it did it would be illegal. Stay with the original plan and assume 40 parking spaces. At the entrance/exit there is 500 ft. in one direction and 400 in the other direction. Present plan shows better location for Mr. Palli.

ETM stated that only the building inspector can make that determination (reduction in parking spaces) by Special Permit process or variance with the ZBA.

Moody: We were under the assumption you made an informed decision.

ETM because site plan has more than 20 spaces, we must go to the special permit process.

P.Herr the town's consultant was not sure about the contents of Atty. Ambler's letter.

Moody: stated this was clearly "an other facility." Warehouses are for large industrial uses, at least that is the intent of this by-law as written.

JPM read from the minutes of 6/19/86.

ETM because the plan showed 29 spaces, that is what Lee was referring to.

ETM stated there are two (2) attorneys with conflicting opinions.

JPM stated the "crux" of the matter is the definition of "other facility".

ETM stated that if the site did not contain 29 spaces, it did not require 400 ft. of visibility.

Moody said we are assuming here - go by sight distance 385 means 15 ft. short. There is no definition of warehouse and with this driveway location we have the sight distance

ETM repeated that Moody stated if he moved closer to Green Earth, he'd have 400 ft. each way.

AF reported that Green Earth is much smaller than this building.



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MINIWAREHOUSES FARM STREET (S.P.R. con't)

ETM wanted to hear from P. Herr - they cannot be rented and cannot be used until the matter is resolved.

EN Agreed that Lee Ambler should also respond.

ETM stated that industrial property could not be accessed by Residential.
There was no fence or wall.

En reported that a miniwarehouse owner in Hopkinton had been left with toxic waste.

ETM stated that in Holliston some stolen money was kept in miniwarehouses.

SGT Safety: 250 ft. from center line of Driveway is Green Earth. Toward Hartford Ave. there is an excess of 500 ft. In the other direction the sight distance 386 ft. He explained how sight distance is determined

ETM this board cannot vary the law for 8ft. or whatever.

Larry Cibley: Complaint to be filed against the zoning enforcement agent this Monday night regarding the road or is it a driveway?

ETM stated to him, it's a road, until the warehouses are rented.

Moody: stated it was a driveway until the project becomes a subdivision.

Kathleen Palli: is the passageway illegal?

ETM we all agreed to the 29 parking spaces which require the 400 ft. of visibility. The distance is 14 ft. short. Cease and desist should be issued against the owner/developer.

Celtic Construction Co. Site Plan Review
Lot #3 - Special Permit to Reduce Parking
10:20 p.m. 60 spaces are required. User needs 20 spaces.
ETM stated it was the Celtic Co. building.

JPM questioned # of employees and the reply was 20 field personnel and 35 office.

Only 12 employees would be maintained here.

Joe Antonellis, Esq. was on hand for the applicants.

Whitman & Howard Rep. (W/H) stated the "footprint" was 7200 sq. ft. 30% only counts for the first floor.

40 more spaces could be provided if the new owner required them.

Board remarked then the site would be over the 30% impervious.

w/H went through this problem with Bradford Novelty and Van Lumber.

ETM has possibility of other use.

Ken Racicot stated crushed blue stone could be used.



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Clerk read letter from Celtic justifying the request for reduced parking.

Letter dated 7/21/87.

Pat Tropeano: asked "any ground work here, what if a restaurant locates here later on. That doesn't sound very good to me. What are the rules. I could say anything, like "I need 20 spaces."

Racicot: Allowed for salesman to come and go. Condo's done on site. These are our corporate headquarters.

SITE PLAN REVIEW CEDAR HILL ASSOCIATES LOT #4

located behind the Celtic Building Headquarters

In the rear are overhead doors, small manufacturing reps. with small offices, or a small construction company to store block pipe etc. This building geared for smaller businesses.

Potential for 8 condo units here. Clerk read letter dated 7/22/87 justifying the request for reduced parking for Cedar Hill Associates site.

JPM questioned how much becomes impervious - reply was 30%
Wehre is the frontage coming from.
W/H explained.

ETM Why not have common parking between the buildings?
Racicot replied that there would be ownership problems.

Possibly as many as 9 tenants or as few as 1. 8 parking spaces per unit.
One unit is 5,000 sq. ft.
Pat Tropeano reminded the Board that they did not know the use.

JPM moved to closed the public hearings on Lot #3 and #4. EN seconded the motions; motions carried by unanimous vote. On a JPM/EN motion the board unanimously voted to take the Special Permit decisions under advisement.

20 ft. setback requirement from the commercial/marketplace.
Board questioned progress on fence at the Pavillion at Crooks Corner (Dean Bank)
Railroad ties are in place. They are awaiting a letter from David Pagnini, Esq. as notice to proceed with the fence to Wrentham Road.



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CELTIC CO. -LAKEWOOD DEVELOPMENT WATER RESOURCE DISTRICT SPECIAL PERMIT Continued public hearing.

10:50 p.m. the third facet of the Lakewood Filing
48 condo units proposed, 5 duplex lots and Water Resource District
Academic discrepancies between P.Herr's consultant and Whitman & Howard (W/H) They worked out the
nubmers and the percentage of conversion of nitrogen to nitrates is very low. W/H took the consultant's
engineer's number and came well below the allowable limits.
P.Herr advised an independent study because this area was not his expertise.
Geological Services of Hudson conducted teh independent study and found no major discrepancies.

Phil Herr is in agreement that the issue is cleared up.
ETM requested a letter from Geological Services with their findings.
Tony Lionetta from W/H: nitrogens to nitrates (the benchmark for groundwater degradation).25% conversion
reate from nitrogen to nitrate.
Herr's consultant used 100% rather than 25% W/H went basck to the original study at 25% and multi-
plied by 4 to obtain the 100% used by Geo. Services.
The debate was based on gallonage and the contours were the same and the distribution of nitrates.
Findings were less than 10 parts per million
Gary Parsons, hydrogolist, used the worst possible case and still came up with less than 10 parts
per million.
Antonellis Esq.: Please accept the letter from W/H which conforms to the requirements of the code
they used a different model, but even using the suggested model the amounts fell still below.

Consultant told the Chairman that the numbers are in order and they do comply with regulations.

Mr. Dean from Geological Services suggested that W/H use the 100% conversion rate. W/H have complied
with all requests and have furnished a letter of explanation to back it up. On a GG/JPM motion the
public hearing was closed with the understanding that before a decision could be
made following verification from Geological Services. Motion carried by unanimous vote of 5.

DECISION ON STONY RIDGE VILLAGE

ETM stated that a build out rate had to be established and the water line put in prior to pavement.
GG they are allowed to punch out the front lots. 3 years vs. 2 years - two year build-out would
be better for the neighborhood.

AF moved to approve stony Ridge Village subject to all of the conditions of Section 4424 of the
Zoning by law with a 2 - 2 ½ year build-out rate, looping water to Cedar Hill Rd. prior to construction
Basecoat must be in place up to point where construction is taking place. JPM seconded the motion;
motion carried by unanimous vote of 5. This project will have less an impact than any other pro-
ject which could locate there.

DECISION ON LAKEWOOD DEFINITIVE PLAN

taking into consideration the request for one sidewalk in lieu of two, on a JPM/GG motion the defi-
nitive plan was unanimously approved.

LAKEWOOD SPECIAL PERMIT FOR TOWNHOUSES

On a GG/EN motion the special permit for townhouses was denied. Motion carried by unanimous of 5.



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JPM/GC motion, it was unanimously voted to hold a special meeting on September 21, 1987 at 8:00 p.m. for the purposes of reading a letter from Geological Services regarding the Lakewood Special Permit for water resource District. Motion carried unanimously and clerk to post notice with town clerk.

Meeting adjourned at 12:15

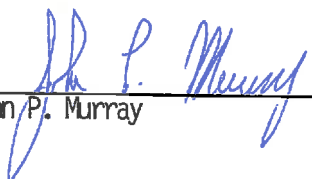

Edward T. Moore, chairman

Glenn E. Gerrior, Vice-Chairman

Emile W. Niedzwiadek



Anne M. Farris



John P. Murray