



BELLINGHAM PLANNING BOARD

P.O. BOX 43

TOWN HALL, BELLINGHAM, MASSACHUSETTS 02019

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MINUTES FOR MEETING 10/08/87

JPM opened the meeting for the purposes of processing 81-P Plan since Vice-Chairman Gerrior had been detained at work. A.F and E.N. were present. Chairman Moore was out of town on business.

SubmissionS: Celtic Construction Co. for construction of a sewage treatment plant at Maplebrook Condominiums. Check received for postage and check received for parking spaces (as site review/ filing fee of \$24.00)

81-P Plan Applicant: Carlo Molinari of Medway. Submitted and prepared by G & H Inc., Franklin, MA One lot located on the northerly side of North St. at the Mendon town line. EN moved to sign; A.F. seconded, motion carried by unanimous vote of 3. All members signed.

81-P: Applicant: Edward LaPlante, 81 Paine St. Bellingham, MA
Location 3 lots off South Main St. near the American Legion - a/k/a the
Roger Chartier property. Northerly side of So. Main St. and the intersection with Centre St.

EN/AF motion the plan was signed by unanimous vote.

Submission of Site Plan Review for Somerville on the Wong/Bernon Trust properties, Maple Street. They are seeking a reduction in the parking requirement which will be a public hearing/ special permit held during the month of November - 11/12/87 at 8:30 p.m.

Shellendy Estates - Continued public hearing.

AF abstained and left the meeting. The company she works for had been requested to construct the roadway and drainage work for this subdivision.
GG had joined the meeting prior to the reopening of Shellend continued public hearing.

Meeting continued from 9/24/87 and they had 3 voting members.

JPM questioned Lord, Esq. on the legalities of a majority board.

GRB (Brisson P.L.S.) reviewed the meeting of two weeks ago and the letter from Amory Engineering with his comments. He stated that a couple of changes had been made to the plan.

GG ascertained that the original drainage calcs for this property were prepared by Brisson and Reis together.

GRB responded affirmatively.



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Shellendy Estates - con't public hearing

Reis has re-organized the calculations.

#3 "runoff coefficient" had been revised to .15. Amory had suggested .25 to .30. He included a copy of the water resource manual. There are several that can be used in the trade. Amory suggested using the coefficient for a well-developed area (supposing that the acreage behind Shellendy Estates located in Franklin would develop eventually and add to the runoff problems here and further down Pulaski Blvd.). Brisson/Reis took into account that their proposal backs up to 18 acres of forested, undeveloped wetlands. He stated they gave in and based the new calcs on .15 which is substantial to handle the runoff.

EN apparently they used. . .you figured runoff for farmland/pastureland.

GRB stated that the 18 acres is undeveloped - Amory was using formula for a developed area.

Brisson's manual "Water Resource Engineering Manual"

Comments 5 & 7 were interrelated. Amory assumed that the basin shown was retention instead of detention. They have provided for 4" orifice installed 1 ft. over the lower part of the detention basin and directly proportional to the headwall. Doesn't rely on evaporation and soil percs for drying out the basin. The formula we used does not change the dimensions of the basin (size).

EN stated that Amory is taking into account future development.

GRB can't tell from the wording of the communication

JPM the land is in Franklin (the 18 acres affecting the coefficient)

GRB this development is independent of what's happening 9.38 cfs is now running down there during a storm event. We're intercepting runoff into new development.

EN technically, the way this is being proposed, this subdivision is upgrading the standards in the area.

GRB there is no artificial or manmade system to intercept water runoff. We are proposing to detain it, intercept it, and divert it into a closed drain system. He explained that fabricated mesh gate would stop trash and children from entering the 48" pipe at the outfall of the detention basin.

EN how does this affect the highway department. Who takes care of the sand build-up.

GRB silt will never rise that high. Catch basins have very small openings. Highway Dept. has accepted the others (basins) I assume the highway will maintain it.



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Shellendy Estates - continued public hearing

GRB question #12 incorporates catchbasins and laterals. He stated that his clients were not solving drainage problems in the area.(Pulaski Blvd.)

JPM stated that Phil Herr had to review the answers from Brisson/REis. #3 is going to raise a question, that is, the runoff coefficient.

GG stated the purposes for an independent study was to get an unbiased opinion. Herr can review both and make a determination as to what technically should be done.

EN stated he knew it would affect the pipe size.

Pat Matteson (abutter across from Mrs. Betsch) 18 acres of land behind us - up the street now is a 42 lot subdivision trenches are being dug along both sides of the road right to the Bellingham line.

JPM You cannot for your clients to bear the burden for a 21" pipe.

GRB town must extend/repair their drainage.

EN talking about a couple of problems - Franklin's water should not be coming to Bellingham.

Fred Wicker across from Denaults: Concerned about the effects of this development on his driveway and property.

GRB stated that the detention basin would slow the water down.

On a JPM/EN motion the public hearing was continued to 10/22/87 at 9:15 p.m.

Site Plan Review

Miniwarehouses on Farm St. - Onallam Realty Trust

John V. Fernandes, Esq. was present along with Sylvie Micchelutti, design engineer.

They went back and reviewed the plans. Shade tree statute is obscure it has been given less than full attention.

AF questioned which shade trees were going to be cut.

GG read the memo dated 9/29/87 to Ronald Paulhus, tree warden from

Michael A. jaillet regarding cutting of shade trees to provide access (a paraphrased version of the state statute)

EN questioned the definition of public shade tree.

Paulhus: Anything over 1 1/2 diameter., on town property.

Fernandes, Esq. you would remove trees for widening road, safety, or if they are diseased.

JPM suggested that we could be nice and suggest to 81-P applicants that they observe the shade tree statute.

AF should we have that determination before you cut a tree.



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S.P.R. - Miniwarehouses - revised

In conversation with Phil Herr this afternoon, he stated two problems with the plan as he reviewed it.

- 1) better designation where the pavement ends and the wood chips or blue stone begins; and
- 2) A better indication of the plantings.

JPM noted that the revision required were on the plan. He asked if they had been added today.

Esq. replied yes they had. He questioned the necessity of the note, under the by-law.

GG if these were met, there is nothing else we can ask for. There is a screen shown around the property.

JPM explained that Moe (Gregoire) is the enforcement officer on this - if this plan isn't carried out, the Planning Board is not responsible.

Palli: questioned the corner of lot of Green Earth to the driveway.
GG Scaled out the distance. Palli questioned where the applicants were picking up 14 ft.
Sylvie responded from the centerline of the existing driveway to the centerline of the proposed driveway on the Abbey Realty lot., the 2.56 acre lot.

GG 2" caliper translates to 3 to 4 ft. trees.

ESQ: Nothing in the by-law defining the caliper of a tree.

Planning Board stated they make recommendations to the building inspector.

GG You bought a piece of property you need to cut trees to develop it. they cut trees to build houses along Farm St.

Palli: You cut trees on a historic road, 20 ft. in diameter. I don't want to see your building or your trucks. I don't have to.

GG: Explaiend that the earthen berm raises up to 4 ft. the plantings will be an additional 3-4 ft. in height. 2" caliper is only 3-4 ft. high.

In attempts to appease the neighbors, GG suggested that the trees in the berm be 5-6 ft. in height and the initial 10 coming in from Farm St. to the Abbey property be 5-6 ft. tall. that should provide adequate screening.

ESq. stated his clients would be agreeable.

palli: What are showing for lights. They won't cast a shadow on the public way.



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SPR - Miniwarehouses - revised

ESQ. assured that the lighting was directed toward the property.

Safety Officer: standard street lighting - mercury vapor at Farm St. low pressure sodium will be installed to protect the warehouses.

JPM trees must be planted prior to occupancy.

Palli: Under section 1240, Expiration of Building Permits, the original permit was issued 9/5/86, on June 1987 they started clearing-foundation installed on 6/18/87 and the other foundation was installed later in the month. We rezoned the land around them, it sat dormant for 9 months and the permit should have expired. How can we approve something which is non-conforming and shouldn't be there in the first place.

Statement made that by-laws didn't apply to Green Earth (1987 version)

Palli stated that when Abretti owned it, he had 50 or more spaces there.

ESQ: you have to deal with what's before you. Green Earth has been determined by the size of the building.

AF: stated he's not creating a hardship -

ESQ. reminded Palli that the Planning Board has a formula.

AF complained that Palli stated we couldn't apply our formula to the project. Number of parking spaces is determined by the size of the building. Anything over 20 spaces requires Site Plan Review.

ESQ: proper place to determine whether a permit has expired is the Courts.

WE are here on an amended site plan. There is an enforcement authority inside and outside. Let it be brought by suit to the courts.

GG Our consultant said this plan is fine with the two changes which have been incorporated in the plans which are before us right now.

AF ascertained that the applicants were fully aware of the shade tree statute and the procedures to follow in the future.

Sgt. Sulahain went on record to say the "sight distance" is marvelous.

Palli reviewed the following with the Board: trees 5-6 ft. high and minimum of 9 ft., buildings were constructed illegally, they must observe the 40' set back from the agricultural zone, no occupancy permits to be issued until the site work is proper. Palli's attorney is Joseph LaSorsa, Esq. Milford, MA 01757.

GG as Phil stated you must follow-up and no occupancy permits are to be issued until the berm and trees are planted and the mercury vapor lighting has been o.k.'d for the entrance to the site. The board should note for the record, that the building in the rear, may or may not be in violation of zoning.



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S.P.R. - Mini-warehouses

Sgt. Sulahain gave pearls of wisdom to the Board members " I have been threatened numerous times with values up to \$4 million over threat of law suit - I keep on doing my job to the best of my ability. I wouldn't let the threat of a lawsuit influence my decision on these matters.

AF moved to recommend the plan with the shade tree statute Chapter 87 incorporated. The Atty. for Onallam stated that is not part of the by-law and therefore cannot be incorporated. He stated that the state law set forth procedure very clearly and they are on record as being aware of the statute. If his clients intend to do anything regarding shade trees they will follow the outlined procedures.

JPM moved to recommend the amended site plan for Mini-warehouses with the following provisions:

- 1) berm must be installed at 4 ft. with trees planted on top of the berm at 5-6 ft. in height, for a minimum buffer screen of 9 ft.;
- 2) the first 10 trees on the right side of the new driveway must be 5 to 6 ft. tall;
- 3) All screening and plantings around the perimeter must be in place prior to the issuance of any occupancy permits;
- 4) No temporary occupancy shall be issued regarding this site;
- 5) total number of screen trees to be planted number 129 pieces; and
- 6) the mini-warehouse location may or may not be in compliance with the zoning by-law.

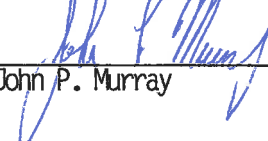
REcommendation was seconded by EN., motion carried by unanimous vote of 4.

On an EN/JPM motion the meeting was adjourned at 11:15 p.m.

Glenn E. Gerrior, Vice-Chairman

Emile W. Niedzwiedek


Anne M. Farris


John P. Murray