



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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

MINUTES OF MEETING 12/17/87

Meeting opened at 7:50 p.m. with 4 members present. A. Farris was detained and informed the Board of same prior to the meeting. Philip B. Herr, consultant was also present.

81-P Plan : applicant Doris Hill, Park St. Bellingham,
Location: Park St., Bellingham, MA. for purposes to deed a portion
to the immediate abutter.
Prepared by G.R. Brisson, P.L.S., 99 Harpin St., Bellingham, MA 02019

GRB requested date for Northeast Acres - probably January 14, 1987. Northeast Acres falls under the "new" time frames for processing. Original preliminary plan filed in March 1987. In order to preserve the old time frame, the definitive had to be filed before the end of October 1987. The definitive submission was filed in November 1987 and therefore, is under the 120 day regulation per state mandate. This information was confirmed by consultant Herr prior to the posting of the public hearing.

SHELLENDY ESTATES - to Reis Engineering from P.B. Herr & Assoc.
have been resolved.

Hearing for Recreation By-law public hearing.
Such a bylaw would provide one where none exists. EN/GG motion to hold a public hearing on the bylaw.

PUBLIC HEARING - timing rules amendment

On a GG/EN motion, the reading of the Notice of Public hearing was waived. P.Herr explained that 1-5 agrees with the State Law (the present bylaw conflicts).

B. Lord Esq. residential subdivision lying entirely within - addressed 30 ft. overlap and how it effects.

P. Herr: Doing something not mandated through the bylaw. (30 ft. overlap) state does not define residential houses - take the second route. there is no definition for "residential" in the statute. A residential subdivision contains houses.

GG/EN motion to close the public hearing and recommend to the town meeting.



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Discussion on proposed Lot Shape bylaw which will require a public hearing

P.Herr explained that this proposed bylaw amendment would exclude the skinny part of a lot, therefore requiring the lot to be reasonably shaped. He stated most communities use 24 or 25, but most communities use 22. Shape factor must be calculated and submitted through a subdivision regulation. (not town meeting)

GG/EN set a proposed date of 1/28/87 - for Lot Shape, Environmental Controls and Water Resource.

8:25 Public Hearing on Wetlands Delineation bylaw amendment.

Clerk read notice of public hearing

Effort to stop applicants from going back and forth between the Conservation Commission and Planning Board and cited the Bald Hill Estates subdivision as an example. Bald Hill Estates was approved at the definitive stage and stopped cold by the Conservation Commission which required the application for special permit to construct a cluster development.

Blackstone requires a pre-qualifying botanist to flag the wetlands.

Cliff Matthews (Conservation Commission Chairman) His board can check the delineation.

P.Herr: cannot require pre-submittal to another board. (Planning to ConsCom)
He also cited problems with insufficient submittals.

Chairman: let's go with it the way it is.

JPM: When someone brings in wetland delineation - how do we know the people are qualified?

Cliff Matthews (CM): We don't do a credential check. We take a field visit ourselves.

G.R. Brisson (GRB): What is the final determination - who is qualified and when are they qualified?

P.Herr: There is no recourse.



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Public Hearing "Wetlands Delineation" con't

JPM would Mr. Brisson be qualified?

JPM/GG motion to recommend to the town meeting.

GRB: After Bald Hill, I would hire a botanist or someone qualified.

Motion carried unanimously.

PRELIMINARY PLAN DISCUSSION: "Thayer Park"

The preliminary plan was hand delivered by Mr. Savoia. Engineering firm of Allen Demurjian

Property contains small wetlands and zone line change

(commercial and residential) - Propose to extend Judy Lane 385 ft.

minimum of 20,000 s.f. lots with 125 ft. frontage.

38 ft. width of roadway ending in a cul-du-sac presently. They propose a 40 ft. right of way with 26 ft. of pavement. 11 lots exist on Judy Lane - 20 lots are allowed on a lane. Two catch basins/drain manhole and proper retention area is proposed.

Seeking two (2) waivers - Judy Lane does not have sidewalks, therefore they do not wish to install sidewalks and 2) request to dig up existing cul-du-sac and allow a small slope to be loamed and seeded. ConsCom met on the site and small discrepancy with our delineation - they plan to meet again on December 30th basically this is a subdivision.

ETM: I am not in favor of "no sidewalks."

EN: cited only one access for Judy Lane that being Depot St. He confirmed a 40 ft. r.o.w. for Judy Lane.

The issue raised again - 20 lots or more must have another means of egress.

PHerr: cited a "long skinny thing" - lot goes 30 ft. into the next district.

JPM: opening Pandora's Box by granting 18 lots on. . .

Savoia: 7 new lots are proposed/11 already exist for a total of 18 lots.

JPM: we could grant access through commercial land.

PHerr: why not one (1) lot or two (2)?



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PRELIMINARY PLAN DISCUSSION _"Thayer Park"

Savoia: (simply) Economics.

JPM: zoning allows 7.

PHerr: subdivision regulations only allows one (1)

Savoia: issue here is safety - if residential goes out the window, the undeveloped business portion will become 8 clustered buildings.

Safar:(Architect) Commercial area is grey area - mixed retain and commercial is proposed on the site. 2 accesses 30 ft. buffer provided for residences to the left.

Future commercial building in the front.

ETM: leveling garage and moving the existing home (Hilda Thayer) to one of the residential lots.

Savoia: If the residences are not approved, there will be three (3) d-building clusters.

ETM: At definitive stage - it would be nice to see an alternative.

JPM: want to see alternative prior to the definitive plan, like right away.

Site features pedestrian walkway and benches - handicap access on both floors of the commercial buildings.

JPM: questioned the retail space.

Response was 1/3/ retain and 2/3's office 49,000 s.f. does include the second story.

PHerr: Actually relatively small shopping center on South Main St. - 10 times as big as this proposal.

Savoia: Designed for specialty retail. With all do respect, I sent him down to explore Clarke's plaza. With all do respect, we would like to set the cornerstone for Bellingham's redevelopment (class and style)

PHerr: That is a modest size - you can't run a supermarket or K-mart from there.



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PRELIMINARY PLAN DISCUSSION "Thayer Park:

Savoia: Bellingham has an abundance of "large space" buildings which eliminates space for doctors and dentists and upscale retail is lacking. Savoia commissioned a report to determine the needs.

PHerr: We need more of this type of development. We have dead end problem neighborhoods - there should be a creative combination between commercial parks and residential areas

Savoia - would the board require a rezoning for more commercial space.

GG could Phil comment please.

PHerr: 1/2 more than in the rear of the building says good things.

JPM: what about a rezoning and leaving a 30 ft. buffer between Judy Lane - rezone 1/2/ back instead of what exists.

ETM: You (applicant) would have a hard time after the other one (Northeast Acres - petitioned for rezoning for his single (benign) business with no tractor-trailer activity and then came back with a preliminary and definitive plan showing 5 and 7 commercial lots with potential of tractor-trailer activity etc.)

PHerr: Stated he thought there would be stiff opposition also.

JPM: people on Judy Lane don't want 7 more houses I am sure.

PHerr: Let the residents on Judy Lane buy the residential property from Mr. Savoia if they don't want it developed.

Judy Niche (Engineer stamping the plan) We can build a road off Mendon St. through the commercial access to extend to Judy Lane. which will support the 7 homes.

P.Herr: probably prior to subdivision controls.

ETM: with a well-done plan, street length may be waived but you have to show us why.

GG: you started off with some negatives - no sidewalks. Some of the older subdivisions in South Bellingham are being upgraded with sidewalks.

ETM stated that GG had a good point.



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Continued informal discussion "Thayer Park"

AF and GG don't go for John's idea at all - (rezoning).

PUBLIC HEARING Article on "Lot Area"

PHerr: explained that this added wetlands.

Cliff Matthews(CM): Cons.Com strongly supports changin the wording to include the Flood Plain. and to include language from 131 Chapter 40

PHerr: you would not want to exclude land in 100 yr. flood plain. You cannot find a definition of wetlands or open the act and show me one. We took each of the items addressed in the Wetlands Act, except isolated land subject to flooding. You do not want to exclude Flood Plain.
(Legislature confused flood plains and wetlands)

ETM is there a problem with this like our townhouse bylaw.

PHerr: He objected strenuously from land calculated in lot area simply because it is in the flood plain. I think a wet meadow is covered in the bylaw change, however, if not, we will include same.

Lord Esq: Can you add how it is defined?

PHerr: Take definitions from a number of places.
JPM moved to close the hearing. EN seconded the motion.
Pherr: building inspector determines "wetlands."

ETM replied they had better add something then to further clarify the definition.

JPM/EN motion to recommend the article as is. However, if the ConsCom feels it should be amended to specify wet-meadow, it can be included at town meeting. Such an amendment does not change/alter the intent of this hearing.

Vote was unanimous to recommend to the town meeting.

PUBLIC HEARING ON REVISED AREA FOR TOWNHOUSE DEVELOPMENT

JPM took the floor. I sponsored this article. He felt it was the will of the people. He is still uncertain as to whether it is in the best interest of the town.

ETM stated that 10 acres is certainly not enough. 35 acres may be too harsh.

JPM reviewed the letter from Mr. Vangel (school superintendent) for the number of students generated from the Maplebrook Development\$3,000 to educate

a child.



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PUBLIC HEARING - Townhouse Area Requirement - Revised

a child. Compared with the cost of single family it is more economical (according to the Murray formula). Studies on condos vs. single family in Bellingham are inconclusive. Murray stated that residents are looking for industry in Bellingham and condos may be an industry in disguise.

ETM: we didn't realize there were so many 10 acre parcels in Bellingham. He pointed out that townhouses in the Crystal Spgs. location were a perfect solution for a difficult parcel of property.

Lord Esq.: Regarding sales, affordable housing units in this town are condominiums. The average price of a condo is \$60,000-\$70-\$80 M. If you want to restrict condo development author a by-law which eliminates condominium development in this community.

PHerr: This strongly tells you to develop condominiums in the agricultural zone only.

Lord: We haven't seen 35 acre parcels yet. If your intention is to eliminate that development, write a bylaw to eliminate or write one demanding that 40% of the parcel must be left in its natural state.

AF: cited Stony Ridge, Twin Brook. A townhouse project without a subdivision plan - what happens to the Street names? and town maps?

ETM are we all in agreement with the 14,000 s.f. per bedroom?

PHerr: Bruce (Lord) is right - it's not helping with affordable housing. This will shift them. Maybe the condo projects should be small ones rather than very large ones.

ETM: Stony Ridge was a wash - same number of single family homes as condo units.

JPM: The Board is playing devil's advocate.

Lord: Creativity is not within the parameters of existing projects. We lack "nice condo structures." Forge Hill in Franklin combines business, industry and townhouses.

Mr. Fabien: concerned citizen from Hartford Avenue. He fears that 10 acre parcels are much too small. Condo's should be restricted to certain zones.



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Public Hearing Townhouse Area Requirement - Revised

EN/AF motion to close the public hearing. No determination was made on the townhouse issue.

JPM/GG moved to dispense with the reading of the public hearing notice for **HERTHEL ESTATES _ WATER RESOURCE DISTRICT HEARING**

CONTINUED FROM 10:45. Summary of special permit, waive the water resource requirement would enable 5 lots instead of 4. (2 of which could become duplex lots) The definitive plans shows 5 lots and extensive drainage improvements. If the board required 4 lots in lieu of 5, the drainage work would be abbreviated and a detention/retention pond would then be incorporated in the system

JPM commented that 5 lots would generate 7 units/there would be a superior drainage system.

AF If the Board grants the special permit, would the board be able to restrict duplex development of the oversized lots.

PHerr: Any documentation regarding the degradation of drinking water?
Niilson: Jerome Carr is preparing documents (Carr Research).
There is a standard answer unless the Board isn't free to "horse trade"
Looking for 10 pts. per million or better.

ETM stated that this is an incomplete submittal without the study.
Highway Dept. favored the larger system.
Pherr: if the study shows all the lots make it. . .

Carl Rosenlund (High Street) - nothing dictates 20,000 s.f. 3 bedrooms.
he is confused between the drainage pond, 12 " drainage and
4 lots. The original plan showed 12" pipe. Highway came back with 16-18-20.

Lord Esq.: detention pond and less of a drainage system if only 4 lots are granted.
Offer extra drainage down below.

Rosenlund: has he seen the drainage and still requires 12" off site?

JPM: other testimony (other proposals) stated larger pipe cheaper than smaller pipe.

Pasciuto (water Sewer Board) Overall cost 80% to 90% is in the construction - not the materials in labor. Sewer is generated by people not by the bedrooms.

ETM: 5th lot comes in under the Water Resource Issue.



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PUBLIC HEARING WATER RESOURCE DISTRICT HERTHEL ESTATES

PHerr: Conditions relate functionally - water quality - straight forward and technical.

EN/AF motion to grant an extionsion to January 31, 1988 and continue the public hearing to 1/14/88 at 8:00 on both the Special Permit and Definitive Plan.

BEAVER BROOK GARDENS

Definitive Plan - Reverse of Denial D-2 to D-1

Gary Baxter P.E. standing in for Joe Hanlon
William D. Sack Esq. present for applicants (Nautilus Realty Trust)
Mr. & Mrs. Joseph Pasciuto
abutters present.
Plan dated 12/10/87 prepared by East coast Engineering
Drainage shown exceeds the 10% runoff requirement.
ETM: 12/16/87 letter from P. Herr & Associates.
Same proposal-calcs have negative effect on the leaching basin.

PHerr: We don't have the calculations - function of leaching basin.
should reduce it by taking relatively small amounts of water. The increase
in runoff regulation should be waived but continue to insist on the underground
leaching facility (Herr stated it's in the street)

Gary Baxter stated that the facility had a removeable cover for
maintenance.

There is no bylaw in place regarding "weird shape" lots or "common driveways".

ETM: 81-U and procedure. If the Board is infavor of the revisions,
and agree to revoke their disapproval (denial)should the application for the
first plan be withdrawn - reason being the original appeal period is running
out.

Board's secretary asked the Chairman if the clerk had time period for filing
the D-1 (approval) She stated that Friday (tomorrow) would be a problem due
to the holidays. Atty Sack indicated anytime next week would be acceptable.
Mrs. Pasciuto indicated the abutters were waiting for a piece of information
to complete their legal case - the original plan involved 2 more sts.
(Wethersfield?)



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BEAVER BROOK GARDENS (revocation of D-2 in favor of a D-1)

PHerr indicated that an approval subject to conditions would be in order.

PHerr suggested that the standard subdivision streets were wider than they should be.

ETM: we were leaning toward less pavement 16'.

Mr. Santora pledged that he would not touch a tree between the driveways and the existing abutters' property lines.

GG moved to revoke the disapproval (D-2) of 11/25/87 entitled "Beaver Brook Gardens" revised 12/10/87 subject to the following conditions: the easterly side of the drive servicing Lots 4 & 5, and the rear of the Stevens and Pasciuto properties trees be planted and/or spaced every 12 ft. apart. The trees must be of evergreen variety and 5 to 6 ft. in height and planted on an average of every 12 ft.

Condition #2 the subdivision must be completed within 24 months;

Condition #3, two (2) all streets and ways shall be surfaced with at least a 2" binder course prior to application for occupancy permits for any structures served by such streets or ways;

Condition #4 Security must be in place prior to endorsement of plan and Condition #5 prior to release of performance guarantee, subdivider shall have prepared and submitted REcord Plans at 1" = 40 ' which shall indicate the actual location of all of the following:

(Refer to Bellingham Subdivision Rules and Reg. Section V- Subsection 55, (556) Record Plans;

and subject to the following waivers:

a) sidewalk on the northerly side of the road,
cape cod berm on the opposite side;

b) overhead utilities in lieu of underground utilities; and

c) Bellingham Subdivision Rules & Regulations Section 44/Storm Water Management, Subsection 441 ". . . the boundaries of the development in a 25 yrs. storm will not be increased by more than 10 percent (10%).

Certificate of Vote: 4 in favor/John P. Murray opposed citing zoning bylaw SEction 1100, 421 (a).



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PUBLIC HEARING - Target Housing

Moved to dispense with reading the entire public hearing notice.
This will benefit the "Affordable Housing" proposals.
This bylaw provides for applications to be brought to the planning board.
. . .from 1/3 to 2/3
AF/GG moved to recommend the article to town meeting.

GG/EN motion to approve and sign the Sp. Permit to reduce parking
Motion carried unanimously.

JPM/GG moved to approve and sign the sp. Permit for Water Resource & Storage
Motion carried unanimously.

All three involved were Sommerville Lumber.

12:00 a.m. Clerk left the meeting.



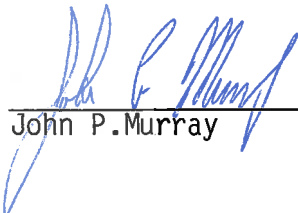
Edward T. Moore, Chairman

glenn E. Gerrior, Vice Chairman

Emile W. Niedzwiadek



Anne M. Farris



John P. Murray