



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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GLENN E. GERRIOR, VICE CHAIRMAN  
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ANNE M. FARRIS  
JOHN P. MURRAY

### MINUTES OF MEETING 1/14/88

Glenn E. Gerrior was absent - vacationing in the Canary Islands.

#### CONTINUED PUBLIC HEARING HERTHEL ESTATES DEFINITIVE PLAN & Sp. Permit Water Resource District

Bruce W. Lord, Esq. recapped the chain of events. Requesting waiver of 40,000 s.f. per living unit (to allow duplex) int he water resource district. Lord stated that the conditions have been met and Carr Research prepared a report submitted directly to Philip Herr (town's consultant) on January 6th or 7th. There were some questions as to the "Model" used to determine the nitrates. 2nd letter breakdown of how Carr came up with his numbers. Any questions regarding the report were referred to the engineers (Guerriere & Halnon, Inc. [G & H] Franklin, MA ). Only problem lies int he water resource district which won't endanger any other property.

Letter dated 1/14/88 from Board of Health Agent-Ed Wirtanen. he didn't comment on Herthel under 41-81U and attached his letter regarding the percolation testing previously done on the site. He noted that Parcel 25 observation hole lacked 4 ft. of pervious material for sanitary sewage disposal. Parcel 25 referred to recent testing. Previous testing done on the site in April, 1986 and seemed to be concentrated on the upper portion of the site.

Don Nielson (G&H) explained location of the original testing. They were setting up testing for February. Carr report stated that the nitrates generated from sewage disposal were not excessive with with the addition of lawn fertilizer. Each lot will be individually owned according to the plan.

Lord Esq: subdivision same as first night.

ETM: Carr Research report was what the board was waiting for. The plan would just make it with 5 single family homes. Carr based his report on only 5 living units and Herr concurred with Carr.

Lord: Requirements for this report stated under the town's regulations. They don't give the Board authority to ask for most of this. Territory more than anything else as far as questions have been concerned.



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HERTHEL ESTATES continued public hearing Definitive/Sp. Permit Water Resource

JPM: Section 4950 Nitrate study is how you arrive at the conditions of 4950.

Lord: don't believe a nitrate study was necessary in this case.

Carl Rosenlund(abutter High St.): 1) Extremely important that report be given and we must be concerned with water quality. 2) five (5) families were used for the study and fact pointed out according to the health agent. BOH determined that 1 lot cannot be built upon. That means 4 lots. Five family units would mean that 1 lot would contain a duplex. The Board should be clear on that.

JPM: If they can legally put them in, we cannot stop them.

ETM: I believe you need a special permit for duplex development in a Water Resource District.

Lord Esq: quoted 4932 and his interpretation was that duplexes were allowable.

ETM: If that's the case, I wish to consult with the consultant before I make my decision.

Lord Esq.: Waiver of 1 is in effect a waiver of the other (except for single family development) 55 gallons per day 80,000 s.f. lot build a small duplex not exceeding the 55 gals/10,000

Nielson: 55 gallons per person or 110 gallons per day.

JPM: computed the square footage his interpretation held the developers down to 4 bedroom duplex won't come under this requirement.

EN: It's a matter of interpretation.

ETM: One condition is restricting duplex development.

Lord: If will concede they have to come under other restrictions. Insert a condition of compliance with any restrictions.

JPM: no more than a 2 bedroom duplex.

Lord: Lots 4 & 5 already comply with criteria of bylaw. The waiver effects



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HERTHEL ESTATES continued public hearing Definitive Plan/Sp. Permit Water Resource the other three.

ETM: I want to see it continued to get consultation with Phil(Herr) on restricting development to single family.

Lord: you're asking to restrict 2 lots which are already in compliance. Any subdivision can combine lots.

Rosenlund: Could appreciate Mr. Lord's position. health agent needs more information water resource districts require special handling - we cannot rely on "down the road" planning.

Lord: Plan submitted in September. Only question was the Nitrate Study. Talk about the special permit reduce the buildings to more than one living unit on less than 40,000 s.f. Those 3 lots are within the waiver. The nitrate report complies with the bylaw.

Rosenlund: brought concerns with ledge and runoff. Neighbors have expressed their concerns.

ETM: Get on the track. subdivision requires a special permit.

Lord: we've answered the neighbors objections conducted the nitrate study.

ETM: Waiver on upper three lots - your report states 5 living units. 5 dwellings on these 3 lots.

Lord: those 3 lots don't comply to building duplexes on them. Expressed reservations at other section of bylaw relative to duplexes. 3 s.f. and 2 duplexes for a total of 7 dwelling units.

ETM: We want to be sure you don't end up with 3 single family homes and two (2) duplexes for a total of 7 living units.

JPM: legally they could combine smaller lots.

Lord: if you want to restrict 3 lots to single family (s.f.) that's fine. Compliance with all other zoning outside of the Water Resource District.

JPM: with sewage, 6 duplexes would be allowed. Make sure the decision is



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HERTHEL ESTATES continued Public Hearing Definitive Plan/Sp. Permit Water Resource written properly.

AF/EN motion to close the public hearing on the Water Resource District special permit hearing. Motion carried unanimously.

Lord: Why aren't you ready to vote? Your consultant stated with this report a vote would be in order.

9:00 The hearing on the subdivision portion was re-opened.

Lord: Cutting us off without any input. Continue the subdivision.

An EN/AF motion to continue the subdivision hearing to January 28, 1988 at 10:15 p.m. carried unanimously.

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### CLERK READ NOTICE OF PUBLIC HEARING FOR NORTHEAST ACRES - definitive commercial subdivision plan

Location just westerly of center of town. 5± acres. Unknown businesses to be established there. Drainage pitches to the rear of the property. Sight distances questioned by Sgt. Sulahain. they obtained a curb cut from the state D.P.W. for route 140 and went through the MEPA process because of the commercial nature. State DPW fully aware (according to applicants) that it is a 7 lot subdivision.

EN that curb cut submitted for that many lots?

GRB stated they showed 30 ft. paved and the radii are 40' and Mepa also questioned raised on percolation tests done 5/23/87. Perc rate from 2 min. per inch to 10 min. per inch respectively. GRB(Gerald R. Brisson, P.L.S.) introduced John Reis of Reis Engineering Roxbury, MA to address the drainage and calculations.

ETM: What is the intended use of this property.

GRB: Lot #7 N.E. Fire and Safety/rest is warehouses.

ETM: Do you expect metal buildings?

The MEPA 9/11/87 Certificate of Environment Policy Act (from Submission), 2nd paragraph uses: anticipated warehouse. ETM stated that warehouses were of a permitted use in a commercial zone. Low traffic generators therefore will become high traffic generators if opened to retail sales and offices.

GRB: More than likely will become office space.

ETM What exactly are you showing. You are required to show a 60 ft. wide st.



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### PUBLIC HEARING-Northeast Acres Definitive Plan

GRB: insisted that road got a waiver.

Planning Board secretary read the decision and it was not a waiver granted nor included in the conditional approval of preliminary plan.

JOHN REIS (JR) Drainage explanation for 25 yr. storm event. Each catch basin has a leaching basin. Small subdivision requires 12" pipe size.

ETM: are people here from Thayer Park/Judy Lane Estates proposal?

GRB: got a call a week ago from Phil. Mr. Daniels had a conversation with the other owner.

ETM: next week Wednesday or Thursday an afternoon meeting regarding these 2 proposals will take place. Purpose to see if a better plan can't be determined for the town including these two proposals. (Northeast and Thayer Park).

Mr. Savoia (Skip) from Thayer Park stated he tried to schedule with Mr. Dubrovsky regarding traffic patterns road from North Main to Route 140 crossing Depot Street behind the Savoia and Daniels business properties. He stressed that the Town should realize that "time is money."

ETM: if not beneficial to both, the board certainly wouldn't go along with it. WE have a problem with leaching catch basins, retention areas and buildings that are "all metal."

GRB: 20,000 s.f. lots. DPW cut states driveway 30' paved road.

REis: Retention area - basically quite small.

ETM: what is % of runoff out of retention area? ARE you within the 10% requirement or under? Rip/rap slopes on the interior limits maintenance.

EN: noted 6 leaching catch basins.

REis: wouldn't receive any runoff. Roof drains and dry wells and piping system planned to handle the runoff.

EN basically flat roofed type building then.

REis: stated EN question out of scope of this hearing.

GRB: buildings shown are pretty much maximized.

REis: drawn in accordance with the zones abutting and setback requirements.



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### Northeast Acres-Public Hearing Definitive Plan

GRB: only screening shown is what naturally occurs.

ETM: parking had to have screening referencing the Greek Pizza site plan on North Main St. near the Bennett Residence.

John Cosentino, Esq.: Planting easterly and westerly side. The lots will be professional offices if Mr. Daniels can attract that business. It is not his intention to install retail businesses.

ETM: it's allowed in that zone - we must be aware of trip generation,

Cosentino, Esq.: Professional building will not produce the traffic a Domino's Pizza would, or other fast food.

ETM: 7 Domino's Pizza's could go in that subdivision.

GRB: All of 140 is zoned for business. Give MEPA a phone call if you have a problem with their language (referring to warehouse useage).

Sgt. Sulahain questioned the depth of the retention basin - reply was 5 ft. at deepest point.

EN: Developer across street installed a "sub-drain".

GRB: leaching drainage system is same as leaching catch basins.

ETM: RETention/Detention areas are dangerous for kids. How many more of these does the Town have to take? WE can't move Box Pond.

Cosentino, Esq: No flat roofs/no metal buildings and a covered drainage system if possible.

Savoia: would like to have drainage calcs when subdivision is finalized.

Daniels: Says this is great. G.R. Brisson says the calculations will work. if they do, you can have a copy.

Lord: Will you be meeting as private individuals? (discussion about a cut-through street between North Main and Route 140 avoiding Bellingham Center with the consultant).

Sgt. Sulahain: suggested posting so that other boards could attend..

Cibley: If you're town employees you should not be meeting at time and 1/2.



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### **NORTHEAST ACRES-public hearing on definitive plan**

Robert Kempton: abutter questioned whether retail sales would be conducted out of that building. 2) Did the Board in fact waive the width of the proposed street into Northeast Acres.

Secretary read directly from Minutes of 5/28/87. The waiver was mentioned by GRB citing other occasions where it had been granted. However, the Board failed to act on this request (if you can call a suggestion that) It was also cited that Consultant Herr, at the time of the preliminary proposal, cast serious on waiving the width of the road not knowing what types of businesses would be locating there and their respective traffic generation.

Kempton cited concerns over the office buildings and no restrictions on trip generation.

ETM assured all that this hearing would not be closed.

Safety Recommendation? Sgt. Sulahain remarked that it was still the same as the preliminary plan discussion. Site distance o.k. going toward Milford. Hazardous going toward Bellingham Center and concerned over tractor-trailers and auto safety.

EN/AF motion to continue the definitive plan hearing to February 11, 1988 at 8:00 p.m. Unanimous vote of 4.

### **THAYER PARK/JUDY LANE ESTATES preliminary plan discussion**

Judy Mitsch stamped the Plan. Developer-Skip Savoia.

JM(civil designer) gave an overview of the project. 7 Lots off Judy Lane. A lane restricts development to 12 lots. Board requested an alternate scheme - they are here to offer two.

Alternative #1 shows 150,000 residentially zoned property.

ETM: haven't been submitted to Phil Herr yet.

JM cited a time delay involved in trying to rezone.

ETM: stated the proposal wouldn't stand a chance of rezoning after what happened to the Northeast Acre rezoning.

The major commercial complex approach because it exceeds the 50,000 s.f. would involve a Special Permit and further time delay. They would affect major changes to the site. Savoia would like to see this project as a "cornerstone" for future commercial development within Bellingham. (To eliminate the Bellingham Plaza [Tom Clarke] approach to development.)



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### THAYER PARK/JUDY LANE ESTATES preliminary plan

ETM stated the requirements for Lane could be waived due to the safety issue raised by these comparative plans.

JPM: Accessing rear of residential property with 60 ft. wide collector road. Traffic impact on residents at rear - 36 ft. paved width. 54,000 s.f. increased commercial space.

ETM: a collector connecting Depot to Route 140.

Savoia: that is a serious safety problem.

JPM: minimum green space and buffer. 500 ft. of collector street - town services. That would be a negative type development completely without waivers and in accordance with the rules and regs.

ETM: that would have to become a town road. Moves back to the original plan access residential from Judy Lane and access the commercial from route 140. Benefits to the town would be a pedestrian walkway from Depot Court to the professional buildings, better architecture, utility connections/less roadway maintenance. Judy Lane would be buffered from business. Savoia suggested that the cul-du-sac be removed, relocated, regraded and sidewalk could be installed the entire length of Judy Lane.

ETM: Haven't heard from the Safety Officer, ConsCom, BOH. We have a favorable from the percs and acceptable rates. Access seems to have better visibility.

JM: 400 ft. or more sight distance in both directions.

Savoia: formal submission in the Town's best interest.

AF sees the proposal as a safety plus including the installation of sidewalks.

Daniels cited potential problem mixing Residential with commercial.

### MAPLE NORTH PARK - preliminary plan discussion

located westerly side of Maple St. 1,000 south of Pine St. Ma Glockner's to right next door. Vacant land.

JPM: Is Joe Blais' house in the Industrial Zone?

Don Nielson: 7 lots industrial subdivision. A portion of site 600 ft. from Charles is Water Resource District. There are 3 wetlands systems. They met with the ConsCom last night and they wanted the applicants to shift the road toward Fafard to minimize traversing the excessive wetlands.





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### MAPLE NORTH PARK- preliminary plan discussion

Nielson replies they needed to talk to Howie (Fafard) about the connection to his industrial network. They propose as it is to come out onto Maple St. with major commercial complexes. Lot 1-10,000 s.f. as are lots 2 & 3. Rest are 15,000 s.f. and 6,000 s.f. to the rear.

ETM: they wouldn't allow anyone to cross easement off Farm St. (Power company). Nielson: presently 10" main at Pine St. coming off 10" with a 12" pipe then to 10" or 12" will be pulled into the site.

ETM: Traffic flow and safety will kill you. You are at the narrowest part of Maple St. No sight distance whatsoever. There is a fight around town now to designate Maple And Farm Sts. as scenic roads.

Nielson: Ultimately, we don't need anyone's help - we'll work with anyone to improve traffic flow and safety.

A motion to continue by EN/AF this preliminary discussion to 1/28/88 with consultant Herr was carried unanimously.

### BONDING- release of same- Pheasant Hill Estates

JPM/An motion to release the appropriate amount of the bond being held on Pheasant Hill estates. Simultaneously, the "AS Builts" of the streets were accepted by the Board and endorsed.

Meeting adjourned at 11:30 p.m.

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Edward T. Moore, Chairman

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Glenn E. Gerrior, Vice Chairman

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Emile W. Niedzwiadek

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Anne M. Farris

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John P. Murray

