



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

EDWARD T. MOORE, CHAIRMAN

GLENN E. GERRIOR, VICE CHAIRMAN
EMILE W. NIEDZWIADK, CLERK
ANNE M. MORSE
JOHN P. MURRAY

MINUTES MARCH 10, 1988

Meeting was called to order at 8:00 p.m. E.W. Niedzwiadek was absent due to health reasons.

SITE PLAN REVIEW

Gale Associates Loren Craker

New South District School: showed the revised plans road changed from cul-du-sac on 3rd. Lighting showing halogen or as recommended by safety officer. Side walk to be 8 ft. looped.

JPM/GG motion to recommend the site plan to building inspector with removal of cul du sac and 8 ft. looped sidewalk.
Motion carried unanimously.

SITE PLAN REVIEW - Proposed Library

Roland Robert was the spokesperson for Donald Prout Assoc.

The structure will be single story, 18,600 s.f. slab on grade.

Showing leach field drainage, curb cuts and location of signage and lighting. 49 parking spaces are proposed. Robert touched base with the Building Inspector and has 8 sets for his distribution. Library Committee preferred to distribute themselves. Get in-put from fire and police chiefs.

Scheduled for 3/24/88 at 8:00p.m.
Previously scheduled with MaryClare Burke.

FORM A - 81-P Plan

Applicant: William Lowther
c/o B & L MFG. Inc. William Way
Add parcel 1,2,3 to Lot 1A William Way.

Surveyor: John R. Andrews, uxbridge, MA

We don't know where Lots 1 & 2 are coming from . We could be creating an under-sized lot. Chairman determined that the board could not act on the plan until further information is received.

Under scrutiny of the secretary, the description was not filled in by Mr. Andrews that is a metes and bounds or at least a n,s,e,w, directions with measurements. The book and page of subject property was missing from the application, and the plan did not show Rte 140 although they were referencing frontage there.



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FORM A 81-P Plan

with a locus plan. Lots 3 & 4 Maplebrook Industrial/Commercial Park.
South Maple St.

JPM/GG motion to endorse the plan.

Surveyor: Edward Stone #28980, P.O. Box 186, Bellingham, MA

Location: Westerly side of So. Maple St. 2 lots.

Date of plan 3/9/88 Lot 3A requires Site plan review

Scheduled for 3/24/88

Should send a copy to Phil Herr for review.

SUBMISSION RIVERVIEW INDUSTRIAL PARK

H.A. FAFARD COMPANIES Form B with the appropriate fees. Phases I through VI.

Preliminary discussion will be April 14, 1988 on Phases I, II, III and April 28 for Phases IV, V, and VI.

FOX RUN ROAD RESIDENTS 9:10 p.m. (return for follow-up)

Anne Morse stepped down from the Board and sat with the audience. This issue involves her employer/husband and was advised by counsel to remove herself as board member. She informed the forum that the informal hearing was being tape recorded. (Tapes provide word/for/word in the event that a legal case ensues).

Chairman read the stern letter which was delivered to Morse Realty.

One abuttor complained he and his group were not notified of this hearing and that he didn't receive a copy of the letter.

In fact, the abuttor and his group scheduled this appointment at a regularly scheduled public meeting of the planning board and due to serious work/time constraints on the secretary, she inadvertently failed to send a reminder to this already hostile neighborhood. That abuttor and a few of his neighbors did not let the issue of notification die until the planning board secretary lost her self-control later on in the discussion and put him in his place.



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Fox Run Road Residents

continuation of informal discussion

ETM stated that Mr. Reed from the school department was interviewed and stated that buses don't go down cul-du-sacs and turn-arounds. In this case a cul-du-sac would not assure school bus passage.

If the street were paved straight through, the bus might then use the street but the schedules for pick-up might not be correct.

Dave McGettrick (DM) Fox Run Resident: statd that children were waiting on route 126 and that was unacceptable.

ETM stated that bus routes were checked with Marilyn Wheeler of Vendetti along with Herb Chaplin and Mike Reed. School buses are met by children along route 140 and Depot Sts. and Pulaski Blvd.

JPM remarked that Fox Run should be completed all the way through to Centre St.

ETM: Statd that we should not be discussing wether or not to have culdu sac but rather the completion of the roadway, drainage and sidewalks. School bus issues should be taken directly to the school committee or safety officer. He cited if Hilltop is receiving bus service door to door, then they should make the proper inquiry.

GG: Stated for the record that both he and Ed Moore conducted a site visit along with the highway department. He confirmed that grading needs to be done and the sidewalk must be installed.

ETM: G. Daigle stated that nothing was wrong with the roadway which has been installed. nothing is wrong with the pavement that is there. Catchbasins are in order 2 at top of So. Main St. haven't worked since the power company broke the pipe with the installation of poles for Fox Run Road. He further explained that "naturally water runs down hill" as long as it doesn't go onto anyone's yard.

Tom Milani 60 Fox Run Rd.

Basins are too far away from the curbs. Water runs in back of the berm instead of in front.

Anne Morse address that comment. She stated that where that condition occurs the lots are not owned by them. They are privately owned and need subdrains. The present owner is aware of the problems.



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Fox Run Road Residents (2nd time)

Milani: I received a letter from Anne and Frank(Morse). I have no problems completion of the road seems to be the major issue.

JPM: called for a point fo order. Existing parvment (what is it) and what is the unpaved portion.

Anne Morse: Those figures should be in the files along with the bond assuring the completion of everything.

JPM: got an independent issue by disguising himself as a developer.

ETM reminded JPM they were discussing the sidewalk; chairman went on to read a response to the letter issued to Morse by the Board from the Morse's attorney which was dated 2/11/88. The main body of the letter stated that the sidewalk for Phases I and II would be completed during spring of 1988.

ETM questioned when the plant opened.

JPM offered an estimated opening of 4/1/88. Morse's attorney went on to state that the completion of the road clear through to Center St. did not have to take place until June of 1989.

ETM stated it was unclear as to the Board's intent - 24 months from June 1987 for completion of Phase III or not.

It was repeated that Reed and Chaplin saw no need to extend the road for safety purposes.

Anne Morse(AM) stated that Mr. Morse would be seeking a reduction in bond of \$1600 or 2/3 of the present bond being held. Mr. Morse hadn't heard directly from any of the Fox Run abutters for the record.

AM went on to state rather emotionally that they were very upset over 6 secret meetings being conducted about them. She stated that Mr. Horne of Horne Realty cited more than once during the first session before the planning board that his "driveway cost \$5,000". She attempted to correct that misleading statement by stating clearly it was included in the sale of the house to Horne.

Mr. Horne: tried to clarify matters by stating he was discussing "hot top" and not personalities.



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Fox Run Rd. Residents (2nd time)

McGettrick: Hostily stated is was "our business conducting meetings. This is not totally ridiculous".

JPM: Keep her in order. (to Anne Morse) Anne Morse is not speaking on behalf of the Board. The abutor's attitude is hostile. JPM is unhappy with the progress of the development.

ETM: Need has been shown. The residents do need a sidewalk.

GG: Clarification: sidewalk and grading are necessary.

JPM: We're under bonded by \$30,000. Wanted to question how much in Phase I - base and gravel are down. 1400 ft. of unfinished road. Without processed gravel.

ETM: was the original approval "Phased"? He questioned the veteran board member who served on that decision of which there are no record of minutes. ETM requested the secretary to research the phasing issue which she was unable to do due to serious gaps (3 and 4 months at a clip) in the minutes.

ETM stated that if the development was allowed to be phased, then the developer is o.k. A cul-du-sac cannot be considered at this time.

Mike McGuire builder and resident of Fox Run: At one time he thought of buying the entire road. He had obtained an estimate for completing the road from Cavalieri who estimated \$28,000 paving out to Center St. (Cavalieri is one of the largest in the state.)

Thomas Cole: letter sent to ETM at home dated 3/4/88. He stated he was very happy living in his home there during November of 1984 he repaired a problem of spring under his home at developer's expense.

ETM stated the only complaint he ever had from that neighborhood was Cole.

GG: Mr. Herr felt that a collector street in south Bellingham was needed between Center and So. Main STS. The town should have done it years ago.

(That silenced complaints from a few who did not want this street used as a "cut through".

Milani: If this was proposed as a major "cut through" why were the sidewalks waived to "one".

Letter dated 3/2/88 from Morese Realty was read into the record citing the adverse publicity raised from the first informal review in February.



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Fox Run Rd. Residents (2nd time)

Morse cited that his subdivision will no longer be marketable - this publicity is hurting his credibility.

ETM: This is not a credibility issue.

The abutters in hostile tones unchecked by the board's chairman cited that they were not notified. Board's secretary Lavallee in an attempt to silence that issue shouted back to the abutters causing the trouble that they personally set this appointment at the last public meeting they attended here. That they (abutters) were attacking the integrity of "her board" which was uncalled for. The job is very tiring, overburdened with paperwork and "their notification slipped through the cracks for more pressing planning board issues".

Of course, Charles Horne immediately attached both Mrs. Morse and Mrs. Lavallee for their "tone of voice" and called for their removal for being emotional.

His group had been hostile at both sessions.

The Planning Board chairman did nothing to calm either side.

Mr. Tony Mazzolla newly elected member of the Board of Selectmen was in the audience listening to the entire exchange. During the entire discussion, the abutters tire to elude to links between the Planning Board and Morse due to Anne Farris Morse, thereby exposing an impropriety which just wasn't the case and never was the case. In response to the abuttor's inferences, Selectman Mazzolla stated that there are no more honest people in this entire town than Ed Moore. He stated to the neighborhood that they were going to get their sidewalk and grading and he would personally address the safety/school bus issue with Peter Vangell (where it should be addressed or [attacked in this neighborhood's case]).

McGettrick: Accused the Morse's of holding the neighborhood "hostage."

McGuire repeated that he lived at 51 Fox Run Rd. We've gone eye to eye and toe to toe with Mr. (Frank) Morse. I'm concerned about my children's safety also.

JPM: asked to question Mrs. Morse through the chair - if she was the one who placed two (2) obscene phone calls to him the night of the private meeting to which he had been invited and switched cars so as not to be identified.

ETM would not let her answer - he stated Murray's question was totally irrelevant



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Fox Run Road(2 time around)

McGettrick: stated he had never met Frank Morse

Anne Morse repliedd "that's my point." (she contended that they have not invited him to any meetings whatsoever, they have not met him, and they haven't complained in person)

GG

GG: We are looking at Mr. Morse the site developer right now.

WE need sidewalk and grading.

McLaughlin (former assistant building inspector's brother in law) Neighborhood needs a sidewalk date.

JPM we demanded the binder course be installed and it's not finished.

ETM the attorney addressed that issue . He reminded JPM we were way out of line in doing that. The road through to Center St. needs only be completed June 11, 1989. that is within the 24 month period from 6/11/87. The paving is being held up by 8 unsold lots.

JPM addressed the bond. 400 ft. bonded to \$40,000 approximate 1400 road and narrower . Hilltop Bond was \$53,000 supplied the rough coat. JPM called Forte and Lynch who indicated that processed gravel must be installed.

A. Morse reminded the chairman that his statements were not pertinent to the issues.

ETM: You were chairman at the time Valley View subdivision was approved. Was it a phased subdivision? You accepted the initial bonds. All this board did was transfer from Phases I & II to Phase III.

JPM: called Forte & Lynch (paving companies) 12" processed gravel is expensive and that doesn't cover drainage, monuments and signing, nor inflation. Before we end up with 8 more houses on the street we want to be sure it will be completed.

ETM: asked John if he knew how to extend a bond. We have a signed estimate and a letter from Gerry Daigle (highway superintendant). Tropeano Court was a "swamp" which should never have been built.

GG: Since Town Counsel is developer's attorney, where do we go from here? Address the selectmen?



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Fox Run Residents (2nd time around)

Mazzolla: (Newly elected selectman) He interjected here with "I'm a business man", here. As Eddie Moore said, people won't buy a \$350 M home with no road. The issue we are trying to resolve here is "sidewalk." He repeated that the board had a letter from the Morse's attorney (from Natick and not town counsel) stating that the sidewalk would be installed as soon as weather permitted. We must trust the attorney's written word.

Regarding the "school children's safety issue", Mr. Mazzolla committed himself to interviewing Mr. Mike Reed and Mr. Peter Vangel. I'll make the effort. At the cost of a little extra gas, if transportation can be provided we'll get it. Lee Ambler (town counsel) is a very professional man. If the town needs to obtain special counsel on certain issues, we'll do it.

GG: This is a street/safety issue.

Mazzolla: Regarding the bond issue, we'll check into this and get independent counsel to advise Planning Board if necessary.

Secretary left to make copies for the neighborhood.

Mr. Maguire: If Mr. Morse puts the basecoat down "tomorrow" the road cannot be accepted until sets through 1 winter.

Mazzolla: Don't release the bond int he event he does partially complete the road then there will be sufficient money to complete the roadway, etc.

Carl Nurmey 43 Fox Run Road
Can we petition for street lights?

JPM: offered that in "Joe Menfi's" subdivisions, there were already street lights - the developer had them installed.

GG: Stated that Nurmey had a reasonable petition.

McGuire: suggested that residents stay in touch with Mr. Moore.
Further suggested that residents stay in touch with Selectmen (regarding Mazzolla's promises) and finally regarding the planning board issues, with the Planning Board.

Mr. Horne: had the last word on behalf of the neighbors - stated that the Board was working very hard and suggested that if anyone offers outbursts or becomes unruly they should be removed from the meeting and suggested that proceedings would move along faster. He offered no excuses for the neighbors hostility or hostile outbursts. He specifically referenced "two women" (not in his neighborhood)



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Fox Run Residents (2nd time around)

Board's secretary refused to acknowledge or refute last ditch efforts by wife of very vocal and accusing resident. Secretary told her "point blank" that "no one questions the integrity of the Board she works with." Any comments should be made through the chairman she would not comments other than the neighborhood was hostile about issues which did not belong before the Planning Board and that this board overstepped it's legal authority by demanding that a developer completed a road which had been through a town approved bonding process.

The Chairman stated that when he chairs a meeting, everyone has an opportunity to speak and that this informal meeting got way out of hand.

Empire Circle:

Jim Reger from East Coast Engineering questioned the feasibility of developing the former Country Club Estates II (Empire Circle off Fairway Drive, Rome Avenue and Benelli St.)

Reger recapped that initially, there were no recorded Covenants on the property. They obtained them from Town Clerk and had them recorded. He requested the procedure in obtaining a bonding figure. He suggested that if the Board really thought a public hearing was necessary, check with Lee Ambler.

ETM: the subdivision is at least 15 years old. He read from the minutes of 7/23/87. Would you like a vote? Then I'd rather check with town counsel.

REGER stated that the subdivision cannot be rescinded because there is a mortgage on the property.

He requested the bonding procedure.

GG suggested that he obtain a quote from 3 reputable firms and confirm them with Gerry Daigle.

JPM wanted to see some drainage plans.

PINE VILLAGE

Increase in land size crosses wetlands.

JPM questioned the square footage per lot. Plan prepared by Rubin Engineering and Land Planning.



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David Road

Mrs. McGilvray was present to recount the details of David Road - the old subdivision problems and the ones created by the new extension.

The Board agreed to have a letter sent to Bixby and Molla from Forge Hill Development as soon as possible.

REgarding the Site Plan Review for the new school, 8 ft. sidewalk, looped around the school, lighting to be halogen or other as approved by the safety officer and subject to plans dated March 10, 1988.

Meeting adjourned after 12:00

Edward T. Moore, Chairman

Glenn E. Gerrior, Vice-Chairman

Emile W. Niedzwiadek, Clerk

Anne M. Morse

John P. Murray