



# **BELLINGHAM PLANNING BOARD**

**P.O. BOX 43**

**BELLINGHAM, MASSACHUSETTS 02019**

## **MINUTES OF MEETING 4/28/88**

Meeting called to order 4/28/88. All members were present. Consultant Philip B. Herr was also present.

Members were poled to enter executive session to discuss pending litigation involving the Board and H.A. Fafard "Shores at Silver Lake." All members agreed to the session to include Atty Ambler and Mr. Herr.

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AM/GG motion to return to regular session carried unanimously.

### **CONTINUED PUBLIC HEARING - Lakeview Estates**

Applicants requested an extension 90 days from May 9th, 1988 and continuation to July 28, 1988 at 8:00 p.m.

AM/JPM motion to grant the extension as requested and continued the public hearing to July 28, 1988 at 8:00 p.m.

9:35 Definitive Public Hearing - New England Country Club

GG removed himself from the board and the room to avoid any possible conflicts of interests.

Mike DeFrancesco from Ronald M. Ashe & Assoc. He explained a 100 scale plan for ease of illustration and discussion given the size and extent of the property. Approx. 324 acres bounded by Rhode Island, Wrentham Rd. Locust St. (or Bound Rd.). The main entrance is on Wrentham Rd. The second means of access is proposed to Locust St. There is no connection to Woonsocket planned. Project will have municipal sewage from Woonsocket and water from town of Bellingham. Zoning is 30,000 s.f. per lot designed around an 18 hole golf course. The main collector road is 60 ft. R.O.W. Crosses a two-span bridge and the roads meander through the site out onto Locust St. The other streets are minor streets with 50 ft. R.O.W.'s. Lanes shoot off the minor streets. They are requesting reduction in pavement widths so that the collector will be 29 ft. paved, minor streets will be 26 ft. paved and the lanes are proposed for 24 ft. paved. The sewage plan will pump up to Woonsocket and they do approve of the tie-in.

Drainage is now proposed as a closed system with catch basins, etc. There are 10 detention basins. The owners are expanding a pond on site to hold more (additional runoff). Cable, gas and electric services are all proposed underground. The Notice of Intent will be filed shortly with the Conservation Commission regarding that part/portion of the project.



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Comments from G. Daigle (highway superintendent) were reviewed. He approved of one sidewalk, road curves and the bridge. The developers were working around two (2) site constraints severe topography and minimal impacts upon the wetlands. General construction will be privately maintained road and Locust St. would also not have to be maintained once it is improved; provided that Locust St. can be improved - legally. The Dead-Ends as shown are acceptable. They understand that Locust St. (Bound Rd.) must be classified as to who owns it and the legalities of improvements to be completed.)

ETM: Pavement widths proposed are sidewalks going to be used for golf cart travel?

Answer was "no."

EN: Do golf carts have to be registered to cross the streets.

Ashe: Thumbnail sketch - 279 lots, 30,000 s.f. lots, we have over 26,000 or 5.3 miles of roads to construct. That concluded his presentation.

ETM: Bound Rd. issue - legal problems must be resolved and asked applicants if they intended to bring Bound Rd. up to town standards provided they could do so legally.

Discussion re: Bound Rd./Locust St. -- Land Court decided that the road is located in Bellingham side. The drainage is proposed to come down from the site and over the Phillips property (Randy) provided that they will be allowed an easement to do so, for the detention area.

ETM: That is a major factor in our (Board's) decision. Is there enough land to allow for the takings necessary to improve the road?

Charles Sokoloff, Esq.: Stated his people were working on the title issue.

Fire Department comments: the street name should be changed from Locust St. to Bound Rd. since there is presently a Locust St. in Bellingham and Wrentham Rd. splits the two sections of Locust St. Chief suggested "Bound Rd." He suggested that Country Club Way be changed to Country Club Drive. He noted that Mr. Trudel (water superintendent) has worked out the hydrant locations to the satisfaction of the water and fire departments.

Water Department correspondence dated 4/28/88 reviewed - they do not approve of water easements. The department needs additional time to study the issue.



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N.E. Country Club - Definitive Public Hearing

Ashe reported that they were working with the Water Dept.'s consultant, Amory Engineers regarding the water/sewer issues. They will be extensively reviewing the drainage calculations/study.

ETM: Is the town of Bellingham allowed "so much capacity" with Woonsocket and does this proposal cut into the allotment for proposed sewer tie-ins for the rest of So. Bellingham who have been awaiting municipal sewage for years? (regarding the existing homes)

Herr: Perhaps allocation to Bellingham was scaled for 200 or so homes in So. Bellingham.

ETM: I don't want to have to tell residents of long standing "sorry we've distributed your allotment to 300 homes not yet built."

Ashed: Fixed capacity based on G.P.D. - he will check with Woonsocket regarding impacts on existing homes in Bellingham.

ETM called for questions from the Board. He called for questions from the audience.

EN: What about the issue of "double coverage?"

Herr: the golf course relies on lot designations of 30,000 s.f.

AShe: The golf course is separate - each lot abuts the course. It is not designed as part of the playing field.

Herr: There are restrictions on lots that the houses must be placed in certain areas on the lots. Do golfers gain right of access to any part of the homeowners lot?

ETM: that situation would be considered "double coverage."

Sokoloff: We've researched and I think we can satisfy that concern.

ETM: concerned about the rezoning of the golf course portion to AG if part of it is used by the homes.

EN - attempting to clarify the issue of double coverage - "If I hit a ball into my neighbors yard I have a right to enter the property and retrieve the ball."



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### N.E. Country Club - Definitive Public Hearing

Sokoloff: There will be "out of bounds" markers and the fairways are separate parcels.

ETM: How do you handle the easements?

Sokoloff: Through covenants.

Herr: Is there a written analysis you can provide this Board for review by my office and town counsel.

Sokoloff: They can prepare a direct analysis with drawings to highlight what we are talking about here. Cited density case in Plymouth County Land Court case.

Herr: In the future you'll submit a written report. We are pressing you here for a **WRITTEN REPORT**.

EN stated this board has denied similar instances in the past.

Sokoloff: We'll submit in writing.

Submitted 3/21/88 - we are at 41 days tonight and we have 90 days upon which to act.

ETM suggested sticking to the subdivision and keeping the golf course legal problems out of it.

### ABUTTERS SPEAK:

Josephine McHenry 51 Wrentham Rd. - Requested a runoff clarification for pre and post development.

ANS: Peak flow after will be no greater than before construction.

ETM stated that Amory engineers review their computations.

J.McH: Will trees be remaining behind Wrentham Manor? She is concerned because there is indiscriminate bulldozing.

Ashe: Suggested the abutters take a site visit.

Leo Dalpe - 230 Wrentham Rd.  
Interested in the Bridge and possible visual disturbances due to elevations with intersection with Wrentham Rd..

Ashe: stated the bridge was above the 100 year flood plain.



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### N.E. Country Club - Definitive Public Hearing

Dalpe: concerned that his house is directly across the street from their proposed road/bridge and the lights from traffic will flash into his home across the street and up the hill from the project.

ETM: If the bridge is lower than Wrentham Rd. the lights will bother him.

Muriel Lacroix Wrentham Rd. (directly abutting Coachmen's Lodge)

The exit is right after the hill or curve - she questioned the safe sight distance.

ETM stated the group will be hearing from the safety officer.

LaCroix: cited indiscriminate tree cutting behind Bungay Brook. She stated the area was a "mess" and the banks are eroding. She expressed concern that the Coachmen's Lodge septic system would back up due to the obvious increase in the stored water she felt was a direct result of felled trees.

AShe: detention pond will mitigate that problem.

LaCroix: Wrentham Rd. is extremely high (the water table around same.) Her neighborhood has made the Conservation Commission aware of the alarming water levels in Bungay Brook which has dramatically increased. There is more water coming down into the brook from the golf course than ever before.

ETM: remarked about a case when he was a member of the ZBA regarding the stream behind the Coachmen's Lodge.

LaCroix: This stream coming directly from the country club and there used to be "a little runoff" now it is an obvious stream.

AShe cited they were asking for a "variance" (waiver) from the curve radius standards.

Souza from Ashed cited a radius used of 225 which should be 300

AShe stated they have a slide presentation.

Safety Officer (D. Sulahain) viewed the film and found safe conditions and justified the reasons therefor.

AShe requested waiver of grades from 6% on the collector, 10% on minor and 12% on lanes. Exceptions allowed for short distances.

ETM cited that all waivers requested must be prepared in writing and presented.



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### N.E. Country Club Definitive Public Hearing

Ashe: cited severe grades on Country Club Drive and Woodstock. As proposed it would require almost an 8 ft. cut they are working around a difficult topography. At Cromwell Court 150 ft. slope would be 11%. Opposite Lot 192 for a length of 150 ft. between 11 and 12% grade. Two other areas on Woodstock Lane itself 12% for a distance of 80 ft. Bristol Lane 12% is maximum distance of 395 ft.

Souza: 10% grade on the collector street/6% grade on other areas are 10%.

JPM requested an explanation/example of 12% grade.

Herr: cited living on a street at 13% grade and he testified that grades in excess of 10% are difficult to negotiate particularly in N.E. Winter.

Ashe: We did best we could with topography. Deeper you cut the steeper the sides of the roads become and for 300 homes it's not practical.

ETM: at time of rezoning your people stated they would comply with all the regulations of this town. We are now hearing nothing but **EXCEPTIONS**.

Herr: Any more waivers?

Ashe: variations on water requirements - pvc.

Herr: What about the number of lots on a dead end street.

Ashe: 19 lots on a minor street.

Herr: Cited 20 or more dwellings units require two (2) means of egress. Dead end streets are required to serve no more than 12 homes.

JPM: 12 units. Only lanes may be dead ended and a lane is defined as having 12 or fewer homes.

ETM: cited two parcels that need rezoning prior to development and are not part of this submission. total of homes would be 283.

Ashe: requesting upright bituminous curbing per town standards they wouldn't



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mind using concrete curbing.

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### N.E. Country Club Estates

mind using concrete curbing.

Herr: Improvements to Bound Rd. depend on storm drainage facility on land not owned by these applicants (meaning the Phillips property). You must received the O.K. to perform the improvedments from court and town. There must also be a written agreement granting your clients permission to store storm water runoff.

ETM emphatically stated "without Bound Rd. you are dead in the water."

Herr: There were several lots with the golf course coupled with wetlands and are evidently may be more. Upon Herr's analysis only slivers of lots are salvageable and then given required setbacks the lots don't meet building standards.

Ashe: Stated that they were showing legal lots. Whether or not buildable would be determined at another time.

Herr: The purpose of the public hearing is to get the issues out. Insist that all the lots shown are buildable. This eliminates later pleadings of hardship and applicantions for variances from the ZBA.

ETM: How does that relate to Silver Lake - doesn't compare to N.E.CC

Herr: This is the largest development the town's ever seen - they have been before town meeting with rezoning, they must go again before town meeting. This must be well documented legally and otherwise and the negotiations will be tough.

ETM: We have been very cooperative but there is much more information necessary.

Herr told the engineers and applicants/owners that this proposal will take alot longer than 90 days.

AShe cited 105 pages of documentation.

JPM requested 7 or 8 examples of severe grades around town.

On an AF/EN motion the hearing was continued to May 26, 1988 at 8:30 p.m.

SGT Sulahain cited in excess of 400 ft. of sight distance in both directions on Wrentham Rd.



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### RIVERVIEW INDUSTRIAL PARK - preliminary plans

John Noonan from the Fafard Companies was present. He stated that Phases I and II had been denied at a previous meeting due to safety with access onto Maple St. He briefly highlighted Phases 3 through 6.

Herr: Noted that the numbering of phases had no sequential significance to the development.

#### Phase III

Lot 1 = 50 acres, lots 2 & 3 = 22 acres explained the catch basins & detention pond to the Charles River sewer proposed hook up to Mechanic St. and Water by route 140. Road accessing would be High and Maple sts.

ETm: They do have access on High St. but how do you get to their site from there?

Herr: Relying on High St. is there a commitment from the town or developer to improve High St. to accomodate the traffic flow and safety? If the Board approved Phase III, they would need assurances that Fafard in conjunction with the town would improve High St. Worse case would be what could happen in 10 to 20 years. He cautioned the board against giving any false sense of "approval" without the assurance for necessary improvements.

NDAI - Dave Dankins spoke with ETM problems with road, curve, cemetery and narrowness. Questioned whether this board would be out of line in disapproving Phases III and IV. Master Plan on end is quite workable - although the situation is untenable.

Noonan: explained 4700 ft. road with cul-du-sac for industrial use.

Lord: The whole connection would be made to Maple St.

Herr: Until access to that subdivision is made possible, the subdivision cannot be acted upon.

Noonan: Meeting scheduled to talk for the benefit of the town and developers.

ETM questioned enough reasons for denial of Phase III.

Lord: Clearly the road structure as shown is most reasonable for looping two roadways.





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### Riverview Industrial Park - Preliminary Plan

ETM: If Phases III and IV were approved in concept. . .

Herr: Suggested that the solution would be to push them to own the land and then the board could approved the plan closing the loop. They can't close the loop presently due to ownership. Speculated that they couldn't market those phases based on frontage on Maple St.

Omitting that connection won't encourage or discourage. Technically it's a message about the master plan. Without the improvements to High St. and without an interchange or access over the Charles River the plan isn't workable. He sees problems with approving some portions and then what happens if other portions aren't constructed first.

ETM noted Phase IV and lousy egress for 4-corner intersection and proper visibility.

Phase III - Fafard doesn't own it (where the road comes out) and without the assurances of High st. improvements to provide adequate visibility at this time the plans have definite problems. On a GG/JPM motion Phase III was unanimously disapproved.

Phase IV - due to safety factor and egress on the inside of a dangerous curve, there was a unanimous vote on an EN/JPM motion to disapprove this phase.

Phase V - 1800 ft. temporary cul-du-sac.

Herr cited a real problems with existing Corps of Engineers R.O.W. He read it as an easement. they took his land so gave him access in return. Problem - is the proposed streeting sitting squarely in the flood plain? That was confirmed by Noonan. Noonan also stated that the actual calculations were incomplete for this street.

Herr: Expressed strong concern over safety and possible damage to natural resources in the area. Conservation Commission claimed limited access with the Corps. of Engineers property. Herr is under the presumption that the proposed street will be a collector. If that is the case he foresees a major problem with the centerline and proper radius. If one proceeds under the assumption that High St. will be totally improved, (wholly reconstructed) is that a corner or a radius situation. A possible solution would be to dead -end High St. into the new street.

Noonan stated his company intended to build the "master plan." At station 60 + 50, it appeared that stormwater was discharging directly into the wetland.



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### **Riverview Industrial Park - Preliminary Plan**

Regarding the Corps of Engineers land, it is in the flood plain obviously. A detention facility will have to be constructed and the problem is where if all of the land is flood storage land.

On a JPM/EN motion the plan was disapproved citing safety and environmental problems.

Phase VI - 40 acre parcel. Access near old gas station.

Sulahain stated that he thought they had proper sight distance, but the major problem is that the road is heavily traveled and experiencing back-up in its present/undeveloped state.

Herr: Stated someone was needed to design this "stuff" in conjunction with everything in the vicinity to include NDAI and Varney. He noted that a floating lot (detached from the main parcels) were not allowed. All property shown in a subdivision had to be contiguous.

Lord, Esq.: Cited the plan would probably be denied due to traffic flow and safety and the floating lot.

Herr cited an approval of this Phase would be in order if adequate arrangements could be made to had traffic flow and safety for all of the proposed development on Hartford Ave. in that vicinity. GG/EN motion to approve Phase VI citing discussion above carried unanimously.

### **OLD BUSINESS (still hanging)**

#### **Silver Heights (4 lots subdivision in Scott Hill Acres for proposed Chapter 774 Housing)**

EN/AM motion to approved subject to the following: looping Dorothy Ave and Florance St. in addition to Brion and So. Center St. A sidewalk on the inside of both proposed looped roads to the extent of their new construction would be required subject to the following waivers of above-ground utilities and bituminous curbing. Motion carried by unanimous vote.

### **PINE VILLAGE - preliminary plan**

Fred Sullivan of Pine St. Franklin, MA (formerly proposed as 30 condominiums)

Herr stated that a couple of lots didn't meet the requirements and that this proposal caused unnecessary damage to wetlands. The board should suggest that the cul-du-sac stop just short of the wetlands and not cross them. (or enter them). Also fewer lots would be a better use of the parcel environmentally, etc.



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## PINE VILLAGE

On a AM/GG motion the plan was disapproved unanimously.

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. Neidzwiadek, Clerk

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Anne M. Morse

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John P. Murray

ETM:bal