



## 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 JULY 28, 1988

Meeting was called to order at 7:55. John P. Murray was delayed due to business commitments. Consultant, Philip B. Herr was present.

#### SUBMISSIONS

Mr. Raymond Daniels attempted to present application for Special Permit for Reduction in Parking. However, he had no application and could not properly fill in the details, some of which were legal. Secretary suggested that he return next week and submit the entire package.

#### Form C - Definitive Plan

##### Nuissl Estates

Parcel of land on northerly side of Penn Central, bounded northerly by Legenza, Delaney & Muller, easterly by Prospect St. & Compisano and southerly and westerly by Penn Central.

Three (2) lots two of which are in Bellingham. (The other in Franklin)

owner/developer: Land Inc., Carl Nuissl, President, 685 Chestnut St., Wrentham, MA 02093.

surveyor: Ralph I. maloon, Hutchins - Trowbridge Assoc. Inc., 272 Chauncy St., Mansfield, MA

Check #346, dated July 29, 1988 amount of \$100

submitted by Bruce W. Lord, Esq, 94 David Rd., Bellingham, MA 02019

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#### Form C - Definitive Plan

##### Pine Meadow Homes

West of Pine Street, sparsely vegetated with brush and woods, mostly Pine.

Eight (8) lots.

Owner/Developer: Frederick Sullivan, 106 Pine St., Franklin, MA 02038

Surveyor: Land Planning and Engineering Ind., 167 Hartford Avenue, Bellingham MA 02019

Check #345 dated 7/29/88 in the amount of \$300.00.

submitted by Bruce W. Lord, Esq, 94 David Rd., Bellingham, MA 02019



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Meeting dates were set for Month of August. August 4, 1988 and August 25, 1988.

Chairman stated that Pandora Carlucci of the tri-town open space plan proposal cancelled this evening and requested an appointment for August 4th.

ASDI - Lot 9 William Way (Original Crispy Pizza) called secretary answering machine and cancelled his continued site plan review for this evening at 7:45.

### CONTINUED PUBLIC HEARING Lakeview Estates (Wm. Hood, Buscone and Fafard)

James L. Roberti, Esq. was present to request an extension of time for approval of his clients definitive plan located to the rear of Scott Hill Acres and abutting the proposed "Shores at Silver Lake." The request was for 90 days to begin August 9th when the present extension expires. The letter was dated 7/28/88 and further requested to continue the public hearing to October 27, 1988. *further*

EN/AM motion to grant the extension of time and continue the public hearing to October 27, 1988, at 8:00.

### BONDING

#### Beaver Brook Gardens

Bruce Allen presented the paperwork. Letter dated 7/27/88 from Gerard L. Daigle, Highway Superintendent approving the amount of the estimate for completion of work at Wethersfield Rd. Paving estimate from Trimount Bituminous Products Co. dated 7/26/88 was presented outlining in detail all specifications. Copy of Bellingham Form F was presented for substantiation of Covenants. Bellingham Form E-1, Performance Bond Secured by Deposit Bruce W. Allen, Trustee in the amount of \$13,000. Bellingham Form G "Certificate of Release" was endorsed and presented. Passbook to be held as security #9071981, Blue Hill Credit Union, 429 Harvard Street, Brookline, MA 02146. payable to "Nautilus Realty Trust, Bruce W. Allen, Trustee and J. Eugene Corriveau, Treasurer, Bellingham, along with 2 withdrawal slips signed. The chairman ascertained from Mr. Allen that an inflation factor of 15% had been factored into the passbook amount. AM/GG motion to accept the passbook as performance bond. Motion carried unanimous of 4.

### SUBMISSION OF 81-P Plans - FORM A

Applicant: Leonard S. French, Longhill Rd., Franklin, MA  
Surveyor: Leonard J. SanClemente, R.L.S. present for Guerriere & Halnon, Inc. 205 East Central St., Franklin, MA 02038. One lot located at northeasterly side of route 495 at the Franklin town line. Zone-Industrial. With the advice of consultant, Philip Herr, motion by GG/AM to sign the plan - all members signed.



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### SPECIAL PROBLEM - RESIDENTS OF ROUTE 140 - Mendon St.

Mrs. Deletti from 148 Mendon St., served as spokesperson. During the torrential rainfall of the previous day (Wednesday 7/27/88) excessive runoff flowed off the Park 140 commercial/industrial sites and into the abutters' properties. Mrs. Deletti experienced 12" of water in her basement (flood conditions) and there was left a 6 inch water mark on her outside foundation. She was adamant that the problem was caused by "the development up back" (Park 140). ETM ✓

ETM: Mr. Arcand (Selectman and also an abutter) picked him up yesterday to view the water damage to his property and the others involved. ETM viewed Mr. Provost's wall (blown out). Mr. Arcand's backyard blew out into the next abutter down gradient from his property. EN and AM viewed the damages this date. GG was out of town on business so couldn't make the fieldtrip and JPM was unavailable.

AM stated emphatically that there was no question in her mind where the damage initiated from - "you could see it."

Mr. Arcand commented: where was the water coming from? There was absolutely no screening between that industrial subdivision and the abutting properties. There should be a buffer between the industrial and residential zones. That has been a major concern and complaint of Mr. Arcand's for over a year. He noted that the drainage pitches left (toward the abutting residential properties) and the catchbasins were located on the right. The catchbasins are functioning (he is the highway foreman and is well aware of their status) however, he cited that the lots weren't designed properly so that the runoff could reach the catchbasins.

In his own words, "the properties (sites) pitch toward the woodlands and residents instead of the direction of the drainage."

ETM: Drainage on road works right?

Arcand: No question about it. Drainage isn't getting into the catchbasins and drains.

ETM: We'll (planning board) will research the files and check on all of the site plan reviews for that subdivision. For some there have been site plan review - question is have they built what was approved?

Arcand: Is there a time frame on building construction and landscaping?

Herr: Occupancy permits shouldn't have been allowed/given until the entire site was completed.

Herr continued - the real issue here is what to do about the problem which has developed.



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### RESIDENTS ROUTE 140- ASDI Site Problem

Herr suggested that what was needed was to take a look at the roof drainage and pavement and see what would be needed to correct that.

ETM: MR. Arcand asked me what triggered "site plan review".

Herr: The number of parking spaces at the building inspector's discretion and also dictated by the square footage of the building.

Regarding the research into site plans reviewed, the secretary reported to the chairman that she had researched all available files to located site plans and none had been set up prior to her assumption of the secretary's position 12/1985. She further stated that the site plan review process was grossly inadequate in that there were no formal applications designating location, ownership, developer or design engineers/architects to assume responsibility for these sites. Further, the plans haphazardly reached this board by being stuffed into the 3" x 5" mail box at old town hall or dropped off with a member. There was no papertrail for proper recourse.

In closing she cited that not one plan is on file with this board concerning the developer of Bellingham Plaza on Route 126 (Thomas Clarke)

ETM stated that perhaps it was time to review the site plan procedures and require all commercial/ industrial sites to be reviewed regardless of parking spaces and size of building - there were other more important factors concerning proper site design which should be a major concern in all cases.

Herr: that might not be helping these people.  
Consultant promised to research his files and locate the checklists pertaining to sites within that subdivision.

Neighbors thanked the planning board for it's time. Consultant advised the neighbors to document the water damage with pictures, etc.

ETM suggested that ASDI probably cancelled due to the washout.

### 8:30 CONTINUED PUBLIC HEARING - Judy Lane Estates

John Rothmeller (sp) from Allen Demurjian, Major and Nitsch, hereinafter referred to as CE was present as spokesperson.

Owner: Robert Savoia, Thayer Park Realty Trust,  
4 Mill Street, Bellingham, MA



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### CONTINUED PUBLIC HEARING - Judy Lane Estates

CE explained drainage detention pond and drainage system sized for 25 yrs.  
2 cfs predevelopment/1 cfs post development (runoff)  
Used the S.C.S. method along with Rationale which was more conservative.

ETM: Water runoff - post is less and pre development is more?

Herr: you mean the peak rate will be lower.

CE Channel flows into the pond.

Herr: 6 months storm/same amount of water as now. Only be when up to 25 yr.  
storm to kick in. Peak rate will not be as high. What about yesterday?

Herr: He had about a 3-10 year storm - would the rate of flow be higher  
or lower? Could a 6" pipe clogg? ARE you concerned.

CE We believe we've taken care of that.

ETM: You mentioned clogging. Will there be a grate?

GG: 6" pipe requiries alot of maintenance.

CE we have a little spillway at the top.

Herr: the notion should be a "v" shaped opening - outflow matches in samll-with  
a fixed orafice. 6" Pipe will catch leaves, twigs, dirt, and assuredly clogg.

ETM The Board has a letter from Herr questioning the detention pond, calcu-  
lations and capacity. This town has been burned with detention ponds.

CE We have over 1 ft of freeboard before the water hits the spillway.

Herr: Board concerned for a margin of safety- o.k. what happens if you end up  
with an overspill? Do we need some kind of hardened spillway?

Research he has performed suggests one (1) foot of freeboard and some  
kind of hardened spillway.

CE we could wrap the 70 contour around to provide a foot and a half - it will  
take revisions to the drainage plans.



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### CONTINUED PUBLIC HEARING - Judy Lane Estates

ETM residents from Depot St. were concerned with possible failures. Some little deficiencies were cited in the Herr letter - mechanical deficiencies.

Herr: Answer the question regarding existence of monuments on the old Judy Lane.

CE stated that drill holes were found in walls but as far as actual monumentation, no.

A list of the requested waivers were reviewed:

- sidewalk on one side to be carried the full length of Judy Lane (from the new portion along the old section)
- Overhead utilities in lieu of underground;
- Cape Cod Berm in lieu of sloped granite;

and off site improvements to include the digging up of the old cul-du-sac and grading, loaming and seeding. On a GG/EN motion the subdivision entitled "Thayer Park-Judy Lane Estates" was approved with the waivers and onsite improvements as listed above - one sidewalk to be placed on the easterly side of Judy Lane as shown on the plan. GG/EN motion was to close the public hearing and EN/AMN motion to approve the plan subject to waivers as previously stated, the off-site improvements agreed to by all parties and subject to the technical revisions as outlined in letter from Philip B. Herr dated July 9, 1988, copy provided the applicant during this hearing.

### 9:15 WALDEN GROUP

#### Maplebrook Development - Mechanic St., Bellingham, MA

Tom Riel from Walden Group, Joe Antonellis, Esq., Scott Richardson (architect) and project manager Paul Wise were present for the update presented by Walden Group.

They are waiting for the final authoring of the Discharge Permit from D.E.Q.E. for Wastewater Treatment Plant. All the technical issues resolved. We've been working with the residents of Maplebrook. New elevations offered for 28 buildings in phase III. Talk about 2 or 3 issues and discussed elevations, number of units would have been located next to the wastewater facility. Some units on the northerly side of the property will have to be relocated per order of the ConsCom. Specifically north of the access road near Blackstone Street where they filled in.



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### WALDEN GROUP - Maplebrook Upadate

DeFeo, Waite and Assoc. from Raynham are the new design staff, engineers of record (new).

Same size and sq. footage, still 2 bedrooms on the existing foundations. Two phases are complete and minor renovations will be made to those buildings.

ETM: Sewage treatment plant - it sounded permanent in the newspapers. That mini plant will be temporary when line comes down you must hook up.

Riel: It can stand alone and hook up with the existing 99 units will be tied into the plant.

ETM: Wasn't it approved to be?

Riel: \$150-\$175M price tag to do that.

Riel: D.E.Q.E. opinion is that basically the sewer lines must cross two (2) property lines - if the owners don't accept it the project stops. Only thing to proceed would be the municipal line going down Mechanic St. 3 to 5 year period to construct the plante.

ETM: 97 units standing when this project is complete they must all tie in.

Riel: Basically a different subdivision with potentially different owners. Must ask the 97 units to be included under one umbrella trust agreement.

Holtzman: Ownership should be known at the time of approval. Now you have 3 separate trusts/owners.

ETM: How did that happen without 3 or 4 special permit hearings?

Riel: I don't know how that could have happened. You have sibling associations instead of one umbrella trust.

D.E.Q.E. would make the 97 units tie in to the municipal sewage.

Riel: very unusual to have sibling associations. Put sewer in at no expense. Cumbersome and impractical.

ETM: Change architectural design - same number of bedrooms.

Scott: Mechanical stuff on the front of the existing buildings will be locateed in the basement, out of sight.



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### WALDEN GROUP - Maplebrook Update

The bathrooms are being modified to enlarge the bedrooms. The buildings are combined design to create unity. Some 5 units, some 6 unit foundations. The 3rd unit will be pulled out 8 ft. to get into a different facade. On end two-story gables will be featured with a different window.

Herr: If you haven't moved the foundations 10 ft., there are "no changes" considered to trigger another review.

Riel: Movement away from 6 unit to 4 and 5 unit groups. We're flagging wetlands particularly to the north side we understand it will require new site plan review.

Riel - questioned the buildout rate (not more than 100 units) running from the date of the last permit is our interpretation. Install control fence, for vehicles coming in from Blackstone St. and will stop the random traffic. (Curious)

Herr: All units are occupied.

Riel: 93 sold and 1 is rental.

Herr: do your occupants run out of parking spaces?  
ETM called for members of Maplebrook could answer questions or offer comments.

Paul Glover, 820 Maplebrook  
No parking problems experienced.

Herr: figured at 2 1/2 spaces per unit.

Woman from the audience sometimes found parking tight. Company or party traffic was expected to park along the main condo roads.

Riel: groundwater discharge permit 3½ to 4 months to complete the sewage plant.

ETM: Site plan review.

JPM: Is the road finished, Mr. Chairman.

Riel: The binder course will be placed shortly and he expects to be in with site plan review shortly (4 to 6 wks.)





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### STONY RIDGE VILLAGE - update

**JIM MILLER**, planning consultant from Newton. The property is located on Hartford Ave between Cedar Hill Road and Deerfield Lane. formerly the Wong family property presently owned by Mr. Forger. One year ago 49 units and a number of street lots were approved. There are in the site plan review stage and are presenting it in conceptual form. The interior renovations to the Wong house are near completion. The shift in market has dictated that they re-configure their site which frees up more open space and brings the development closer to one end. Two clusters are located to the rear of the property. 6 affordable housing units (not chapter 774) are combined with handicapped equipped and are retained with this plan. Water loop to Cedar Hill will be installed as promised. 3 front clusters at same place. Some units will now be over/under flats with each a separate entrance. 85% of the units now have garages. *market*

AM questioned the number of units - still at 49?

Miller: We'll offer to place a conservation restriction on the open space to ensure no future development of the property. *of the property*

ETM: Waterline in the same place?

Miller: Confirmed. Price of the unit will be slightly lower than before.

JPM: From what I have heard considerably lower.

Herr: maintaining the basic integrity of plan without losing marketability.

ETM: Any drawbacks?

Herr: Just procedural difficulties. (i.e. a modified special permit).

JPM: Get the attorney to check it out.

Herr: With additional clustering of units, this neighborhood may want to offer input.

Civil Engineer present: less ground cover (pavement).

Miller doesn't want a "flawed" permit.

*herr*  
herr: Just hold a public hearing as "an amendment to a special permit modifying the arrangement of the buildings on the site." Just a location change.



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### STONY RIDGE VILLAGE - update

✓  
Miller: could we accomplish site plan review in conjunction with the public hearing?

He offered a revised site plan to P.Herr. Herr responded that the s.p.r. could be accomplished in that manner.

Paperwork will be ready for filing next week, August 4, 1988. Public hearing will be set next week.

### SITE PLAN REVIEW - BROOK ESTATES CONDOMINIUMS

Ted Goguen, Esq. owner/developer gave the presentation.  
He is trustee of Marlex Realty Trust

He addressed the lights, police and fire issues. Parcel A-2 containing 5.6 acres deeded to the Town of Bellingham.

Conservation Commission issued Order of Conditions to cross White's Brook.

8" watermain as shown on plan will loop water to Saddleback Hill Rd. Clusters will be constructed from right to left on plan in three phases. Road will be called White's Brook Crossing.

Herr stated that the version of site plan review is new tonight. He assumed the revisions discussed at his office with the design team on Monday were incorporated but he could not review it at 10:30 at night from across the room.

ESQ: sign detail board displayed the types of signs, dimensions and directional signs as requested by police and fire. Hydrants to be installed as shown on plan. Vocations prohibited letters from other departments.

ETM: Mr. Rosenfeld (HUNA) of Davna Corp. abutting Brook Estates with his proposal of "Bellwood Estates" offered information that 25 out of 26 were sold and 15 were occupied.

Herr: We ought to go over the drawings again and if everything is in order the board can approve next week.

The design civil engineer explained use of TR-55 rough calculations for Cons Proj. ✓

Herr: Couldn't follow comps to ascertain that the detention pond works. Groundwater elevations are non-existent. We're on the side of a hill, digging into the hill. Crestview Commons had groundwater table problems. We don't know what the groundwater table is here on this site. ✓ don't



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### SITE PLAN REVIEW - BROOK ESTATES CONDOMINIUMS

A clarification of drainage calcs and design is in order.

JPM: Should sponsor a survey about halting commercial/industrial growth. My wife cannot water her flowers and I can't enjoy a green lawn. If it lowers my quality of life, I'd rather pay a few extra dollars in taxes.

Holtzman: Well #10 is on Wrentham Rd.

Secretary read correspondence from Water/Sewer Commissioners calling for a slow down in growth and development until new water sources can be secured in light of the drought of 1988.

ETM: What would the next step be.

JPM: Big industries are water consumers. Talk to Westboro, etc. their taxes are higher than ours. New equipment, increase the police staff and salaries. Industries aren't the cure-all. Water department went down to shut off a person's water. *increase*

ETM: Haven't the industries promised to locate new wells.?

Herr: The right answer is for the town to get more water. It hasn't begun to tap its resource. But, you've got to spend some money.

JPM: They all talk. . . (industries/developers and their promises)

Herr: Country Club has land protected for a potential well site.

JPM: it's alot of rhetoric.

### VARNEY - NDAI- MAJOR COMMERCIAL COMPLEX TRAFFIC MITIGATION BY-LAW SPONSORS

Dave Dankins from National Development Associates, Inc. found a discrepancy in the 25% traffic impact bylaw. It is a stringent impact on proposed major commercial complexes. They attempted to author a bylaw which Herr revised to benefit the town in general and Dankins hoped it would be on the next town meeting. (in the fall) Dankins firm performed trip generation tests/surveys. Also included were use of drive, etc. the bylaw give the planning board more clout in allowing a project an excess of 25% traffic increase. It will be (they will be paying) for all the improvements.

ETM: Adopt a bylaw to benefit your project - Major Commercial Complex. WE've never had a discussion regarding this bylaw with Phil. The attorney (Varney's) was very pushy - I was surprised we were sponsoring an article on



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### VARNEY - TRAFFIC MITIGATION PROPOSED BYLAW AMENDMENT

Town Meeting Warrant that we knew nothing about.

JPM: Maybe you should do this by petition.

ETM: What effect will this have on other developments? Right now I see it as a single purpose bylaw.

Dankins: we'll have to get approval from the state District #6.

ETM: Without this bylaw, it is my understanding that this project is dead

Herr: Interjected, this has gotten bent out of shape. NDAI attorney's draft didn't benefit the town. This serves the town well- gives you clear authority over MCC above or below 25% increase, to have the developers do the things necessary to provide relief for the traffic problems they create at their site and at other locations along main routes.

The proposed 4740 gives the Planning Board the authority to accept cash payments from developers for a percentage of the Town's expenses in infrastructure improvements.

Example: NDAI project will impact North Main St. and Hartford Avenue. This will authorize the town to get these guys to own a piece of the mitigations for the traffic problems.

ETM: We are giving up something according to Town Counsel.

Herr: NDAI would need a variance to proceed under the no less than 25% traffic impact bylaw as it stands.

Herr: This proposal would allow board to exercise discretion over the 25% making sure that they are responsible for not only what goes on in front of their site but also that which adds to the mischief in the center of town.

ETM: NDAI submitted the proposal by hand delivery to the Town Clerk. The clock isn't ticking yet, it will start tonight.

Herr: If they submit the preliminary plan tonight they freeze the current zoning (25% impact) for 8 years after the approval of the definitive plan. They cannot pick and choose the laws. They would not be subject to the Traffic Mitigation proposed bylaw. They would have to accept the whole scheme of the laws. We still have some bylaw amendments pending - Water Resource refinements, Environmental Controls. . .



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### VARNEY - NDAI -TRAFFIC MITIGATION PROPOSED BYLAW

ETM: The choice is Varney's. If they submit tonight, they freeze the zoning and must go for a variance to proceed with the project. If they wait for the hearing on the traffic mitigation bylaw, they may be subject to the other two proposed bylaw amendments. The choice is theirs.

### PLANNING BOARD GENERAL BUSINESS

Herr stated that as pointed out by Secretary, site plan review has major problems. Enforcement is also a major problem with no easy solution.

EN cited that some applicants state that sq. footage the same, therefore there are no changes.

ETM cited problem with the miniplaza beside Bennett property. It was not constructed as approved. Town inspector release the approved site plan to Thomas Clarke, developer who obviously built it as he pleased. *released*

ETM: Section 4420 needs revision - drop the work multifamily and add 50 or more dwelling units. That would eliminate the condo projects taking advantage of street lots without town meeting approval of concept. *work*

Herr will deal with the issue to close the loophole.

### Scenic Roads bylaw discussed between members and consultant.

There are clear procedures governing Scenic Roads - Herr has reviewed the proposed Town Meeting Article and found that half of the language was his (from a law he prepared for another community). *✓*

*✓* I have here a proposal I drafted for Bellingham. There are a series of things about the article not well drawn. He would prefer to establish the guidelines through Planning Board Regulations rather than Town Bylaw. Conservation Law Foundation adopted a bylaw before townmeeting in Sharon. They defined tree as 3" diameter trunk. Williamstown defined a tree as 12" in diameter.

### Notes of Problems Cited with Proposed Town ByLaw:

a root (it should be same size as the branch)

groundlevel - bad draftsmanship

tree warden

### Section II

The intent of the state statute was never to exclude "utilities" from cutting/trimming trees - "utilities" are also included in the proposed bylaw.



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### PROPOSED SCENIC ROAD TOWN BYLAW - NEXT TOWN MEETING

excluding utilities, highway improvements very questionable. The statute was authored to preserve historical trees and walls.

Refer this bylaw to town counsel - Herr doubts that it is within the jurisdiction of the townspeople to exclude utilities from making improvements.

Destruction is a lousy word. (destruction of walls). It should read removal of walls or simply altering of walls. those terms should be used in place of destruction.

#### Section IV

Upon the decision of Town Meeting the Planning Board within 30 days shall notify. . . town agencies, changes maps (virtually impossible) state agencies, etc. is in Herr's word's "a substantial piece of work". The Planning Board in it's part time capacity may not want that burden placed upon them. Board may want to oppose that section.

#### Section V.I (5.1)

The Planning Board does not have a "standard hearing procedure" - they have a public hearing for special permits, zoning amendments and definitive subdivision plans. In Herr's words that language creates confusion.

Assessed owners of property within 600 ft. of street. . .

That should be amended to read notify people who's property fronts the proposed scenic street and are located within 600 ft. of the section to be designated as scenic. Who's responsibility to pick off the abutters (a major undertaking the burden of which does not belong with a part time planning board), not to mention abutters who may not be the least bit interested due to the fact they are located within 600 ft. but on another street.

Section VIII.0 Design Criteria ASHO - designating maximum speed, grade, center-lines. Such guidelines are **WHOLLY BEYOND THE JURISDICTION OF THE TOWNSPEOPLE** As stated by Phil Herr that section has nothing to do with the Scenic Roads Act.

Phil suggested courses of action. Since the Planning Board, Conservation Commission or Historical Commission did not petition for the designation of Farm and Maple Streets as Scenic Roads, the legality of that law should be challenged. Average people write to the attorney general everyday and that office takes everything into account and investigates where necessary.



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### PROPOSED SCENIC ROAD TOWN BYLAW

Secretary offered to write the letter challenging the town meeting action immediately. The planning board minutes are well documented. Most town agencies did not sponsor this article. It was a special interest group article to stop tree cutting on Farm St. (not policed by the town inspector and tree warden) and slow down industrial growth on Maple St. which has been designated as "Industrial Zone" for over two decades.

The next alternative is to take your chances at town meeting and not recommend the article or rather move to have it passed over.

The last alternative is to have Mr. Mayewski call Mr. Herr's office to see if the differenced in language can be resolved and an alternative law be drafted by Herr Associates prior to Town Meeting so that it may be presented as an amendment at town meeting.

### TWO MAJOR PLACES OF CONFLICT

- 1) notification by planning board of all agencies
- 2) this law should not apply to the utilities
- 3) The establishment of design criteria for roadway reconstruction is not the proper subject for town meeting or a town by law but rather an inclusion to the planning board regulations.

The statutory procedure was violated in the original adoption of Scenic Roads. Herr suggested that language be used in writing to the attorney general.

Secretary left meeting at 12:00

\_\_\_\_\_  
Edward T. Moore, Chairman

\_\_\_\_\_  
Glenn E. Gerrior, vice Chairman

\_\_\_\_\_  
Emile W. Niedzwiadek, Clerk

\_\_\_\_\_  
Anne M. Morse

\_\_\_\_\_  
John Pm Murray