



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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MINUTES OF REGULAR MEETING

December 15, 1988

Meeting was called to order at 8:00 p.m. All members were present. Board's consultant, Philip B. Herr was also present.

Submissions:

Empire Circle

James Reger, East Coast Engineering, presents a road bond to release 3 lots: lots 13, 14, 15. He is posting a passbook bond to complete the project. Information pertaining to the bond was given to Town Counsel. He is presenting two forms: the performance bond secured by passbook and the certificate of release.

EM questions if Mr. Reger has a letter showing the road cost from the paving company.

J. Reger indicates that he has a letter, dated November 30, 1988 from W. W. Contractors, Inc.

EM reads December 8, 1988 letter from Wilfred Arcand of the Bellingham Highway Dept. relative to Empire Circle which includes a breakdown of the work to be completed at Empire Circle. The breakdown includes finishing the paved road at \$5,400, paving walks at \$4,567, gravel walks at \$1,800, berm at \$3,124 and electric at \$2,448. The total figure plus inflation and contingency is \$19,940. EM questions if the electricity will be underground or overhead.

J. Reger states it will be underground and indicates the total figure was rounded.

EN makes a motion to accept the road bond. AM seconds motion. Unanimous vote of 4.

EM states passbook bond, Home National Bank Account # 0600830 in the amount of \$19,940 is accepted. EM questions if the project was always called Empire Circle and when it was approved.



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J. Reger states it was approved by the Planning Board on February 28, 1974. Town Counsel and Town Treasurer have to sign the performance bond.

EM states the Board will hold onto everything until Mr. Reger presents a withdrawal slip.

J. Reger states he will give the withdrawal slip to EM. The Board will already have the withdrawal slip in case they default.

EM states it is normally called a Form G. EM instructs Clerk to check with Town Treasurer regarding the procedure for presenting bankbooks.

North Main Street Plaza - Site Plan Dimitrios Voyiazis

D. Voyiazis states the Building Inspector told him he could not go with only one entrance. He put in a second entrance and now the Building Inspector told him to close it.

AM questions if the plans were approved. *AM did not participate. AM abstained from discussion.*

GG states they were approved by the Building Inspector.

D. Voyiazis does not know if he meant one entrance or one exit.

EN states there are a lot of things which are not at the site.

D. Voyiazis states he will not complete the parking lot because it is only a two story building.

JM states Board only acted in advisory capacity to the Building Inspector. What is shown on the plan was not built.

D. Voyiazis states he is here because he wants to know if he can use the second entrance or not. He has a board in front of the entrance now.

Highway Safety Officer states Jim Hawee took measurements from both entrances and found it does not conform with the bylaw of 200 feet.

P. Herr states the applicant had a single egress because the Planning Board thought it would be safer. He does not know why the Building Inspector told him to put in a second means of egress.

EN questions why the Board is looking over this question if the Building Inspector has final say.



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EM states the original plan of April 1986 which showed two entrances did not get approved because the safety officer said they should have one entrance. The revised plan showed one entrance, numbered parking spaces, lines and berms. EM questions which plan was used when the project was built.

P. Herr states the real question is what is safe.

EM states he drove out of both entrances and the higher point on the hill appeared safest.

Highway Dept. states they took measurements of the entrances and found entrance A had 500 feet looking in a northerly direction, 438 looking in a southerly direction. The other entrance had 401 feet looking in a southerly direction.

EM states he is surprised there was less at the second entrance because he thought he could see better.

Highway Dept. states the measurements were taken yesterday or today. He states there was already an automobile accident at one of the entrances and questions which entrance it was.

D. Voyiazis points out the entrance on the plan.

EM states the accident took place on Saturday morning, the day after it opened.

P. Herr states that accident had nothing to do with visibility.

Highway Dept. questions who has the authority to decide about the entrances.

EM states the Planning Board made a recommendation to the Building Inspector based on the safety officer's recommendation.

Highway Dept. does not like one entrance with cars going in and coming out of the same entrance/exit, especially if it gets busy. Mr. Voyiazis has to put lights in the whole area because it is very dark there. He states the problem is with the northbound traffic coming in because there is not enough site distance. The right turn is no problem, it is the left turn going in.

P. Herr states they could make it one way in and out.

Highway Dept. states people usually go to the safer entrance from the direction they are travelling. Both entrances and exits might be the safer solution.



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EM questions why the Board spent so much time on changing it before.

P. Herr states the concern was that the two entrances were too close to each other. They had concurred that one entrance was safer than two.

EM questions what happens if the entrances/exits get busier.

JM questions what it is like now.

D. Voyiazis states there are only two businesses there now.

EM states the entrance near Mr. Voyiazis' business is the most popular one now.

D. Voyiazis states it is very dark there.

P. Herr states since both egresses are built and are there and the Building Inspector thinks they should be opened, he sees no harm to agreeing to opening both of them. If they see a traffic problem in the future, they could close the second egress.

EM questions what they should do about the parking.

P. Herr states the parking issue is separate.

EN states they will have to pick up 3 spaces somewhere else. Applicant already put the yellow lines in.

P. Herr believes Board should let him operate both egresses since they are built and there. They should watch the traffic flow.

EM questions who will watch the entrances.

JM states the police will watch.

P. Herr questions why what was built does not match the drawing that was approved. The parking, drainage and catch basins were built to the plan which was not approved. There are serious drainage questions.

D. Voyiazis states they needed more parking before because he was building a two story building. Now it was changed to warehousing underneath.

EM questions if it is advertised for rent.

D. Voyiazis states it is.



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EN states the point is it is not the building that was approved to be built.

JM states the Board can not force him to put in a second story now.

P. Herr states the building is in the wrong place.

EM states applicant will require a variance now because it was built wrong and the Planning Board can't correct it. There were 3 plans submitted. The one which was approved says revised on it.

EN questions where the retention pond is.

P. Herr states it was not built yet.

EM questions if it can be built.

P. Herr does not know if it can be built. The drawing is confusing as to what is there and what should be there.

D. Voyiazis questions if the Board wants him to get another drawing.

EM states the problem is there is a tenant on the premises now. They would like to know what the Building Inspector went by. EM reads July 20, 1986 letter to the Board which states a further review of the site plan is needed. A drainage analysis was supposed to be submitted to P. Herr.

P. Herr states they should send a letter to the Building Inspector.

EM states the Board did that already. He does not know how to fix the situation because the applicant is left holding the bag.

P. Herr states the contractor and Building Inspector may be confused over what was supposed to be approved.

EM states it was cheaper to use the drawing which was not approved.

EN states the Applicant may have to get a variance. The Board can not grant relief from its requirements.

EM states the Board may recommend that no occupancy permit be issued.

GG states the problem is that some individuals may get water because of the problem and complain. There could be trouble when they find out it was not built according to what was approved.



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EN states the drainage is not what was proposed. He questions where the retention pond is.

P. Herr states it is not there.

EM states they put in one catch basin with a pipe like the plan which was disapproved. That is something the Building Inspector was supposed to check. He questions what P. Herr recommends.

P. Herr states they should use both entrances. They should also send a letter to the Building Inspector stating that what was constructed has major and serious departures from what was approved by the Planning Board. The letter should also state that no further occupancy permits should be given until the matter is addressed. The Board should request his attendance at a meeting to discuss the situation. The letter should be copied to Denis Fraine and the Board of Selectmen.

EM states the letter should also state that the Safety Officer agrees that two entrances are safer.

GG states they should both be exits and entrances.

D. Voyiazis states he has to put lights in. He will rent two poles from the electric company.

GG states he should put lights in but he does not need entrance and exit signs.

P. Herr states he is concerned because he does not want anyone coming in blinded by the lights.

EM states applicant must go before the Zoning Board for a variance.

P. Herr states the front row of parking will have to go. They may also have to rent land. There is no way the back of the building will be used for retail space.

EM questions if it meets the set back requirements.

P. Herr states it does not look like it does but he can not tell.

D. Voyiazis states they did cut out the corner.

P. Herr states there is a corner there.

EM states the Board should hear from the Building Inspector regarding how wrong it was built and see if it complies.



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GS states the Building Inspector should have been called in two months ago.

D. Voyiazis questions when he can start using the second exit. He would like a copy of the letter to the Building Inspector.

EM states he can use it from tomorrow. The Board can not OK it because it does not meet the regulations.

F. Herr states they are beating up on the victim here.

EM states he went to the job site when they were building and told the applicant and the Building Inspector it was not being built according to what was approved.

New England Country Club - Public Hearing Reopened

EM states the public hearing is continued from November 17, 1988. He states the applicant will make a presentation, the Board will ask questions and then the audience will have an opportunity to ask questions.

Charles Sokoloff, Attorney from Woonsocket, representing New England Country Club, states they are ready to present the final points to their presentation. They are nearing the end process. The project team has been working with town officials to resolve questions which came up with the subdivision. Most members of the project team are here tonight to answer questions. They originally planned to have a second means of egress from Country Club Drive, but they could not come to an agreement with the owners of Spring Hill Estates. They now have an alternate plan to go out through Bound Road to Locust Street to Diamond Hill Road on the Woonsocket/Cumberland line. They will also have emergency access from Paine Street. They will put up a breakaway barrier so it will not be used for any other reason. The primary entrance is the same.

EN questions if a right at the end of Bound Road will take you to Woonsocket.

C. Sokoloff states a left would take you to Wrentham.

EN questions if one entrance is in Bellingham and the other is in Woonsocket.

C. Sokoloff states that is correct.

F. Herr points out the emergency entrance at Paine Street should also be considered.



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Mike DeFrancesco and Carl Adamo, Engineers from Ronald Ash and Associates will present revisions made after discussions with other town agencies.

M. DeFrancesco states the status of the notice of intent has moved forward with the Conservation Commission since they closed the hearing. They will get a notice of condition by January 4 and the appeal period will end on January 14. He has the minutes of the meeting which he could submit to the Planning Board.

EM states that Cliff Matthews, Chairman of the Conservation Commission called him to discuss information which was provided by the consultant they hired. They will forward the order of conditions.

M. DeFrancesco points out the changes to the project including a reduction in the number of lots to 239, and a reduction in the total length of the road. The main collection road is the same. There will be a 60' collector going out through Bound Road. The cul-de-sac was removed. Manchester Road was make a smoother curve and Cromwell Court was pulled back. Revere Court was cut back to smaller lengths.

EM questions if they took corners out because of the visibility.

M. DeFrancesco indicates that is correct. Bristol Lane was pulled back and the cul-de-sac was eliminated. There were six lots there but now there is one. The total length of the road is now 3.96 miles. It was previously 5.33 miles.

EN questions what is at the end of Country Club Drive.

C. Adamo states it is an off set cul-de-sac.

M. DeFrancesco states it may develop in the future. They had 240 acres. They now have 175 acres. They also had 73 acres of road and now have 29 acres of road. The area rezoned to agricultural has increased.

EN questions how Paine Street will work.

M. DeFrancesco states Paine Street is not a buildable lot. They will have a breakaway barrier and will repave it for emergency use only.

EN questions if they will use it during construction.

M. DeFrancesco states they will use it on a temporary basis during construction and then shut it down.



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EM questions how it will work with the covenant.

C. Sokoloff states the covenant permits use for construction purposes. It states no motor vehicle traffic except construction or emergency vehicles.

EM states they originally proposed 300 lots, now there are only 231.

M. DeFrancesco states that is correct more or less. There will be 239 ultimately. He states the zoning line is on Country Club Drive.

EM questions what their intent is at the end of Country Club Drive.

M. DeFrancesco states it is up to the Planning Board what happens. They will terminate the road at the project line and put in a half cul-de-sac.

C. Adamo states the proposed line matches the street line. If the project develops, they would be able to match it in if the Planning Board allowed them to.

M. DeFrancesco states the Spring Hill map would line up if they wanted to continue it in the future. It would allow 3 means of egress. The sanitary sewer is now through Manchester Street to Walnut Hill Plaza. There is no sewer on the roads. They would not be disturbing Paine or Mendon Roads. It would all be on Walnut Hill Plaza Streets.

EM questions if they gained lots with the knuckle frontage on Waterville Lane.

P. Herr indicates that is correct.

M. DeFrancesco states they would like to keep it that way because it gives them a larger lot. The drainage is also different. They originally had 11 detention basins. The new plan has 12 detention basins and they will use the wetlands for additional storage in a limited respect. The Conservation Commission reviewed it and suggested they request waivers from the Board. Waivers of this nature were previously approved by the Board on other projects. The waivers are for a pavement width of 29 feet on collector roads and 26 feet on minor roads. Lanes will be 24 feet. They are also requesting a grade waiver on Country Drive because it is under 10%. They will have grades within lanes and minor streets. They would also request a waiver relative to having one sidewalk on one side of the road instead of two. They are proposing one 5 foot sidewalk.

EM questions if that means one sidewalk everywhere. He also questions if the roads will be built to the town's specifications even though



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they will be privately owned and maintained.

M. DeFrancesco states that is correct.

JM questions if there will be a guard at the entrance.

M. DeFrancesco states there will be a gate or a guard shack near the pond. On Bound Road they may have a card access gate instead of a guard.

EN questions if the golf carts will cross the road.

M. DeFrancesco states the golf carts will cross at 3 points. They will have golf course rights of way between the properties. Before they were talking about obtaining ease of access.

EM questions if they will be able to make Bound Road wide enough to make it a real road.

M. DeFrancesco states it will be 29' of pavement and 5' of sidewalk. The right of way width varies; it is not uniform. They can get full width pavement.

EM reads letter dated December 7, 1988 from N. David Bouley, Director of the Dept. of Planning and Development for the City of Woonsocket. Mr. Bouley states the city has no negative reactions to using Bound Road as a second means of access for minimal use since it will allow access to Walnut Hill Plaza and Diamond Hill Plaza retail and commercial area. EM questions what he means by minimal use.

C. Sokoloff states they presented the proposal for using Bound Road as a second means of access the same way it was presented to the Board. It will be a private road controlled by a gate. A gate controlled card will be used by the residents. The city thought it would be good for the residents and the city.

EN questions if the lot size rights of way will affect the lot size regarding what was approved.

M. DeFrancesco states the minimal lot size is still 30,000 square feet with rights of way provided.

EM questions if they will do away with all the easements. He also questions if that will be considered double usage.

M. DeFrancesco states a 40' uniform easement line abutts the Fairways. There could be a golf path on part of it.



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EM questions if the Town Engineer has seen the new plan.

M. DeFrancesco does not think they sent the plans to the Town Engineer. They presented it to the Board of Health. The Board closed the hearing and must act within 45 days. They are waiting for a response.

P. Herr states the Planning Board should refer the double counting question to Town Counsel for his opinion. He does not have the language of easements.

C. Sokoloff states the easement language was submitted to Town Counsel. He has a copy which he will give to P. Herr.

P. Herr questions if it is the same now as it was before.

C. Sokoloff states it was done about a month ago.

P. Herr questions if the Planning Board has seen it.

EM states neither the Planning Board nor Town Counsel have seen it.

P. Herr questions if Town Counsel has been brought up to date on the changes.

EM does not know. At the November 17, 1988 meeting, applicants dropped off the drawings relative to the 40' coverage. It was not a public hearing.

P. Herr states the Planning Board should request a copy of the easements. Board can not act until they resolve the issue on double counting. He also states the drawing which they presented this evening does not really indicate which portions of the land they are building on is in the wetlands. He questions the subject easements and setback. The lot configurations are different now but the wetlands have not moved. He concludes they have some lots with limited potential which would not meet the definition of 30,000 square feet. The submitted materials do not identify land underwater 9 months out of the year or what is in the wetlands and not in the wetlands. He suggests it would be helpful to give the Board an explanation so they can decide if the lot area requirements are met. The lots may technically meet the definition but may not really be buildable if half of the lot is in the detention basin.

EM questions if the number of lots shown are actually buildable lots.

P. Herr states it depends on whether or not they count the wetlands which are 9 months of the year under water.



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M. DeFrancesco suggest a meeting outside of the Planning Board hearing to discuss this.

P. Herr states there is no graphic on record to depict the lots and wetlands. The Conservation Commission suggest they construct the drainage system in the road rather than on the lots.

M. DeFrancesco questions if P. Herr would need a drawing to 300 or 100 scale.

P. Herr states he does not want to hold everybody up. He needs a different configuration but may not need the whole thing.

M. DeFrancesco states the design ensures the lots meet the subdivision. They have 27,000 square feet which is 30,000 less the 10%.

P. Herr does not know why the wetlands 9 months of the year were not noted.

M. DeFrancesco states they have a biological consultant who noted 5 types of wetlands. Most are bordering the vegetated state but are not really wetlands. There are 18 lots where the house will be on the buffer of the wetlands. None are in the wetlands. They will prepare another drawing which will show the proximity of the sites, wetlands and detention basins.

P. Herr questions if the lots are 27,000 square feet.

M. DeFrancesco can clarify the issue and get back to the Planning Board with a graphic.

P. Herr questions where the trees will be on the road.

J. Sousa states there will be 3 trees on the other side of Countryside Drive which are indicated on the topol plan.

P. Herr states the topography is incomplete as to where the parking is going to be. There is a detention facility in the area now.

M. DeFrancesco states the presentation does not show where the Country Club will be.

P. Herr states they should show the Planning Board plans which indicate the roads, building, parking lot and detention facility. He is concerned about the Country Club building and the road. He could not read the topography. There is a problem regarding the parking. These issues concern the site plan, not just the subdivision. It is all



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considered in an integrated way as part of the project.

J. Sousa questions if they could deal with the issue when it came time to review the site plan for a building permit. Country Club Way does meet on curvatures and way.

EM states they would be at risk later on to make it fit.

J. Sousa indicates that he understands that.

P. Herr states that would be lousy planning. They should show the Board how the drainage will work now as well as where the parking areas and pedestrian access will be.

EM questions if the retention drainage is based on the current plans.

C. Adamo states the detention pond was sized as if the club and parking was there with an approximate square footage area. He believes it was over designed.

EN questions what happens if the calculations are wrong.

M. DeFrancesco questions what the status of the club house is.

J. Sousa states it is being redesigned. They could add retention basins to another area to handle run off from the club house.

P. Herr states the Board does not have the authority to hold up acting on the plan until they see where the club house will be but he suggests they request the information. The Board has the authority to request the topography.

EM questions what information they will provide.

M. DeFrancesco states they will provide information relative to the parking lot and some graphics regarding buildable lots.

P. Herr states there is not enough information to sort out the issue. Seeing it at 100 scale is not necessarily the answer.

EN states they should provide information relative to the number of lots which are underwater some time during the year. He would like them to provide the number of the lots as well as the quantity.

M. DeFrancesco states they will provide a list and a drawing.

P. Herr questions if they have the authority to show barrier access from Bound Road to the north.



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M. DeFrancesco states it will be removed if they do not have the authority.

P. Herr questions if the Planning Board acted on one sidewalk on all roads.

EM states it was discussed but he is not sure it was acted on.

P. Herr states the road is narrower at the state line. They could fit a 29' road and a 5' sidewalk but they would never get another 5' sidewalk in.

JM states he does not think the Board ever made anyone put in 2 sidewalks.

P. Herr questions how much of Bound Road in Rhode Island will be draining into the first set catch basin.

C. Adamo states it will be about 400 feet from the last set catch basin.

P. Herr questions if that includes 300 plus feet in Massachusetts.

C. Adamo states they will put in 400 feet of pipe short of the crest of the hill.

P. Herr indicates the Board should see something on paper which shows they put a catch basin into Bound Road with pipe running back into their own system.

Richard Picard, 734 Bound Road, Rhode Island, states there is no catch basin on Bound Road. It pitches down from the crest of the hill and streams to both sides of the road. The road gets washed out. There is a serious drainage problem.

C. Adamo states they plan to put in 400 - 500 feet of drainage with 4 sets of catch basins on Bound Road and they will pave to the end of the property.

J. Sousa states they will pave to the state line.

EN questions how wide the pavement will be.

EM refers to letter P. Herr wrote on June 8, 1988 regarding double counting.



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P. Herr points out the document relative to rights and easements did not exist at the time he wrote that letter. He states Mr. Picard is saying one thing and the engineers are saying another. He suggest the Board go down and look at Bound Road. They may request a catch basin right at the state line. There is a serious drainage concern in the Rhode Island portion of Bound Road.

M. DeFrancesco states there would be no problem to adding a catch basin at the state line. He can verify the design to make sure it will work.

P. Herr indicates he has the same point with the eyebrow on Bristol Road. He suggests the Board reserve judgment until they see how other things affect lot and shape. The Board has not approved such things in the past. They could put in a short cul-de-sac and create two lots. He questions who will look at the proposed sewage to see if it is appropriate from the town's point of view.

M. DeFrancesco states the Board of Health has sent DEQE information indicating the number of galloons discharged across the state line.

P. Herr states that is not the same issue. It could be that no one is looking into this for the town.

M. DeFrancesco states it would be logical for Amory Engineers to look into it.

EM states it is a concern for the Sewer Dept. to figure out. Someone must police it to ensure it is installed correctly.

P. Herr questions if the Water and Sewer Commission signed off on the plan.

M. DeFrancesco states they did not.

P. Herr questions if the residents will pay for the sewage.

M. DeFrancesco states there is a connection charge from the City of Woonsocket. New England Country Club Association will pay the annual charge for operation and maintenance.

P. Herr states the streets are private. He questions if the maintenance of the sewer lines will be private as well.

M. DeFrancesco states it will be maintained by the homeowners Association.

P. Herr does not know if the Water and Sewer Dept. can decide on the sewage.



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M. DeFrancesco suggest the Town Engineer go over the system with him.

Randy Philips, Bound Road, questions who has rights to Bound Road. He questions if everyone who abutts the road has the right to go through. He does not believe they have to authority to erect anything on the road.

Gary Martinelli, Attorney from Forge Development Corporation, states that everyone who abutts Bound Road has the same rights.

EM questions how far R. Philips is from the paved portion of Bound Road.

R. Philips states he is 1300 feet from Wrentham Road, 500 feet to his house and 800 feet back.

EN states the road could be paved from Wrentham Road.

R. Philips questions who will own the road and what rights the applicants have to make changes on the road.

G. Martinelli states that each abutter has the right to common cross over of the road in passage. The right to cross extends to the right to improve.

R. Picard states they do not have the right to open the road up to the public since it is not a legal street. He questions what gives applicants the right to open the road and who will maintain the road.

G. Martinelli states Bound Road is accepted as a public way. No one's property extends into Bound Road. They all have an easterly border along Bound Road.

R. Picard states he owns 18 feet at the end of Bound Road in Bellingham.

EM states Bound Road is accepted as a public road in Woonsocket where it is paved. It would be difficult to get the town to accept 18' at a Town Meeting, but if it is not accepted, who will maintain it.

P. Herr points out the town would have to maintain it if it was accepted. If it was not accepted, the subdivision would have to maintain it.

G. Martinelli states they have examined the title. Mr. Picard's title does not extend into the road. All the boundaries end at the road. It is a general rule of law that the abutters have rights in common to the



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road.

EM states the applicants should provide the Planning Board with documentation to substantiate the title. The information will be provided to Town Counsel for his review.

P. Herr states the applicants will remove trees and stone walls which would be considered negative changes to the residents living on the road. He questions if there is case law stating that any abutters can do that or if the applicant is being speculative.

G. Martinelli states he will provide the documentation requested.

EN questions if the applicants have the right to do work on the road and alter the road's conditions.

P. Herr states they can construe the road has been abandoned.

R. Picard states the road was not accessible until one and a half years ago when the applicants sent bulldozers in to clear trees. He questioned their rights then and never got an answer.

G. Martinelli states they believed they had the right to bulldoze since the road is a historic public way.

P. Herr states the Planning Board should request answers on both of these points.

G. Martinelli will provide answers.

R. Picard questions who gives applicants the right to put in barriers if they make the road a public road.

P. Herr refers to the intersection of Country Club Drive and Mystic Drive. He states Country Club Drive is really two house lots. To continue on the main road, one must make a right turn to Mystic Drive. By leaving Country Club Drive the way it is, egress may come to pass at some point in the future. He would like to hear from applicants relative to cutting the corner to Mystic Drive.

EM states it is clear in the future they may tie Country Club Drive in with the other subdivision if it is approved.

P. Herr states even if it is approved at some point, more people will go out Bound Road than Wrentham Road.

EM states he is pointing out the advantage of splitting the traffic 3 ways.



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P. Herr states people will be confused at night unless there are white lines along Mystic Drive.

M. DeFrancesco states Mystic Drive is a 50'-right of way. Country Club Drive is a 60' right of way. If the plan was drawn to scale it would look wider. The roads all have the same pavement widths. It is not as it appears on the plan.

EM states that Country Club Drive is dead-ended. Mystic Road should be Country Club Drive because it is a collector street.

M. DeFrancesco states it will be simple to rename the street. It will be a smoother curve if Country Club Drive goes all the way through.

P. Herr states he needs one more sheet with the latest revised set of drawings. He suggests the engineers get in touch with his office.

EM questions if the newest plan looks like the plan which was submitted a month ago.

P. Herr states a limited number of sheets were revised.

M. DeFrancesco points out that 15 drawings were affected because they changed the egress. He will give them to the Planning Board.

EM would like to place them in the file. If they change the curve and name of the road, they should present that plan.

P. Herr indicates the Planning Board members should look at the smaller scale drawings because there are a lot of things which do not show up on the larger drawing since it is condensed and simplified. They should not rely fully on himself, Amory or the Town Engineer.

Bruce Lord, Attorney for an abutter in the area, requests all relevant materials pertaining to the project be placed in the library where it will be available to the public. He requests a full set of plans as well as drainage calculations and other pertinent information will be helpful to the abutters understanding of the project.

JM states that one set of plans is on file with the Town Clerk.

B. Lord points out that it is impossible to spread the plans out and examine them in the Town Clerk's office.

C. Adamo states they have an extra set of plans.



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EM indicates it must be the correct set.

P. Herr states we only need two sets.

B. Lord states he will take the plans to the library if they deliver them. He requests they include submissions to the Conservation Commission as well as the drainage calculations.

EM states the Planning Board can not require applicants to provide the information, but they may offer.

C. Martinelli states they will be happy to provide the information although they are only required by statute to provide it to the Planning Board. They will provide the plans to the Planning Board and the Board can get them to the library.

EM questions who will bring the plans to the library.

M. DeFrancesco offers to bring the plans to the library.

C. Martinelli states he does not want the public misled if something is missing from the information which is in the library. That is why he wants the Planning Board to put the information in the library.

AM will take it to the library.

B. Lord states it is not a legal requirement, but it is a moral requirement for them to provide the information to the public.

EM states that even if someone finds something missing, there would be no grounds for appeal since applicant is not responsible. He suggests they deliver the plan to the Board with a note to deliver them to the library.

Leo Dalpe, 230 Wrentham Road, states he is concerned about the bridge coming across. The bridge is level to Wrentham Road and the headlights shine in his bedroom.

M. DeFrancesco states they have not changed the graphic presentation. The cars would be approaching at an angle and the headlights would be pointing up. The road is offset so the lights would not shine in his living room. They took measurements which showed that Mr. Dalpe's window elevations were higher. The grade meets the town's requirements.

EM suggests they send Mr. Dalpe the measurements and calculations.

Mr. Dalpe states that he would like to receive a copy of the



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measurements. He questions who is responsible for the homes which were removed across the road from him. The foundations were left open.

EM states it is a safety hazard.

J. Sousa states they are concerned about liability. They are getting quotes and will have the problem rectified within 2 - 3 weeks.

R. Picard states he represents residents of Bound Road and Sunrise Avenue. They are concerned about the opening up of Bound Road. They have been in contact with Mr. LaPlante who told them that Bound Road would not be opened up, that breakaway barriers would be used. He read an article in the newspaper which said that Spring Hill would be used as the second means of access. He found out today that Bound Road would be opened up and used as a means of access. The residents feel they have been misled by the applicants. He will discuss the matter with the Mayor of Woonsocket. He believes a second letter will be forthcoming to the Planning Board.

EM will provide a copy of Mr. Bouley's letter to Mr. Picard. He states the Board can continue the hearing now to enable applicants to answer questions raised and find out if Bound Road can be used. He requests they forward answers to Town Counsel, P. Herr as well as the Planning Board. He would like to hear from Town Counsel as to whether or not he agrees or disagrees.

C. Martinelli states he had no intention to mislead the residents of Bound Road. They had never intended to go out that way.

10 minute recess.

Jon Vandelow, questions how the Fire Dept. will put fires out if they only have one road going in to the country club. He questions if Bellingham or Woonsocket will take care of the fires.

M. DeFrancesco states they will have one main entrance and they are proposing a breakaway barrier with emergency access only at another entrance. The town water system will not provide water for elevations above 360. In Phase 6 of the project, they would not have fire fighting capability anyway. The collector road will be built as part of the project.

JM questions when the collector road will be built.

J. Sousa points out they plan to build the collector road with the projected phases.

JM questions when they will have egress available for the first 20 or



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50 houses.

AM questions where the second means of egress would be on Country Club Road.

JM believes this should be discussed before deciding on the subdivision.

Safety Officer points out grades are no more than 10 with some at 6. Several areas have 10% grades.

M. DeFrancesco states the areas are scattered and are for short intervals. It is allowable by approval of the Planning Board. There are varying degrees; 3 or 4 at the maximum.

EM requests a motion to continue the public hearing.

EN makes a motion to continue the hearing to January 26, 1989 at 8:30 a.m. JM seconds motion. Unanimous vote of 4. Member G. Gerrior did not attend the hearing or participate in the vote.

M. DeFrancesco points out they have 8 sets of plans. The revisions go along with the plans which were already delivered.

Public Hearing adjourns at 10:55 p.m.

Correspondence, Bills, General Business

EM reads letter from Town Counsel relative to two lawsuits: Shores Silver Lake and Cranberry Meadows. Town Counsel requests a meeting with the Board to discuss the lawsuits. Meeting scheduled for January 26, 1989 at 8:00 p.m.

Members sign bills and voucher from Crowley Office Supplies for Apple ribbons, 500 letterhead and 500 envelopes which were delivered to the previous Clerk, Brenda Crews. The Planning Board does not have the supplies at this time.

P. Herr and EM dictate letter which will be drafted to the Building Inspector relative to North Main Street Plaza.

P. Herr submits draft proposed rules and regulations for subdivisions. He suggests members look them over and discuss them with him at the next meeting. He took Blackstone's subdivision regulations and changed them to fit Bellingham.

EM and P. Herr discuss letter of complaint and photographs, dated November 9, 1988, written by Beverly Gray to the Building Inspector.



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The Building Inspector forwarded the letter to the Planning Board. Mrs. Gray writes in regard to the development on Tropeano Way in Bellingham. Apparently, the developers dug up the street and sidewalk along the side of her property and left a 2 - 3 foot drop off to the sidewalk. They also left tree roots exposed and her lawn is washing away.

P. Herr and EM dictate letter to be written to Gerald Burke, developer of Tropeano Way urging him to complete the grading and sidewalks or else the Board will take action on the bond being held by the town.

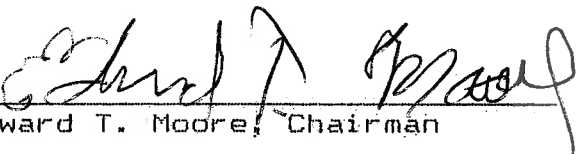
JM left the meeting room when the complaint relative to Tropeano Way was discussed.


P. Herr will keep track of the time restrictions with his computer relative to submittals. He requests the Clerk provide information pertaining to submittals.

Board members review general mail regarding seminars and forums.

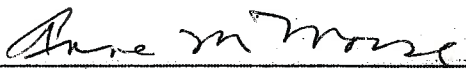
Clerk is instructed to send copies of site plan disapproval recommendations or letters pertaining to site plan problems to the Board of Selectmen.

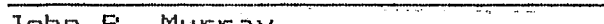
Meeting adjourned at 12:30 a.m.


Edward T. Moore, Chairman


Glenn E. Gerrior, Vice-Chairman


Emile W. Niedzwiedz


Anne M. Morse


John P. Murray