



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

EXECUTIVE SESSION MINUTES

MAY 26, 1988

All members present.

Philip B. Herr present. (PH)

Lee G. Ambler, Esq. present. (LGA)

LGA: "He" requested minutes from the executive session about him. Take the pertinent pages and blacken out everything that doesn't pertain to him.

LGA explained to Board members who did not understand, that minutes of meetings are not meant to be taken "verbatim". They are notes about pertinent issues, facts.

We are entering executive session for purposes of resolving "pending litigation."

PH: has a one page piece of paper with a connector road over the school property. He has considered the offer made to the town. Either accept the offer made, make a counter proposal or wait and see what the Court decides.

LGA if you go to trial and win, what is it that you would ideally like to see? Counter offer - if he declines, go to trial and if you win, what do "you" want to get.

LGA: if you lose - how will you handle Lakeview - say no to "townhouses" and turn attention to that property and negotiate a better solution. the original proposal is gone - what he is offering is different - either accept it, seek to modify it, look for contingency you might not succeed in Court. You could take a tough line against further development or see if you can start fresh.

PH: 15 81-P lots would be gone - eliminate them. \$800,000 improvements to the town (stuff), reduce townhouses by 40 units (they ought to be worth \$20,000 ea.). What margin is he willing to surrender - 40 or less? If the 350 units goes way below what is allowable on the two parcels. You could demand a greater variety of units, some rentals, some affordable and variety in appearance. If the Town loses in Court, he gets 450 units (the original proposal) and zero (0) on Lakeview. Lakeview is not a part of the original proposal.

ETM: 350 on both parcels would be good for the town. But would the numbers work for Fafard? Only lakeview he can only get 30 single family homes.

LGA: I can't accept that analogy. If the Town loses, he gets 450 and then whatever is on Hood's property. Lose hard and 30 homes are coming from Lakeview; lose hard and 450 will come from the Shores of Silver Lake.



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JPM: What was being offered was not part of the executive session.
My original proposal was not part of the executive session.

LGA: The numbers are a part of the executive session.

EN: One solution is to modify the proposal.

ETM: We cannot accept the connector road cause it doesn't connect to the Shores at Silver Lake.

LGA: He should be responsible for upgrading of Silver Lake Rd. from his project to Cross St.

JPM: Presented a plan that the school board had. There was no connection to Silver Lake Rd. at all. Connector road was supposed to go straight through to "Shores" and out to Blackstone Street.

The plans he showed at your (LGA) office are not these at all. We feel a great deal of this traffic would be channeled out to 495.

Herr: The Board should check with the ConsCom option "A". These developers must cross a wetland to get from "Shores." to "Lakeview."

EN: Submit modification - what are we waiting for then? Infrastructure help is that still in place?

PH: If you have significant reduction in number of units he'll withdraw the financial help.

EN: Once submitted, he'll come back with the numbers?

PH: Lee is looking for numbers to present to them.

LGA: Single family units - 60, multifamily 450, use the same ratio and insist on Option "A" indicate no frontage lots and ask for varied architectural style in the plans.

JPM: A few members here think condo's are fiscally better - give him the additional units and walk away.

PH: Condo market is slow, quick turnover and cashflow solutions with single family homes. The idea of a "huge parcel" with all condos has offended the townspeople.



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EXECUTIVE SESSION MINTUES

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GG How does everyone else feel about LGA proposal.

JPM: If the potential for total development is 650 condos, reduce it and tell the townspeople work with the improvements to Fire and Police station

PH: If the Board wishes to seek "off-site" improvements (infrastructure support), in order to mitigate impacts of this development.

LGA: 60 s.f. homes, 450 multifamily, -0- street lots (81-P lots),
on both parcels

need some instrument for the road connection from Shores at Silver Lake, through Lakeview and out to Blackstone St. (Connection Option "A") and ask for some affordable and rental units in addition to \$800,000 worth of improvements to the town.

ETM: Portion of that is not part of the lawsuit. Doesn't carry at Town Meeting, where do we go from there?

LGA: We sit back down and negotiate. Ed should sit down with Cliff Matthews.

ETM: What about the traffic flow and safety issue, access, repetition of design, price range. .

AM Does that mean Hood's is automatically approved?

LGA: NO! NO! NO!

ETM: What kind of pressure does that put this Board under?
Someone is going to have to explain this to town meeting..

LGA: We denied the plan. We resolved the matter on this basis. There should be a joint meeting between the ConsCom and the Planning Board in executive session with the School Committee and Board of Selectmen. At that time, a time frame for distribution of funds as well as build-out rate should be established.

JPM: ConsCom doesn't need as much as originally stated (for the purchase of Silver Lake)

ETM suggested that offending quotes (between and among members) should not be included in the minutes whether executive session or open meeting.

LGA advised that slurs should not be included in a 3 out of 5 vote situation.

PH: When read and approved and upon the advice of Town Counsel, the minutes will be released to Mr. Cibley. Letter to be prepared by clerk.



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Motion made and seconded to return to regular session.

Edward T. Moore, Chairman

Glenn E. Gerrior, Vice Chairman

Emile W. Niedzwiadek, Clerk

Anne M. Morse

John P. Murray

Philip B. Herr & Associates

COMMUNITY AND REGIONAL PLANNING CONSULTANTS
261 NEWBURY STREET, BOSTON, MASSACHUSETTS 02116 PHONE: 617 536-5620

SHORES AT SILVER LAKE CHOICES

Bellingham Planning Board

May 22, 1988

"Accept": accept the settlement offered in 20-Apr-88 letter.

"Modify": a suggested modification of that settlement, either negotiated or imposed following win in lawsuit.

- fewer housing units
- 30% affordable units
- 5% rental units

"Lose hard": lose lawsuit, hardline against multifamily.

- no multifamily in Lake View
- no support for connector

"Lose soft": lose lawsuit, negotiate re Lake View:

- allow some multifamily housing units
- 30% affordable units
- 5% rental units

	ACCEPT	MODIFY	LOSE HARD	LOSE SOFT
Single-family units	75	60	30	35
Multifamily units	450	350	450	510
Total housing units	525	410	480	545
"Affordable" units	0	123	0	164
Rental units	0	21	0	27
Population	1,421	1,112	1,253	1,423
→ School enrollment	105	83	71	82
→ Fiscal balance	\$246,231	\$189,052	\$243,600	\$277,994
Vehicle trip generation	3,225	2,525	2,775	3,155
Infrastructure help	\$800,000	?	\$0	\$0
Support connector	Yes	Yes	No	Yes

SH-SUM.WK1/IMP-IBM

fine negotiate as good as if you can lose the case
POSSIBILITY
*60 Townhouse
35 S. Fox
Lakeview*

additional



TOWN OF BELLINGHAM

OFFICE OF THE
BOARD OF SELECTMEN
BELLINGHAM, MASSACHUSETTS 02019

May 20, 1988

Edward Moore, Chairman
Planning Board
Town Hall
Bellingham, MA 02019

Dear Ed:

At the May 12th meeting of the Planning Board, I formally requested copies of your executive session minutes that pertain to me plus any comments that were contained in those minutes that were derogatory about other members of your board. I noted in my letter that I realized you would have to consult Town Counsel relative to that discussion.

As of this date, I have not had a reply to my request. I would appreciate your follow-up. In any case, under Massachusetts General Law Chapter 29, Section 23A, I am requesting that the entire minutes of that meeting be released as soon as that executive session no longer has a lawful purpose as per the general law.

Very truly yours,

Lawrence J. Cibley, Chairman
Board of Selectmen

LJC/jar

cc: Mr. Glenn Gerrior
Mrs. Anne Morse
Mr. John Murray
Mr. Emile Niedzwiadek