



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

EDWARD T. MOORE, CHAIRMAN
GLENN E. GERRIOR, VICE CHAIRMAN
EMILE W. NIEDZWIADK
ANNE M. MORSE
JOHN F. MURRAY

MINUTES OF REGULAR MEETING

June 8, 1989

Meeting was called to order at 7:55 p.m. EM, EN & GG were present. Board's consultant, Philip B. Herr was also present.

EM introduces a new reporter from the Milford Daily News, Sean Glennan as well as reporter Linda Gasper from the Middlesex News.

Submissions:

Sylvie Michellutti, engineer, from East Coast Engineering, submits 2 81-Ps for Beechwood Condominiums.

EM questions how many times this has been done before.

S. Michellutti responds it has been done a couple of times. They are wiping out the lot lines for lots 5, 6 and 7 and will call it lot 7A.

EM explains they are combining lots 5, 6 and 7 into one lot.

S. Michellutti states that is correct.

EM states it will be a big lot.

GG makes a motion to sign the 81-P. EN seconds the motion. Vote of 3.

Members sign plan.

S. Michellutti presents the 2 Form As and a \$20.00 check for the fee.

S. Michellutti states they are also combining lots 14 and 15, making it lot 14.

EM questions if one of them really is a lot. Does it have frontage?

S. Michellutti states they are on Beechwood Road. They are combining



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14 and 15 and will call it 14B.

GG makes a motion to sign the 81-P. EN seconds the motion. Vote of 3.

Paul Murphy, attorney, presents an 81-P on behalf of Margaret and Joe Manning, 25 Pond Street. He explains they are swapping 6 inches of land with their neighbor.

EM states they must present a check for \$10.00 payable to the Town of Bellingham.

GG makes a motion to sign the 81-P. EN seconds the motion. Vote of 3.

EN states they will not have to make copies since they presented extra plans.

P. Murphy indicates that would be helpful since the banks want copies.

EM states the U.S. Postal Service is presenting an 81-P for the proposed Bellingham Post Office. He states it is off Mechanic Street. He requests that P. Herr look it over. The Post Office will be making a formal announcement about this. They will have a big splash afterwards.

P. Herr questions if they are cutting a piece out of a larger piece. He questions if they have the required frontage.

EN indicates it is a 2.77 acre parcel.

EM states there is no problem. They have the frontage.

EN states they are cutting a section out of 9 - 10 acres.

EN makes a motion to sign the 81-P. GG seconds the motion. Vote of 3.

RIVERVIEW PARK PHASES 1 - 5 CONTINUED PUBLIC HEARING

B. Lord explains they are requesting an extension at the request of the Town Engineer since he has not been able to review the plans yet. They request an extension to the end of the month. They expect that Phases 3 and 4 can be handled at the end of the month. They request of later extension for Phases 1, 2 and 5 to the end of the summer.

EN states that Phases 3 and 4 can be heard at the June 22, 1989



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meeting. Phases 1, 2 and 5 can be scheduled for the last meeting in July.

B. Lord states the request is based on the Town's request.

EM questions if Phases 3 and 4 will be ready before Phases 1, 2 and 5.

B. Lord states the Board determined at the last meeting that they want the Town Engineer to look it over. He has been tied with up the Water and Sewer Commission. He is now able to review it.

EN makes a motion to continue the public hearing for Phases 3 and 4 to June 22, 1989 at 9:30 p.m. GG seconds the motion. Vote of 3.

P. Herr states that Phases 3 and 4 are north and south of High Street. They are two subdivisions with a loop road off Maple Street.

EM questions if they both front Maple Street.

P. Herr indicates they do.

B. Lord explains the progress. They did not receive a favorable decision from the Core of Engineers at the local level. They expect a favorable decision, once they appeal to Washington. Their request for the Core include upgrading High Street and bridging the Charles. The Core did not feel the town should upgrade High Street. They are appealing on behalf of the Town and the applicants. He requests the Board send a letter of support for the upgrading of High Street and crossing the Charles. As far as the town is concerned, if High Street were not upgraded, it would be a disaster for the town. The Core said they could never touch their property in relation to High Street.

EM explains they would be forced to go out Maple Street if they are not able to win support for a new High Street bridge and river crossing. High Street could stand a new bridge. The Core wants everything to go on Maple Street with no bypass at all. He suggests Mr. Lord discuss it with the residents and request their support.

Frank Lewinski, 10 Maple Street, questions what point on Maple Street they are talking about.

EM states it is the 140 end.

B. Lord states it is the area from Hartford Ave. to 495. They requested the Core allow them to cross the Charles to Hartford Avenue and replace the bridge on High Street as well as an easement across



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Core property. They want to direct the traffic away from the residential area on Maple Street and North Main Street. They would like the industrial park to have direct access to 495. If they do not obtain Core approval, the only alternative is direct access to Maple Street.

F. Lewinski questions how they will get across.

B. Lord states they would have to use the existing facilities. They do not want to. It is not what they are proposing.

F. Lewinski indicates that High Street has to be repaired anyway. The sheet of steel on the bridge will not stay there forever.

B. Lord states the Core feels it is their land and they can not touch it. They rejected all the local interest. He does not think that will be the case in Washington. They want to know they have local support.

Mary Lewinski, 10 Maple Street, states they will do anything to keep them off Maple Street. A lot of the houses are old and shake when trucks go by.

EN makes a motion to accept the letter of extension for Phase 3 and 4 to July 31, 1989. GG seconds the motion. Vote of 3.

EM states the motion relative to continuing the public hearing to June 22, 1989 at 9:30 p.m. has already been made.

EN makes a motion to accept the letter of extension for Phases 1, 2 and 5 to September 30, 1989. GG seconds the motion. Vote of 3.

EN makes a motion to continue the public hearing for Phases 1, 2 and 5 to August 24, 1989 at 8:00 p.m. GG seconds the motion. Vote of 3.

EM states the Board will forward a letter of support relative to the High Street bridge and the crossing of the Charles.

Clerk questions who the letter should be sent to.

B. Lord will provide an address.

P. Herr points out that the 3rd easement relative to use of an easement gets into Phase 5. He questions if that was also denied.

B. Lord indicates it was. The Core denied everything they asked for. The main concern is with the denial for the High Street bridge.



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P. Herr states the easement is a tricky question. The road is parallel and west of 495. They should improve from High Street to Hartford Avenue. There is no sure way to accomplish that via the right of way. He thinks the Board should support the High Street bridge and the river crossing. The Board has not been asked to support the 3rd issue. They should not support it because he is not sure it is a good solution.

B. Lord states that two of the issues are town issues. The 3rd one is a corporate issue. It is up to the applicant to prove it is the way to go.

P. Herr states they must also prove it is the adequate way to go.

Steve Racicot, 51 Maple Street, assumes the letter of support is for the bridge on High Street. He questions the river crossing.

EM explains there are two. He questions which one the Conservation Commission approved. They might want a letter of support from them also. He questions the narrower end.

B. Lord states they do want a letter from the Conservation Commission. They are willing to build whichever one the Core and town will approve. They do prefer one over the other. He can not remember which one. They want the concept approved first. It is necessary to stay away from Maple Street in order to provide a decent traffic flow.

Gary Servick, 15 Cliff Road, does not understand why the Board will do a letter of recommendation.

EM explains that he missed the first part of the discussion. He requests that B. Lord bring him up to date.

EM states they will now appeal to Washington since they failed at the state level.

P. Herr states that Shoppes at City Lights for Phase 6 has been submitted. He had suggested the Board not deposit the check for the special permit until they have determined if a complete submittal was made. He requested the applicant forward information which should be available shortly. He spoke with B. Lord about it. Mr. Fafard wants to go ahead with the original schedule with the hearing in July 1989.

EM states the hearing has been scheduled for July 27, 1989 at 8:30 p.m. It has not been advertised yet.



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P. Herr states the time clock will start relative to the time in which to hold the public hearing if the Board accepts the submittal. The purpose of the hearing is for interested parties to review the material. The applicant should have the information at the public hearing. It is a judgment call. The Board should accept the check and proceed provided that the material is available in advance of the public hearing so it can be reviewed and comments provided.

B. Lord requests they leave everything in place. He will request the material from Fafard and have it available 30 days before the meeting. They are at risk if it is not there.

EM questions if P. Herr has a list of the information which is missing.

P. Herr indicates that he does.

EM states if the information is not available at the June 22, 1989 meeting, the Board can declare the submittal insufficient.

P. Herr explains the edge of the pavement marked in red is the B. Campbell proposal. It shows two lanes southbound and 4 lanes northbound. Two are turning right, 2 turning left at the edge of the pavement. In order to enter the parking area they must turn across 4 lanes and approximately 200 feet. It is not possible.

B. Lord states the information is not available at the time this plan was drawn.

P. Herr states this arrangement will not work if they proceed. It has not been reviewed or discussed yet. Part of the traffic analysis comes out in Phases 3 and 4.

? from the audience questions if they are proposing some kind of light in the area.

EM states there will be a set of lights.

P. Herr points out that the buildings are very particular. It is almost as if the developer knows the intended use. It is labeled retail, the same use as Stallbrook. The concept is enormously different. It includes a series of relatively small discreet buildings, rather than a mall. They have not submitted information pertaining to the safety and egress.

B. Lord states it is clear they will change the parking lot.



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EM suggests the Board give the whole package back since they can not act on this.

P. Herr states it is a freestanding piece of land with no frontage and 2 buildings. They have 8,000 parking spaces. There is no front and no proposed topography. There are many improbabilities. The level of detail is more advanced than the information which is available.

EM questions how they will come out into the road.

P. Herr indicates they can not.

B. Lord explains this is a concept plan, not a site plan. He suggested the applicant provide the detail. Maybe it was his mistake. A concept plan is what they saw with Stallbrook. Maybe they went too far for a concept plan.

N states they may have not gone far enough.

P. Herr indicates it violates the zoning. How will they cure it.

B. Lord states they will request an easement for the roadway across some land frontage.

P. Herr states *that* is not what is shown.

B. Lord states the easement is shown.

P. Herr states the roadway is not shown.

B. Lord believes this is the same situation as for Stallbrook.

EM points out the Board rejected the preliminary subdivision for this.

B. Lord states that does not mean it can not get approved if they get the road.

P. Herr instructs him to bring in the whole thing prior to the next hearing in order for the Board to obtain comments prior to the hearing.

P. Herr reads correspondence which he prepared relative to the items which are lacking for this proposal: no calculations relative to traffic have been presented in accordance with Section 4520; no discussion relative to safety for the adequate capacity at ingress and



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egress as required by Section 471; Route 126 does not solve the problem, it would only deal with one point; the concept relative to a series of discreet buildings for retail surrounded by a parking lot which people must travel around by car presents a safety question. They need to obtain a commitment relative to the pro-rata share for the street improvements which this development will take on. They have no documentation.

P. Herr points out that Section 1530 deals with Special Permit criteria. Stallbrook gave them this information. Stallbrook is a conventional development. This is an unconventional development. It is more important to get the information at the conceptual level. He has questions relative to the traffic safety and fiscal benefit. There is a lack of information regarding the intended use of the buildings. Some may not turn out to be retail. There is no indication of loading. The drawing shows the zoning the way it used to be. The change is not included. There is some topography, not all. There is no indication as to who authored the plans. The Board can go forward if these questions are taken care of by the next meeting.

EM requests that B. Lord be given a copy of P. Herr's comments on behalf of the applicant. If the information is not provided by the next meeting, the Board can send back their submittal.

EM instructs clerk to deposit check.

5 minute recess declared.

JM enters the meeting at 9:00 p.m.

SILVER HEIGHTS - PUBLIC HEARING RE: DRAINAGE REVISIONS

GG removes himself from the hearing.

EM opens the hearing at 9:00 p.m. and states that an abutter, Mr. Hazen is recording the meeting as well as the Milford Daily News Reporter, Sean Glennan.

Clerk reads notice of public hearing.

EM explains the procedure of the meeting for the presentation, board member questions and audience questions.

Marisa Krokidas, attorney for Abram Rosenfeld and the development will make a brief statement before turning the presentation over to Ray



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Gomes. The applicant has been considering drainage for some time. It is important for them to keep their eye on cost because this is an affordable housing development. When the definitive plans were approved in 1988, they anticipated that drainage would run behind to Silver Lake Development property. They went on to a expensive alternative since Fafard and Silver Lake Development decided to accomodate their *OWN* development plan. They now want to have the drainage entirely on their property. The design works, is safe and meets the financial needs to enable *the* project to continue to be affordable.

R. Gomes explains they originally anticipated letting the drainage collect and have an easement to Silver Lake property. However, the conditions imposed by the abutter were totally unreasonable. Their first alternative was to store it underground. There are 34 lots on the affordable housing development. There is not a lot of room above ground. They were going to have quite a few underground galleys, but it was driving the cost up. Having the detention basin on site is the most economical solution. The drainage will still collect in the low areas of the road and get directed to a detention basin. They will have two loop roads. The water will be directed to catch basins in the streets. The manholes and pipes will be exactly the same as on they originally submitted. It will be intercepted at the site at the detention basin. The water will be directed in the low points at each loop. The basin will be 4' deep and will have an inlet pipe at the upper portion of the basin. The headwall will let the water out. They will have diffusion swale. The water will come in and flow out. It will be let out into the wetlands. They will keep the water at an even level by building a trough. It will flow over evenly. The water will be 3 cfs less than before the development. The town allows for a 10% increase after the development. They are showing a 1% decrease.

EM questions how big the detention basin will be.

R. Gomes states it will be 100' by 50' and 4' deep. There will be 3' of water with a 25 year storm.

P. Herr questions how long it will be there.

R. Gomes states it is designed to empty within 24 hours.

Mr. Hazen questions if it will be covered.

R. Gomes states it will not be. They will have a 4' chain link fence. With rain like today, there would be a few inches in there. One time every 25 years it will be over 3' of water. Friday's storm would have put about a 1' in there.



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EM questions if it will be completely dry most of the time.

R. Gomes states that is correct.

EM does not like detention ponds. The town does not have a bylaw to disapprove. He questions if they could have a bylaw. He does not like to see it in a residential area.

R. Gomes explains that the detention pond is designed to hold the water down, not in. All water goes out within 24 hours. A muddy area is left. The alternative to a detention basin is to let the water go.

EM states they could not do that since they would not comply with the 10% rule.

EM reads letter from Hoyle, Taner and Associates regarding the drainage calculations. They suggest the 18" outlet be enlarged to 24" outlet.

EM states they have an 11% leeway since the runoff is 1% decreased.

R. Gomes explains the numbers reported are based on the change to a 24" pipe.

EM questions if they should only go with a 4' fence.

P. Herr points out that a 4' fence is required for a swimming pool, so it should be fine for them to have a 4' fence.

EM questions who will be responsible to take care of the pond. The Highway Department has done it in the past.

R. Gomes states it has been built to the towns requirements. The town will maintain it after it has been accepted.

EM wants to hear from the Highway Dept. about that. He questions where the inlet will go.

R. Gomes states the diffusion swale will come over 100' to 125' wide sheet.

EM questions the topography.

P. Herr responds it pitches down.

R. Gomes states it slopes 3 to 1, fills, then 2 to 1 and cuts and then



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1 1/2 to 1 will diffusion swale. The topography has be kept to good *engineering practices.*

EM states this is the 3rd public hearing on this property. Each change was significant enough to warrant another public hearing. He questions if the galley system approved at the last hearing would work.

R. Gomes explains they presented two galley systems. The 18 cubes were not sufficient to meet the 10% rule. They ended up with 25 cubes which would have to be spaced further apart. The whole back of the site would be pits 25' apart. The developer contacted a contractor who indicated the cost would be astronomical.

EM questions if it would work or if it was iffy.

R. Gomes states it works better on paper than in practice. He questions if the 10% could be waived.

P. Herr states the Town Engineer indicated this was not an acceptable solution.

R. Gomes states it did not meet the requirements. If they could have added a few more beehives, they could have met the 10%. The main problem is they would have to have manholes into each one. Someone would have to climb down and clean them out. It would be impractical with that many manholes.

E. Carriere questions the location of the playground.

EM states they moved it and gained house lots.

E. Carriere points out that the detention pond will be in someone's backyard.

R. Gomes states it was a big lot with 20,000+. The detention pond will still be part of the lot but it will be encumbered by an easement.

EM questions how they will get a truck in to maintain it.

R. Gomes states it will be by an easement.

E. Carriere questions if they could put in a 5' fence instead of 4' since it is a heavy child area.

R. Gomes states they got the 4' from the Board.

EM explains the developer has a right to put in a detention pond. The



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Board has no right to disapprove it just because it is a detention pond. He would like to vote against it but he was told it works, they have the right to do it. He questions the safety factor.

P. Herr states the questions of whether to have a 4' or 5' fence is purely aesthetic. 5' is more intrusive because it is eye height.

Maria Krokidas states if the extra foot adds comfort, the developer will be glad to put it in.

EM states they should check with the Safety Officer on whether to put in a 4' or 5' fence.

Maria Krokidas states the developer will continue to work with the abutter in the hopes they will work out an arrangement for the first drainage easement plan. They are afraid it will not happen, however, and would like to obtain approval to go forward. She request the Board treat it as an alternative which will be decided prior to the 20 day appeal period.

EM states they are looking for leverage. They would like the option to go either way.

P. Herr indicates they still have the first plan which was approved.

EM questions the chance of that happening.

Maria Krokidas states it is slim.

R. Gomes states it is a much better alternative.

EM indicates that the detention pond will end up being a frog pond and mosquito breeder which is an attraction to kids.

Maria Krokidas states they will let the Board know either way before the 20 day appeal period.

EM questions if there is a way to cut down the discharge more.

R. Gomes indicates they have the best depth reduction and meet the bylaws at 1/2 foot. Right now it satisfies the 100 year storm.

EM does not want to see it overflowing. They better design it bigger than smaller.

EN makes a motion to close the public hearing. JM seconds the motion.



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Vote of 3.

EM questions if Board members are ready to vote or want to take the issue under consideration.

JM suggest they go over it with the consultant to make sure it works.

EM reads notice from the town of Blackstone regarding the Mill River Symposium on June 14, 1989 at 7:30 p.m.

JM questions if the detention pond will work.

P. Herr states M. Megalli and the consultant said it would work. He does not know if they can vote since only 3 members are present. He does not know if only 2 members can approve it.

EM indicates that AM can not vote unless they continue the public hearing because she did not hear the evidence.

EN states it would have to be the majority of the Board, not just the sitting Board.

P. Herr believes it is a positive vote by the members voting. He checks the statute as to whether or not the Board can vote.

EM indicates there is a safety issue because these are starter homes with kids.

B. Lord states it has to be endorsed by a majority of the Board to make it recordable. If they decide to sign the plan, a 2 member vote would be probable. Signing the plan indicates the action of the Board.

Lucien Collin, Rosenfeld Corporation, states they will correct water problems which are created by anything which they have done as long as they are given an easement.

EM calls for action on Silver Heights.

EN makes a motion to accept and approve the plan as recommended by M. Megalli, Town Engineer and P. Herr with a 5' fence. JM seconds the motion. Vote of 3.

EM questions if AM could sign the plan even though she was not present.

P. Herr indicates she could sign the plan, but may not want to



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P. Herr suggests the Board obtain an update from the Building Inspector relative to the status of Evergreen Construction.

EM instructs Clerk to prepare a follow up letter to the Building Inspector asking what has been done, where it stands. The Board wants an update.

P. Herr indicates that a lot of dirt is moving around the shopping center on Mechanic and Maple Streets.

B. Lord indicates it is a gravel operation.

EM states there is not much more to take out.

B. Lord states they leased the property to someone in Natick to take the gravel out. He thinks Celtic hauled in the dirt they are hauling out. It is an earth removal operation.

Herr states they are digging on the south side of Mechanic Street going up the hill.

B. Lord states that is Thomas Clark.

EM questions if it is across from Chase's house.

P. Herr indicates that is correct.

Linda Gasper, Middlesex News reporter, states that Alpine Pantry Donuts will be moving Stearns' fence over to put in a drive through window.

B. Lord indicates that by driving from Medway to the center of town it is obvious that every business is in violation of the zoning law.

CO-GENERATION

Members sign letter of extension, covenant and plan.

EM states the Board should have a stamp made up indicating the Bellingham Planning Board and the date for approving plans. The Building Inspector, Fire Chief and others all want signed plans. The Board should find out if that is legal.

N. MAIN STREET PLAZA

1 instructs Clerk to send a letter to W. Arcand, indicating the Board does not want to put anyone out of business. The Board had assumed



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that 3 businesses had occupancy permits. The Board recommends issuing an occupancy permit to the furniture store, but no additional permits other than 3.

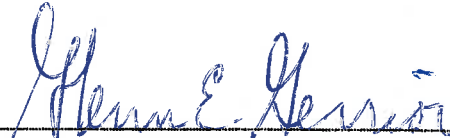
DISCUSSION RE: ZONING BYLAW BOOKS

JM makes a motion to increase the amount charged for the books from \$5.00 to \$7.00. EN seconds the motion. Vote of 3.

Mail/correspondence.

Meeting adjourned at 12:00 midnight.

Edward T. Moore, Chairman



Glenn E. Gerrior, Vice-Chairman



Emile W. Niedzwiadek



Anne M. Morse

John P. Murray