



# 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 P. MURRAY

## MINUTES OF REGULAR MEETING

August 24, 1989

Meeting was called to order at 7:57 p.m. EM, GG and EN were present. Members AM and JM came in later. Board's consultant, Philip B. Herr was also present.

### Submissions:

Bill Brisson submits a Form A, 81-P for Park Street. They are separating lot 2 from lot 1.

EM questions the zone.

B. Brisson states it is agricultural.

EM states they have 250 feet of frontage with 2.6 acres.

EN points out that some of the property is wet. He questions whose property it is.

B. Brisson responds that it is Doussault's property.

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

Dan Ozella and Dan Standley submit a 81-P for Ray Avenue which shows the perimeter of the lot and monuments.

EN questions if the house is already there.

D. Standley responds that it is.

EM points out that the existing lots have been there before zoning. This one shows the monuments. He questions who James Troupes is.

D. Standley responds that he is the surveyor.

P. Herr does not understand the strip of land.



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D. Standley states that it is a grassy area on Ray Avenue.

P. Herr questions who owns the grassy strip.

EM states the town owns it.

D. Standley explains the town accepted it in 1938. The town never relinquished the strip.

P. Herr points out that this lot is separated by the street and the piece owned by the town.

D. Standley states it is a public way.

EM indicates there is no way the strip will ever get sold because it is not wide enough. It is like a driveway to the houses. There is all grass on the end.

P. Herr states the issue is why this is not a subdivision. This lot is owned by a separate owner other than the adjacent lots. There is some frontage on the street. The applicant has 65 feet.

EM points out that this is not a subdivision. All the houses have been there for 50 years. It is all separate ownership.

GG makes a motion to sign the Form A. EN seconds the motion. Vote of 3.

## RIVERVIEW PARK - PHASES 1 - 5

### CONTINUED PUBLIC HEARING

B. Lord explains that the applicant requests an extension so the plans can be reviewed by the Town Engineer. It should be cleared up within 30 days. They are waiting to hear from the Core of Engineers for Phases 1, 2 and 5. They should receive a response by November 30, 1989. They can go forward afterwards.

EM states they are requesting a one month extension for Phases 3 and 4 and 3 month for Phases 1, 2 and 5.

B. Lord prefers the last meeting of the month.

EM requests he change the extension to October 13 for Phases 3 and 4.

EN makes a motion to grant the extension for Phases 3 and 4 to October



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13 and to continue the public hearing to September 28, 1989 at 8:00 p.m. GG seconds the motion. Vote of 3.

AM enters the public hearing at 8:14 p.m.

B. Lord explains that he is requesting an extension for Phases 1, 2 and 5 to November 30. The phases have different problems.

P. Herr suggests the Board start thinking about the holiday season. Thanksgiving and Christmas fall on a meeting night.

EM will move the November meeting to November 30, 1989.

B. Lord suggests the Board continue the hearing to November 30. He will give an extension to December 15, 1989.

EN makes a motion to continue the public hearing to November 30, 1989 at 8:00 p.m. and to accept the extension to December 15, 1989. GG seconds the motion. Vote of 3.

EM indicates that he would appreciate the newspapers printing the agendas so the neighbors can be aware of the continuances.

## SUBMISSIONS - CONTINUED

Leonard San Clemente submits an 81-P for the Garelick plant regarding two parcels in Bellingham. The plan has 3 pages.

EM questions if this is for the sewer line.

L. San Clemente explains they have to refile in Land Court to reconfirm the boundary line.

P. Herr states there is plenty of frontage.

EN questions the existing line.

L. San Clemente indicates it is for the boundary line only.

EM states there is no change.

GG makes a motion to accept the 81-P. AM seconds the motion. Vote of 4.

L. San Clemente explains that he did not bring in the 4th sheet to the plans because they only showed land in Franklin and did not require the



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Bellingham Planning Board's signatures. Franklin was required to sign all 4 sheets.

L. San Clemente submits a second 81-P for Sunset Court. He explains that the house was built on the lot line so they moved the lot line.

EM states that the lot has a variance from the Zoning Board of Appeals.

EN points out that there is a swamp in the back.

P. Herr states there is no problem with the plan.

AM makes a motion to accept the 81-P. GG seconds the motion. Vote of 4.

Michael Darveau submits an 81-P for S. Main Street, across from Elm Street and the log cabin. It was all one lot which is being cut into 2 lots. It is zoned suburban.

EM states the frontage is 150'.

M. Darveau states they have 40,000 square feet total.

EM states the right of way is still part of the lot.

GG makes a motion to sign the 81-P. AM seconds the motion. Vote of 4.

JM comes into the meeting at 8:30 p.m.

David Teachout submits a 81-P for Evergreen Construction. He was at the last meeting on July 27, 1989 with the same plan. He submits a Form A plan for the end of William Way. The frontage meets or exceeds the Planning Board's requirements. It is the same lot area. The owner of the lot wants the plan recorded on the advice of his attorney.

EN questions if the plan was presented to the Town Engineer.

EM states that 81-Ps do not get reviewed by the Town Engineer. He points out that there was a question on July 27, 1989 as to why the applicant is doing a Form A. It is a new lot in a subdivision.

D. Teachout explains the owner would like to freeze the zone. The Form A effects a zone freeze for 3 years.

EM questions if they are doing this in case there is a rezoning petition.



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D. Teachout indicates that is correct. The owner's attorney advised him to get the plan signed and recorded. It does not make anything on the lot legal.

EM states it is just for the lot itself. He has not heard any rumors of a rezoning petition. It is obviously an industrial lot.

AM questions how rezoning will affect this.

EM explains that the side of the lot is agricultural. The whole lot is in Bellingham. Rezoning would affect it.

AM does not know why anyone would rezone it.

EM questions if this is an advantage or disadvantage to the town.

P. Herr states the only question is if this is a subdivision.

EM states it is not a subdivision.

P. Herr indicates that the Board should endorse it then. Maybe they should send a letter to the Building Inspector.

D. Teachout states the owner has a large investment in the lot.

P. Herr states that the subdivision freezes the period of time for the zoning. He does not think that period will be extended if the Board endorses this plan. He questions if this is the same drawing which was submitted on July 27, 1989.

D. Teachout indicates it is the same plan.

EM has a problem signing anything which has to do with this lot.

D. Troast, Land Planning, states that the owner's attorney advised him to have the 81-P signed because he was not aware that there was a subdivision on record.

D. Teachout will add a note to the plan stating that the buildings do not have permits. The buildings are shown because it is a requirement per the zoning regulations.

P. Herr indicates that is correct.

D. Troast talked with Town Counsel. He advised him to bring the 81-P



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to the Town Clerk if the Board did not endorse it. However, the Planning Board should sign the plan.

EM does not like signing it because the buildings are not supposed to be there. It would look like the Board was helping a wrong.

D. Teachout states that signing the plan would not make the buildings legal.

EN suggest he go to the Town Clerk and have her sign the plan.

JM indicates that he will make a motion. In 14 years, the Board has never refused to sign a plan.

AM suggests they just take it to the Town Clerk and have her sign it.

JM will make a motion to sign the plan with a stamp that compliance with zoning is not established.

EM states there is no second to JM's motion.

## COUNTRY CLUB ESTATES II

JM removes himself from the discussion.

James Reger presents the revised plan. He refers to the Town Engineer's letter and points out the catch basin locations on sheets 2 and 3. He points out the sidewalks on Walnut Street.

EM points out they can put in the decision "as shown on plan."

J. Reger added a note to the plan relative to the waivers granted for sidewalks on one side, overhead wiring, and cape cod berms. Per the Town Engineer, he added two catch basins, one on Walnut Street going in and one on Benelli Street.

EM explains to EN why the condition relative to the Town Engineer was changed. It was changed at Town Counsel's advice.

EN questions if there will be a light at the entrance of the cul-de-sac.

J. Reger responds they will have lighting at the end of the cul-de-sac.

P. Herr states that in order to do this properly, the Planning Board



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must take the original of the plan now. This will ensure the plan is signed after the 20 day appeal period is over. The applicant will get taxed at a different rate once the plan is signed.

J. Reger did not bring in the original tonight. He has to put on the notation for the Town Clerk that the decision has not been appealed.

EM instructs J. Reger to bring him the original of the plan tomorrow.

Board members sign decision.

### EVERGREEN CONSTRUCTION - SITE PLAN

Donald Troast, Land Planning met with the Town Engineer on August 9, 1989. The Town Engineer would not review the plan because he wanted to see an as-built plan. Mr. Troast prepared the site plan for the clarification facility and building 4. The topography was taken from the plan prepared by J. Riel and stamped by DeFlavio.

EM explains that the buildings were approved subject to the Town Engineer's satisfaction relative to the elevations.

D. Troast can not do an as-built plan. He did the elevations for building 3.

EM states that only building 1 is in question. Two different elevations are shown on 2 different pages. The Board wants to know the floor elevations for building 1.

D. Troast suggests the Board request the Town Engineer to review the plan. He can not do a full as-built with something which is not built yet.

EM states they are built although they were not built legally. He reads letter from the Town Engineer dated August 24, 1989 which indicates that a review was not done and no additional information was provided. The Board can not act on this if the Town Engineer can not review the elevations.

D. Troast can provide building elevations if that is the only thing the Town Engineer wants. He is not contracted to do an as-built. Everything on his plan, would be on an as-built anyway.

EM states that Mr. Troast met with the Town Engineer on August 10. The Town Engineer advised him that the information was not complete. The problem is that one guy did one half and someone else did the other



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half. He has to bring it together.

D. Troast disagrees with the Town Engineer that he can not evaluate the plan without an as-built. He will provide the elevations if that is all he needs.

AM suggests the Board send a letter to the Town Engineer asking him to specifically list the items he is concerned with.

EM states the letter should ask the Town Engineer what is deficient on the site plan. A copy of the response will be forwarded to D. Troast. He can not see why the Planning Board should waste time approving the site plan when everything is already built. The idea behind the site plan is to do it before anything is built. He questions how they will know it is built correctly when the site plan is done after the buildings are in.

P. Herr questions the pie-shaped piece. It looks like it is part of the cul-de-sac. It has been there through the last couple of drawings. It appears that the right of way was removed and added to the lot.

D. Troast states that was not the intention.

P. Herr points out that the buildings move from drawing to drawing.

D. Troast thinks the pie-shaped piece was used for the purpose of completing the plan.

P. Herr states it is shown as a lot line in the cul-de-sac.

David Teachout states that his plan shows a cul-de-sac.

P. Herr indicates it must be a draftsman's error.

STALLBROOK MARKETPLACE  
SPECIAL PERMIT FOR MAJOR COMMERCIAL COMPLEX  
CONTINUED PUBLIC HEARING

JM returns to the public hearing.

David Dankens, National Development Associates of Bellingham, states that at the last meeting the Board continued to further understand the traffic mitigation proposals for improving Route 126. It is part of the ongoing study which involves the developers, the town and Bruce Campbell and Associates. The study called for a large improvement scheme. Full development is infeasible because of the amount of





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dollars involved. They provided a short term solution for 5 - 10 years. Their traffic consultants, Vanesse, Hagen talked with B. Campbell and Associates to understand how the proposed Phase 1 of Stallbrook Marketplace will fit in. The main concern of the town is to minimize disruption. He refers to August 21 letter from B. Campbell and Associates relative to minimizing disruption for Route 126 going from Phase 1 to Phase 2. He feels they have satisfied all questions.

EM asks P. Herr if the last traffic mitigation meeting agrees with what Mr. Dankens is saying.

P. Herr states the issue is very complicated. There are issues other than the traffic mitigation which have all been discussed and agreed upon. He has a draft decision which tries to articulate how the agreement works.

EM questions what the letter from B. Campbell suggests.

D. Dankens agrees with it completely. There are a number of issues relative to the technical aspects of the Phase 1 improvements. The phase 2 portion will cause the least amount of disruption to the town. He states they will avoid moving utilities as the roadway is widened.

P. Herr states they will widen both sides with the existing travel way. They will widen to the full extent north and then work their way back.

Bill Roache, Vanesse, Hagen states they looked at the cross section. They have not yet designed the Phase 2 improvements. There are issues relative to the geometric design because of the islands. He will be glad to explore these issues with B. Campbell. Work will be done outside of the travel way with the exception of the islands. They can work it out. It is not a major complication.

EM questions why B. Campbell suggested it if it can not be done.

B. Roache explains that it has not been designed yet. They are not saying it can not be done.

EM questions how the Board can take action and ensure that these issues are solved.

P. Herr states it sounds as if there is an agreement. However, there are questions as to how it will be exactly outlined.

B. Roache states it may be possible to do what B. Campbell suggest. They are all willing to explore it. He does not know if it can be done



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all on one side first. The different traffic disruption will be that remarkable.

D. Dankens states that a lot of work has been done in the last 2 years before B. Campbell came on. The work has been in the right direction. B. Campbell found nothing wrong. The major issues are with the drainage, utilities, signing and lighting. They will do it once; one or both sides. They will be pushing the curb lines back. They will come back to the center and put the islands in.

P. Herr states the possible decision could be consistent with what is outlined in the B. Campbell letter of August 21, 1989.

EM questions the police safety officer's view on the islands in the road.

D. Dankens states that will be discussed in the subdivision.

P. Herr submits the draft decision which he prepared for the Planning Board. He went back and forth between D. Dankens and counsel for the applicant for some time. He questions whether SSK1 or SSK2 is correct. What should the Board proceed with?

D. Dankens states there is no material difference regarding the circulation. The only difference is in the configuration of the dimensions.

P. Herr indicates it should be referenced in the correct plan. He reads from draft decision.

P. Herr reads Item C, #1 from the draft decision. He questions if any of the shops are labeled as restaurants.

D. Dankens states that is undetermined.

P. Herr points out that if they put in a restaurant, the trip generation goes way up. A bank is a fierce trip generator. He questions if the square footage is net or gross.

D. Dankens responds it is gross square feet. The square footage is in red on the plan.

P. Herr states that the FEIR is not clear as to who is responsible for what. There may be some disagreement about the FEIR. It leaves ambiguity as to how it gets done. If they rely on the state and Section 61, they will need Section 3.3 of the draft decision. He



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suggested they use reserve capacity.

EN questions if the 3 developers involved are all in agreement for the improvements.

P. Herr states the letter from Fafard refers to the available reserve capacity method. He reads Sections 3.4, 3.5 and 4 from the draft decision. If they proceed this way, they will be starting a pattern.

EM points out that one problem is this developer is ready now. It is not fair to make them pay for everything. They are trying to work out a gauge where everyone pays a portion.

EN states there is no way the town will get stuck with a portion.

P. Herr indicates that it is possible. With the available reserve capacity, some portion will not be covered after all the developments are in. It is not fair for the 3 developers to pay the capacities for later developments. They are moving toward impact fees. Chances are they will have public pre-funding.

EN states it is doubtful the state or federal government will step in to provide funds.

P. Herr points out that MEPA o'kayed the changes to N. Main Street and the 495 interchange bridge.

B. Roache explains that a commitment was made with the FEIR to address the existing problems regardless of this project. They agreed to provide to the town engineering dollars for the southbound ramps and the interchange. Improvements will be to the curve and cemetery, to widen 126, signal site drive, signal each ramp for 495 and general signalization.

P. Herr states that his reading of the FEIR shows other things there.

B. Roache states that MEPA is well aware and fully understands that someone else will come up with the money. They recognize that one development can not fix all the problems. There is some responsibility for the pre-existing problems. B. Campbell identified the interim plan. Stallbrook will take care of one half of the interchange and Fafard will take of the other half.

P. Herr points out there is a question if the state will allow them to proceed if the other improvements do not fan out.

B. Roache states they can proceed since they are providing the



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engineering dollars and signalization.

P. Herr believes this should be verified.

EM questions how they can verify it.

P. Herr will talk to the people at MEPA.

EM explains that this is a draft decision. Changes will be made.

EN points out that it looks like they will have to dig up the road.

P. Herr states this is a development which the town wants. It will generate a lot of traffic. There will be some chaos. The problem is how it will get done with the least burden on the taxpayers. The concern is to evaluate the need for improvements to the whole corridor. If they get the shopping center and their improvements, but do not get the rest, they will be in a bit of a pickle.

B. Roache agrees that there will be a problem if the other improvements are not done.

EN states they will go from a tight two lane road to four lanes.

B. Roache indicates the bridge can be restriped for four lanes. The roadway is much wider after crossing the bridge.

EN states this will be the same as Franklin. It will be widened with no land takings.

Richard Schwartz, attorney for applicant, indicates that the applicant met the zoning bylaw. They will work out the language of the decision. He requests the Board close the hearing. They will work out the decision and come back at the next meeting for a vote. He believes they have adequately shown the Board that they comply with the bylaw.

EM is not ready to close the hearing. He would like to wait until P. Herr speaks with MEPA.

R. Schwartz states this has to do with the language of the decision.

P. Herr indicates the difference in cost is substantial if they use the ARC.

B. Roache disagrees.



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P. Herr states that Town Counsel, Town Engineer and B. Campbell have not reviewed the draft decision yet. He suggests the Board forward copies of the draft decision for their comments/suggestions.

EM is not in favor of closing the hearing when the Board is waiting for information.

B. Roache states the Section 61 finding has been submitted. It mirrors the agreement between MEPA, DPW and the applicant. They are issuing the permits with the understanding that the applicant is only providing engineering dollars with no commitment of money and timetable.

EN makes a motion that P. Herr look into the MEPA and the Board continue the hearing to the next available date.

P. Herr explains that the information from MEPA will take one phone call. The Board needs to hear from Town Counsel, Town Engineer and B. Campbell regarding the draft decision language.

R. Schwartz believes that everyone agrees with the concept. It is a matter of working out the language. That can be done after the public hearing is closed. It takes one phone call.

JM believes the applicant has been a little presumptuous. They should not assume that the special permit is approved.

P. Herr states the Board has heard from the public regarding the special permit.

JM questions how they can enforce improvements to only part of the road.

P. Herr responds that they will participate if the language of the special permit is adopted. The Town would have to put a lien on the shopping center. It would be recorded in the title.

D. Dankens states it would be a legal binding document.

Jean Cormier, 316 Hartford Ave., states that the whole town has been negligent for 2 years because of the problems with snowmobiles on the property. She believes the Board is being picky. The Town should say thank you to the applicant. She is worried that children will get killed. Medway patrolled the property last year. She wants to keep the recreational vehicles away.

EM states it is private property.



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AM points out that a special Town Meeting is coming up regarding dirt bikes.

Leslie Glover, Deerfield Lane, goes along with what everyone is saying.

EM states that there should be lights there when the development is done.

EN wants to make sure that everything falls into place regarding who will pay for what.

Kenneth Krull questions widening Deerfield. Will they eliminate the breakdown lane?

B. Roache responds that is correct. There will be a different configuration with signals. They will use the pavement that is there to make 4 lanes.

P. Herr indicates the applicant will furnish the engineering funds but not the funds to do the work.

EN makes a motion to continue the public hearing to September 14, 1989 at 9:00 p.m. JM seconds the motion. Vote of 5.

EM opens the public hearing regarding Lakeview Estates and continues the discussion for one half hour.

B. Lord indicates that is o'kay with him.

JM makes a motion to continue Lakeview Estates to 10:30 p.m. tonight. EN seconds the motion. Vote of 5.

## STALLBROOK MARKETPLACE DEFINITIVE SUBDIVISION PUBLIC HEARING

EM opens the public hearing. Clerk reads Notice of Public Hearing.

D. Dankens explains they have 138 acres of land. They will take a single lot and divide it into 4 lots with a short subdivision road. It runs from 495 north and south, Hartford Ave., northeast and west, the cemetery and the power easement on Phase 3. Two-thirds of the site is wetlands. Lot 1 is a major parcel with the 240,000 square foot retail shopping center. Phase 2 has 24 acres with 9 or 10 developable acres. Lot 2 will be accessed via the proposed Stallbrook Road. Lot 3 flanks



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the NEPCO easement. The balance of the property is unbuildable. They request a number of waivers for the subdivision application: (1) a waiver relative to the subdivision and collector road's minimum pavement width. They will increase the 30' pavement width to 54'. They will hold double entrances and exits; (2) a waiver relative to the center line radii. The town minimum is 350'. The waiver is for 2 acres less than 350' at 200' and the entrance at 150'. This is necessary to design the roadway. There is no other way to subdivide the land. They could not porkchop the lot. They are upgrading a driveway to a subdivision road; (3) a waiver regarding the curve site distance at 400'. Lot 4 development will be held back to provide adequate site distance for people towards the exit. They will have posted speed limits and lights; (4) a waiver regarding sidewalks. They want to set the sidewalk back to the curb line with 4' green grass between the road and the walk; (5) a waiver relative to hydrant locations. The Fire Chief agrees it is not reasonable to put the hydrant on the subdivision road. They will further discuss this at the site plan review. They will present to the Town Boards a site plan with hydrants placed in a looped fashion around the buildings for full fire fighting capacity; (6) a cul-de-sac which may not require a waiver but maybe a determination. The collector road can be dead-ended; (7) a waiver regarding the drainage scheme. The town wants to be able to come in and clean the catch basins.

P. Herr states the only issue is running the storm drain from one catch basin to another.

D. Dankens states they will have a catch basin manhole instead. The Conservation Commission made no comments relative to the plan. That will be covered in the Notice of Intent. The Fire Chief agrees with the plan and how to handle the right hand turn as well as Phase 1 and Phase 2 access. Gerald Daigle from the DPW and the Board of Health agree with the plan and are satisfied.

EN questions if the Board received a letter from the Water Dept.

EM reads letter, dated August 21, 1989 from the Board of Health and August 24, 1989 letter from the Town Engineer. He also reads a June 27, 1989 letter from the Water and Sewer Dept. regarding the 9,000 gallon usage per day.

D. Dankens states that 40,000 gallon usage applies to everything. 9,000 is for Phase 1 only.

EM questions the language for the road so the town will not be responsible for taking care of it.



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D. Dankens responds it will be privately owned and maintained, but will be built to town standards.

EM states the Safety Officer requests certification be provided by the developers traffic engineer that the roadway will not be the responsibility of the town.

D. Dankens indicates they can do that. The concern is good. They will have language regarding the posted speed limits and will give assurance to the town. The posted speed limit can be 20 or 25 mph.

P. Herr questions what happens if someone goes over 28 or 30 or 80 mph.

EN points out there will be no speed bumps. He questions how they will monitor speed.

D. Dankens states the road will feel more like a driveway than a collector road. It will be built as if it were a normal subdivision road in a residential area. They would be speeding on private property.

P. Herr states there is no way anyone could go that fast on that road because of the radii.

D. Dankens indicates the police will have the right to enter on the property and will have the ability to enforce the speed limits.

D. Dankens responds to an issue raised by the Town Engineer regarding erosion control. The new plans show the erosion devices. Today the site is a sand pit. They have done nothing to disturb it. Jim White did the contour maps. The drainage scheme will be in the upper site.

EM will give copies of the Town Engineer's letter to the applicant so they can work out the questions which were raised.

D. Dankens can answer all the questions. He requests the Board close the hearing for financial reasons.

EM states the Board just opened the hearing.

R. Schwartz points out that this plan evolved from a preliminary plan which was approved in May 1989. The comments of P. Herr and the Town Engineer can be addressed tonight. They do not involve the Subdivision Rules and Regulations. He requests a vote regarding the Definitive Subdivision. He feels they have complied with the rules and regulations. The applicant is requesting a vote with the condition





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that the changes be made. The Planning Board would not be obliged to sign the plan if the answers were not provided.

EM states Board has not heard from the abutters yet. They also have not heard from all the town boards such as the Conservation Commission and the Highway Dept. Questions need to be answered.

EN questions the Fire Chief's review.

D. Dankens explains that the Fire Dept. will have access to the property from back around the subdivision road.

EM states that more of this will be covered under site plan review. He asks for questions from the audience.

Deborah Scanzia, 304 Hartford Avenue, directly abutts Phase 3. She questions how far they will be beyond the power lines.

D. Dankens responds that the buildings will flank the easement. They propose buildings on both sides with traffic under the easement.

D. Scanzia questions what type of buffer they will have with the buildings.

EM explains that the rules and regulations require the applicant provide a buffer.

D. Dankens states the proposed use is light industrial/office.

EM explains that no notice will be sent regarding the site plan. The people do not get the chance to comment.

D. Scanzia wants protection regarding Phase 3 with respect to the buffer for her property.

EM states the buffer is a requirement of the Board.

EN makes a motion to continue the public hearing to September 14, 1989 at 9:30 p.m. GG seconds the motion. Vote of 5.

### LAKEVIEW ESTATES CONTINUED PUBLIC HEARING

B. Lord explains that they requested a 6 month extension at the last meeting for the purpose of finalizing the plans. There will be



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revisions to the proposed roadway system. They submitted to the state affordable housing project. There will be extensive road work. The proposed roadway will access Center Street. There will be coordination between Shores at Silver Lake and Lakeview Estates.

JM questions what they are proposing.

B. Lord responds they are proposing a couple of developments. Some will be affordable housing with a condo set up. They also propose a single family housing cluster set up. It will provide the homeowner with inexpensive housing. The proposed cluster development will be single units. They do not have the lot requirements. The units will be more affordable. The applicant put a similar proposal in Marlboro. It sold out in a short period of time.

EM wants to see the access to the lot.

B. Lord states they will access Blackstone Street. They will have to go to a Town Meeting. They have nothing on an article yet.

EM explains that the Board sent the applicant a letter 6 months ago requesting that he put something on an article for a Town Meeting.

B. Lord states that it does not make sense to put anything on an article yet. They submitted to the state for affordable housing in April 1989.

EM questions how they acted on that.

B. Lord responds they have not received an answer yet.

P. Herr states the first step is to get site approval.

B. Lord indicates they are waiting to design the whole thing. They are pursuing solutions with the problems with Shores at Silver Lake and Lakeview Estates. It has to be done as a whole.

EM states there is nothing new on Lakeview Estates as it stands. The Board can act on it now and the applicant can come back later with something new. There is no access now, but there could be access.

B. Lord feels there is access.

EM does not believe it is safe access.

B. Lord indicates that traffic flow is not a requirement for the



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subdivision.

EM states they denied Shores at Silver Lake for traffic and safety concerns. The Board wants the developer to come in with the whole plan.

B. Lord states they are asking for an extension of time.

JM questions the number of acres in Lakeview Estates.

John Noonan, Fafard, responds there are 65 plus or minus.

JM states the zoning is agricultural.

EM questions the benefit to the town in allowing the extent; on other than keeping the new laws out and freezing the zoning.

EN states the Board wants to work with them. Getting the road through is a necessity. The Board can extend for one year. If there is nothing new then, they can vote to disapprove.

JM believes they should extend for one year since the market is slow now.

B. Lord states the Board would be providing options by approving an extension. Otherwise, the applicant would be forced to go from a condo set up to a straight subdivision with single family houses. They are trying to cooperate with the overall scheme.

EN points out there is nothing happening now.

B. Lord states they are working on the engineering and affordable housing.

EM feels there is no way they can go with single family subdivision in the back. It is a matter of freezing the zoning for one more year.

B. Lord states it is in the town's interest to maintain the condo option. They will do something to make the road system work.

P. Herr points out they will lose some grandfathering without using Chapter 774.

B. Lord states they want the development proposed with or without Chapter 774.



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P. Herr does not understand why they do not have the answer from the state for affordable housing. He guesses the answer will be negative.

J. Noonan explains that Boston requested additional information regarding the soils. That will be sent.

B. Lord states that sewerage will be available in the contract with the Phase 2 town sewerage sewer line.

J. Noonan indicates that they will tie in to the pump station on Douglas Drive.

JM thinks they are trying to circumvent the bylaw with the condos.

B. Lord explains it is not their attempt to evade the bylaws. He is showing pictures of what the developer is doing elsewhere. The Board must understand there will be 3 units in each building. The proposal is worth listening to.

AM makes a motion to extend for 7 months to March 22, 1990. EN seconds the motion. Vote of 4. EM one vote no.

EN makes a motion to continue the public hearing to February 22, 1990 at 8:00 p.m. GG seconds the motion. Vote of 5.

B. Lord presents request for extension letter.

P. Herr states that he distributed a traffic impact control memo 2 months ago. He also gave copies to affordable housing and the Town Engineer. He wants the Planning Board to read the memo and provide comments at the next meeting.

EM states the special meeting which had been scheduled for September 21, 1989 at 8:00 p.m. to discuss the Subdivision Rules and Regulations will be cancelled. They can reschedule to October 19, 1989 at 8:00 p.m. The Board can discuss the traffic impact control memo at that meeting. This is a tentative date. P. Herr will contact other town boards to see if they can make it to the special meeting.

Mail/Correspondence.

Meeting adjourned at 12:00 a.m.



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Edward T. Moore, Chairman

*Glenn E. Gerrior*  
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Glenn E. Gerrior, Vice-Chairman

*Emile W. Niedzwiadek*  
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Emile W. Niedzwiadek

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Anne M. Morse

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John P. Murray