



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

EDWARD T. MOORE, CHAIRMAN  
GLENN E. GERRIOR, VICE CHAIRMAN  
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ANNE M. MORSE  
JOHN P. MURRAY

### MINUTES OF REGULAR MEETING - EXECUTIVE SESSION

February 23, 1989

Members are individually polled to go into executive session and include L. Ambler, Town Counsel and P. Herr, Board's consultant in the discussion.

EM points out the purpose of this session is to discuss pending litigation regarding Shores at Silver Lake.

AM asks L. Ambler if she can take part in the discussion since her husband has received funds from Fafard.

L. Ambler believes she can take part in the discussion.

EM states at the last executive session, it was agreed that P. Herr would work up a proposal. The original special permit was for 450.

P. Herr hands out his proposal. He states it was for 450, but it will be for 350.

L. Ambler questions what "sold otherwise" means in proposal number 3.

P. Herr explains that if they could not find enough first time homebuyers and 85% of the units are sold, then they could go ahead and sell the remaining units to others.

JM questions what the proposal is settling.

L. Ambler explains it is a high volume road with connections to the property and the north. They will not get the road without the proposition.

P. Herr states the proposal added \$800,000.00.

L. Ambler questions c. under proposal number 10 indicating no frontage lots.

P. Herr explains that 10 a., b., and c. can not be made part of the deal if they stick strickly to Shores at Silver Lake. The applicant



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owns other lots which he has the right to develop. This is telling him that we prefer he does not develop, but the Board can not require it. From a planning point of view, it would be horrendous if they were developed.

L. Ambler questions if the Board authorizes negotiating a resolution with this proposal in mind.

EM questions if they will have repetition on the architectural styles.

P. Herr states they will have four different floor plans, but they will all be 2 bedroom units.

EM points out they all looked a like before.

P. Herr states they will be similar.

JM states they originally had 450 units. This was a decision the town's people liked. It seemed like a popular decision but it was turned down. Later Fafard said he would put in a ballfield for the School Dept. This takes the pressure off the Planning Board and places the decision with the town.

L. Ambler states the site plan has to show a high volume road.

JM believes it is up to the town's people to say they want \$1.1 million in return for giving approval for 350 units. He does not believe the applicant is serious about building.

EM agrees. He believes the Board should stick to its guns and force the applicant to go to court.

L. Ambler states the Board should forget about the pressure from the town. They should do the job they were elected to do.

EM states the applicant can not go forward, if they do not approve the road.

L. Ambler refers to proposal number 5 regarding the high volume road. He believes they should add something which refers to linkage.

JM wants some reference to parking.

EN states it still has to go before a Town Meeting.

P. Herr states it does not.

JM points out they lowered 100 units because they started with 450.



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P. Herr states it is 350 plus 35.

JM would rather see it go to court so the town's people could see what happens.

P. Herr states he could reword proposal number 5 to make approval contingent on getting a connection to Blackstone Street which would force the applicant to Town Meeting.

JM will not vote for it.

L. Ambler questions how this proposal is different than what JM previously discussed.

JM did not propose to do better.

EN believes they should change it to make it contingent on the Town Meeting.

JM does not intend to negotiate any further. They should let it go to Town Meeting and let the town get something in return. He does not think the applicant will put the money out and continue with the lawsuit.

L. Ambler states it will require a high volume road to go to Town Meeting.

JM does not want to settle it too easy unless the town accepts it.

EM can not say if they get the road, the Board will settle. Board would have to support the road at the Town Meeting. They will have a joint meeting with all the Boards.

L. Ambler states the Board does not have to be a major proponent. They can just say they can not approve without the road.

EN states they will have to present a plan the Board can deal with if they go to Town Meeting and get approval for the road.

P. Herr discusses alternative means of egress at Mechanic Street and Blackstone Street. They can tell where it should be before it generates more traffic. They should have an alternate means of egress.

L. Ambler states they should come up with a proposal and have a total open meeting situation.

P. Herr states the people want to know about Lakeview.



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EN believes it will have to be explained at Town Meeting.

EM states they will have to do the road first.

L. Ambler questions if the Board supports the resolution of the suit with changes to proposal number 5.

P. Herr states it is triggered at 100 units.

L. Ambler states it should be left at 350.

P. Herr states they will have to build the road before they build more than 100 units. The first 100 units do not create traffic problems.

EM states they could build 100 units if they came in with a subdivision right now.

P. Herr explains there is less traffic from 100 condos.

JM states they would not build 100 single family homes.

L. Ambler points out they would have to present a new plan anyway.

P. Herr believes the applicant is looking for a long term investment.

L. Ambler questions if anyone has an objection to going forward with the proposal.

All members respond they have no objection.

EN makes a motion to close the Executive Session. AM seconds the motion. Unanimous vote to close at 9:30 p.m.



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