



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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JOHN P. MURRAY
ROLAND R. LAPRADE, ASSOCIATE MEMBER

MINUTES OF REGULAR MEETING

May 10, 1990

Meeting was called to order at 8:00 p.m. GG, EM, EN and RL were present. JM came in later.

Submissions:

Vincent Forte would like to discuss a plan relative to S. Main St. He does not know whether it can be an 81-P or a subdivision plan. He would like some insight from the Board. He has a lot of frontage and at least 3 lots without a road. It is mostly wetland.

EN questions if it is a porkchop lot.

V. Forte is not sure. It would be a very expensive road.

EN states he can not 81-P it. The road has to be put in.

V. Forte is hoping to donate some of the land to the Conservation Commission.

EN points out they may not want the land.

GG indicates he has X amount of square footage per lot. He does not think they would all meet the requirements.

EN questions if the pipe line is there.

V. Forte responds it is. He explains that he can not use that section but can count it as space. He thinks he would get 8 lots total.

GG suggests he send a copy of the plan to P. Herr and ask him to review it.

EM questions if this is where the pond was.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 2

May 10, 1990

V. Forte responds it used to be there. It used to be wet.

EM questions if they will have an easement across roads.

V. Forte states there is no problem with the gas company.

EM makes a motion for V. Forte to send a copy of this conceptual plan to P. Herr prior to going to the expense of having a subdivision plan drawn up.

EN seconds motion. Vote of 3.

BROOK ESTATES

GG opens the public hearing for Brook Estates. He explains that a vote of 4 out of 5 is needed to approve the special permit modification. He asks the applicant if he would like to wait 10 minutes until JM arrives.

David McCready, applicant, agrees.

Clerk reads notice of public hearing.

EM makes a motion to continue the public hearing until 8:25 p.m. EN seconds motion. Vote of 3.

Leonard San Clemente submits an 81-P for Jim Tyndall's estate. It is an existing piece of land. There are no new lines or divisions.

EM states the preliminary plan shows it is already there.

L. San Clemente indicates that is correct.

EN asks why they are doing this.

L. San Clemente responds it is for recording purposes.

EM makes a motion to sign. EN seconds. Vote of 3.

GG explains that the Building Inspector's office notified him that they used to receive 81-P plans. They asked that 81-P plans be sent. Therefore, the applicant must present 3 plans - one for the Planning Board, one for the Assessors and one for the Building Inspector.

L. San Clemente presents Form A and \$10.00 fee.

L. San Clemente presents a second 81-P for Maple Gate Realty Trust. There are no new lines.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 3

May 10, 1990

EN questions if this land is blocked by Fafard's land.

L. San Clemente responds that Fafard was involved at one time. They are doing this for French to put the right of way across the powerline in Franklin.

GG questions where the 40' right of way is and where Maple Street is.

L. San Clemente points it out on the plan. It is parallel to Maple St.

GG states that the right of way continued on the lot which the Board just signed.

EM questions if it is 2 acres.

L. San Clemente responds it is.

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

L. San Clemente presents Form A and \$10.00 fee.

Members sign plan.

Vincent Forte submits an 81-P for himself for S. Main St.

GG questions if the zoning is suburban.

V. Forte responds it is.

EN questions if it was perced.

V. Forte responds it was perced in 1985 and 1988, then it expired.

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

V. Forte presents Form A and \$10.00 fee.

Members sign plan.

Roger Gagnon submits an 81-P for himself for Freeman Street.

EM questions if the town accepted the roads.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 4

May 10, 1990

R. Gagnon believes it was accepted.

EN questions where Freeman Street is.

R. Gagnon points it out on the plan, near his house.

W. Arcand does not know how far the road was accepted.

GG has the list of accepted streets going back to 1973.

EM states if it is not an accepted street, they are not lots.

W. Arcand suggests they check with the Town Clerk.

R. Gagnon states that a bunch of houses have been built there.

EM questions who built the street and put in the drainage. If it is an accepted street, then they are 81-P lots. If it is not accepted, then they are not 81-P lots.

GG indicates the Board will have to have proof that it is an accepted street.

W. Arcand states that he has to get a letter from the Town Clerk that the street is accepted.

EM questions if the street is paved.

R. Gagnon responds it is.

EM questions how far the paving goes.

R. Gagnon responds that it goes to the cul-de-sac.

W. Arcand states that Bellingham never did the paving. It must have been Blackstone.

EM questions if there is drainage there already.

W. Arcand does not know. The Town of Bellingham did not do it.

EM states it is not a legal 81-P unless there is frontage on a street. There is no problem with the Board signing it but they must check on whether or not it is an accepted street first.

EN indicates that Blackstone may own the street.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 5

May 10, 1990

R. Gagnon does not think so.

EM questions if there is a house on either lot. He would like to take a ride down to look at the lots.

R. Gagnon points out that Blackstone sweeps and plows the road.

EN questions why Blackstone would plow the road.

R. Gagnon explains that it overlaps Bellingham and Blackstone property.

EM will take a ride to look at the street. He questions if there are houses on the opposite side of Freeman across from the lots.

W. Arcand states there is a street in between. At one time it belonged to Blackstone. They did new lines and found out it belonged to Bellingham.

R. Gagnon states the County Surveyor surveyed the whole thing.

W. Arcand states he still has to check with the Town Clerk.

EM makes a motion to carry this to the next meeting of May 24, 1990 under general business. EN seconds motion. Vote of 3.

EN states that Mr. Gagnon will have to go to both Town Clerks to get a letter from either one stating that the street is accepted.

R. Gagnon does not know who put the road in.

BROOK ESTATES

SPECIAL PERMIT - DESIGN MODIFICATION

PUBLIC HEARING

GG reopens public hearing. He explains that a special permit requires the vote of 4 out of 5 members. The applicant will have to get 4 affirmative votes. There are only 4 members here now. They can wait another 10 minutes for JM.

D. McCready will wait.

EN makes a motion to continue the public hearing to 8:45 p.m. to wait for JM. EM seconds motion. Vote of 3.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 6

May 10, 1990

EM makes a motion for a 5 minute recess. EN seconds. Vote of 3.

JM enters at 8:45 p.m.

GG reopens public hearing for Brook Estates.

David Lodge, architect, introduces David McCready and Ellen Rosenfeld from DAVNA. They are submitting a design change. They originally proposed a 49 unit condo development, divided into 9 buildings of 5 or 6 condo units per building with a road coming in from Bellwood which would loop and return back. They had 3 separate clusters of approximately 18 units a piece. One cluster would be 19 units. They propose to change to smaller buildings. They propose 16 3 unit buildings. One building will have 4 units. The concept is more single family style with individual connecting units rather than a single building with full fledged party walls. There will be 3 driveways off the road. They will have 2 bedrooms with 1 1/2 baths. There will be 3 styles; one single level, one cape with one bedroom up and one down and a 2 story unit with both bedrooms up. The garage will be an option. Some will be constructed with it and some without. Each unit will have an individual driveway. There will not be a large parking lot in the middle of each cluster. The single floor unit will attract older people. According to the Fair Housing Act of 1991, this is closer to the sort of project they will end up with in the future. The single level units will be handicap accessible. It addresses a different segment of the market rather than Bellwood.

GG states that this is a conceptual plan. The garages are an option. The foundations would shift for units without a garage.

D. Lodge states they will know whether or not there will be a garage before the unit is built.

GG indicates that the whole site plan will change depending on whether or not there is a garage. The applicant is presenting a plan showing all units with 12' garages.

D. Lodge explains that overall the buildings will not shift if they left out the garage. The unit will slide over.

GG indicates that sliding over 12' could be a grade change.

D. Lodge explains they did one as a storage closet.

GG points out that the site plan which they are showing shows a garage in every space. They will not sell all units with garages. It is



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 7

May 10, 1990

\$7,500 extra.

EN questions if someone can buy without a garage and put one in later.

EM responds they could not because there is no place to put it in.

JM questions the size of the area for the second floor unit.

D. Lodge responds it is 14 x 18. It is layed out with access to the room in the corner. Someone could not put a wall down without violating building codes.

JM believes the garage could be easily adapted to a bedroom. He questions if there are a lot of children in Bellwood now.

E. Rosenfeld responds there are not many.

JM questions the number of occupied units.

E. Rosenfeld responds there are 46.

JM states these units look nice architecturally. He fears that the garage can become a bedroom.

EM questions if it would be stated in the condo document that the garage can not be turned into a room.

E. Rosenfeld responds it is not in the document now but could be.

EM questions the number of units.

D. Lodge responds there are 49, the same as the original special permit.

EM questions the number of bedrooms.

D. Lodge responds there will be 2, the same as the original.

EM questions the number of parking spaces.

D. Lodge responds they originally had 2 1/2. Now they will have 3.

EM indicates they will be gaining parking.

GG states that Huna Rosenfeld agreed to pay a fee for 1 1/2 parking spaces instead of 3. 1 1/2 parking spaces are required.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 8

May 10, 1990

E. Rosenfeld presents a check in the amount of \$220.50, fee for the parking.

JM asks if there is enough parking at Bellwood to accomodate the residents.

D. McCready responds they have 2 1/2 parking spaces.

Audience responds there is enough parking.

EM questions if they will have visitor parking on this plan.

D. Lodge responds there will be some visitor parking at the end of the drive in the paved area.

EM questions the number of spaces for visitor parking.

D. Lodge responds it will be part of the 3 spaces.

EM questions if there will be less paving than the original design.

Kamron, DAVNA, responds there will be 10% more, presuming they sell every unit with a garage.

EM indicates it will be 10% more impervious. He questions if it will have more or less impact on the environment.

D. McCready states there will be less.

EM asks about the phases.

D. Lodge responds it will remain the same.

EM states they will have phases for the clusters. He asks if they will present the site plan as a whole or in phases for each group. They could come in with different site plans for each cluster showing what will have a garage or not have one. He is trying to avoid confusion.

D. McCready states that would be too much work. They will leave the units exactly where they are. If there will be no garage, they will make storage space.

EM states they will have one site plan for the whole thing.

D. McCready states they will come in one time for everything.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 9

May 10, 1990

EM believes it is usually done in phases. He believes that Bellwood was done with phasing.

JM questions the number of total units at Bellwood.

D. McCready states there will be 136. 66 are allowed without the sewer. All site plans have been approved.

GG opens up the public hearing for the Maple St. Zoning Map Amendment. He asks for a motion to continue it to 9:30 p.m. Clerk reads notice of public hearing.

JM makes a motion to continue the public hearing regarding the rezoning to 9:30 p.m. EN seconds. Vote of 4.

EM states the drainage question is real but the applicant will not have the information until they prepare a site plan.

D. McCready states the drainage has the same criteria.

EN questions if the buildings will be completely finished. H. Rosenfeld had said at one point that the second floor would remain unfinished.

D. McCready indicates they did discuss that at one point, but the Planning Board did not like the idea of unfinished units.

JM questions the percentage of land to buildings. Before 80% was left untouched.

GG states that is disturbed versus undisturbed. He thinks it was more before.

D. Lodge indicates it will be relatively similar.

EN states they will have to come up with a figure.

GG states that 80% of the land has to be impervious. He questions if a copy of all information was forwarded to P. Herr.

E. Rosenfeld responds that P. Herr has received everything.

JM questions if there is any way they can detach the garage so it will not be lendable to become bedrooms.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 10

May 10, 1990

EN states the condo association will not allow more than 2 bedrooms.

E. Rosenfeld states it is in the condo document and the permit is only for 2 bedrooms.

EM states the Board went through this on Meadowood and Crystal Springs. The Board was told they had to go by what the applicant tells them.

EN questions if the condo association will enforce the 2 bedroom rule.

EM indicates that someone will have to call the Building Inspector to enforce it.

GG calls for questions from the audience. He instructs audience to raise hands, state names and addresses prior to asking questions.

Joann Paquette, 13 Brook Street, sent a letter to the Board regarding the culvert on Brook Street. There is a drainage problem with flooding on Brook Street. She questions where the land is which was donated to the Conservation Commission.

D. Lodge points out the donated land on the plan.

J. Paquette questions if the wetlands were donated.

D. McCready indicates it was just the back piece. The Conservation Commission has jurisdiction over the wetlands but it still belongs to them.

J. Paquette indicates that the application states there are 36 acres.

Kamron, DAVNA, indicates there are 31.

D. Lodge explains that there were 36 acres before the donation.

J. Paquette approached W. Arcand, Highway Dept., regarding the flooding. It was part of Mr. Goguen's subdivision plan. The whole project is impacting the wetlands and the flooding is worse. She presents pictures of the flooding to Brook Street to the Board.

EN asks if she is talking about the Bellwood project.

J. Paquette states that is correct. When it is flooded, her son can not walk down the street to get to his school bus.

EM asks if the pipe is plugged.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 11

May 10, 1990

J. Paquette states it is not plugged. It is too small and can not handle the flow.

JM questions the location of the flooding shown on the pictures.

J. Paquette points it out on the plan. The Conservation Commission told her that detention ponds would take care of the problem.

E. Rosenfeld states that her father told her about this problem. They will go to see if it needs to be cleaned out and they will do whatever it takes to clear up the problem.

GG questions if they will replace the pipe if it is undersized.

E. Rosenfeld states that her father does not really feel it is his problem. He will take care of it, however. He thought the Planning Board might waive something like the fee if they took care of the problem.

GG believes the Planning Board is already giving concessions. It is to their benefit to have this new design approved so they can sell units. A conscientious builder would take care of the problem.

E. Rosenfeld reiterates that they will take care of the problem.

GG states the enforcing agent must make sure this is addressed. He thinks the enforcing agent is the Highway Dept. It must be worked out between the Highway Dept. and the developer.

J. Paquette explains they are not looking for major improvements to the road. They do not want it widened. They just want the culvert fixed.

EM states the developer is offering to upsize the culvert if necessary and install a headwall to hold the water back if the Town Engineer feels it is necessary. The developer agrees to do whatever is necessary.

J. Paquette states the problem is undermining the road completely.

EM states there has always been flooding on the road. Now it is time to get it fixed.

GG states the developer should work with the Town Engineer and the Highway Dept. to do whatever it takes to correct the problem. The Board will send a letter to the Highway Dept. and the Town Engineer



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 12

May 10, 1990

pending an affirmative decision about this.

J. Paquette explains that the property on the back side has a dirt road. When the original percs were done, they tore down a wall. Mr. Goguen agreed to put the wall back in its original condition. It has not been done. She wants it done. That should not be an access to the property.

EM states that was part of Mr. Goguen's deal. It may not have been relayed to the new owners.

D. McCready will take machines and put the rocks back up to form the wall.

J. Paquette states there is a stonewall on either side. It is easy to tell what they have to put back.

Peggy Jazinski, 42 Saddleback Rd., questions how much of the land has been leveled in the back.

D. McCready responds it is about half.

P. Jazinski believes that at one point the Planning Board felt they needed another access.

EM explains that the people who live there did not want them using Brook Street or Saddleback Road for access. They would have to widen the roads. There is no way to widen Brook Street or change the angle of the corner.

P. Jazinski questions if there is anything which says the number of accesses they must have with a certain number of homes.

EM responds there are regulations, but that is for a subdivision. Even if this modification is not approved and they go through with the original design, the developer will still take care of the Brook Street problem.

Jeff Brody, 29 Bellwood Circle, states that when he originally bought his unit, they were proposing the same type of unit. The units with the garages are more desirable. They would be selling them at the same costs. It would bring the value of his condo down.

GG explains that when H. Rosenfeld originally came in, he stated that he did not feel that it would be fair to Bellwood to sell the units for the same amount. They will be able to sell a cheaper unit with the



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 13

May 10, 1990

design modification.

E. Rosenfeld states they are not talking about Bellwood. This is Brook Estates. Bellwood still has another 60 units. Brook Estates was not discussed when the residents purchased Bellwood.

EN points out that Brook Estates did not belong to them originally.

Steve O'Connor, 34 Bellwood Circle, states the road to Brook Estates has been clear as long as he has been in the development.

D. McCready states that is a road to the hill of sand.

S. O'Connor believes they had plans to do this.

JM explains that Mr. Goguen wanted to build houses but had a problem with the access to Brook Street. The road was already there when he cut a deal with Mr. Rosenfeld.

E. Rosenfeld states they have owned Brook Estates for 2 years.

EM indicates that Bellwood was approved 4 or 5 years ago. Mr. Goguen's plan was denied because of the access and another problem.

Don Thompson, 45 Bellwood, is more comfortable with this layout. It has a better impact. He refers to the upper loop of Bellwood Circle. What provisions do they have to get Bellwood Circle paved from the street line to the brook? Can they put some sort of binder stabilization since the road will be used for a construction road.

GG states that Mr. Thompson wants to make sure that Bellwood Circle to the yellow line has a binder coat to keep the dust down.

S. O'Connor questions which association will plow the street in the winter.

E. Rosenfeld responds that anything which services Brook Estates will be Brook Estates. There is a cross provision which serves both. Bellwood will not bear the brunt for Brook Estates.

EM has no other questions regarding the concept. The developer is not asking for anything other than different architecture.

JM toured Bellwood. It is very nice. The reason why the Board approved condos was because it has less impact on the schools. They do not draw a large family. He does not know if this proposal does that.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 14

May 10, 1990

D. Lodge indicates that the square footage is equivalent to Bellwood. The units do not get bigger as a result of the change. They will be between 900 and 1300 square feet, the same as Bellwood.

JM states they are trying to draw from a different and new market.

D. McCready states the biggest thing is for someone to pull in their own driveway.

JM asks them what makes them think they can sell these units.

D. McCready indicates there are a lot of people who are empty nesters. They have money but want to feel like they are in their own house.

EM states they will have the same number of units, bedrooms and the same square footage. The units will be no bigger but they will be separate and some will have the option of a garage. He asked why Bellwood and Stony Ridge were not going to have a garage.

EN questions the price range with or without a garage.

D. McCready indicates it will be between \$120,000 and \$130,000.

EM thinks it is a nice design.

Muriel Englert, Bellwood Circle, asks if they will build more condos in the Bellwood area.

E. Rosenfeld indicates they will not build in the immediate future.

M. Englert states that the developer took out trees where she lives. It is a mess.

GG states that Bellwood and Brook Estates are 2 separate entities. One is not being completed. They are going on to the other project.

E. Rosenfeld indicates they have one more building up, another with a foundation and one with a cellar wall. They will complete those.

EM states the developer is not continuing with Bellwood now.

D. McCready states they are finishing everything they can. That is the 66 units.

GG believes that since they are not going to finish, they could take



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 15

May 10, 1990

the areas they are working on and finish those. The developer can also clean up and seed.

S. O'Connor points out that from the roadside up to the completed units, the topsoil was not put back and it was not seeded. That was 2 year ago.

EM makes a motion to close the hearing. JM seconds motion. Vote of 4 to close.

GG states there should be conditions including the disturbed area of Bellwood should be repaired. The culvert on Brook Street should be repaired and the stonewall has to be repaired. There should also be a binder course on the portion of the road within Bellwood and going into Brook Estates and grading and seeding within Bellwood.

RL makes a motion to approve with the conditions stated.

EM seconds motion with the conditions that the binder course be put in prior to building, seeding and grading cleanup be done, the stonewall repaired, and the culvert upgraded with headwalls subject to the Town Engineer's and Highway Dept's review.

Vote of 5 to approve the special permit modification.

GG instructs Clerk to send letter to the Town Engineer and Highway Dept. indicating that DAVNA Corp. agreed, as a result of the affirmative vote on the design modification, to do the necessary repairs to Brook Street and repair the culvert. The developer agreed to do the necessary measures even if it means to upgrade the pipe size and install headwalls. They should notify the Planning Board if they do not receive correspondence from DAVNA regarding these conditions.

REZONING - MILLPOND ASSOCIATION

PUBLIC HEARING

ZONING MAP AMENDMENT - MAPLE STREET

GG reopens the public hearing. The discussion relative to the street acceptance for Fleetwood Road is moved from 9:30 p.m. to 10:15 p.m.

Steve Racicot, 51 Maple St., will speak on behalf of the petitioners. He does not have a large map so he will use the zoning map in the back of the meeting room. He points out the finger of industrial land.

JM questions who owns the land to be rezoned.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 16

May 10, 1990

S. Racicot responds the Core of Engineers and others own the land. He sent copies of the notice of public hearing to the owners of the land. Neighbors asked why their houses were in the industrial zone. There is a factory, Antron. The houses were previously owned by the mill for the foreman and office space. It is not any more. Now there are families with children. There are 8 homes in the area. They are requesting the rezoning to protect their own property. He does not live there but 2 residents asked him to present this. He included the pond because he felt it was environmentally better to have it zoned other than industrial. Scandia Kitchens was not included in the zoning. It is just the pond and the family house residences in the area. He heard P. Herr say once that areas adjacent should be zoned the same.

GG reads P. Herr's letter dated May 4, 1990 which states that the proposal for rezoning at Maple Street and the Charles River has considerable merit. He notes that the land involved is chiefly either developed for residences or lowlying land along the Charles River which is probably of substantial environmental value but of little industrial use value. Much of the area involved is in the 100 year floodplain. The proposed rezoning would result in a non-contiguous industrial district, however, there is precedent for such districts a short distance up-river at Pearl Street, where a zoning district configuration much as proposed has existed for decades with no apparent difficulty. Rezoning this stretch of Maple Street would be a concrete expression of the policy commitment to retain the basically residential character of that portion of Maple Street, and to reinforce that it is differentiated from areas of Maple Street to the south where industrial use is programmed. This rezoning would make clear that the existing mill properties are an isolated exception to a general pattern of residential use for that area. On the other hand, retaining the bulk of the mill property in industrial use signals the intent that such use is to be protected. An actual recommendation on the change should await the public hearing, but on both broad policy and technical grounds the proposal appears to be a supportable one.

EM thinks it makes sense to rezone. He does not know why it was not done before.

GG asks how many owners of the land to be rezoned are here and if they are in favor of the rezoning.

Tony Denietolis, Antron Engineering, is in favor of the rezoning but wants an amendment to the proposal. Their property was the office for the mill. It is zoned industrial and they want to keep it that way. Lot 43 is directly across from the mill.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 17

May 10, 1990

EM explains that it will have to be amended at the Town Meeting floor.

Bill Lanzia, employee of Scandia Kitchens, would like to know why a small section of their property is included in the rezoning. He does not understand the reasoning.

S. Racicot states that it is part of Lot 39. The only reason why he included it was before he had to do the property lines.

EM explains that the proponent of the petition must get up at the Town Meeting and read the petition as proposed and then say it is amended not to include the Antron lot.

B. Lanzia believes that traffic will be effected if the rezoning is passed.

S. Racicot does not believe it will effect traffic. Sommerville Lumber uses Maple Street now.

JM indicates the petitioners will need a better map for the Town Meeting.

EM states that they can get a big map from P. Herr.

Ralph Moore, 15 Maple Street, has mixed emotions about the rezoning. 3 parts of his land border Antron. He may want to sell some land to them in the future and would not be able to if the zoning is changed.

GG indicates that he must decide whether he is for or against the rezoning.

R. Moore thinks they can split his property with the zoning. He thinks that all the neighbors can work it out. He supports what the petitioners are doing.

EM does not think it works when they only rezone part of it. Zoning effects the lot lines and street lines. He thinks that rezoning would be good for the neighborhood, but the Board can only act on what is before them tonight. Amendments are made on the Town Meeting floor.

JM questions the status of the bridge.

S. Racicot states they were going to put the rezoning through the bridge because it is going through a suburban zone anyway. He made sure all owners and abutters received a copy of the notice of public



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 18

May 10, 1990

hearing regarding this rezoning.

EM will not vote because his brother is an abutter, but if he did, he would vote in favor of the rezoning.

S. Racicot states the rezoning can include the SE corner of lot 45 to the NE corner of lot 41.

GG points out that if they exclude R. Moore's whole lot, they can forget about the rezoning since it is a big part of the finger.

JM states they could reword the whole motion.

GG states they could rezone from the northern sector of lot 9 from the SW corner of lot 45 to the NE corner of lot 41.

John Kauker, Antron Engineering, states they showed interest to the old woman who owns a lot abutting their property. They want to purchase her land in the future for parking.

GG states that means they also have to exclude lot 42. Lots 44 and 42 should not be rezoned. He questions where the people are who own houses in the section to be rezoned.

S. Racicot indicates they had told him they would be here tonight, but they are not here.

GG believes the industrial sector may want to expand.

S. Racicot questions what happens if Antron sells if they need more space. It would still be zoned industrial.

J. Kauker states they will keep their property as a warehouse or something. They would not sell.

EN states it is difficult to rezone property without the owners saying whether they want to rezone or not.

S. Racicot personally spoke with all the people involved in the rezoning. Antron does not mind having the property rezoned as long as it does not include their parcel. That is spot zoning.

GG states it is not in the best interest of zoning to rezone everything even though someone may have signed the petition. The amended motion should read that lots 42, 43 and 44 should be left alone.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 19

May 10, 1990

S. Racicot states the amendment would be lots 36, 37 and 38.

GG states that all can be rezoned except lots 39, 42, 43, and 44 and a sector of lot 9 which should remain industrial. They are discussing the amendment tonight because Scandia and Antron do not want to be included in the rezoning. Ralph Moore also wants part of his parcel to remain industrial. This creates spot zoning. Antron, lot 43 will remain industrial. To make the zone more contiguous lots 42, 44 and the northern sector of lot 9 will remain industrial. The rest will change to suburban. The person who owns lot 44 signed the petition in favor of rezoning, but it does not work from a planning point of view. This is more feasible.

Mark Blackie, 13 Maple Street, questions why it makes more sense to exclude these 4 lots.

J. Kauker explains that they showed interest in the future to purchase from both parties and expand.

T. Denietolis states that half of the driveway of lot 44 is on their land. They want to stay where they are. They have lived there for 27 years.

EN makes a motion to recommend the article as amended.

JM would like to give the Chairman the prerogative to ensure that the Board's intention is carried out.

S. Racicot would like the Board to recommend the petition as amended.

RL states the Town Meeting will not ask the Planning Board's opinion on the amendment because it is not in existence until it is on the Town Meeting floor.

GG states they can recommend it as presented and let S. Racicot do the amendment when it goes before the Town Meeting.

EN makes a motion to recommend the article as amended to not include lots 39, 42, 43, 44 and the northern section of lot 9. That would be from the SW corner of lot 45 to the NW corner of lot 41. JM seconds motion. Vote of 3.

EN states that S. Racicot will have to explain the amendment to the Finance Committee.

EN makes a motion to close the public hearing. JM seconds. Vote of 3.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 20

May 10, 1990

GG instructs Clerk to call Town Counsel and explain that the Board did not support the Article but does support the amendment to the Article. Clerk is to ask Town Counsel how this should be presented to the Finance Committee.

S. Racicot wants the Planning Board to support the petition as amended.

STREET ACCEPTANCE - FLEETWOOD ROAD

Christine Laroque, 4 Fleetwood Road, explains that the road is 35 years old. It needs to be fixed. The petitioners have all lived there for 10 - 15 - 20 years. It is time the town took responsibility for the road. They have all been paying taxes. Two streets on the side were accepted in the 1950's and 1960's.

EM states that one road in the back is already accepted.

JM believes it was probably just overlooked.

C. Laroque does not have the deed yet. If she does not get it in time, the article may be passed over on the Town Meeting floor. She had to contact the developer's heirs to obtain it.

GG reads letter from the Highway Dept., dated May 2, 1990, which states they have no objections to having the town acceptance of Fleetwood Road as a town way. It is noted, however, that the town will have to spend some money in the future to bring the road up to standards. GG feels that since the petitioners are all taxpayers, they have a right to a good road.

EM makes a motion to recommend Fleetwood Road for street acceptance. JM seconds motion. Vote of 4.

CEDAR HILL ASSOCIATES

SITE PLAN REVISION

DISCUSSION

Ed Cormier, architect, explains that the site plan was approved in October 1988. The person who will occupy the building indicated that the parking shown is twice as much as he needs. They are asking for a roadway network with an exception to carry as future parking. It will loop around the whole building.

JM questions the number of tenants now.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 21

May 10, 1990

E. Cormier responds there will be one for the whole building.

Alan Germaine, Cedar Hill Associates, owns the property. It will be sold as one. He bought it from Celtic. Don Camfield, who owns Fortress Babcock Equipment in Needham Heights. He bought the business exclusive of the building and now has to move. The business involves the sale of construction parts to contractors. He sells replacement parts and lives in Franklin. 15,000' of the building will be a service dept. for minor repair work.

EM does not think there is a problem with reduced parking. It was approved with a perimeter berm.

A. Germaine explains that when he bought the building from Celtic, he held back money until the berm was completed. He used a concrete pad 12" thick to build up the area. He changed and raised the catch basin and filled in in the back.

GG states they must berm and guarantee how far they will plant the trees.

E. Cormier will consult a landscaper about the maximum height and girth of the trees so the trees do not choke each other when they grow.

GG indicates this is a whole different use of the building.

A. Germaine states they will use 7 - 8' white pines.

EM questions what is on the lot next to this building.

A. Germaine responds it is Bradford Novelty and Van Lumber.

EM states there is no problem with reduced parking as long as the lot stays the same. They can add parking in the future. There are condos on the side which they must screen.

GG questions if there is a berm there now.

A. Germaine responds there is through the trees.

EM indicates the original intent was for a berm 4 - 5'.

GG requests the architect write the changes on the plan. An additional plan is needed for the Building Inspector's office.

EM questions how they will handle parking.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 22

May 10, 1990

E. Cormier states there are 151 spaces on the plan. 74 will remain.

Don Camfield, Fortress Babcock Equipment, states he will only need 50 spaces maximum.

E. Cormier states they may put in future parking.

EM indicates the parking is reduced from 151 to 50.

A. Germaine states they can keep it to 74 spaces.

EM questions if they will go with the original 5' berm.

A. Germaine states the berm is always 3' high. He built the area up in the back. The catch basin was moved up so it is at ground level.

GG instructs Clerk to write a letter to the Building Inspector including what has been written on the plan. Plan stamped approved by the Planning Board, May 10, 1990 with a modified parking plan.

A. Germaine requests a copy of the letter to the Building Inspector be sent to him at Cedar Hill Associates, 249 Cedar Hill St., Marlboro, MA 01752.

GENERAL DISCUSSION

EM refers to the modular home located in the Bellingham Plaza. The Planning Board must make a stand relative to this house. They never came in for a site plan.

GG states there is a problem in how to determine the number of parking spaces needed for this house.

EN questions if a site plan is necessary.

EM states the ZBA denied a variance. They determined it should be removed immediately. The bylaw is clear that anything which disrupts the parking area requires a site plan.

GG believes the building should be removed immediately because of the way it sits. The Board does not want to give them the prerogative to come in with a site plan.

EM states that Wilfred Arcand wants the Board's position stated in the minutes. The Planning Board agrees with the ZBA that the modular house



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 23

May 10, 1990

in the Bellingham Plaza should be removed.

GG states they should have come in with a site plan but never did.

GG explains that Gary Cummings, Acting Building Inspector, presented him with a proposal near the Taco Wagon. It is for a drive through donut shop franchise out of Rhode Island.

EM states it is not an accessory use to NHD.

GG states it is a big parking lot. The Taco Wagon is illegal since it never came in for a site plan review.

EM states that since there is no principle business there, the Board should ask P. Herr about this proposal.

JM does not know if this is illegal or not.

EM states the proposal is for a drive through donut shop registered on wheels. If it is an allowable use, it does require a site plan.

GG will check with P. Herr.

GG states that Gary Cummings also presented another proposal from a taxi company. There is a house which someone has been remodeling for years near the Voice Day Care School. There is a garage in the back which a taxi company wants to rent. They want to put 15 cars there and run the taxi business from there.

EM believes that is an industrial lot. It may be an allowable use, but it may require a site plan.

EN states it is near the school.

EM believes that should check with P. Herr on this proposal also. GG should tell P. Herr that there may be possible repair work done there as well. He thinks it would be an allowable use, classified as a terminal, but it still will require a site plan.

GG explains another proposal. Larry Cibley and DePrado want to open a flea market on Mechanic Street. There was a couple here tonight at the start of the meeting asking about the noise on the weekend and dust created by the flea market. He told them it would be discussed at the next meeting when P. Herr is here.

GG reads letter from the Finance Committee, dated April 30, 1990,



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

page 24

May 10, 1990

indicating that they would like to do away with the stipends paid to elected officials. The health benefits will remain. GG states that AM, EN, JM and GG will continue to receive health benefits. Presently, EM does not receive health benefits. The Planning Board does not agree with this letter and wants things to stay the same.

EM makes a motion not to respond to the Finance Committee's letter. EN seconds motion. Vote of 4.

EN makes a motion to accept and sign the minutes of February 8, 1990, February 22, 1990, March 8, 1990 and March 22, 1990. JM seconds motion. Vote of 4.

Meeting adjourned at 11:45 p.m.

Glenn E. Gerrior, Chairman

Edward T. Moore, Vice-Chairman

Emile W. Niedzwiadek

Anne M. Morse

John P. Murray