



# BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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ROLAND R. LAPRADE, ASSOCIATE MEMBER

## MINUTES OF REGULAR MEETING

May 24, 1990

Meeting was called to order at 7:42 p.m. GG, EN, AM and RL were present. JM came in later. EM was absent.

Roger Gagnon, presents an 81-P for Freeman Street.

GG states that Freeman St. is an accepted street since 1939. 850' was accepted. At the last meeting, when the 81-P was initially presented, the Board wanted to make sure that Freeman was an accepted street. He checked with Kathy Harvey.

R. Gagnon presents a letter from the Town Clerk, dated October 27, 1980 stating that Freeman Street was accepted on December 27, 1939.

AM makes a motion to accept the plan. EN seconds motion. Vote of 3.

Jay Cronin explains that there is a duplex at 206 - 208 Farm Street owned by Charles Glynn - Glynn Young Realty, which he and his cousin are considering to purchase. They want to turn it into a condex. He asks the Board what he would need to do in order to turn a duplex into a condex.

EN believes that property is already a condo.

J. Cronin indicates it is a duplex.

AM thinks it is a legal matter.

W. Arcand states that Mr. Cronin will have to go to the Zoning Agent who will refer him to the Zoning Board of Appeals.

J. Cronin spoke with Gary Cummings, Zoning Agent, who told him he should speak with the Planning Board.

AM indicates that this issue never came before the Planning Board



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before. They can not do an 81-P. There is common ownership with one lot. She suggests that he see a lawyer.

GG thinks it is a legal matter.

AM explains that all of Blackstone Street went condo without coming before the Board.

W. Arcand indicates it is up to the Zoning Agent. He should inquire to Town Counsel.

AM suggests Mr. Cronin call Town Counsel.

GG suggests Mr. Cronin go back to the Building Inspector/Zoning Agent and ask him to consult Town Counsel. This is more of a legal matter.

J. Cronin indicates there is an easement on the land from New England Electric, Westboro, MA.

GG explains that is just a utility easement for the power lines.

AM suggests he contact the utility company to discuss the easement.

J. Cronin explains that this property was involved with the Bellingham Conservation Commission when the duplex was built.

AM states the issues would have been addressed in the Order of Conditions. A certificate of compliance should be on file saying they complied with the Order of Conditions. Mr. Cronin should call Cliff Matthews, Conservation Commission, to discuss that.

JM enters the meeting at 7:55 p.m.

Fred DePrato, 161 Mechanic Street, is here to discuss his proposed flea market. W. Arcand suggested he come before the Board to seek permission not to pave the parking area.

W. Arcand indicates it is a business area.

AM asks if there is a gravel base now.

F. DePrato indicates it is.

W. Arcand indicates that Mr. DePrato is here to explain why he will not pave the parking. He has to prove to the Board that he will keep the dust down.



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AM questions how he will keep the dust down. He could use crushed stone, like blue stone, along with calcium to keep the dust down.

GG questions how long it will last.

W. Arcand indicates it lasts 2 - 3 weeks. He recommends bluestone (peastone) and throwing calcium to keep the dust down.

EN questions if they will do that for the parking or walking area.

F. DePrato explains it will just be for the parking area.

AM asks if this would require a public hearing.

W. Arcand indicates it does not. It only requires that the Board give permission. It is only for seasonal use.

JM states that all required parking areas must be paved.

F. DePrato indicates that it would be seasonal for 3- 4 months a year.

GG questions if they will have off street parking.

F. DePrato responds they will.

W. Arcand indicates that he will have to check with the Zoning Agent.

GG explains there are people in the audience with comments about this proposal.

Art Paturzo asks if there are any details on how the dust will be kept down.

GG states that P. Herr, the Board's consultant is usually here. Since Riverview Park and Lakeview Estates are going to be postponed, P. Herr, did not come tonight. He did talk with P. Herr today and addressed this issue. P. Herr explained that the paved surface would cause too much impervious surface and runoff. As long as they use calcium, leaving it unpaved is the way to go. The property is business zoned. This proposal is allowed. It is up to the Zoning Agent to enforce that the applicant put down a surface which is rideable and dust free.

AM has a bluestone driveway and it is dust free.

F. DePrato indicates the whole acre will be bluestone.



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A. Paturzo asks if they will have parking from the front.

F. DePrato responds they are doing the whole thing. The egress in the parking area will be bluestone.

A. Paturzo questions if they will have a buffer.

GG explains that there is nothing enforcing a buffer but the Planning Board can request it.

AM indicates that it abutts residential zoning.

A. Paturzo states there are no residential homes, but it is residential use.

AM states that it should not be set way back to disturb people.

F. DePrato is not setting up in the backyard.

A. Paturzo states that are backing up to the fence. They do not want it abutting close. No one will go near it if it is not abutting close.

Jean Currin asks if they will plant trees along the buffer zone.

F. DePrato explains he does not have immediate plans to put in trees. He would not rule it out. He does not want to spend a lot of money until he finds out if the flea market is going to work. It is seasonal, 3- 4 months a year.

AM makes a motion to approve the exemption for unpaved parking on the condition that the applicant use bluestone and calcium. JM seconds motion.

GG states the motion should state that the parking surface off 140 will be unpaved. Bluestone and calcium will be applied to hold dust down as needed.

Vote of 4 to approve exemption.

GG instructs Clerk to send a letter to the Building Inspector stating that the Planning Board granted the exemption for unpaved parking with the conditions that bluestone and calcium be applied to keep the dust down.

RIVERVIEW PARK PHASES I - V



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## DEFINITIVE SUBDIVISIONS CONTINUED PUBLIC HEARINGS

GG opens the public hearing.

B. Lord explains that it does not make sense to have a hearing tonight since EM is not here and AM has not sat on this public hearing. That only leaves 3 members. They have a subdivision revision concerning Phases 3 and 4 which include easements on the street.

JM questions RL's role on the Board.

B. Lord states that it is a state law that RL only act on special permits.

RL asks if that can be changed at the Town Meeting.

B. Lord indicates it can not since it is a state law.

GG reads letter from Bruce Lord, Esquire, dated May 24, 1990 requesting an extension to July 31, 1990.

B. Lord requests that Phases 3 and 4 be rescheduled for a hearing next month. They would like to hold Phases 1, 2, and 5 over to July 1990.

EN feels it is all part of the same hearing. The phases should not be separated.

B. Lord explains that each phase was a separate application. He suggests the Board set the hearings for Riverview and Lakeview at a close time together. They are both the same applicant.

EN wants to keep Phases 1 - 5 together.

Leo Mayewski would like to discuss the extension.

GG states that the applicant has a right to a full member Board and he does not have it tonight. EM is not here tonight because his son is the co-salutatorian for Bellingham. The Milford Chamber of Commerce is having a banquet tonight to honor the upper 10% of the graduating high school classes.

L. Mayewski asks if there has been any contact with the Army Core.

B. Lord does not know. He is not handling that. Phases 1 and 2 are involved with the Army Core. He gave plans to M. Megalli regarding



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Phases 3 and 4.

AM states that M. Megalli did not have the time to review them yet.

B. Lord states that Phases 3 and 4 have nothing to do with the Army Core of Engineers.

L. Mayewski states there is no direction for the type of road system which would support this development. That had to do with the Army Core of Engineers and what is allowed.

B. Lord explains that Phases 3 and 4 enter Maple Street and come out of High Street. An easement will be provided for the road system. The easement is wide enough presently. Fafard will provide the easement on the residents side of the street. It does not affect the easement on the other side.

L. Mayewski indicates there is a problem on both ends. He questions where the traffic will go.

B. Lord states that Maple Street is sufficient to hold the traffic for Phases 3 and 4.

L. Mayewski has not seen the traffic numbers to support that.

B. Lord indicates that the traffic numbers were submitted.

GG does not understand how that area will be able to handle traffic for Phases 3 and 4.

B. Lord states that the land on Maple Street is zoned industrial. The applicant can do 81-ps. The town would have no say. They presented it at a level approvable by the town. They want to provide easements so the residents front yards will not be effected. The town has plans to extend Maple Street. The Maple Street artery can handle the traffic.

JM indicates that the residents knew this was industrial land when they bought.

EN makes a motion to continue the public hearing regarding Riverview Park - Phases I - V to June 28, 1990 at 8:00 p.m. AM seconds motion. Vote of 3.

### GENERAL

EN makes a motion to sign minutes of Planning Board meetings for



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January 11, 1990, January 25, 1990 and April 12, 1990. AM seconds motion. Vote of 3. JM abstains.

## LAKEVIEW ESTATES DEFINITIVE SUBDIVISION CONTINUED PUBLIC HEARING

GG states the public hearing is scheduled for 9:30 p.m. tonight. He reads letter from B. Lord, dated May 24, 1990, requesting an extension to July 31, 1990. The applicant would like to continue this discussion as well because EM is not here. GG may have a conflict with this because he is an abutter to an abutter.

B. Lord does not believe there is a conflict. They do not want it heard by only 3 members.

GG may be stepping down on this discussion.

AM makes a motion to continue the public hearing for Lakeview Estates to June 28, 1990 at 8:30 p.m. EN seconds motion. Vote of 4.

## SOMMERVILLE LUMBER LETTER OF COMPLAINT

GG reads letter dated May 8, 1990 from Mr. and Mrs. Joseph Gaudette with pictures addressing a number of complaints with the buffer for Somerville Lumber.

B. Lord explains that the wetland is on the opposite side of the fence. The Conservation Commission would not allow Somerville Lumber to plant there. There is nothing they can do with that side. He does agree with the complainants however, that there should be more of a buffer.

GG states the Board will send a letter to Somerville Lumber with a copy of this letter and ask them to come before the Board. They were supposed to provide a dense evergreen screen. That means evergreens, not trees. They were supposed to provide a buffer 6' in height. Some of the trees died. It is their responsibility to replace them.

EN wants Somerville Lumber to come to a meeting.

GG instructs Clerk to send a letter to Somerville Lumber indicating that a letter of complaint was filed with the Planning Board regarding the buffer zone. The Board, therefore, requests their attendance to discuss this. Somerville Lumber should send a representative of their company to the June 14, 1990 meeting to respond and discuss this



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complaint. They should contact Clerk to reschedule if they are unable to attend.

B. Lord suggests that the Building Inspector attend also.

GG states the Building Inspector should be requested to attend the discussion. The Board will discuss the Sommerville Lumber complaint under general business at 7:45 p.m. at the next meeting of June 14, 1990.

EN makes a motion to adjourn this meeting due to a lack of quorum. JM seconds motion. Vote of 3.

Glenn E. Gerrior, Chairman

Edward T. Moore, Vice-Chairman

Emile W. Niedzwiadek

Anne M. Morse

John P. Murray

Roland R. LaPrade