



# BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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## MINUTES OF REGULAR MEETING

June 14, 1990

Meeting was called to order at 7:45 p.m. GG, EM, AM and RL were present. EN and JM came in later.

### Submissions:

W. Arcand explains that Mary Nenart, owner of the Pumpkin Seed, Route 126, is here to seek exemption for unpaved parking from the Board as stated in the bylaw.

GG states it is a seasonal business. The exemption is for parking.

EM makes a motion to exempt the Pumpkin Seed from paved parking.

AM seconds motion. Vote of 3.

W. Arcand requests that the Board of Selectmen be sent a copy of the exemption letter to the Building Inspector.

Michael Darveau, Robert Cournoyer and Associates, presents 81-P for Albert and Paulette Guillemette, Paine Street. It is in Land Court. They want to divide into 2 pieces with 125' frontage.

EM questions if this is located on the right on Paine Street.

M. Darveau responds that it is.

EM questions the zoning.

AM responds it is residential.

EM indicates they have the required 125' of frontage.

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



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EN comes into the meeting at 7:50 p.m.

### SOMMERVILLE LUMBER

### DISCUSSION RE: BUFFER COMPLAINT

GG reads letter of complaint, dated May 8, 1990, from Mr. and Mrs. Joseph Gaudet regarding the lack of buffer from Sommerville Lumber. GG also reads letter from the Board, dated June 1, 1990 to Howard Schlichting, Sommerville Lumber requesting his attendance at this discussion.

H. Schlichting did not get the letter until yesterday because it originally went to the wrong address.

Lee Keller, Sommerville Lumber, did receive a copy of the letter last week.

GG states the reason they did not put in a solid buffer screen was because of security. He went by Sommerville Lumber last night. He does not understand why there is a chainlink fence there.

L. Keller explains they install a chainlink fence with barbed wire. They can not put barbed wire on top of a stockade fence.

GG believes that when they were asked to put in slats, Sommerville Lumber said they could not because the building had to be seen.

L. Keller states they could put slats. The problem is the residences are all up high. The area is planted low.

EM states they could put in an 8' stockade fence behind the chainlink fence.

H. Schlichting does not believe that will do anything. They would have to put in a 20' fence to block them.

John Bouchard, 395 Maple Street, feels that trees are the only practical buffer.

EM states there is no need to have this problem. The building is built. Cedar Hill Associates put in a 4' berm and trees on top of the berm. He does not buy the argument that they have to see between the trees.

GG indicates they already said that it is not for security purposes.



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L. Keller explains the side is wetland. They can not disturb it. The Conservation Commission said that.

AM believes the Conservation Commission said they did not want them near there.

EM feels it is time that something was done to correct the situation.

J. Bouchard does not think that trees will grow in the buffer zone.

EM states they could build up the berm from the fence on Maple Street in and on the right. They could put trees in the wetlands.

J. Bouchard indicates the wetlands are on the side of the fence.

L. Keller states the fence is inside their property line. It does not go entirely into the property line.

Jean Gaudet, 399 Maple Street, indicates that no one ever said there were wetlands behind there. She could not find a flow of water.

AM explains that it does not have to be wet. The grasses make it wet.

L. Keller indicates that it was all flagged by the Conservation Commission.

J. Gaudet spoke with the Conservation Commission. They never told her it was wet.

EM questions when the pictures were taken which Mrs. Gaudet sent in with her letter of complaint. They show Sommerville Lumber from Mrs. Gaudet's back porch.

J. Gaudet responds that they were taken in the fall.

H. Schlichting states that they can not see her house now.

J. Gaudet indicates that she can not see the building from her house now, but 7 months out of the year it is visible.

GG asks Mrs. Gaudet what Sommerville Lumber can do to correct the problem.

J. Gaudet indicates it is not the fact that she can see the building which really bothers her. It is the noise, especially in the winter. She can also hear the noise from Garelick Farms trucks. The two noises



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are bouncing back and forth.

GG asks if Sommerville Lumber would consider putting in a berm.

H. Schlichting never came to the meetings when the special permit was approved. There were other people involved at that time. Some of the them are no longer with the company. The drawings show the topographic. They planted 29 trees. 7 died. The landscaper is coming back to replace the trees that died.

EM indicates they should be replaced when they die. He asks if they would consider building a berm like Garelick Farms.

L. Keller states that is a big meadow at Garelick Farms. This would require a 20 - 30' berm. There is no room to do that at their location.

AM reads through the long list for Order of Conditions from the file. One of conditions state that they had to put in a fence.

EN indicates there are 2 problems - noise and the site.

L. Keller explains that the building sits depressed. They depressed it further to minimize the noise. Building a berm will not help because the houses are 20' high.

Em fought for Sommerville Lumber to come into town. He does not feel that correcting this problem should be a big deal.

L. Keller explains that they can not disturb the wetland area. He asks why there is not a more thorough discussion in the minutes when the special permit for Sommerville Lumber was approved.

EM indicates there was a lot of discussion.

GG states that the fence was not pursued because Sommerville Lumber said they could not put it up for security purposes.

Greg Scott, 391 Maple Street, came to some of the meetings when Sommerville Lumber was discussed. His wife came to all the meetings. There is not a tree there which is 6' tall. He is 6' tall.

JM arrives at 8:10 p.m.

G. Scott states that the trees have a long way to go if they are ever going to block noise. The noise is 24 hours a day, not just 9 a.m. - 5



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p.m. There is room to have a buffer between the existing fence/access road and the parking lot. That is not wetlands. It is true that part of the problem is that they are very high up. They hear noise 24 hours a day.

EN believes that Sommerville Lumber said the noise would be minimal.

G. Scott explains there are diesel trucks with horns. He has been home during the day painting his house and is very surprised at all the noise. The forklift trucks have to honk their horns. The P.A. System can constantly be heard.

EM believes that Sommerville Lumber also promised that the gate would be closed.

H. Schlichting is the manager of Sommerville Lumber in Bellingham. They work from 7 a.m. to 9 p.m. They close the gates after 9:00 p.m. He put big signs on Maple Street stating that there is no parking on Maple Street. He has a good relationship with the Bellingham Police Department and the Chief. The guard calls the police when there are any problems. There is long term parking at Mike's truck stop on Route 1. He has no control over the trains. They make 3 drops a day. He is told what time they will drop. If they are in after 9 p.m., he calls the trainmaster. He has no control over that. It is not good for them to get train delivers at night either because they lock up the lumber building at night. No drivers start their truck before 7:00 a.m. No one comes in the gate before 7:30 a.m.

EM has gone by at night. The gates are closed. He counted 4 - 6 trailers on Maple Street.

H. Schlichting explains that he has no control over interstate commerce. He can not tell the carriers what to do. They do let them know that they only accept delivers between 7:00 a.m. and 4:00 p.m.

G. Scott has no problem with Sommerville Lumber's efforts. He understands that there are things which he can not control.

EM states that the berm does not have to be at the lot line. Maplebrook put in a rolling hill.

GG suggests an 8' berm.

H. Schlichting explains that the land slopes down 25' when he comes out of his office.



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G. Scott affirms that it does go down fast.

H. Schlichting would have to put in a 50' fence to cover them.

G. Scott <sup>states</sup> that at the meetings Sommerville Lumber just said there would be no problem. It was not really discussed. He thinks they attempted to be nice.

H. Schlichting indicates that the trees are not 6' high. The landscaper told them that it was 6' counting the bulb. That is the way it is shown on the drawing.

GG states that the guy was snowballing them.

G. Scott believes it will be 20 years before the trees are close to blocking the building.

EM explains that when the Board said they wanted 6' trees, they meant they should buy 6' trees, not a seedling.

GG states that an engineer did the site plan. They could ask him to suggest something.

L. Keller already talked to him about doing something. He said there was nothing they could do.

EM suggests they plant ivy.

G. Scott indicates that certain types of evergreen trees grow fast.

GG explains that <sup>there</sup> is a resident on S. Main Street who planted arborvitaes 20 years ago. They are now 30' high. That would give them the height they need.

J. Bouchard states they should all be planted in a row, not staggered.

L. Keller spoke with G. Scott on the phone. There are different types of trees. When the trees died, they had arborvitaes planted on the slope. They were supposed to be spaced together.

GG indicates they are useless if they are not planted 3' on the center.

G. Scott has not seen any planting along the side.

L. Keller points out that there is nothing on the plans showing the trees.



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J. Gaudet explains that she agreed at the time of the hearing for the special permit to let them plant on her property. There was nothing in writing. They wanted to drop the trees in her driveway. She said no way.

AM believes it would solve the problem if they could plant on the neighbors property.

J. Gaudet does not want them planted if they are going to die in 2 years. The landscaper said they would not live.

GG believes that hemlocks have a good chance of surviving.

AM states the trees would not be planted on the wetlands, but they could go on her property.

G. Scott planted 20' trees. They do not block noise.

GG refers to the noise barriers on Rt. 84 which are 15' high.

J. Gaudet states there is also noise from employees motorcycles and cars which need mufflers.

GG states that the building will not be knocked down. They have to come to a reasonable solution. If there is a 25' drop at the pavement edge, the berm will not work. There is a possibility of putting up a screen.

H. Schlichting suggests the Board go down to take a look.

JM asks why they do not have a parking area with noise barriers.

EM suggests that a partial berm and partial fence could be a different solution.

JM suggests the barrier be higher than the trucks.

H. Schlichting states there are no trucks there. That is the emergency access only.

EM states that it needs a living fence - trees and stockade.

JM questions where the truck noise comes from.

H. Schlichting explains that they have 40 doors on the west side of the



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building. 15 doors are designated for receiving, LTL carriers. They receive 25 - 30 truckloads a day. Home delivery trucks leave at 7:00 a.m. Distribution trucks leave all day. There are about 20 of them. He put sign in the recreation dock asking drivers not to park in the street and not to leave their truck running. Some of these truckdrivers drive 20 hours a day. They keep their trucks running to keep the heat or the air conditioner on so they can sleep in the back of their trucks. He cut every connection to outside speakers for the speaker system, but the doors are open, so the sound carries.

GG states that the residents have different problems.

J. Gaudet's problem is with the employee noise mostly.

G. Scott's problem is with the truck noise.

GG believes that Sommerville Lumber should find a landscape architect because they may need to plant different things. They could have a big wooden screen and plant arborvitaes.

J. Bouchard thinks it would be great if they had trees which were planted close together.

EM thinks they should put in a row of evergreen for a living fence. They could have a wooden fence and trees.

G. Scott does not think they could put a tall enough fence. Trees are the simplest solution. The road cuts through.

GG states that the residents were told one thing when Sommerville Lumber came before the Board to seek their special permit. Now that the building is there, they are being told another thing. He would like to see a suitable solution.

L. Keller has a problem with the side of Mrs. Gaudet's house. It lies a few hundred feet in the wetlands.

EM states that maybe the buffer is not on the plans, but promises were made.

GG states that Sommerville Lumber's lawyer and engineer were here at the meetings.

EM states that Mr. Cohen from Sommerville Lumber was here at the meetings. Promises were made. They said they would do whatever it took.





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EN indicates that they spoke about noise at length. There was supposed to be a minimal amount of noise.

EM believes that all should be shown on the site plan.

H. Schlichting responds that it does show trees, but not on the side.

EM states that the bylaw does allow noise during the daytime. It should be screened. They can not make everyone happy, but they should make an attempt.

L. Keller does not believe that the noise level is higher than what is allowed in the bylaw.

H. Schlichting is outside 2 - 4 times between morning and afternoon. At night they have lights on Maple Street. The lights were designed by the neighbors. They are so dim that the guard can not see with closed circuit TV. They have a guard 24 hours. At night he can not see anyone coming in.

EM indicates that the Safety Officer recommended and agreed about the lights.

H. Schlichting believes it was agreed because of the neighbors. He has no lights on the lumber side of the building, the side to the east toward the neighbors. On a winter day, his workers are working with headlights.

EM states they could put lights on poles facing toward the building.

H. Schlichting is trying to explain that they have been working with the neighbors.

J. Bouchard asks if they have had trouble with break-ins.

H. Schlichting indicates they have. They keep one side of the gate open. There is no fence on the back side. Kids were caught going in.

EM suggests that they think about a solution to work this out. They could come up with a solution covering the different areas. They can come back and try to work out a solution between Sommerville Lumber, the Planning Board and the Building Inspector. The Planning Board must look out for the neighbors.

GG thinks that arborvitaes are the cheapest way to go. The discussion



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relative to screening between Sommerville Lumber and the residents will be continued to the meeting of July 12, 1990 at 7:45 p.m.

L. Keller indicates that they can come back at that time. He asks if there is anyone else they have to make happy.

J. Gaudet explains that another neighbor, Mr. Mackey, could not come tonight. He has no complaints except for the trucks on Maple Street.

H. Schlichting states that the signs are out there now.

J. Bouchard indicates that the 3 neighbors are on an island, L-shaped. That is all that Sommerville Lumber has to worry about.

G. Scott asks what happened about the land which was to be donated to the Conservation Commission.

L. Keller responds that it has not happened yet, but will. He can not tell the Board the exact date. Mr. Bailey advised him that the wetlands do not get taxed.

GG indicates that Town Counsel advised him not to sit on Lakeview Estates because he is an abutter to an abutter.

GG explains that P. Herr suggested the Board check all the Letters of Credit for Home National Bank.

EM states that the town of Franklin sent out letters telling developers to finish their roads or come in with another means of credit.

Mail/Correspondence.

EM makes a motion to sign Brook Estates special permit amended decision. EN seconds motion. Vote of 4.

EN makes a motion to adjourn. AM seconds. Vote of 5.

Meeting adjourned at 9:20 p.m.



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Glenn E. Gerriot, Chairman

Edward T. Moore, Vice-Chairman

Emile W. Niedzwiadek

Anne M. Morse

John P. Murray

Roland R. LaPrade