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BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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JOHN P. MURRAY, VICE CHAIRMAN
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EDWARD T. MOORE

MINUTES OF REGULAR MEETING

May 9, 1991

Meeting was called to order at 7:46 p.m. All members were present.

Submission:

Larry Dalpe presents an 81-P for Wrentham Road. The land is in 3 names, his and his 2 brothers. They are deeding their parents home to their brother Gerry.

EM asks how it is zoned.

L. Dalpe responds it is suburban. The land is in 3 names. One brother is taking the house and they are giving him some land with the house. Some of the land is staying in the 3 names.

EN states that the parcel was agricultural at some time.

EM asks the square footage.

L. Dalpe responds it is 40,000 square feet.

EM makes a motion to sign the 81-P. EN seconds motion. Unanimous vote of 4.

EM states that the plan prepared by Larry Brisson is dated April 23, 1991. There is no block for the Planning Board to sign. It is on the original plan. The Board will write in a signature block on the copies of the plans.

Clerk reads letter from Thomas Palli to the Board of Selectmen indicating that he will not be attending the Board's Monday meeting. The problem with the sign at 311 Farm Street has been resolved.

AM states that the owner was told to put the sign back in the original place. Apparently, there was no citation from the Registry. She instructs Clerk to send a follow up letter to the Building Inspector



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indicating that the Planning Board is agreeable with having the sign in the original location.

BROOK ESTATES

DISCUSSION RE: CULVERT

Huna Rosenfeld and David McCreedy from DAVNA are here for Brook Estates.

AM reads letter from Town Engineer, dated May 6, 1991. He states that he and Mr. W. Arcand met at the site of the pipe on Brook Street with Mr. Rosenfeld on this date. The developer agreed to provide the Town with engineering analysis and approved design for his company to utilize in constructing the necessary culvert to mitigate the drainage problem. Mr. Arcand concurred that due to high water flow at the present site, it is acceptable to have all design approved for construction in the summer months. They recommend a time table of submitting final approved engineering plans by July 17, 1991 and construction by August 23, 1991. It is recommended that mitigation of drainage for Brook Street be a condition of the permit and should be addressed, and construction of mitigating measure be completed prior to issuing any building permits.

AM talked with W. Arcand regarding the water problem. Laying the pipe would be a problem. They have to do something before the winter. People are having a lot of problems.

H. Rosenfeld reads letter which he is presenting to the Board, dated May 8, 1991. He states that on July 2, 1990, he wrote to the Board indicating that when they submit a site plan for the modified plan of Brook Estates, they would include a plan of the reconstruction of the Brook Street culvert. On July 26, 1990, he again wrote to the Board indicating the same thing. He assures the Board that they will not complete the access road to Brook Estates until the Brook Street culvert design is submitted and approved by your Board. In this letter, he adds that the culvert reconstruction will be completed before any homes are built on the site. They met with Mr. Arcand of the Highway Dept. and the Town Engineer on the site on May 6, 1991. Everyone agreed that no repairs would make the road safer at this time. It was agreed that the work should be accomplished in the mid or late summer, when the Brook dries completely. He encloses a copy of a Request for Applicability which he submitted to the Conservation Commission on May 8, 1991. He met with the person who lives where the culvert is.

Mrs. Paquette, resident of Brook Street, indicates that is Mr. Derrico.

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The flooding occurs on the other side of the street, away from his property.

H. Rosenfeld indicates that Mr. Derrico said that the stream is dry in the summer. In the summer they will move the culvert down 10'. Mr. Derrico said he had no problem with that. It is close to his land.

EM asks what the Town Engineer said about moving the culvert.

H. Rosenfeld states that the stream crosses the street and heads downstream and drops about a foot. If they move it 10' - 15', they will gain 1' in depth. There is a problem with getting the pipe under the street. They will put in a new pipe and completely divert the brook.

EM states that it will be dry where they will be working.

H. Rosenfeld reads letter to the Conservation Commission enclosing the Notice of Intent and Applicability. They have to go through the Conservation Commission because this is town owned land.

AM instructs Clerk to address a letter to the Conservation Commission indicating that the Board is concerned about the road. The letter should state that the Board hopes they will attribute prompt attention to this matter since it is a serious problem. If they have any questions relative to the Request for Determination of Applicability they should call AM.

Mrs. Paquette states that the brook has not dried up as much as it used to. It is getting worse. There is a silt build up. She asks if they can put in hay barriers.

H. Rosenfeld states they will move their equipment next month. The barriers will go up. He will make sure there is no sand.

Mrs. Paquette points out that Mr. Derrico is not the least bit affected by the problem. His property comes off 140.

H. Rosenfeld explains that he spoke with Mr. Derrico because they will infringe upon his land if they have to move the brook. The end of the pipe is closer to his land. The flow will be a little tighter on his land. That is why he spoke with him. If possible, they will put in a bigger pipe.

AM asks if the existing pipe is broken.



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H. Rosenfeld responds that he does not know. It is not coming out. It leaves the pipe and flows along side.

Mrs. Paquette confirms that most goes around the pipe.

EM asks if it could be that the pipe is too high. He makes a motion to continue the special permit for Brook Estates to August 30, 1991.

GG states there is no problem with extending for an additional six months after August 30, 1991. He seconds EM's motion.

EM adds to his motion that there is no problem with reconsidering at that time.

H. Rosenfeld will have to get \$100,000 from his bank to build the road. They have to deal with the bank. If they see this restriction and they do not get the foundation in by then, the bank will not give them the money.

AM states that Mr. Rosenfeld can come back on August 31, 1991 and the Board will extend the permit for longer if the culvert is in.

H. Rosenfeld asks if that is included in the motion.

EM includes in his motion that the Board will extend the special permit to June 13, 1992 if the culvert is in by August 31, 1991. GG seconds motion. Unanimous vote of 5.

AM instructs Clerk to send a copy of the special permit extension to the Town Engineer and the Building Inspector.

Mrs. Paquette requests that the developer inform the residents when they will tie the road up so they can get their vehicles off road.

H. Rosenfeld agrees to notify them. He will have a plan in one month. He will go to the Town Engineer to get approval for the culvert design.

AM would like to hear from the Town Engineer.

Dave McCreedy asks what will happen if the Conservation Commission slows them down.

AM will be glad to talk with the Conservation Commission.

D. McCreedy states that this may be classified as road repair.



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AM will go to the Conservation Commission meeting with them if they let her know when it will be.

Mrs. Paquette thanks the Board for all it has done. The residents appreciate the Board's endeavors.

EN makes a motion to accept the minutes of the regular meeting of April 25, 1991 with a change on page 15. In response to Mr. Ronca's statement that the Town owns the problem and the Board had the opportunity to accept or reject the Letter of Credit and they accepted it, include Board members point out that the economy was good at the time and there was no reason not to accept the letter of credit. JM seconds motion. Unanimous vote of 5 to accept the minutes with the addition.

Susan D'Errico, Framingham State student, attended the meeting to observe for an assignment.

GG makes a motion to close the meeting at 8:28 p.m. EN seconds motion. Unanimous vote of 5 to adjourn.

Anne M. Morse, Chairman

John P. Murray, Vice-Chairman

Emile W. Niedzwiedek

Glenn E. Gerrior

Edward T. Moore