



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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

MINUTES OF REGULAR MEETING

June 27, 1991

Meeting was called to order at 7:47 p.m.. All members except EN were present. Board's consultant, Philip B. Herr, was also present.

GENERAL BUSINESS

Steve Racicot, Maple Street, explains that he gave a petition to the Board of Selectmen two weeks ago asking them to ask the Planning Board to come up with a bylaw which would not let new or additional junkyards in Bellingham. He did not write it as a complete bylaw. They are asking the Planning Board to do it up.

Clerk indicates that the Board has not received correspondence related to that bylaw.

AM indicates this is the first she has heard of it.

EM asks if it was a petition which was submitted.

S. Racicot responds that it had 150 signatures on it.

AM notes that it has to go to the Board of Selectmen first.

S. Racicot indicates that they were hoping that this could go on for the next annual or special town meeting.

EM states that if the petition was submitted as an article, the Board of Selectmen would have 14 days to forward it on, but since it was submitted as a concept, the time constraint is not the same. He watched a Board of Selectmen meeting on TV. They said they were forwarding the petition on to Town Counsel for his review.

P. Herr wonders if the town can put this limitation on junkyards.

AM indicates that if the Board does not hear something soon, she will talk with the Selectmen.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

attended, the Board asked P. Herr to look at the possible rezoning of Maple Street.

P. Herr states that he did not forget about that. They can talk about that tonight. The article is ready for consideration at the next Town Meeting.

BIRCH TREE LANE

Lionel Massey, 4 Birch Tree Lane, is here to discuss a deep hole which is in his backyard.

AM talked with him and explained there is an easement on his property.

L. Massey notes that drainage left him with a big hole in his backyard which is 4' deep. It is an open hole. He feels it should be fenced in.

AM asks if the hole is on the property.

L. Massey indicates that it is.

AM asks if there is a restriction on the deed or easement.

EM states that was put in when the road was built.

Bruce Lord, Esquire, reads the deed referring to the easement.

AM talked with the Town Engineer and asked him to go down and look at the hole. She reads letter from the Town Engineer indicating that he visited the site with W. Arcand from the Highway Dept. The plan of the subdivision which was signed on April 30, 1987 shows a 12" drainage pipe in a 20' easement running south along the lot line. The plan also shows a 92.8 rif-raff area elevation. It is his opinion that the intent of the original design was not met. In order to remedy the situation, he recommends either a trench be dug or the pipe be extended as per the original design. W. Arcand informed him that the subdivision has not been accepted by the town. She saw a notice of foreclosure in the newspaper tonight with the original owner.

EM states that all the lots were sold.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

AM indicates that the developer still owns the road.

GG remembers that the developer was in here last year. He gave the town the passbook to have the road paved.

AM notes for the record that the newspaper foreclosure which she saw said lot 5, South Main St., and not Birth Tree Lane. She asks P. Herr if this is something which the town would be liable for.

P. Herr does not think that the town is liable for what the developer failed to do.

GG notes that Mr. Wright came in before the winter and said he wanted to do the road. He presented a quote to have the road done. He had \$17,400 in a passbook. He found someone to do the paving. He said he would not be able to do the meets and bounds. He wanted the town to take the passbook and do the road. He wanted to be absolved of the road.

P. Herr states that the Planning Board releases the covenant in return for the bond.

EM notes that Mr. Wright had someone who agreed to do the road for a certain amount, but he wanted to get paid in one week.

AM asks if the easement is on private property.

B. Lord explains that it is not an easement in favor of the town, only the developer. This is not an accepted street for the town.

L. Massey states that it is short 30 - 40'. They could have put in rif-raff. It was not supposed to be a hole at ground level.

EM asks who did what is there.

L. Massey responds that it was Dave Brown.

EM asks if it was done after they paved or before.

L. Massey responds that it was after the finish coat and house were in.

GG notes that it would be cheaper for the town to trench a pipe.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

L. Massey states that there are 2 pieces of pipe sitting on the cul-de-sac.

B. Lord states they have action against the person who they bought from and not the town.

EM states that the Town Engineer recommends that a trench be dug or a pipe be put in.

P. Herr believes that the town probably does not have the authority to make the improvements.

GG states that the developer did not have any money to do an as-built or meets and bounds. He just did the street. There was about \$1400 in interest which was not accessible because it was tied up with the FDIC.

Town Counsel arrives for the Beechwood public hearing at 8:00 p.m.

P. Herr explains that the person who owns the easement does not have the money to correct the problem.

EM thinks they should find out from the Treasurer if the money is still there.

GG states that W. Arcand is aware of the hole.

L. Massey is concerned because if anyone falls in they will get seriously hurt. There are a lot of sharp rocks.

P. Herr suggests that AM speak with W. Arcand to see if it would be feasible for the Highway Dept. to correct it.

AM states that the Board will find out if they can use whatever is left of the bond for that purpose. She will see if the Highway Dept. is willing to do it. She asks Mr. and Mrs. Massey to come in to the next meeting on July 25, 1991 under general business. The Board will have answers by then.

RIVERVIEW PARK PHASES 1, 3, 5
CONTINUED PUBLIC HEARINGS
DEFINITIVE SUBDIVISIONS



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

AM opens the public hearings for Riverview Park, Phases 1, 3, and 5.

EM makes a motion to continue the discussion to 8:30 p.m. tonight. GG seconds motion. Vote of 3.

GENERAL BUSINESS

Robert Dangelo is here to request the Board's approval on a Form A. He is buying land from the town. The land belonged to the School Dept. At the last Town Meeting, the town voted to sell the land to him. He is adding on an addition.

EM asks if the Board has to wait to act on this because it takes 90 days to hear back from the Attorney General regarding approvals for the Town Meeting.

P. Herr explains that the question is whether or not this is a subdivision. It is not, so they can endorse the plan.

EM makes a motion to approve the Form A, 81-P plan. GG seconds motion. Vote of 3.

EM asks what the addition will be.

R. Dangelo responds that he is adding an additional garage.

OAK KNOLL

RELEASE OF PERFORMANCE BOND

Richard Galuza is here to request release of his road bond.

EM points out that he has to present his request in writing.

Clerk reads from Section 49, Release of Performance Guaranty, from the Rules and Regulations, which states that 15% must be retained.

GG makes a motion to release 85% of the holdings to Oak Knoll upon receipt of a letter from Mr. Galuza. EM seconds motion. Vote of 3.

GG states that the last 15% will be available to him in 6 months.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

B. Lord notes that the this development comes under the 1985 Rules and Regulations and therefore, the Board can not retain the 15%. That was not in the Regulations at that time.

GG makes a motion to release the entire bond to Mr. Galuza upon receipt of a letter from him requesting same. EM seconds motion. Vote of 3.,

BEECHWOOD ESTATES

CONTINUED PUBLIC HEARING RE: PERFORMANCE BOND

AM opens the continued public hearing.

EM makes a motion to continue to 8:28 p.m. GG seconds motion. Vote of 3.

GENERAL BUSINESS

Frank Chang, Century 21, is here representing the owner of 35 acres near High Street. It has agricultural mixing in an industrial zone. He asks what the town is looking for in regards to development for land like that. It appears like it would be residential usage with some industrial.

EM asks Mr. Chang to explain the zone.

F. Chang explains that it is agricultural in the first part and the rear part is industrial.

P. Herr asks where this parcel is on High Street.

F. Chang responds that the zoning is 2 acres with 200 foot frontage. He points the location out on a plan. He suggests duplex lots.

AM notes that duplexes require 2 times the lot.

F. Chang states they are here to ascertain if the town has a stronger interest in industrial usage. Agricultural is keeping them from moving forward. They also could have residential usage. If the town is more in favor of residential, they could look to rezone the industrial portion.

P. Herr states there is some of the original zoning.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

F. Chang notes that by marketing agricultural use, they would lose access to a parcel of land.

EM suggests they go before the Industrial Development Committee for guidance.

P. Herr points out that B. Lord represents one abutter to this.

F. Chang explains that before marketing, they are trying to find out the highest best use. At the moment the agricultural in the rear is too shallow.

B. Lord points out that the industrial property behind this parcel is the section where the town is testing the water wells. The Core of Engineers will not allow any change over the only access over the property. At some point the town could take an easement. The zoning is heavy residential. This is a tough area for zoning.

P. Herr notes that behind this parcel there is an industrial zone which is not used. Changing the property from industrial to residential is not in the owners interest but is in the interest of the town. No one expects farming to take place. It is a large lot which could be used for single family residences.

F. Chang asks if the town would endorse industrial use as a tax base.

GG states they would never endorse industrial use on High Street. The bridge will be closed one day because it is defunct.

F. Chang notes they are doing their best to make it desirable. They have large scale schemes. They can use the land in conjunction with the land to the north.

RIVERVIEW PARK

AM opens the public hearing.

EM makes a motion to continue to 8:45 p.m. GG seconds motion. Vote of 4.

BEECHWOOD ESTATES



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

Lee Ambler, Town Counsel, passes out an agreement which he worked out with the developer's attorney which provides security to finish the road and place municipal services on Beechwood Road. This agreement reflects all the work which was required under the covenant which was originally approved. The scope of the agreement is that the town will take back a second mortgage on a property which the developer owns valued at \$150,000. She has a \$50,000 mortgage. They will substatin equity. It is considered a sale less full value. It can not be sold for less than \$100,000 even if the entity of Sally Dmytryck holds any interest at all. The mortgage will be taken and the discharge will be held in his office. The funds will be held in a joint escrow account when the sale is completed. There is a delay because there is no money now and there will not be any until the property is sold. This concept needs to be signed tonight.

JM asks what the property is.

L. Ambler responds that it is land on Farm Street.

AM asks if it is all buildable.

L. Ambler has no idea.

B. Lord states that it was the Spindlewood property.

L. Ambler states the water mains are installed and complete. There is concern about the gate valves if the road is brought up to par. That is met by the agreement. The developer did try to exclude the drainage and not put in catch basins or manholes. They said it was not their obligation. They did try to exclude that, but now they eliminated that elimination.

EM questions the time element.

L. Ambler states there will be no improvements until the funds are available. This agreement is securing eventual payment. Currently there is a first mortgage only.

B. Lord states that this is as good a solution as could be expected, but it is not perfect. It is a better guarantee than previously.

Elle Bennett, Beechwood Road, is a broker. She states that the



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

land is being marketed now. There is interest in it.

L. Ambler states that the minute the land is sold the decision will not go on record. The funds will be dispersed to the town. There will be one year after the money comes in before they can take the money and complete the road. If the road is done for less money, the developer gets the surplus.

P. Herr is concerned with page 5, item 3 of the agreement.

L. Ambler explains that before the Building Inspector takes suit or action, they will go through him. If they do not do it they will lose the security. The clause will not be eliminated.

P. Herr asks if taking any action means suit.

L. Ambler states that there is enough correspondence back and forth to note the intent of that.

P. Herr states they will not release the mortgage. They will go to arbitration.

L. Ambler states it is limited to Beechwood.

EM makes a motion to accept the agreement. JM seconds motion. Vote of 4.

Members sign agreement. L. Ambler notorizes.

P. Herr states that the record should indicate that this is a nice solution and the Board should acknowledge the work which was put into this by Town Counsel.

Board members thank Town Counsel for the work he put into working out the many proposals with the developer's attorney.

SILVER HEIGHTS FORM A

AM notes that for the record they have done minor work for Mr. Rosenfeld. Under the circumstances she has no problem with signing a plan due to the nature of the work.

A. Rosenfeld presents a plan for approval of lots 1 - 8, Silver Avenue. The ZBA amended their permit so he is here asking the



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

Board to sign the plan. The signature is needed to record the plan.

EM asks if the plan is an 81-P.

P. Herr responds that yes, they are not creating new streets.

EM asks about the number of lots gained.

A. Rosenfeld responds there are 8 - 2 affordable and 6 marketable.

EM makes a motion to sign the plan. GG seconds. Vote of 4.

Members sign plan.

A. Rosenfeld presents \$10.00 fee. He will fill out an application and forward it to the Planning Board.

EM makes a motion that the Planning Board go to summer hours until September 1991. There will be one meeting on July 25, 1991 and one on August 22, 1991. GG seconds motion. Vote of 4.

RIVERVIEW PARK, PHASES 1, 3, 5

B. Lord would like to discuss one phase at a time. They will focus on one as they go through them. They would like to discuss Phase 3 tonight and hold off on Phases 1 and 5 until October 1991. Phase 2 is scheduled for next month. They would like to put that off until October 1991. They were trying to do all the phases at once. Now they would like to go through them one at a time. Phase 3 affects phase 2.

EM notes that the Board cannot continue Phase 2 until next month because they is when it is continued to.

Janice Hannert, Fafard, is here to update the Board. She would like to discuss Phase 3 and how it relates to Phase 4. One major concern of the Planning Board and neighbors is traffic and how the project will relate to the residents. There is a major change to Century Blvd. and how it intersects with Maple Street. Century Blvd. is the major road which goes all the way through and it is where the traffic will be directed. They have made significant changes to the Phase 3 plans. Century Blvd. has now



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

been realigned so the traffic will go on Century Blvd. rather than Maple Street. The Planning Board voted to make the change. The traffic will be routed away from the residential area. There have been a number of changes to the Phase 3 plans so it will go along with the Phase 4 plans. There number of changes are in the notations. The zoning was included on the Locust plan. There are also a number of general notes. There is a condition that the Planning Board required Phase 3 to be consistent with Phase 4. There are also a number of concessions added to the notes regarding lands, buffer, setbacks. There is an earthen berm provision in front of Maple Street before any parking and buildings are completed. The berm will be a dense screening of evergreen shrubs. There will be a pedestrian easement parallel along Maple Street. It will be buffered from the residential neighbors. Note number 9 refers to the public pedestrian access and that its location will be determined at the time of Site Plan Review. Note 10 is a waiver which allows the PVC water main or piping as required by the Water/Sewer Commission. Note 11 is a waiver for the 30' pavement rather than 36' for Century Blvd. Note 12 is for grading purposes. There is also a general note that no lot will be developed and tied into the drainage until the site plan is approved. There will be a 12" water line as required and requested by the Town Engineer. A 5' sidewalk will be added to Century Blvd. The Planning Board requested a 5' sidewalk. The details have been added to the detail sheets. They have added signature blocks to all copies of the plans.

P. Herr states that the plans were referred to them. They are in the process of discussing some relatively small technical questions. He presumes they will be resolved.

J. Hannert states that it is nothing that is not resolvable.

B. Lord states that this is in line with Phase 4. They will be looking for a vote and approval at the next meeting. He will get a suggested decision to P. Herr next week. Phase 3 is in line with what they did on Phase 4. They have answered most of the Board's questions. They would like to do one phase at a time. This allows for better configuration because of the size of the lots. The Fortune 500 company is no longer an issue. They no longer own the company and there has been no further discussion.

AM asks for questions from the audience.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

Norman Bell, Maple Street, would like to see the portion near High Street blocked off so no one will come off High Street.

EM states that cannot be done.

B. Lord explains that someone would have to petition the town to do that. The bridge goes over the Charles. The Army core of Engineers is not allowing anyone to do anything. The road will eventually be deadended.

N. Bell is not blaming out-of-towners, but there is a problem with Somerville Lumber trucks coming through there. What will prevent them from coming out of there?

B. Lord respond that there is nothing to prevent it now.

N. Bell explains that he lives right in front of High Street.

EM asks if bigger lots would be enabled if the Town Meeting voted to abandon High Street.

B. Lord responds that is feasible if it is abandoned. They could abandon High Street but not until Century Blvd. is constructed. If the town is willing to abandon High Street, he is sure that Fafard would be willing to join the lots.

GG makes a motion to continue Phase 3 to August 22, 1991 at 8:00 p.m. EM seconds. Vote of 4 to continue.

EM asks if the questions will be ironed out by that meeting.

P. Herr responds that they should be.

EM makes a motion to approve the request for extension for Riverview Park, Phase 3 to September 15, 1991. GG seconds. Vote of 4.

B. Lord requests a continuance of the public hearing for Phases 1 and 5 to the last meeting of October 1991 with an extension to November 15, 1991.

GG makes a motion to continue Riverview Park, Phases 1 and 5 to October 24, 1991 at 8:00 p.m. EM seconds motion. Vote of 4.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

GG makes a motion to approve the extension date for Riverview Park, Phases 1 and 5 to November 15, 1991. EM seconds. Vote of 4.

LAKEVIEW ESTATES CONTINUED PUBLIC HEARING DEFINITIVE SUBDIVISION

B. Lord explains that they are requesting a continuance because there are not enough members to hear this matter since EN is absent and GG does not sit on this. He requests a continuance to some time in October 1991 with an extension to November 15, 1991.

EM makes a motion to continue the public hearing for Lakeview Estates to October 24, 1991 at 8:30 p.m. JM seconds. Vote of 4 to continue.

EM makes a motion to approve the request for extension for Lakeview Estates to November 15, 1991. GG seconds. Vote of 4.

STONY RIDGE DISCUSSION RE: SPECIAL PERMIT

Steve Greenberg, an employee of the FDIC, Franklin, MA, introduces himself.

AM advised Town Counsel that they would be discussing this matter with the FDIC tonight. He advised her to abstain since her husband has dealings with the FDIC.

EM's wife works for the FDIC but he will not abstain.

JM takes over as Chairman.

S. Greenberg explains that he works in the marketing and sales division for the FDIC. They are working on liquidating real estate. They refer to this parcel as Two Acres. He is here on behalf of the FDIC to find out if the Board would consider extending the special permit or reapproval of the special permit for Stony Ridge. They are currently faced with an adverse tenant who they are in the process of evicting. He has heard stories that they are selling cars off the property.

GG explains that the land looks like a used car lot.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

S. Greenberg states that they listed the property with a broker who put up a sign. The tenants took it down. He is here to find out the process to get the permit reinstated.

JM asks whose tenants they are.

S. Greenberg responds they are like squatters either from the former tenants or previous owner.

EM notes that they may be living there rent free.

P. Herr explains that the Planning Board voted approval of the special permit upon finalization of the drainage scheme to his satisfaction. It was never done, so the permit was never issued. The pricing of the units was low, but there were no regulatory concerns.

EM states that there was an affordable proposal one mile down the street. These condos were supposed to be affordably priced.

S. Greenberg notes that based on the location, they would have to be affordable.

B. Lord states they would be better off with low cost.

S. Greenberg explains that the FDIC is here to liquidate. They do not want to hold on to the property.

EM asks how the developer got a foundation permit to go in and do the work.

P. Herr states that he proceeded at his own risk. He did not want to have to go to the Town Meeting for 48 townhouse duplex unit. It was a rather good plan. He does not know the legality of a decision of the Board two years ago.

GG states another question is if a special permit can change ownership.

B. Lord thinks there is something in the regulations which says that it cannot change ownership.

S. Greenberg states it is in receivership of the bank. The bank becomes the owner. If it was never granted because the drainage



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

was never finished, then it would not be transferable anyway. If it is in effect, construction of the foundation would substantiate use of the special permit.

GG recalls that Mr. Forge asked how he could keep the special permit active.

B. Lord reads Section 4423 which states that a special permit shall lapse upon transfer of ownership. It is very specific that if ownership is transferred, that it will lapse. Therefore, there is no special permit.

P. Herr explains that the Planning Board approved the special permit conditionally on his approval of the drainage scheme.

S. Greenberg states that means a major change in terms of dollars for the property.

P. Herr does not think so. The issue of concern is how the property will effect the neighbors.

GG thinks that an office park may be a better scheme.

EM states that the 1986 or 1987 zoning map shows the parcel as industrial.

GG asks where the FDIC will go from there.

S. Greenberg states they will sell it to somebody and explain that it cannot be transferred. He understands that the rules for multi-family have changed.

EM thought that was an ideal location for that type of housing. He could not understand why it never got built.

P. Herr thinks they could allege to the owner that a special permit was previously approved. He thinks the permit has lapsed. He is not a lawyer. They could presume to the new owner that the likelihood of the same development being approved is good.

S. Greenberg asks if there is any engineering he can look at.

EM told Lenny Savoie where to get that information.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

P. Herr explains that the previous owner had retained an engineer and someone else to do the drainage. He has a pile of stuff that they can look at.

S. Greenberg may have their broker contact P. Herr if that is o'kay.

P. Herr states that is fine.

GG suggests that they may want to knock down the structure on the property to make it more marketable. The barn in the back was condemned years ago.

S. Greenberg states they can not do demolition. They have to be done with this in 90 days. He can present the idea, but he doubts they will do anything.

EM asks how long it will be before the FDIC owns Maplebrook.

GG asks if the FDIC owns Crestview Commons.

S. Greenberg responds that they do not own either yet.

S. Greenberg will sell the property with the contingency that someone else will have to come before the town for the approvals. They are trying to get the tenant out.

GG asks what they feel the value of the property is.

S. Greenberg responds it is mid 4's, but they are flexible.

EVERGREEN CONSTRUCTION

DEVELOPMENT PLAN REVIEW

DISCUSSION RE: REMOVAL OF THE WALL

AM takes over as Chairman. She reads letter which came certified mail to the Board of Selectmen's office. It is dated June 20, 1991 from Thomas Clark enclosing two drawings for the elimination of the wall.

P. Herr reviews the drawings. He states they are not exactly the same drawing, but he does not see any change. He suggests that the Board hear from the Town Engineer before responding. The Town Engineer or P. Herr and someone representing Mr. Clark or



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

Mr. Clark himself should sit down and talk about this.

AM explains that the Town Engineer keeps insisting that he needs an as-built. At the last meeting, the Board told the developer to show more of the parking lot. Clark says he did supply an as-built.

P. Herr states that the Town Engineer is saying that he needs to see what has been built up there.

AM notes that the developer is showing more and that is what he was asked to do.

P. Herr states they need a drawing without the wall rather than a drawing showing the wall. Someone made a modest change to the drawing. This is a reproduction of a larger plan without the change.

EM states that the wall was put in at Town Engineer's suggestion. It is up to the Town Engineer to say that he is satisfied.

GG suggests the Board send a letter to Makram Megalli, Town Engineer, stating that he is the one who introduced the wall in the proposal. Now the developer wants to eliminate the wall. He should be sent a copy of the June 20, 1991 correspondence asking him to respond. A copy of the letter should be sent to T. Clark. The letter should ask the Town Engineer if he concurs that the proposal for removal of the wall is sound. Also, he should respond if the documentation which the developer provided is adequate to serve the purposes of the town. He should be asked to provide a response by the next meeting on July 25, 1991.

ALGONQUIN GAS TRANSMISSION CO.

P. Herr states that Algonquin Gas will be building a gas line through Bellingham, Hopedale and Milford. The Board received information pertaining to this which he reviewed. He sent a copy of his response to D. Fraine and the Board of Selectmen. Algonquin will have to go through the Conservation Commission eventually. The real issue is the relationship with the proposed T station. The town wants the T station to happen. The proposed location does not preclude the station but does make it more expensive. Someone should make a case for an alternative route. The book from Algonquin dismissed the alternative route because



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

the T did not have the money to build a T station. They would have to have a bond issue for the money for the design. It is at the state level.

AM thinks that the Board should transmit a copy of this statement agreeing with the alternative route allowing the T station to D. Fraine. He should be apprised of the July 25, 1991 information meeting which will take place at the Milford Town Hall. Someone should attend that meeting on the town's behalf. Planning Board members will be unable to attend since the Board will be meeting at the same time.

B. Lord states they can use the alterate route to go around if they negotiate with the landowner.

EVERGREEN CENTER

P. Herr notes that this is located at 3 Monique Drive. He does not think this is a real issue. He thinks they were renting before and now they are buying the property. They are just changing the tenure.

BROOKSIDE ESTATES

REQUEST FOR RELEASE OF COVENANT

Clerk explains that she received a letter from Attorney Jenson requesting release of Lot 7, Brookside Estates, with a completed form Release of Covenant for the Board to sign.

P. Herr and Board members review the plans in the file. Apparently, there is a 1980 plan which superseded the 1965 plan which Attorney Jenson is referring to.

P. Herr notes that the question is whether the 1980 plan was ever recorded.

GG states that the 1980 plan is the updated one. He does not know if it was ever recorded or not.

EM notes that the 1980 plan has no engineering date.

P. Herr states that the attorney is referring to a 1965 covenant, but there is a plan in the file dated 1980. They know that it did not get built as depicted on the 1965 plan. They do not know



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

JUNE 27, 1991

which lot Attorney Jensen is referring to. The lot numbers changed from the 1965 plan to the 1980 plan.

B. Lord states that there is a 1981 covenant and 1973 covenant.

AM instructs Clerk to ask Attorney Jensen to check to dates of the plans at the Registry of Deeds to find out if in fact the 1980 plan superseded the 1965 plan.

GENERAL BUSINESS

Clerk reads copy of a letter which the Building Inspector sent to Maplegate Country Club, dated June 21, 1991, wherein he states that it appears that the caliber of the trees replaced are not in conformance with the Scenic Road By-Law.

B. Lord states that the reference is erroneous. If the Building Inspector is enforcing the bylaw, he is wrong. The caliber was based on the decision of the Board as recorded in the minutes.

Clerk reads letter from the Conservation Commission, dated May 31, 1991, regarding the repair of the Brook St. culvert. Chairman Matthews states that the Request for Determination of Applicability has been withdrawn. They will file a Notice of Intent and include all plans, drawings and pertinent data necessary to complete this filing. They will do everything possible to expedite this hearing upon receipt of the Notice of Intent.

AM instructs Clerk to send a copy of that letter to JoAnn Paquette, a resident of Brook Street, to update her on the culvert repair progress.

AM went to a meeting with attorneys for National Development Associates, Inc. (NDAI) this morning. They are going to be coming forward with plans.

P. Herr requests time on the July 25, 1991 agenda to discuss the Maple Street rezoning.

Agenda time is scheduled for July 25, 1991 at 8:00 p.m.

GG makes a motion to adjourn at 10:45 p.m. EM seconds. Vote of 4.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

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Anne M. Morse

Anne M. Morse, Chairman

John P. Murray, Vice Chairman

Emile W. Niedzwiadek

Glenn E. Gerrior

Glenn E. Gerrior

Edward T. Moore

Edward T. Moore