



# 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

APRIL 9, 1992

Meeting was called to order at 7:50 p.m. All members were present. JM came in at 8:00 p.m. Clerk was not present due to vacation. Minutes transcribed from tape recording.

### DUNKIN DONUTS DEVELOPMENTAL PLAN REVIEW

JM does not know if he can sit on this. He is an abutter to the proposed location.

AM notes for the record that JM is going to abstain from the Development Plan Review discussion for Dunkin Donuts.

B. Lord, representing applicant, Diamond Hill Donuts, explains that they are proposing to build a 32 x 32' building in the Ames parking lot to house a Dunkin Donuts. He points out the location in the grey area on the plan to be used by the Dunkin Donuts which shows the entire area as to what is there. The lot in question is the red. The plan shows all of the Ames parking lot. There are two areas involved.

EM asks what the dotted line on the property is. The plans shows two lots and a dotted line too.

Peter Alviti, engineer, states that he showed a total observation where people park at present during the day while they are using the strip shopping mall and the Ames store and the supermarket. Generally they park in the central area between the strip mall and the Ames. In the south area there is very rarely anyone parking in that area on the days that he went out there and he went out there about 10 days due to construction projects they have been doing on the Ames.

B. Lord introduces Peter Alviti the engineer. He also introduces Bob Galvieri from Dunkin Donuts and Kevin Ferreira who is the architect.

EN states that the location was formerly a gas station. He asks



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

if the tanks were taken out.

B. Lord responds that yes, all tanks were taken out.

EN asks where the Blackstone line is.

P. Alviti states that it goes right across.

EN notes that most of Ames is in Blackstone.

B. Lord indicates that is correct. He points out all of the area in Blackstone. A little building is divided on the town line.

EN states that the septic is in Bellingham. It is divided on the other side of CVS.

B. Lord notes that this is a very simple plan. The layout of the project is with a drive-through entrance using the regularly existing entrance for the parking area. They have 12 parking spaces.

EN asks if they are going to go up the curb and do curb cuts.

B. Lord responds that everything will be inside the lot. The only addition is the parking spaces on the side of the building. There are no curb cuts. They will be using the existing sewerage at the CVS building which has been approved by the Blackstone Board of Health.

EN asks if they are going to have facilities for people to use or just private for the employees.

B. Lord responds that it will be private.

AM asks what the width of the drive around is on the roadway.

B. Lord responds that the drive around is 12' wide.

P. Alviti states it is the actual space between the building and the property line. It is 15' altogether.

EN did not think they could get away with having private restrooms any more.



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

### MINUTES OF REGULAR MEETING

APRIL 9, 1992

B. Lord believes that has to do with square footage under 1,000 square feet.

P. Alviti states that buildings under 1,000 square feet do not require public restrooms. They changed the plans to 960.

EN personally thinks that rots. He thinks that someone going in to have a donut and a cup a coffee should have a place to wash their hands and go to the bathroom.

B. Lord states that under the new format for Dunkin Donuts which is basically a take-out there is very little sitting space.

EN states that they still have space. You can still go in and sit down. They still sell sandwiches and croissants. He does not think it is right.

B. Lord indicates that there will be a wall on the drive-thru so that nobody can go into the next property and drive-thru. There will be a 3' wall to divide it off. All the traffic has to go out one way. It is pretty self-sustaining. The sewerage goes through an existing septic system.

AM does not have anything from P. Herr. She does have a couple of letters. She has a letter from the Town of Bellingham Fire Dept., dated April 9, 1992, Richard F. Ranieri, Fire Chief, stating that he received no plan to review. He just learned today that this hearing was coming up tonight. Practice has been that the Fire Dept. receive a set of site plans for review and commenting. He also advises that the Board of Fire Prevention Regulations 527 C.M.R. 25.00 governs access for fire equipment prior to construction. It would only make sense that the Fire Dept. receive these plans prior to the hearing and subsequent approval so that the appropriate comments can be made. He is sure it was an oversight. She asks if the Fire Dept. was included in the list for distribution.

B. Lord presents a distribution. They are not required to have a checklist but he prepared one anyway. The distribution is actually done by the engineer. The Fire Dept. is not on the list for site plans or subdivisions either.

AM notes that he should be. She asks if Mr. Lord can distribute a copy of the plan to the Fire Dept. She reads a letter from



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

### MINUTES OF REGULAR MEETING

APRIL 9, 1992

Donald DiMartino, Water/Sewer Dept. superintendent, dated April 2, 1992, stating that he has reviewed the plans for the Dunkin Donuts building on the Wasserman property off Pulaski Blvd. His records are consistent with the plan submitted and they have no concerns related to the layout of the water service. The owner must file for a water connection permit, under the water regulations, and the Water Dept. must inspect the installation before it is backfilled.

B. Lord states for the Board's information, there is an existing water line so there is no problem with the water. Everything else is pretty much on site.

AM asks how many parking spaces there are.

B. Lord responds that there are 12 parking spaces.

AM asks what the required number of parking spaces are.

B. Lord responds that it is 4.

EM asks if the fee was paid.

B. Lord responds that he paid \$56 when it was submitted. He will discuss the matter of the fee with clerk when she returns.

EM states that clerk did not make a note about payment. He believes the fee is \$86.

B. Lord states that only 3 parking spaces are actually required.

EM reads that the fee is \$3.00 per space in excess of 10 so there are two in excess of 10 which comes out to \$56.

EM asks how they know there is enough parking spaces for all those buildings after they take away what they need for this one.

P. Alviti states that is why he shows the red dotted line. From the red dotted line to the southwest there are no parking spaces delineated on the ground.

EM notes that there are supposed to be.

P. Alviti thinks the reason for that was because the gas station



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

was in this area and there was a Fotomat.

EN notes that the Fotomat was on the other side of the lot.

P. Alviti states there is a little foundation which is about 8 x 14'.

B. Lord points out that was a register for the gas station.

P. Alviti continues that when these buildings were standing of course, none of this area was used for parking. It was never really intended to be set aside for parking. When these were built all of the parking spaces which were provided were provided outside of that area.

EM states that if that was already there that would be fine, but now they are changing it and doing something new.

AM states they are adding to it.

EM points out that any changes which are done have to be done accordingly.

P. Alviti states that if there were no parking spaces in the area where they are building their building and that area was not designated as an area to be provided as parking for the shopping center.

EM states that if the buildings there require 300 parking spaces and they see 300 parking spaces, then they would know that they would not need those 300 because they have them in the other area. The Board can not tell that from this.

P. Alviti indicates that it does not matter that they have existed for a half a century. He is referring to the Ames building.

AM explains that EM is talking about their new building. We do not know what impact the new building will have on that one parcel.

B. Lord asks if EM wants to see the parking for all of the area in Bellingham.



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

EM states that they are here because they are altering an existing parking lot. If it were not for that they would not have to come for a site plan.

B. Lord states that is not true.

EM states that is one of the reasons.

EN notes that the fact that the spaces are not marked does not mean they were not intended to be parking spaces.

B. Lord states that for 12 parking spaces, the Board is asking them to layout the entire shopping center. He has no idea when it was done. It goes back farther when no one currently on this Board was here.

EN was on the Board when they issued permits for Ames.

P. Alviti states that none of the parking has been changed.

B. Lord states that the building and 4 of the parking spaces are on this lot. The other parking spaces are along the side.

AM notes that they are only required to have 4 spaces.

B. Lord points out that they have the required number of parking spaces on the small lot.

P. Alviti states that the bulk of the lot is an unpaved slope right now so there is no parking in that area.

EM does not think that makes it right. That whole other building got added without ever coming before the Board. The whole strip was added without coming before the Board. That is what makes it hard to say it is o'kay to add another building.

B. Lord states this is a very simple building. They have the parking.

EM is not questioning the building or the layout or the parking. The question is whether or not it fits there or it works there. He asks if the Board received anything from the Town Engineer relative to this plan.



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

### MINUTES OF REGULAR MEETING

APRIL 9, 1992

P. Alviti has been out at that site during the last year on the order of 40 to 50 times as part of the process of designing the sewer system for the entire shopping project not only for present use but also for future use. None of the times that he was there was anyone ever using the parking area in the vicinity or even beyond the vicinity of this new building.

EN notes that the terrain in the vicinity of the proposed building is a little rough.

P. Alviti agrees that it is a little rough. In the area that is paved to the west of it toward the entrance, no one parks in that area either.

EM asks where the entrance is going to be for the Dunkin Donuts.

B. Lord states it is going to be the same entrance.

EM asks if they are going to go back to the same entrance as with the gas station.

P. Alviti states they are going to have that blocked off.

GG states that they are talking about using the same entrance which he thinks is one of the worst denoted entrances in any plaza in Massachusetts. He does not think they would have a problem with using the same entrance if it was denoted better. They should be brought up to the owners of that plaza, the Wasserman's, for the safety of Dunkin Donuts customers and for the safety of anybody in there. If you go in the out, someone is coming in right at you. If you go in the in, it is the opposite.

EM notes that people still use the entrance down here which is supposed to be closed off.

W. Arcand states that this was layed out by the state. The state said that was where the entrance was going to be and that is where it is. There will never be another entrance further up.

EN does not think they want another entrance. They just wanted it to be better marked so people know what way is in and out.

W. Arcand states that the Town of Bellingham is right on the verge of owning Pulaski Blvd. Mr. Wasserman was mad because of



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

the entrance but that is where it is going to stay as far as the state is concerned. Now he thinks the Town of Bellingham owns the road, but the Board of Selectmen will say that is where the state wanted the entrance and that is where it will stay.

GG is saying that Dunkin Donuts is going to be a money maker for Mr. Wasserman. The town can play hard ball and say that one of the things he has to do is get entrance and exit signs there and block the one by the Palace Pizza.

AM thinks that it is blocked.

GG states that it is not. He can go in and out of there.

B. Lord notes that it is semi-blocked.

GG thinks that is one of the major concerns.

P. Alviti asks what form the Board would like the signage to take.

GG states it should say entrance/exit.

P. Alviti states that if the Board makes that a condition of approval, he does not think that Mr. Wasserman will object.

EM asks if there are signs on the plan.

B. Lord points out the sign.

EM asks if that is on the building or if it is freestanding.

B. Lord responds that it is freestanding. It is a standard sign.

P. Alviti states that there is an additional sign to the rear of the building for the drive-in.

GG states that this plan has to be reviewed by P. Herr.

AM notes that the Fire Chief wants to review a copy of the plan.

B. Lord will get a copy of the plan to the Fire Chief.

AM thinks that the Fire Chief should be on the list. They will





## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

put him back on.

EM looks at the parking layout. He points out the handicapped space and 4 spaces that all back into the drive-thru. The traffic can only go one way. It only has one entrance down here. These 4 cars have to back into the drive-thru lane which means that nobody is going to use those spaces. The handicapped space should be in a different location.

P. Alviti notes that they should keep in mind that the traffic going through the drive-thru is stopped for a period of time. During that time when they are picking up their donuts is more than enough time for even two or three cars to leave those parking spaces.

EM notes that the window is on a different wall. The window is on the back wall.

GG asks why they are referring to 12 spaces when there are only 9 shown on the plan.

B. Lord states that there are only 9.

Board members agree to continue this discussion to April 30, 1992 at 8:00 p.m.

### RAWSONS FARM PRELIMINARY SUBDIVISION CONTINUED DISCUSSION

B. Lord states that they are not going to make any curb cuts. They are going to try to come around and build from the back. They are intending to use the road.

EN asks if they would have trouble with curb cuts.

B. Lord thinks they would from the state. The purpose is to get started and build the houses without waiting for the definitive to be approved.

### SUBMISSION

B. Lord submits an 81-P for Alexander Capital Development Corp. for 3 lots located on the northerly side of Hartford Avenue,



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

which are part of Rawsons Farm.

Unanimous vote of 4 (AM, GG, EN and EM) to sign plan.

B. Lord presents \$10.00 fee.

B. Lord submits an 81-P for Silver Lake. Silver Lake Realty Trust had a parcel left over.

EN asks if this is the one in the middle of the lake.

B. Lord responds that it is the one on the edge. They are dividing it so it can be attached to two other lots. It is at the top of Silver Lake.

EM asks where this lot is being taken from.

B. Lord points out the piece where it is being divided. Silver Lake Realty has an option to buy a piece of land and is selling another piece so these two properties have frontage.

EM asks why they are not joining them right now.

B. Lord responds that it can not be done because these are Land Court parcels. It has to be done at the same time. One has a house on it.

AM does not think it will be a legal lot. Why should the Board make it more illegal?

B. Lord states that this is going to make it more legal than it is now.

AM does not think that is the case unless they are doing it to the other lots.

B. Lord indicates that this is a development called Hog Lake. Every lot along here does not have frontage on a street. They are trying to bring the lots down so they all have frontage. This has been done before.

EM asks where the road is now. Do they have sufficient frontage?

B. Lord points it out. Both of them have frontage that is



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

sufficient.

AM thinks they are making it smaller.

B. Lord states that they are making larger lots.

AM states that they are not doing that until they are joined. They are making it more illegal.

B. Lord states that these are not legal as they sit. The purpose of this is to divide them so they can do it. He can not put it on the plan that these are being joined because this is Land Court property and the other is not. The Land Court will not accept the notation that it is to be joined.

EN suggests they go to Land Court first and then come back.

B. Lord states that they can not take a Land Court parcel and say it is going to be joined. It will always sit alone. The only ones they are hurting are the owners up here.

EM wants him to get a plan showing that it is going to be added to their lot.

B. Lord can not do that because this is Land Court. The Board is asking for two separate plans. They have to come back for one of them to make it a buildable lot.

EM states that both of those lots are going to have insufficient square footage and insufficient frontage.

B. Lord indicates that the lots already do not have frontage. The Board would not be making these lots buildable. They would not be doing anything except putting a line in here so they can be divided and sold to these two people.

EM asks if either one of the lots in the green area have sufficient frontage and square footage.

B. Lord responds that they do not.

EM asks if they have it as a whole.

B. Lord responds that they do not.



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

EN asks what will happen to them later.

B. Lord states that one will at least have frontage for his lot. Right now he has no frontage at all.

AM indicates that at least one of these lots is not buildable. What they would be doing in essence is making a buildable lot.

B. Lord responds in the affirmative.

EM can see the reason for doing it. He asks how deep it is. Is it 33'?

B. Lord responds that it is.

EM points out the road. They are both going to have more than 50' frontage. How do these people get to these houses?

B. Lord responds that there is no house there now. They drive across it.

EM asks what is to keep somebody from going for a variance for undersized lots? They are both under 5,000. They could be easily mistaken for grandfathered.

EN would not say that.

B. Lord states that it does not indicate on the plan that they are to be joined.

EM states that if the Board stamps it, they will stamp it not a buildable lot. EM would like to wait until the next meeting when P. Herr is here.

B. Lord states that this was a very simple 81-P to him.

B. Lord notes for the record that he has given the Board a 10 day waiver for the 81-P because the next meeting is more than 14 days away.

HERTHAL ESTATES  
REVISED DEFINITIVE SUBDIVISION  
ROAD PROFILE MODIFICATION



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

AM reads notice of public hearing.

Bill Halsing, Land Planning, presents a copy of the road profile showing what was proposed before and what they want now.

Members review plan with engineer.

AM states that anyone from the audience who is interested can just come up and observe.

B. Halsing states they are proposing changing the road profile from what it was. They will be bringing in some fill to bring up the road.

AM asks any residents to identify themselves with their name and address for the record.

Don Morgerniere, 13 5th Avenue, asks where the big huge ledge is on the road which they dug.

B. Halsing has not been out to the site that extensively but it is off to the side.

D. Morgerniere states that when you come off Main Avenue and off their road, there is a big piece of ledge in the middle.

EM asks if the Town Engineer reviewed this plan.

B. Halsing sent it to P. Herr. He dropped off a copy to M. Megalli but has not heard back from him. He has the sign off sheet.

EM thinks that since they are changing the centerline and the grade, Town Engineer should review the plans.

GG states that the plan is a profile which is an elevation. They should be looking at it upright. Before coming in from Main Avenue, the red line is how that road would have originally been. Now the blue line is showing that the road is going to drop and with filling the elevation of the road is going to be higher than it was originally going to be.

Louise Galupis, 7 High Street, asks if that will affect drainage. She lives on High Street and there is a huge ledge in their





## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

backyard. She asks if they are going to build up.

B. Halsing responds that they are going to build up about a foot. It varies from nothing.

? asks if this has anything to do with septic tanks which are up there.

B. Halsing is just the engineer. He does not know about the septic tanks.

GG refers to the red line and the blue line on the plans. The reason why they had to come before the Board is because they want to change the profile. It is his understanding that they are trying to minimize the blasting. Instead of the road being here, they want to raise the road profile.

B. Halsing states that there are mostly vertical curves.

EM asks if they have a 10% grade.

B. Halsing responds that it is 10.2.

EM refers to the Country Club who wanted to have a 12% grade which was not allowed. Phil used an example of Scott Hill Blvd. He asks what the book allows.

B. Halsing states that this is a dead-end road.

GG states that the road profile is dropping at one point and raising at another point. It is basically not being changed from what was being proposed.

? asks how far it is from the blue line to the red line.

B. Halsing responds it is about a foot.

EM states that they are raising the road about a foot.

B. Halsing affirms that that is correct.

GG thinks that it looks like they are going about 18" and 6" below at another point.



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

EM asks what that does to the run-off.

B. Halsing responds that it will change pretty insignificantly. This road picks up very little drainage anyway so they would get the same amount of drainage.

EM notes that it will get there faster.

B. Halsing states that once it gets in the pipe it goes at the same speed.

L. Galupis asks why an abutter who is present tonight who owns a lot did not receive a registered letter.

AM has some certified notices which came back. She reads off the names, Laurence Herthal, Ferdinand Croteau.

EM states that this was done according to who the owner of record was from the Assessor's office.

B. Halsing states that the Assessor's office does the abutter's list.

EM indicates that the Board members are not engineers. The Board does not have anything from the Town Engineer and the Highway Dept. saying that it is alright.

AM is concerned about how it will affect the drainage.

EM is pretty sure that the Highway Dept. had some concerns with Main Avenue the way it was dug up. He does not know if they can do anything without hearing from the other town departments. Phil is not an engineer but the Board would at least feel comfortable hearing something from him.

B. Halsing did speak with P. Herr a couple of weeks ago. He saw no problem with it. He thought it was better than blasting.

EN thinks that the Board should have something more official from the Highway Dept.

AM continues to read off names of abutters' notices which came back undeliverable.





## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

### MINUTES OF REGULAR MEETING

APRIL 9, 1992

? states that it is not important whether or not he got a letter. The fact is if they raise that hill, the water is going to run down and these lots which are on the flatland will now become wet.

B. Halsing asks why that would happen.

? states it would happen because they would be raising the hill one foot.

JM is not going to act on this until the Board hears from other town officials.

GG is not familiar with the blasting issue. As it stands right now they have the o'kay to go ahead and do the road according to the red line right now.

EM responds that is correct.

GG notes that means they can basically go in there and blast.

L. Galupis states that they have blasted. They have all been impacted.

GG states that the Board could actually say to forget this road profile. If they get turned down, they go back to blasting.

? states that blasting will not raise the road.

AM states that the concern is that the people in the area will not like the blasting. That is what they are looking for in their alternative.

JM states that one would never see the one foot elevation from their street 10' away.

L. Galupis just does not want the next 30 years to be impacted by water problems versus blasting.

GG states that this is an exaggerated profile. The grade in the upper road is a 4' area. The area they are showing in here is actually the same distance vertically but horizontally it is actually 50'. This is a really exaggerated profile. They are showing the steepness of the grade to show how steep a grade can



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

actually be. If they were drawn at the same grade it would look different. He has a feeling that is what Phil is going to come back and say.

EM is concerned that if that is not the case, it may end up to be a nightmare two years from now. If it worked the way it is shown on the red line, they would not be here tonight. There has to be a reason why they wanted to come back for a public hearing. To him it looks like they thought it would work but it does not work.

EN thinks it would be less expensive to do it this way than blasting.

B. Halsing states that Mr. Herthal has no problem with the blasting.

EM states that it runs into a lot of money. This may be a better solution but he wants to hear it from the consultant or the Town Engineer.

B. Halsing refers to the drainage and concern relative to runoff. There is exactly the same amount of pavement.

JM thinks that the plan should be drawn out to scale the next time.

L. Galupis states that they are all picturing the land the way it is right now. It looks like a Flintstone quarry. It is all rock and there is no place for water to go right now. It is pretty scary looking.

B. Halsing states that the Board has to realize that if they drew this to the proper scale it would be very slight. They exaggerated it so it could actually be seen.

L. Galupis would like to see it done right so there are nice houses up there.

EM states that if they are raising it a foot up here, it looks like they are also dropping it a foot over here.

GG states they are probably dropping it 6" there.



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

? asks how much off the road they raise the contour of the land. How far from the road is the land going to get raised?

B. Halsing explains that when they do a road it is graded off to the side to a 3 to 1 slope. He refers to the contour lines which each represent a 2" dip. They drew them to match what is existing so everything is graded correctly.

? asks if that means that the grading of the road will not extend more than 5' to either side of the proposed road originally.

GG asks if the road is 22'.

B. Halsing states that it is 26'.

GG states that means 7' from either side of the road, the town owns. They are saying that beyond that 7', they are going to go 12' actually.

B. Halsing states that is only up here where he owns the property. All down through here is actually town property up to the stonewall.

? asks where the water will drain when it runs down.

B. Halsing explains they will have a drop in level where the runoff will be caught.

AM asks if they would be raising the catch basins about a foot too.

AM states that it was originally approved. The Board wants to continue this discussion so the Town Engineer and P. Herr can look at the plans and to try and get some input from the Highway Dept. The Board has no correspondence from anyone.

GG makes a motion to continue this public hearing to April 30, 1992 at 7:45 p.m. EN seconds motion. Unanimous vote of 5.

GG thinks it is a simple review.

AM justs wants to hear from the Board's consultant and Town Engineer.



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

JM states that the Board never sets public hearings before 8:00 p.m.

EN asks if the fee was presented tonight.

EM states that the fee was supposed to be collected for Herthal Estates. The fee will be collected at the next meeting.

Board members vote to continue the public hearing to April 30, 1992 at 7:45 p.m. in order to receive comments from the Town Engineer, P. Herr and Highway Dept.

### DUNKIN DONUTS DEVELOPMENTAL PLAN REVIEW CONTINUED DISCUSSION

EM asks why they have to have a 20' planting strip out front.

B. Lord responds that it does not have to have a 20' grass planting strip. It has to have 20' front the road.

EM thinks that it is more of a deterrant.

GG thinks that in the event that a tree comes down they would be responsible to put another tree in. Somebody is going to be concerned about the tree that was taken out. At least they should know that there is another tree coming.

AM states that they would like to see the other access which was not properly closed. They just want it properly closed. It is semiclosed now but they are still using it.

GG states that is one of the things that makes the parking lot not work.

Board members discuss continuing this discussion to the April 30, 1992 meeting.

P. Alviti asks if P. Herr will be reviewing this before the meeting. If P. Herr has questions, he can review them in the meantime.

B. Lord has been trying to reach him too but he must have been



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

out this week.

GG makes a motion to continue the Dunkin Donuts discussion to Thursday, April 30, 1992 at 8:00 p.m. EM seconds. Unanimous vote of 4 (AM, EM, GG and EN).

### SUBMISSION

B. Lord presents another 81-P for Silver Lake. There are 3 lots which are existing.

GG asks where the closest street is.

B. Lord points out Silver Lake Road. The present dimensions shown on the most recent plan do not conform to the dimensions they now have.

EN asks if this is part of Eldridge Crooks property.

B. Lord responds that no it is not. This is a right of way. Basically these are existing lots as shown on the Assessor's map. There is a small lot which is not owned by these. They are just trying to redefine some of them and get the boundaries established. These are 3 existing lots.

EM asks where the frontage is.

B. Lord states that the 3 existing lots go back to 1919.

EM asks if the same person owns all 3 lots now.

B. Lord states that is not necessarily. That is what they are trying to find out. It is a Land Court problem.

AM asks who is on the application.

EN responds that it is FREDAP Realty Trust.

AM asks who that is.

B. Lord responds that it is Fred Deprato.

EM states that it does not matter who owns the land. He just wants to make sure they are not creating 3 lots out of 1 lot



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

which just happens to have 3 houses on it.

B. Lord states that the Assessor's map shows clearly that there are 3 and it has been 3 for years. The problem is with the title. The green line is the way it presently exists in the Assessor's office.

GG asks if all the structures are out there now.

B. Lord responds in the affirmative.

GG asks if people are living in all these structures.

B. Lord responds in the affirmative.

EM states that is why the law is there which makes lots become one so that someday they can conform and become regular sized lots. Here there are 3 pre-existing lots which have no frontage.

B. Lord states that while the drawing is actually what is existing as lots, the reason they are doing it is because of Land Court. Normally the Board would not even see this plan because there is no reason to submit it. The problem is with title problems and Land Court problems.

AM asks if they need a waiver for this 81-P as well to discuss it with the Board's consultant.

B. Lord responds that they have 21 days anyway.

EM did not stamp the application.

### RAWSONS FARM PRELIMINARY SUBDIVISION CONTINUED DISCUSSION

B. Lord states that they were waiting for replies relative to this.

EM states that they were waiting for the Board of Health who asked that the discussion be continued but they did not submit a comment. If they did not answer by now, the Board can assume they have no comment.



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

### MINUTES OF REGULAR MEETING

APRIL 9, 1992

B. Lord states that the only problem was that they had one lot too many past the intersection, past the cul-de-sac and the question about the lot coming in the entrance, the one facing the entranceway. Now that they have done percs, all of it is going to be reconfigured.

EM asks about the lot in the island. What are they going to do about that one?

B. Lord states that they will work on that one.

AM reads letter from the Fire Chief, dated April 9, 1992, stating that he has concerns that the street names listed may become confusing in the event of an emergency. One of the streets listed is called Alden Street. We have presently a street called John Alden Circle. The other street is called Rawson Farm Rd. which is similar to Farm Street. I would suggest that the applicant change these names to avoid similarities. If they wish, I would be happy to set up an appointment with them to discuss possible street names.

B. Lord states that they can see changing Alden Street, but they would like to keep Rawson Farm Road. They can rename it if the Board wants.

EM thinks that if there is an emergency and the firetrucks have to go somewhere it should not be confusing.

JM does not think that one would have to be too intelligent not to confuse Rawson Farm Road with Farm Street.

AM can see the Fire Chief's point in an emergency.

JM can not see it.

B. Lord states that renaming the roads is no problem.

AM continues to read the Fire Chief's letter noting his second comment which pertains to the water distribution plans. The hydrant distribution appears to be acceptable to his department as they are approximately 500' between hydrants. He noted that the plan indicates the loop to Cedar Hill Rd. is contingent on an agreement being reached with adjacent landowner. A plan for the looping of the water main to Cedar Hill Rd. should be pursued by



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

### MINUTES OF REGULAR MEETING

APRIL 9, 1992

the developer. If for some reason the loop to Cedar Hill Road cannot be completed, the water main should be connected at the roadway entrance on Hartford Ave. This would loop the main in the southern section. If in fact another connection is made to Hartford Ave. it should be to the 12" water line as the existing connection as shown on the plan is made to the 16" water main. He also requests that the water lines and hydrants be installed prior to construction and operational for fire fighting purposes. He notes that the previous developer had tied in originally.

B. Lord presents a letter from Donald DiMartino, Water/Sewer Superintendent, dated March 26, 1992.

AM does not know why she did not receive that letter. She reads Mr. DiMartino's letter noting 1) A plan for the water main connection to Cedar Hill Road should be part of the Subdivision plan. This loop is vital and should be strongly pursued by the developer. 2) If for some reason this loop to Cedar Hill Road cannot be completed, the water main should be connected at the roadway entrance on Hartford Avenue. This would loop the main in the southern section of the site. Consideration should be given to shortening the length of the cul-de-sac or returning the water main to the intersection at the Station 7+00. If another connection is made in Hartford Avenue, it should be on the 12" water line, as the existing connection is on the 18" line. 3) Three gate valves should be added to isolate the brace to Cedar Hill Road at Station 14+20. 4) All water mains must be 8" diameter with 6" diameter lines running to each hydrant. 5) The water pipe in the cul-de-sac should be run straight rather than wrapping around the curve and an anchoring tee should be placed at the end with the hydrant siting off of the tee, to allow an easier extension of the water, if ever necessary. 6) All hydrant tees should be anchor tees, 8" x 6". 7) The 8" water main utility easement in lots 2 and 3 should be transferred to the town for any future maintenance needs.

AM calls to Ed Wirtanen, Health Agent, as he is passing by the hearing room and asks him where the Board of Health comments are relative to Rawsons Farm.

Ed. Wirtanen responds that the response is in the Planning Board box. They had comments relative to Dunkin Donuts and Rawsons Farm.





## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

EM picked up the mail at 2:15 p.m.

AM asked what time it went in the box.

E. Wirtanen states that it was put there after lunch. The Board approved it with the exception of 2 lots which did not pass the requirements.

EM states that will come out at the definitive stage. This is only the preliminary right now.

E. Wirtanen states that Dunkin Donuts has to comply with the State Environmental Code regarding sewage disposal, compliance with plumbing code and minimum sanitation standards for food establishments before the Board of Health will approve a building permit for this proposed facility. Herthal was just a centerline change which does not impact the planned sewage disposal system locations so the Board of Health had no comments.

EN asks about bathroom facilities for Dunkin Donuts. The law is that under 1,000 they do not have to have public restroom facilities.

E. Wirtanen states that they do not have to offer restrooms.

EN thinks that rots. He thinks it is unsanitary.

EM makes a motion to approve the preliminary plan for Rawson Farm. GG seconds.

EN was not here for the discussion so really should not vote.

AM would like to abstain as well because she was not present for the initial discussion either.

Vote of 3 for approval (EM, JM and GG). AM and EN abstain from the vote.

JM thought there was a state law that when they serve food they had to have restrooms.

EN thought so too. They have one for the employees but not for the general public.



## BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

APRIL 9, 1992

EN makes a motion to adjourn at 9:35 p.m. 66 seconds. Unanimous vote of 5 to adjourn.

Anne M. Morse  
Anne M. Morse, Chairman

John P. Murray  
John P. Murray, Vice Chairman

Emile W. Niedzwiedz  
Emile W. Niedzwiedz

Glenn E. Gerrior  
Glenn E. Gerrior

Edward T. Moore  
Edward T. Moore