



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

Meeting was called to order at 8:00 p.m. Board's Secretary EN acted as Chairman until JM's arrival. AM was absent.

PINE MEADOW HOMES
DEFINITIVE SUBDIVISION
PINE STREET
PUBLIC HEARING

EN opens the public hearing.

Clerk reads notice of public hearing.

EM explains that this plan was presented at the last meeting when it was reviewed and noted that whoever prepared the plan left the Board's signatures on from the previous approval.

Bill Halsing, Land Planning, has been in the field. The problems have been corrected.

Eric Anderberg, Esquire is here representing the applicant, Dunster Homes, Inc. Bruce Lord represents Sullivan.

B. Halsing explains that Land Planning designed the subdivision for Pine Street a number of years ago. It was approved in 1988 but was never built. The Conservation Commission warranted changes. The difference from the original is that this plan has a detention basin which was added as opposed to the sedimentation basin. This will lessen the flow and separate oil. The Conservation Commission found another wetland somewhere in lots 1 to 4. Their public hearing was closed last night. Everthing was approved. The runoff comes from Maple Street. It is partially vegetated as wetlands but does not fall under the Wetlands Protection Act. They will intercept some water and discharge back to the property. They slowed down the flow of water out to the wetlands. Preconstruction is 39 cubic feet per second. Post construction is 44 cubic feet per second and with the detention pond it is 29 cubic feet. They propose the pavement to be 26' wide with a cul-de-sac at the end of the 756 foot street. It is



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

a residential development with 8 lots. The water is high on lots 1 to 4. Lots 5 to 8 are o'kay. They conducted deep holes on each lot. They need to perc lots 1 through 4. They will file with the Board of Health for approval for septic designs.

EN notes that originally the detention basin was not here.

B. Halsing responds that originally they had a small sedimentation pond one-third this size.

EM asks how the detention basin improves the system.

B. Halsing responds that it lessens the flow but the small sedimentation is less work for the town to maintain.

EM asks why they need to have the detention basin then.

B. Halsing responds that it is off by 1/4" for the 100 year storm and is required by the Conservation Commission.

Wilfred Arcand, Highway Dept., asks if it will be deeded to the Conservation Commission.

B. Halsing responds that there will be an easement for town access but ownership will be in lot 5.

EM asks if the town will have to maintain the detention basin. He would like to see the town do away with them and not allow them.

B. Halsing thinks that it should be deeded to the Conservation Commission and they should have to clean it.

W. Arcand feels that there will be a problem 5 to 10 years from now. It is a proven fact by what happened up the street. Two blew on them.

B. Halsing asks what harm there would be when it only affects 1/4" of vegetation.

GG notes that there is probably a plant out there that the Conservation Commission wants to save.

W. Arcand indicates that every time there is a subdivision, there is a detention basin added. The town is stuck with the problem



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

afterwards. It would be better to let it run through the pipe and let it run out just like they did in the olden days. He asks how full it will be.

B. Halsing responds that it will fill up a little. It will detain the water while it rains and then flow out. It will be 8' deep from the top rim to the bottom.

GG asks how big the pipe will be.

B. Halsing responds that it will be 27".

GG thinks that is the problem. The pipe is not large enough. It is not fenced in so kids can get in.

EM asks where they will build a house on that lot.

B. Halsing responds that it will be on lot 6. The septic will be in the corner and the house will sit behind it. Lot 5 is big. It was originally two lots but now it is one.

E. Anderberg notes that the detention pond is the only change from the original submission.

Clerk spoke with P. Herr today who agreed that the only change was the detention pond. He feels that the plans should be reviewed by an engineer for drainage. He also noted that the problem with the signature block being on the plans was a serious ethical error. He does not however, feel that it was done intentionally. P. Herr does not know if this subdivision will ever take place because the land has been taken by the town for back taxes.

EM looks at the plan and notes that there are revision dates of April 12, 1992 and September 9, 1992. They should not be changing a plan which the Board has already signed. A representative from Land Planning was here at the last meeting with the mylar which was signed and changed. That should not be done.

B. Halsing agrees. They have corrected the problem. They had a similar situation in Blackstone when a board told him to change it anyway but he did not do it.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

EM asks why there is no stamp and engineer's initial on the revised plan. He thinks it should be there every time the plan is revised.

EN does not think that the mylar for the original approval which was signed by the Board was changed.

E. Anderberg explains that he found out last week that the town's land taking decree was approved in June 1992. Neither Mr. Sullivan nor the FDIC now own the property. The Town Collector will vacate the land taking if the back taxes are paid and it will go back to Sullivan.

EM asks if that is a decision which they can make.

E. Anderberg explains that once it goes to decree there is a one year period in which the petitioner can petition to get it back. They would like to try to keep this moving forward since money has already been spent. There is plenty of time for them to pay the back taxes.

EM asks who the applicant is.

E. Anderberg responds that he represents the applicant, Dunster Homes, Inc. Mr. Gladstone has been a builder for 35 years and has done quite a bit of building. Right now he is building in Franklin.

EM asks if the Conservation Commission gave them anything.

B. Halsing responds in the negative but they will issue an Order of Conditions.

EM states that the detention pond has to be reviewed by an engineer.

Clerk explains that the applicant included \$700.00 for a professional review fee with their fee for the subdivision. That money is being held by the Town Treasurer in an escrow account.

EM instructs Clerk to get in touch with Denis Fraine and ask him to have the plans reviewed by an engineer.

EM asks about the questionable wetland.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

B. Halsing indicates that it does fill up with water. The Wetlands Protection Act comes in because there is no culvert under the street. It is not connected. The catch basin on Pine Street will pick up a lot. They will have a catch basin manhole system to the detention pond with one pipe.

EN refers to Pine Street.

W. Arcand notes that it is a narrow street.

EN asks if there will be improvements to Pine Street.

B. Halsing responds that no, they will match into the existing pavement. The water will go to Pine Street in the first place. Then it will be picked up and then there will be a double catch basin.

EM asks if it will be piped in the back to the detention pond.

EM states that they have to wait for an engineer to review the drainage.

EN asks for questions from the audience. He instructs the audience to raise their hands and identify themselves prior to asking a question.

Tom Zeibig, 43 Ray Avenue, asks where Ray Avenue is on this plan.

B. Halsing points it out and notes that Mr. Zeibig abutts the lot.

T. Zeibig asks if any power or sewer will be coming there.

B. Halsing responds that there will not be sewer.

T. Zeibig asks what property abutts lot 5.

B. Halsing responds that it is Russel/Travis/Richards. The closest point to the detention basin is 160' away from the property line. It is all wet in the back.

EN asks if it is always wet.

B. Halsing responds that yes, it is vegetated but does dry out.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

JM joins the public hearing at 8:25 p.m.

EM asks where the entrance to the detention pond will be.

B. Halsing explains that you would take a right at the corner of the wall. It is right in there.

EN asks if the easement surrounds the whole thing.

B. Halsing responds that it does. It comes off the cul-de-sac.

T. Zeibig asks if it will be fenced in.

B. Halsing responds that they do not intend to fence it in. He has heard arguments both for and against a fence.

Mrs. Zeibig is concerned about children who are ages 5 and 6.

EM notes that it is a real attraction.

GG points out that a retention pond is a worse situation.

E. Anderberg indicates that this detention pond should be dry 95% of the time.

GG states that there will be a 27" pipe which sits at the base. In heavy rain when it flow out, sticks and debris fall in. That has to be cleared by the Highway Dept.

EN explains that this will retain water for a little while and then trickle out.

W. Arcand asks why the Conservation Commission made them go in 8' deep and make a pond.

E. Anderberg states that the plans never went to the Conservation Commission in 1988. There was never a Notice of Intent filed.

EM indicates that this went from a small setimentation pond to an 8' deep detention pond.

W. Arcand asks about the size.

GG responds that it has to be 100 x 50.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

B. Halsing notes that it is 100 x 30.

GG states that it will only ever fill up in the event of heavy rain if there is a major flood.

W. Arcand indicates that there was no major flood on Elm Street at Elm Estates but that and the Crestview Commons detention pond on Chestnut Street both failed.

EN notes that those are retention rather than detention ponds.

W. Arcand asks what the height of the flow will be to the pipe going in.

B. Halsing responds that the pipe is at the bottom of the pond. The water runs out and then it is dry.

EN explains that the detention keeps the water in and lets it out right away.

W. Arcand states that it will eventually get blocked.

GG asks why they do not put in a 36" instead of the 27" pipe. It would be less likely to get clogged.

Norman McLinden, Jr., 13 Pine Street, asks if this development is only for 8 single family houses. Does the developer have any intention of widening Pine Street?

B. Halsing states that he does not.

N. McLinden owns property right across the street, opposite from their entrance. He wants to make sure there will be no problem.

B. Halsing states that there will be less water running by.

EN notes that it will be piped all the way back to the detention pond assuming that the catch basin catches it.

JM refers to peak flow. He asks if it will go up to 8' in the 100 year storm.

B. Halsing responds that no, it will be 1/2' to 1' full.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

Arthur Motrini, 51 Ray Avenue, abutts the Richard's property. He asks where his property is on the plan.

B. Halsing thinks that it goes almost to the corner.

A. Motroni is only concerned where his property line is.

B. Halsing explains that there is a stonewall in the back of the property line. It goes directly to Pine Street. There is little intent to do anything back there.

A. Motroni states that Ray Avenue is no man's land with the sewer. He was hoping this development would help them get sewerage. They have more problems than Pilgrim Village. A river runs in his backyard.

GG makes a motion to continue the public hearing to October 8, 1992 at 8:00 p.m. EM seconds motion. Unanimous vote of 4 (JM, EN, EM and GG.)

B. Halsing notes that the Conservation Commission told him they would not approve this without the detention pond.

GG asks if Amory Engineers can look at the drainage. They should be asked to look at it from the view point that this may be overdoing it. It may be an overdone solution.

EN thinks they should ask the Conservation Commission.

W. Arcand states that they are not engineers.

B. Halsing did the calculations. It changed only 1/4" over the whole wetland.

NEW ENGLAND BONSAI DEVELOPMENTAL PLAN REVIEW CONTINUED REVIEW MEETING

JM reads letter from E.K. Khalsa, Land Planning, dated September 4, 1992, enclosing a copy of the revised plan incorporating addition of the zoning district line, description of the planting to be used for screening, addition of concrete curbstops for each parking space, delineation of the area of bituminous paving, revision of the driveway plan to eliminate grading in the wetland



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

buffer zone, and description of the lighting specifications for the site.

EM asks about the radius coming into the driveway.

JM reads notice relative to the Conservation Commission hearing on September 16, 1992. He asks what that is about. It has nothing to do with this Board.

E.K. does not anticipate any problem. The siltation barrier is in.

EM asks if E.K. is the engineer who drew the revision for Pine Meadow Homes without taking the Board's signatures off the plan.

B. Halsing states that he discovered the error and it has been taken care of. They have erased the signatures off the original. He will bring back a whole new plan for resigning.

E.K. indicates that they are looking for final approval relative to New England Bonsai.

JM asks about the radius.

E.K. notes that DPW has stated that it is sufficient for them. He further states that unless someone receives authorization, they will not be coming in the service entrance. The driveway will be wrapping around. There will be no gravel on the buffer side. The Conservation Commission is happy with the change. They tightened the number of trees used for screening and they have delineated the lighting. They have also specified what they are using for screening.

Clerk spoke with P. Herr today and notes that the applicant did the things which he was asked to show on the plan. There is a shaded area where the bituminous is in front of the house but he is not sure where it should be and should not be. He is not sure the Planning Board will be satisfied with screening with arborvitae 10' on center.

GG states that the trees should be 5' on center. There is a size requirement.

W. Schoech thought it was 8' on center.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

GG states that 8' is better than 10'. He refers to an incident on Farm Street where a developer failed to put in proper screening. A good screen would be 5' on center.

W. Schoech notes that they intend to use giant arborvitae which would spread more.

GG suggests they use arborvitae 5' - 6' in height and put them in 5' on center. The abutting resident should be screened from the parking.

W. Schoech states that what the neighbor wants is something different.

EM indicates that it does not matter what the neighbor wants. The Board looks out for the neighbor.

W. Schoech notes that the neighbor wants him to build a fence and is willing to share the cost.

GG points out that a fence could be in and then fall down 7 years from now and they would not have any screening.

EM thinks that a living fence is better.

W. Schoech states that is great for them. The neighbor is close to the property line and is concerned that he will get shade from the winter sun. A fence would be a barrier from anyone crossing the line. The abutter wants a 4' wooden fence with 1 1/2 feet of lattice at the top.

GG states that they should let him put in his own fence if that is what he wants.

W. Schoech asks if he would have to put up live screening anyway.

GG responds that yes, he would need 64 arborvitae.

EM asks what happens if the neighbor is not happy.

GG states that he can put up his fence himself if that is what he wants. There are two issues here. One is to give total privacy. According to the Bylaw, if they put in a fence, they will still have to have a certain number of trees and shrubs on the



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

property.

E.K. does not think they can get by the Bylaw. They can not switch the amount of landscaping required.

JM states that it is too bad the neighbor is not here.

W. Schoech told the neighbor about the meeting tonight.

EN thinks that a wooden fence does not last and it becomes an eyesore.

GG states that they have to put the shrubs in. From a cost effective point of view, it is better.

GG asks if they are planning on fencing in.

W. Schoech states that people have to be able to come in and go out of his property.

GG notes that Mr. Wilson at Belair Gardens has a chainlink fence because he has had shrubs stolen. Schaefer Nursery has also had shrubs stolen.

W. Schoech notes that their trees are more valuable than shrubs.

GG explains that someone went in Schaefer Nursery with wire cutters and stole shrubs.

W. Schoech notes that someone could come in down the easement.

EM thinks that they have to weigh the cost of the fence against the money they would lose in thefts.

W. Schoech states that they may put in an electronic system.

JM asks if they will have a tenant in the house.

W. Schoech responds that yes, a caretaker will live there.

EM has no problem with giving the option of a fence or shrubs.

EN notes that the Bylaw says they have to put in shrubs.



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

E.K. states that the issue here is sideline screening of the parking lot. The planting is required for a certain dimension of the parking lot. The regulations require a lot less shrubs than they are willing to put in.

JM reads Section 3500 and 3510 relative to screening.

W. Schoech asks if the Board requires the trees be planted 5' - 6' on center.

GG responds that it is not necessarily a Board requirement, but he thinks it looks better to have the arborvitae planted 5' - 6' on center. He changes his motion to go with either the trees or the fence.

W. Schoech wants to maintain a harmonious relationship with the neighbor.

EM seconds GG's motion for arborvitae or fence.

JM thinks they should go with the arborvitae now and if they still want the fence, they should come back.

GG thinks that it comes down to dollars and cents. The property owner is entitled to put anything he wants on his property. If he wants a fence, he can put it in. He withdraws his original motion and makes another motion to have arborvitaes 5' - 6' in height planted 5' on center as shown on the plan revised September 1, 1992.

EM seconds motion. He states that will have to be put on the plan. Unanimous vote of 4 (JM, EN, EM and GG).

B. Halsing will annotate the change on the plan right now.

EN makes a motion to adjourn at 9:20 p.m. GG seconds motion. Unanimous vote of 4 to adjourn (JM, EN, EM and GG).



BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 1992

Anne M. Morse, Chairman

John P. Murray, Vice Chairman

Emile W. Niedzwiedz

Emile W. Niedzwiedz

Glenn E. Gerrior

Glenn E. Gerrior

Edward T. Moore

Edward T. Moore