



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

APRIL 22, 1993

Meeting was called to order at 7:55 p.m. Chairman JM, EN and GG were present. AM and EM were absent. Board's consultant, Philip B. Herr, was also present.

SUBMISSION

John Halnon from Guerriere & Halnon presents an 81-P, Form A, for Wayne Cottle, President of Dean Cooperative Bank, Pulaski Blvd/Wrentham Street. He is here on behalf of Dean Cooperative Bank which owns the Pavillion, the whole strip of retail stores and bank. They want the option to be able to sell off the stores at some time. The purpose of the 81-P is to cut off the stores. It is in a business 1 zone. They will need cross easements to share access, drainage and parking.

JM asks if it was like this originally.

P. Herr responds that it was not like this.

EN points out that Celtic owned everything at one point. He thinks that this will upset the parking balance.

JM asks if they are changing ownership.

EN states that this is similar to WalMart and the Almacs situation.

P. Herr notes that WalMart and Almacs checked to make sure that they would both work separately. They can work together as well.

J. Halnon reiterates that they will have cross easements.

En states that this plaza has the worst egress and entrance here on Wrentham Street. Going left, one can not see the traffic. Across the street where the Baybank is is dangerous. He thinks that the Board would need to have the abutters input with this situation.



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J. Halnon points out that they are doing this for the lot line.

P. Herr asks if this is sewer.

J. Halnon responds that no, there is a septic system.

P. Herr asks if there is a septic system for each.

J. Halnon does not know.

P. Herr states that there are two issues. One is whether or not it is a subdivision and it is not. Two is if the Board endorses it, they should advise the applicant not to proceed or to go through certain steps. He does not think that they can have two separate lots with one septic system. He thinks this is germane since this is a legal division of land.

J. Halnon indicates that the lawyers are working on that end of it.

P. Herr notes that this is a town concern. It does not look like lot 2 has enough parking. He explains that Blackstone had the same situation and there is a bitter dispute because the two owners can not agree. There is nothing on this plan which gives assurance that this will or will not work.

JM asks how much parking is required by the bank.

P. Herr does not know.

EN states that there are 10 parking spaces around the bank.

JM thinks that maybe they require about a dozen parking spaces.

P. Herr states that the parking is determined by the floor area of the bank. He can not make a determination at this time. That does not prevent the Board from signing the plan because it is not a subdivision but there is the problem that if this proceeds it might create a mess.

EN thinks that they should hold off signing until the Board has additional information. He is not against it but wants more information.



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JM states that the problem is with the parking easement and parking spaces.

J. Halnon notes that before coming here, Wayne Cottle met with the Building Inspector.

GG states that the problem is that the septic is connected to both buildings. The Building Inspector is also the Health Agent so he should be aware of the problems.

J. Halnon explains that during their environmental assessment, they could not find the septic system. He thinks that it has to be dug up and vented.

P. Herr states that there is land in the back.

EN asks what tools they use to find the septic system.

J. Halnon responds that they use a backhoe to dig it up.

P. Herr states that the plan technically qualifies because it is not a subdivision. Compliance with the Zoning Bylaw is not determined.

JM indicates that if the gross floor area is 2500 square feet then 10 parking spaces would be required.

P. Herr states that if that is the case, they might have enough parking.

J. Halnon believes that the majority of the traffic is drive through for the bank.

EN disagrees. There are a lot of people who go into the bank for their business.

P. Herr suggests that the Board sign the plan. He thinks that JM might be right about the parking.

EN asks why the Board should sign it.

P. Herr responds that they should sign it because it is not a subdivision.



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EN states that if the applicant will proceed with the possibility of dividing the property, they might want to get an easement for the parking.

J. Halnon states that they will do that when it is recorded. The President of the bank told him that the lawyers are working on that.

EN thinks that they should get all the necessary information to eliminate all possibilities for problems later on.

P. Herr notes that the two issues have to do with the septic system and access. If the bank could not use the Pavillion access, he does not think it would work. The easements are not shown on the plan.

JM can not believe that the bank would not protect itself.

P. Herr does not think that the Board can hold off on signing the plan because of the two issues which he noted.

EN states that if they assume they do not have the necessary parking and have to have an easement. It will take away from the parking for the businesses which are already there.

P. Herr notes that there is enough parking on the site as a whole.

J. Halnon states that someone who pulls into the center and parks can go into the bank or the stores.

EN refers to the situation with Caldors in Woonsocket. They are complaining because the theater is taking over the whole parking lot.

J. Halnon points out that the bank can control the situation because they own the property now.

GG thinks that if the situation were reversed there may be a problem. The bank is sure to protect themselves.

P. Herr states that the Board is not against signing but people may come in to complain.



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GG makes a motion to sign the plan. Maybe the Board should send a note to someone relative to this situation.

P. Herr does not think that the Board has any right not to sign the plan. The Board may decide after they sign the plan to notify town officials like the Board of Health about the septic problem.

EN seconds GG's motion. Unanimous vote of 3 to sign plan (JM, EN and GG).

EN makes a motion to send a letter to the Building Inspector.

P. Herr is aware of two issues: the necessity for easements sited on the plan be executed and copies provided to the Building Inspector and (2) assurance that a provision be provided for septic disposal satisfactory if the parcel is in separate ownership.

GG seconds EN's motion to send a letter to the Building Inspector. Unanimous vote of 3 to send letter (JM, EN and GG).

DISCUSSION RE: MASTER PLAN

JM asks about the relevance for having a current master plan.

P. Herr thinks it is a good idea if they did have one. The Board should get going on it. They could apply for a strategic planning grant which was used as before to update parts of the master plan. They did do that with regards to housing which resulted in helping housing in town. They also held workshops which resulted in getting the Affordable Housing Committee off the ground. It also resulted in a bylaw for people building affordable housing which resulted in Silver Heights. They also updated economic development to put together things that worked and did not work. The Water Resource District was drafted and adopted as a result of that. Maple Street being used as an economic development potential resulted in Somerville Lumber. The Planning Board over the years has been moving on a number of topics to update the original framework. Given resources, the Board would be well advised to do the same.



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USES ON WHEELS PROPOSED BYLAW CHANGE

P. Herr states that Lee Ambler had some questions relative to cosmetic changes and questions relative to whether or not the owner pays taxes. He also responded to some other questions. Questions raised by Town Counsel remain open.

Clerk will transcribe the minutes from the April 8, 1993 meeting and notify P. Herr relative to the status of the Uses on Wheels public hearing.

Members sign invoices.

Meeting adjourned at 9:00 p.m.

John P. Murray, Chairman

Anne M. Morse, Vice Chairman

Emile W. Niedzwiedek

Emile W. Niedzwiedek

Glenn E. Gerrior

Glenn E. Gerrior

Edward T. Moore

Edward T. Moore