



# BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

EDWARD T. MOORE, CHAIRMAN  
ANNE M. MORSE, VICE CHAIRMAN  
EMILE W. NIEDZWIADK  
GLENN E. GERRIOR  
ROLAND R. LAPRADE

## MINUTES OF REGULAR MEETING

AUGUST 26, 1993

Meeting was called to order at 7:40 p.m. All members were present. Alternate Member Bill Wozniak was also in attendance. Board's consultant, Philip B. Herr, also attended the meeting.

EM welcomes Bill Wozniak as new Alternate Member of the Planning Board.

### SUBMISSION

Bill Halsing, Land Planning, presents a Form A, 81-P for lots on Brittany Road, FREDAP Realty Trust.

AM abstains from the discussion since her business has done some work for the applicant.

B. Halsing explains that the town took the taking of property but did not take the entirety of lot 8. In order to make it buildable, they had to tilt the lines to grab from the other lots.

EM asks about the triangle.

B. Halsing responds that they never did cut it away. Now 80% of the frontage is on Brittany Road.

EN notes that the frontage was never a problem but the area was.

B. Halsing states that they did leave the same areas for lots 6 and 7. Currently there are homes under construction.

RL makes a motion to sign the 81-P, Form A, for Fred DaPrato, applicant, for lots 5a, 6a,, 7a and 8a on the southerly side of Brittany Road. EN seconds motion. Vote of 4 to sign Form A (EM, EN, GG and RL). AM abstains from the discussion and vote.

P. Herr joins the meeting at 7:41 p.m.



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PINE MEADOW HOMES  
BOND REDUCTION REQUEST  
DEFINITIVE SUBDIVISION  
ALFRED DAPRATO, DEVELOPER

AM abstains from this discussion since she is in the process of doing some work for the development.

Harland Smith, Esquire, explains that one portion of the project which they thought would be complete by tonight is not yet done. The binder coat is nearly done but they were 50 tons short. He asks if the Board could approve the bond reduction, sign the deposit slip and give it to the Clerk or Town Counsel to hold until the road is inspected and the funds can be released.

Clerk notes that the bond reduction has to go through the Town Treasurer.

H. Smith is asking if the Board can approve the reduction in the performance bond pending completion. They have been told that the work will be done by Monday at the latest. The estimates for completion are the same as before. He presents a letter from Mr. DaPrato, requesting the bond reduction along with estimates for \$15,130 from United Retek to pave the entire subdivision road with 1 1/2 inch Type I Bituminous Concrete top including Cape Cod berm, \$2,000 for final cleanup and trees, \$2,500 for the final as built, monuments and bounds including \$1,963 for the 10% contingency. Also enclosed with the estimates is a Subdivision Inspection Checklist prepared by Roland Arcand from the Highway Department which indicates that the following items have been completed: Sub-grade plane-final, gravel base, base course paving and grade of catch basin inlets. They are enclosing these attachments and various estimates to demonstrate what has been done.

EM asks if they expect it to be finished by tomorrow morning.

H. Smith responds that the paving company has another job in the morning and a wedding on Saturday. They have promised to complete the work by Monday at the latest, but it could be earlier.

EN asks if the rough coating has been done.



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H. Smith responds that the binder is being completed, but is not done yet. The whole binder job was for 8,900 but the company misestimated when they ordered the hot mix.

EM asks if the drainage and the water line is in. He also asks if the paving started at the other end and worked back.

H. Smith responds in the affirmative to all questions. They did the whole cul-de-sac, past the built houses. The entrance is not done. It is a 760 foot run.

GG states that they should not let the contractor move the equipment until the job is done.

EN asks about the total amount being held for the performance bond.

H. Smith responds that it is \$72,000.

A. DaPrato states that it is a bigger expense for the contractor to move the equipment.

H. Smith asks if the Board can act on the bond reduction request and hold it until they have received assurance that the binder is down. They are not asking for any money tonight but they are asking for approval for the whole \$50,407. The Board can hold the approval until the road has been inspected. They left enough money in for the as-built which will cost \$2,500.

RL asks if this is a common procedure for the Board - to approval pending completion of the work. Has this been done in the past?

EN responds that it has been since the meetings are spaced and sometimes there are holidays involved.

RL makes a motion to release the \$50,407 contingent upon Highway Department notification that the remainder of the binder is down. The Highway Dept. will notify EM who will notify Clerk to release the letter for approval of the bond reduction to the Town Treasurer. EN seconds motion. Vote of 4 to reduce bond (EM, RL, EN and GG). AM abstains from the discussion and vote.



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CHEMLINE NJ, INC.  
MIKE YERKA, YERKA ENGINEERING  
DEVELOPMENTAL PLAN REVIEW SUBMISSION

Mike Yerka is here to submit a Developmental Plan for review.

P. Herr raises the point that the Bylaw directs him to submit to the Town Engineer or other designated official.

EM notes that EN has been designated to distribute the plans to the various town officials noted in Section 1424.

P. Herr notes that in the Bylaw it says that the Town Engineer or other official will review the plan for the completeness of review. The Board could give the plan to him and he will review it.

EM notes that when the Clerk hears that the plan is complete, a date can be set for the meeting. EN will receive the plans now and when P. Herr reviews them and notes that they are complete, EN will distribute them to the town officials.

M. Yerka explains that the lots are on Williams Way. They are proposing a 40 x 70' concrete slab behind Fifty's. He points out the locust map. All of the use will be fenced off. The company is Chemline NJ, Inc., out of New Jersey. They mix plant fertilizer. They actually mix lime and water for the farm fields to break down the acids.

EN asks if it is used for fertilizer.

M. Yerka responds that it is not used unless one has acidic soil. The business involves using a 20,000 gallon mixer. It is a 2 person operation. They mix two times a week from 9:00 a.m. to noon.

EM asks if there is a steep slope at the site.

M. Yerka responds that it is. The zone changes have been noted. It is industrial zone beyond and basically residential use well beyond the 200'.

EM asks what happens if they want to go out another way. They will need DPW approval because 140 is a state highway.



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RL asks about the benefit of going out that way.

M. Yerka responds that there is a 30' radius to pull in back of the building. This is a 2 or 3 man operation. They will be backing a trailer in.

GG notes that backing in from a public right of way is a no no.

P. Herr indicates that is correct.

GG went by Williams Way today around 4:00 p.m.. There were a lot of cars with angry people in them who were trying to come out.

M. Yerka can take the 4 parking spaces and put them in the back so they can use the front to back up.

EM notes that the Board will need something in writing stating that they will not be backing into a public right of way. The requirements of zoning do not face vehicles backing up to a public way.

RL asks about the open mound.

M. Yerka notes that not everything will be stored in tanks. There will be no stockpiling but just mixing inside the tanks.

EN asks if the lime will create a lot of dust.

GG notes that an allowed use is an allowed use.

P. Herr states that it does not have to be dusty.

Clerk is instructed to wait until she hears from P. Herr relative to the completeness of the submittal before distributing.

### TOWNLYNE ESTATES II PRELIMINARY SUBDIVISION DISCUSSION

Denis Etzkorn, applicant, presents a drawing which is a photocopy of the previous drawing which was submitted to the Board some time ago. He is willing to get a bigger plan. They did not do the engineering originally. It was done by East Coast Engineering. Townlyne I which is already developed is in



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Franklin. There is a cul-de-sac at the end. They propose to take it out and extend it to Beech Street.

AM asks who approved the preliminary plan.

D. Etzkorn states that a preliminary plan was submitted to the Board some time ago. He further states that he talked with Wolfgang Bauer, the Town Administrator from Franklin, who said that there would be no problem to tying the sewer line in. There is an existing manhole, but he is not sure about the water. The Bellingham Fire Chief told him to put water on the plan. The towns will have to decide whether or not he will get water.

EM notes that at the time there was no way that Franklin would do services for Bellingham. The Franklin service area is always hung up. Some time ago the Board received a letter from Franklin stating that they would not provide water or sewer for Bellingham. The Board would now need a letter from Mr. Bauer stating that they will provide services.

P. Herr thought he mentioned this situation to Town Counsel who noted that he had something like this come up recently.

D. Etzkorn will speak with Mr. Bauer relative to the other situation identical to this one. The Board can just do this as a discussion since a better plan is needed.

P. Herr states that is correct. He states that there are some real issues relative to this plan.

D. Etzkorn states that they will shorten the cul-de-sac to stay away from the wetlands.

P. Herr notes that he has trouble adding up the drawing to the original drawing.

D. Etzkorn believes that it is identical.

P. Herr asks if they will be divided into lots.

D. Etzkorn responds that they will be.

P. Herr asks how many lots they are authorizing with a single means of egress on a long road is one issue. There is also the



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across town boundary lines issue. Years ago the Town of Bellingham had a situation like this subdivision which reflected the more stringent of either Bellingham or Franklin requirements. Changing the width for the town line is the same. They must have the same configuration through the length of the street.

D. Etzkorn spoke with Don DiMartino, from the Water/Sewer Department who stated that he did not want a pump station, but they could have a subpump station.

EM asks if that means grinder pumps.

D. Etzkorn responds that it does.

EM states that if Mr. Etzkorn gets the Bellingham and Franklin Rules and Regulations, he does not see how any one would accept that. Furthermore, the Bylaw says only so many number of homes on a deadend street.

D. Etzkorn asks the number of homes.

EM thinks it is 12.

D. Etzkorn indicates that they have a lot of room to work with.

P. Herr asks about the rock wall. The property line is confusing. He wonders if they own the rock wall.

D. Etzkorn responds that from what he understands, they do own it. A lot of title research has been done relative to this site. The owner owned the parcel all the way to the river. On the town books, no one owns that part.

B. Lord believes that Sanford Kaplan owned it and deeded it to the town a few years ago to settle a matter relative to Wethersfield. The developer does not own that piece.

D. Etzkorn states that they thought the property line went straight back to the river. They did own across the line until they developed the Franklin side.

EM asks if Mr. Etzkorn is the developer who built the front part.

D. Etzkorn responds in the affirmative. They built 5 on the front



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row with one facing Beech Street.

GG asks about the driveway.

D. Etzkorn responds that it will be on Beech Street.

AM states that if there has been some discussion relative to a similar case just recently, then Mr. Etzkorn should talk to the person with information.

P. Herr states that it is important to give clarity to the issue of who owns the parcel.

D. Etzkorn indicates that they could always put their detention basin on this side. The lots are 3 acres. They can still detention around it. He does not care if the town owns the land.

P. Herr notes that the Board turned down a subdivision which Mr. Roche brought in with the same issues. The questions are who's school are the children going to go to, which buses, who will provide water? etc.

D. Etzkorn states that a bus could go Pine Street, left to Beech St. through Franklin and then bring through the Bellingham.

RL notes that Denis Fraine and Wolfgang Bauer are supposed to meet tomorrow to discuss the border development issues.

EN points out that this is not a new problem. The town has had problems with Blackstone relative to Lake Hiawatha.

P. Herr notes that even if they can resolve the issues relative to water and sewer, the real issue has to do with access for the school kids.

D. Etzkorn asks if every child gets bus service.

EM responds that they do unless they live very close to the school.

D. Etzkorn could put in a deed restriction that bus service will not be provided.

EM notes that he can not do that because it is a state law.





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Another question is which post office will deliver the mail.

P. Herr does not think that the Planning Board would turn down the subdivision over the issues of postal service. Water and sewer is a concern and school access is a concern. Someone should get a reading from the school department. Dealing with Franklin for water and sewer is o'kay.

D. Etzkorn notes that Mr. Bauer said that the request would have to come from one town the the other town. Therefore, Bellingham has to ask Franklin for the services.

EM states that the Planning Board has nothing to do with bringing the water in. The developer is supposed to come in with all the plans and information. The Board's job is to make sure that it meets the Subdivision Rules and Regulations.

AM thinks that D. Fraine is the person to contact relative to this matter.

P. Herr feels that the issue should be raised with the School Department. Town officials should talk with town officials. He doubts that the town will say that the result is they can not divide the land into lots. The issue is consistency and the road.

D. Etzkorn can correct the problem with the road. The requirements say that the roads have to be consistent. There is granite curbing in Franklin. They have no problem with making the road as wide as Franklin. In Franklin, they have to put a sidewalk on one side, but it is not in yet. He will contact D. Fraine to find out about the services.

## BROOKSIDE ESTATES DEFINITIVE SUBDIVISION DISCUSSION RE: STATUS

Anthony Sottile, prospective developer is working with Joyce Godbot relative to the development of Brookside (Woodside) Lane, beside Brook Street and Thayer Street. They are here to illicit support about agreement with the covenants of 1981. This site is right by the chiropractor's office on 140.

EM states that it is across from Almacs.



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A. Sottile presents 3 sets of plans which were one file with the Registry. They are talking about developing Woodside Lane from Brookside to go between two houses which are particular to the development.

EM asks where Mendon Street is.

A. Sottile points it out on the plans. Take a left at the chiropractor's office up into Thayer. The parcel is prior to the deadend catch basin.

EM asks if it is where Bellwood Condos is.

A. Sottile responds that it is adjacent to that piece of property. The road here never had access to Mr. Thayer's property. Mr. Trudeau has the existing house lots with two houses on them. In between the access road and in two the development are 8 additional lots.

EM asks what the question is tonight.

A. Sottile presents a letter to the Planning Board requesting clarification or mitigation of the following agreements and covenants: (1) Downstream drainage installed before road construction begins; (2) Area of drainage alteration on Brookside and Thayer Streets would require the repaving of both streets gutter to gutter; (3) A standard spec. berm be installed fronting house no. 5 on the northerly side of Brookside Road; (4) A new catch basin be installed at the intersection of Brookside and Thayer Streets; and (5) sidewalks will never be waived. He notes that there is one sidewalk on Edgehill Lane. He asks if the developer of this subdivision can expect to put in two or one sidewalk.

P. Herr asks what was approved.

A. Sottile responds that the plans shows two sidewalks on Woodside Lane. What was done was from a particular standpoint for the drainage to be done.

P. Herr points out that from his recollection there was a problem with the drainage here.



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A. Sottile notes that the downstream drainage on Thayer Street has to be corrected.

P. Herr states that is his recollection of the situation as well.

AM indicates that if they are altering the drainage, they would have to repave.

P. Herr states that the developer would need the construction drawings which an engineer did.

A. Sottile called Mr. Robinson whose Dad did the plans. His father is now deceased. Mr. Robinson told him he would be better off getting the plans from the Registry or the town.

P. Herr states that subdivision plan roads and utilities are good forever. However, the lot sizes are good for 8 years.

AM asks if they would have to request another public hearing.

P. Herr notes that there is sensitivity because of the drainage problem.

J. Godbot met with P. Herr a few years back to discuss this matter. They perced some of the lots in 1979 or 1980, but they would not perc. They decided to wait for town sewer. She asked P. Herr at the time if the registered subdivision would remain as is until when and if they would proceed with development. P. Herr told her that the subdivision was good forever. She is very concerned at this point because there is a time factor involved. She met with Don DiMartino who pointed out that if they do anything, they better do it soon. Otherwise, there will be a moratorium for 5 years and they will have to resurface the new state highway. That are talking about the water hookups.

AM states that they can tunnel under.

A. Sottile notes that they are also talking about the sewer. They would be trying to tie in from the center of town. They will have to bring it up 500' up 140'. They have downstream drainage within the subdivision itself. He came here tonight for direction.

P. Herr refers to off-site drainage improvements which would make



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it work and which would have to be on the construction drawings.

GG believes that Mr. Robinson would be able to find a copy for a price.

P. Herr notes that someone will have to make the drawings before the Water and Sewer Dept. can approve.

J. Godbot states that W. Arcand, Highway Dept., told her to come before the Planning Board to ask about the road bond.

EM notes that request would come to the Planning Board with estimates and recommendations from the Highway Dept.

AM points out that there is a schedule in the Subdivision Rules and Regulations which tells developers how to figure out the road bond.

GG adds that curbing, monuments and 10% factor has to be included in as well. Estimates from contractors must be presented with the request. It is all right in the subdivision book.

EM states that they should go back to Mr. Arcand and ask him to review the estimates to make sure that they are adequate.

A. Sottile would like to put the sewer in but both the state and the town say there will be a 5 year moratorium.

P. Herr notes that the issues tonight include: (1) obtaining the construction drawings; (2) In order to put in the sewer, some engineering will have to be done. That will take more time than anything else; (3) He does not think there is any possibility that the town will say that this site can not be developed. It is approved and Mrs. Godbot owns it; and (4) For the issue relative to sidewalks on two sides, they could go to a public hearing to waive that. They must proceed with the engineering to get that done so they can do the sewer since there will be a 5 year moratorium.

J. Godbot states that D. DiMartino was thrilled about the prospect of the development going in there. He is willing to cooperate.

GG believes that it will be a marathon work session to get the



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sewer engineering done in the timeframe which they are talking about. Another issue is relative to the standard size curb. He thinks that someone had a drainage problem there.

P. Herr points out that there is good reason why the land sat undeveloped all these years.

J. Godbot believes that it is because it is all wetlands.

P. Herr states that the water table is questionable. The sewer is the right thing to do.

RL points out that Mr. DaPrato's development, Pine Meadow Homes, put up a \$72,000 bond for the road. That may be a gauge for them to go by.

EM notes that this would be more expensive because of the sewer.

### DUNKIN DONUTS

### DISCUSSION RE: SEPTIC SYSTEM CHANGE

Bruce Lord, Esquire, presents the same plan which was approved by the Board. It is the same except with the only variation being that they will run the sewer septic system underground instead of running it out. He asks if this change in site development is big enough to require Developmental Plan Review.

EN asks if the septic system would be in Bellingham.

B. Lord responds that it will be totally contained in Bellingham.

B. Lord notes that there is a Board of Health issue. Mr. Emidy questions if our regulations require Dunkin Donuts to have a site plan in Blackstone. This in theory is on a lot which crosses town lines. However, it is totally contained in Bellingham. It comes up under the basis of Bellingham Bylaws, not Blackstone's.

EM asks if they are talking about overlapping boundaries.

P. Herr reviews the section of the Bylaw pertaining to this situation and notes that there is nothing which requires this Board to wait for a ruling from Blackstone.

B. Lord points out that the Building Inspector/Health Agent is a



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member of the Board of Selectmen in Blackstone and he is getting pressure from there. He requests that the Board send a letter to the Building Inspector stating that the site plan with the septic system change has been reviewed by the Board and has been found to meet the requirements. Therefore, further approval is not required.

GG states that the septic tank is 2 feet within 4 feet. It sits smack in the middle with the vent right in the back up access. They would be losing parking spaces.

P. Herr asks if there is a reason the vent needs to be close. There is no reason it can't be in the landscaped area.

GG notes that this plan is dated April 1992. There were conditions on the approval relative to the entrance/exit which currently exists at the shopping center. The side entrance was to be closed off completely.

B. Lord is only dealing with this particular part of it. He requests a letter be sent to the Building Inspector. He agrees that all the things which were to be done with the original approval will be completed prior to occupancy permits being issued.

EM notes that the arrows and signs were supposed to be made clearer so one can delineate between exit and entrance locations.

B. Lord has no problem with referencing the letter of the original approval to the Building Inspector. The developer agrees to all the conditions in that letter prior to occupancy permits being given.

GG refers to the barrier wall as well.

EM asks if the Board feels this is a significant change to require another hearing. The Board can send a letter to the Building Inspector which should say that the change in the septic system is not a significant change to require Developmental Plan Review. Reference our letter of approval and ask the Building Inspector to check the conditions to see that they apply to the site. The Board does not feel that Section 1424 comes into play. After conferring with the Planning Board consultant, the Board feels that Section 1424 has been satisfied.



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B. Lord refers to the timeframe. The applicants agree to all the conditions previously imposed in the original approval before occupancy permits are granted.

RL makes a motion to send the letter noted above. GG seconds motion. Unanimous vote of 5 (EM, EN, RL, GG and AM).

### CARYVILLE CROSSING

#### DISCUSSION RE: COMPREHENSIVE PERMIT BEFORE THE ZBA INFORMATION PROVIDED TO THE BOARD AS A COURTESY

EM notes that clerk notified him of the plans and other information which were provided to the Planning Board as a courtesy. He said that they should call the applicants and ask them if they intend to come in and explain it to the Board or if they have to figure it out on their own.

P. Herr believes that they would make a presentation if the Board wanted them to.

B. Lord notes that the ZBA is sending the application back because it is incomplete.

AM thinks that the Planning Board could sit in on the ZBA hearing. The Board is not acting on it anyway. They could make input as a Board, but the ZBA could disregard the Planning Board's input.

B. Lord believes that the ZBA likes to receive the Planning Board's input.

EM believes that the applicant wants to compare this to Silver Heights but they can not. They are using size as a guideline.

B. Lord points out that the Zoning Board is not familiar with the Subdivision Regulations. The Planning Board could look at the plan to determine where it varies from the Subdivision Regulations.

EM thinks that there is no way this is good with a single egress. They could have more with Farm St.

EN states that the same problems exist. There are site distance problems. Townlyne Estates which was discussed tonight can not



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have more than 12 homes with a single egress but this can have many more.

EM notes that they are proposing 64 homes on a single road.

GG thinks that the Board could make a verbal statement to the ZBA to let us know when the hearing will be held.

P. Herr notes that they could make a position as a Board. There will be a public hearing whereby they would be asking for support. People would raise their eyebrows if the Planning Board had no comment. He could call the Chairman of the Affordable Housing Committee and informally note that it would be a good idea for the applicant to come and explain the situation to the Planning Board. A set of plans could be sent to P. Herr for his review as well.

### CIRCLE CG RANCH

#### DISCUSSION RE: TOWN COUNSEL REQUEST FOR INFORMATION

Clerk notes that Town Counsel requested information pertaining to the Circle CG Ranch in a letter dated August 20, 1993 wherein he asked about the original grant, and whether or not there have been any requests for modifications or any actions taken with regard to same. He also asked about the status of the Use Regulations in 1969, and whether those have changed between 1969 and today's date by modification. Clerk could not find any information pertaining to the Circle CG Ranch in the old files so she faxed Town Counsel's letter to P. Herr who responded.

P. Herr sent a letter to Clerk, dated August 24, 1993, stating that in 1969, the only camping use listed in the Zoning Bylaw was "Camping, supervised". He recalls that at some point in 1969, Mr. Grover appeared before the Planning Board seeking an interpretation of that term. The Board supported the view that what Mr. Grover proposed doing at the premises in question would be "supervised camping", and therefore, was allowed by right in an agricultural District, the zoning of the property at that time. That interpretation caused some consternation, prompting addition of the category "Camping, commercial" at the 1970 Annual Town meeting, and subsequent efforts, which failed, to further narrow the definition of commercial camping. He also notes that the action of the Planning Board was simply advisory to the Building Inspector, and authorized no specific plan or number of





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units. He enclosed a copy of the Zoning Bylaw, updated effective October 19, 1970 pertaining to this use as well ask a copy of the Zoning Map in effect at the time. A copy of a letter written by Mr. Herr to Attorney Ambler, dated June 2, 1970, relative to this matter is also included. Copies of all these materials were also forwarded to Town Counsel and presumably his questions have been answered and no further information is required.

### SPLIT-LOT DIMENTIONAL ZONING PROPOSED BYLAW AMENDMENT CHANGES

P. Herr notes that the Planning Board forwarded a letter to Town Counsel with copies of the Proposed Zoning Bylaw Revisions (Split-Lot Dimensional Rules) and Proposed Subdivision Regulations Technical Revisions. He presents a new draft, dated August 24, 1993 which was prepared to answer questions which rose in Attorney Ambler's letter of August 11, 1993. A copy of the new draft should be forwarded to Attorney Ambler for additional review and comments. The storm drainage detention will comply with the same. Attorney Ambler's letter also states that he does not like detention facilities. However, they must deal with the long term maintenance issues.

EM indicates that L. Ambler had a suggestion that when a retention pond is in a subdivision, the separate piece of land that it is on should be deeded to the owner of the lot to maintain.

P. Herr points out that other towns have tried it but that lot never gets sold. Maintenance in a homeowner's association works. The issue is how to enforce the maintenance. They have what they need in the subdivision regulations.

### RT. 126 PLAZA DISCUSSION RE: USE

P. Herr has received calls relative to the Rt. 126 Plaza relative to converting it to industrial property. He discussed this with D. Fraine who in turn discussed the prospects with the owner. His suggestions was to explore the possibility of a variance. Seeking to rezone may not be widely supported.

RL refers to a business 2 zoning.



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AM thinks they would need a hardship to rezone.

P. Herr suggests they go and look at it. The hardship is the way the land is shaped and formed.

RL notes that he met with D. Fraine and Joe Menfi to discuss the variance. They brought J. Emidy in but he did not think that a variance would fly. Menfi wants to go to the Assessor and come to the other Boards. Tax foreclosure is scheduled for September 15, 1993. They discussed creating another zone called business 3 in which light industry would be allowed.

EM points out that it takes one year to create a new zoning.

### BOARD MEMBERS DISCUSS COMMUNITY PLANNING PROPOSAL PRESENTED BY BOARD MEMBER ROLAND LAPRADE

EN asks if the proposal was sent to Planning Board members only.

RL responds that he discussed it with the Board of Selectmen and some of them saw it.

EN feels that it should have been discussed long before it was presented to someone else.

RL did give D. Fraine a copy of the proposal. This is looking for a community development plan. The passage of the Charter created a Town Administrator. The mechanism to implementing the plan is to update the Master Plan. He asks for the creation of a subcommittee to respond to the goals of what Bellingham will look like in 10 - 20 years. It should be comprised of the Historical Commission, Water/Sewer, Highway, Parks Dept., Conservation Commission and of course, the Planning Board. They would be charged with creating a plan which would be submitted to the Planning Board. The Planning Board would seek consultation to submit a final recommendation to the Board of Selectmen. He refers to proposal for a new town common and landfill issues.

EM asks if he is talking about town owned land. He had thought that this was for private land.

RL responds that yes, this is for public land.

GG is sorry to be so negative, but even if they plan for 10 years



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from now, the problem is there is no money for improvements. He asked D. Fraine why the town hall looks like this. D. Fraine told him that they do not even have \$10.00 to do anything. There is never economics to do anything.

RL agrees that GG is being negative.

EN thinks that other boards do some of the things which RL is saying that this committee should do.

RL notes that Massachusetts General Law says that the Planning Board has the full authority over planning.

EN points out that some Planning Boards have paid planners who do this work. The City of Woonsocket has paid people to do that. Other boards in town do some of these things. They do not want to step on toes.

RL asks what the Planning Board's function is then.

EM responds that the function is to review plans brought before the Planning Board.

AM states that the Conservation Commission owns Silver Lake. They have plans but they do not have the funds to implement them.

GG believes that RL is looking at the function of a Town Planner.

P. Herr thinks that RL is looking at the function of the Planning Board. The Planning Board can not tell the Water/Sewer Commission what to do, but they can get the dialogue going between all the folks. No one has looked at the relationship between sewerage and zoning. A lot can be done with regard to planning of public facilities. They changed to the Charter and hope it will work better. The Capital Improvements Committee is something to look at. There should not be surprises in town. The Planning Board can not be the superboard, but the Board can take the lead to get people together to talk. He has a hesitation in creating a subcommittee to do this.

EN feels that unless there is an employee, a Town Planner, to pull it all together with direction, this will not work. He is on the Affordable Housing Committee and only 5 members attend meetings.



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P. Herr states that before they go off and get the boards together, maybe they should engage a professional first. RL ran for office on this platform. The Charter is clear. They were not obliged to put the words in the about the Master Plan but they did. He suggests the Board meet with D. Fraine to talk about how they can go about implementing this.

EM refers to the South School painting issue. He was told it was not done because no one put a date in.

GG asks what happened to the lights off 495 near the Stallbrook Center. He was told that they would be in as soon as the ground thawed.

AM asks what D. Fraine's suggestion is relative to this Community Planning Proposal.

RL responds that D. Fraine is in favor of it. He is willing to help organize.

EM refers to a grant received a few years ago for \$12,000 for a building permit study.

P. Herr states that money was not well used. To do this right, they would be talking about a fairly substantial amount of money.

EM asks how they can do a Master Plan with a town that is already built.

P. Herr notes that Bellingham is no where near fully built. It is less developed than others that do Master Plans. He refers to Menfi's Shopping Center. There is nothing to use for guidance to do anything about it. They wrestled with the sewer consultants because they were only looking to go downhill instead of looking at the kind of developments the town wants.

EM refers to 495 Associates.

P. Herr states that they wanted to come down Farm St. Now there is a full-time administrator who can work out problems.

RL notes that when he and EM were on the Town Engineer research Committee, they both thought that the applicant should be part planner and part Town Engineer.



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GG states that this not only for public land, it also affects residential and commercial property. Silver Heights was going to put a park in but they fought against it because the town has enough parks to take care of. They can not take care of the ones that they have. In that aspect, the town has dealt with the public good.

P. Herr refers to the situation in Bourne at the Bourne Park. The town rents the land from the Core of Engineers. They can not make a profit so they direct the proceeds to the ice skating rink. The profits from the campground pay for the ice skating rink.

EN refers to Lakeview Farms. That could have been a nice recreation area.

RL notes that all of those situations are in the past. They have to look at where they are going.

P. Herr states that they lack a recent substantial overall look at how everything works together. He would not start by putting together a committee of town officials, but would organize people, residents of the town, to get them to talk about ways of doing this and motivating people. The very next step would be to approach D. Fraine. That is the right way to start.

GG refers to the South School where they had 3 options: to sell, rent, or knock down and create a new Town Common. He asks who will make the final decision.

P. Herr responds that is the Town Meeting. He refers to a meeting held on Block Island recently attended by people from Nantucket, Martha's Vineyard and Shelter Island to discuss the open space issues. They wanted to speak about policy in broad general terms. He refers to WalMart which was allowed because people in the town wanted jobs and taxes. The question is how they would like it to be in 20 years. When he drives from Shawmut Park after a meeting, he can not help but think that there is no agreed vision of how the center of town will be. The center of town is now an embarrassment.

GG states that the problem is the economics of it. For 10 years, some residents were trying to get a soccer field. They got it but now it is a weed field. There is as much as a plan as



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economics involved.

P. Herr refers to a class project held at the high school some number of years ago. They put together a time chart relative to the population. The old Planning Board Clerk, Jean Brewer, who spoke to the students, really thought that development in the past 20 years had made Bellingham a better place. The question is what is it that people care about.

EN states that right now 1/4 of the population is in movement. The era that P. Herr is talking about was when people did not move.

B. Lord disagrees. According to the U.S. Census, during 1970 - 1980, Bellingham had the greatest movement. They had the least stable population in Massachusetts.

EM asks what the intent of the Master Plan is.

P. Herr responds that it is a guideline.

EM asks if they will need a new one every 4 - 5 years to go with the cycle.

P. Herr notes that some things stay the same.

EN asks if Bellingham is still a bedroom community.

P. Herr responds that it is. Most plans do not get revised very often and they have a short life. Most are effective right after they are prepared.

EM asks if RL is proposing that a committee be formed to review and update the Master Plan.

RL points out that they had a 9 member committee who put together the Charter. They had little money. Most was spent on mailing and publishing materials.

EN asks about the ratio of attendance at meetings.

RL responds that it was 90% all the time.

EM notes that the Town Engineer Research Committee had no money



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or funds, but it worked out fine.

P. Herr suggests they get together with D. Fraine and see where it goes. He supports the concept of moving ahead with the Master Plan. They could go to the next Annual Town Meeting to seek an appropriation for the Master Plan.

EN indicates that right now he would be against the appropriation.

P. Herr states that this town has done better than most with getting nonresidential assessment.

EN does not see any significant decrease in the cost of anything with all this development. Money which they are saving from taxes is going to pay the people in management. The people are making more money than before.

GG refers to the entrance off Stallbrook Center. He asked Ted Tye why the arrows are not in the road. He was told that they will not be until the lights are in. He asks why the lights are not there.

RL thinks that would be the job of the Building Inspector to find out.

P. Herr disagrees, the Town Administrator should find out.

GG asks how the Planning Board can do a Master Plan when they can not even get the issues which they currently have resolved.

EN agrees, there are agreements in effect which are not done.

GG asks how these things can happen in the future if there is no money for them now. There is money here now but the arrows are still now there.

EM believes that GG is warning them that they could put in a lot of time and effort for nothing.

EN states that the price of help has gone double. He refers to the Town Controller's salary.

P. Herr states that it is believable that they could satisfy the



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mandate of the Charter without spending any more money.

GG makes a motion to send a letter to D. Fraine stating that due to the amount of accidents occurring at the WalMart intersection, the Board would like to know where the arrows and signals are. There are no directional arrows in the road. Mr. Tye had said that the arrows would not be in until the whole area was signalized. The lights were supposed to be in in the spring.

P. Herr refers to the building which Mr. Tye is building in Newton. They are building housing with a school program, recreational program and city arts program.

GG again refers to the Stallbrook Center. There is no sod there. It is all weeds and horrible looking.

P. Herr tells the Board about an author, Philip Langton, who is writing a book about towns. He has interviewed P. Herr a number of times. Bellingham and the Stallbrook Center will be a significant portion of part of the book.

EN seconds GG's motion to send a letter to D. Fraine relative to the Stallbrook Center signalization issue. Unanimous vote of 5 (EM, EN, RL, GG and AM).

GG asks if the Board has received a response from the Building Inspector relative to the Board's New England Bonsai inquiry.

Clerk responds that no response has been sent.

GG asks Clerk to send another letter to the Building Inspector.

EM was in Amherst, New Hampshire and met someone who goes to New England Bonsai. He told the gentleman that there is a problem because there is no screening and other conditions were not complied with. He received a call when he got home from someone at New England Bonsai who told him that the screening was not done because there is a fight with the neighbor over a dispute with the land.

GG makes a motion to invite D. Fraine to come to the next meeting when P. Herr will be here on September 23, 1993 to discuss how the Board can proceed with the Master Plan. AM seconds motion. Unanimous vote of 5 (EM, EN, RL, GG and AM).





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GG makes a motion to reappoint P. Herr as the Planning Board consultant. P. Herr has worked with the town in good standing. He has an excellent working relationship with the town. AM seconds motion. Unanimous vote of 5 (EM, EN, RL, GG and AM).

Clerk received a call from an engineer at Boston Edison asking if the As-Built plans show utilities on the plan. Clerk reviewed 4 plans and found that utility poles are shown on the plans.

EM states that the Board always waives underground utilities for overhead at the request of the electric company.

P. Herr states that if the utility poles are there, they should be shown on the As-built plans. If they are not there, they should not be on the plan.

Members sign letter to the Registry of Deeds to record William Wozniak's signature.

EM asks B. Wozniak if he has gotten sworn in by the Town Clerk.

B. Wozniak has not done that yet but will.

Meeting to adjourn at 11:05 p.m.



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*Edward T. Moore*

Edward T. Moore, Chairman

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Anne M. Morse, Vice Chairman

*Emile W. Niedzwiedz*

Emile W. Niedzwiedz

*Glenn E. Gerrior*

Glenn E. Gerrior

*Roland R. LaPrade*

Roland R. LaPrade