

**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**

**MARCH 10, 1994**

Meeting was called to order at 7:40 p.m. All members except AM were present. Planning Board Associate Member William Wozniak was also present.

**TOM DEVITT TO SIGN 81-P PLAN**

Tom Devitt presents the mylar for his 81-P plan off First Avenue which was approved by the Board at the last meeting. Members sign mylar plan for Riverbank/Middle Avenues.

**GENERAL**

EM makes a motion to sign the minutes of June 25, 1992. GG seconds. Vote of 3 (EM, GG and EN).

Members sign Clerk's pay voucher and invoices for Alternative School printing of Zoning Bylaw books and postage stamps.

GG makes a motion to sign the Definitive Subdivision decision for FREDAP Estates. RL seconds. Vote of 4 (EM, EN, GG and RL).

EN makes a motion sign Darling Lots Definitive Subdivision decision. RL seconds. Vote of 4 (EM, EN, GG and RL).

GG reads letter from Denis Fraine, dated March 4, 1994 regarding Somerville Lumber truck traffic restrictions on use of the fire lane along with letter from abutters to the Board of Selectmen regarding the problem of truck traffic on the fire lane behind their homes.

Clerk is instructed to check minutes for Somerville Lumber to verify whether or not they agreed not to use the fire lane.

**CHERYL PEARSON**

**CONTINUED DEVELOPMENTAL PLAN REVIEW**

**334 HARTFORD AVENUE, PROPOSED BEAUTY SALON**

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Ralph Mastroianni, architect, presents the revised developmental plan. He got together with P. Herr and reviewed his comments. He issued a revised drawing which was forwarded to P. Herr. He presents copies for the Board. Changes are quite minor. One issue was signage. Previously the plan contained a note indicating that the signs would comply. Now he included a note relative to a front accessory sign on the front door as well as a sign 10 ft. back from the lot line and 10 ft. from the access road line. The note says the freestanding signage will be located within the zone and will allow access parking. Third signage note is for the aggregate area less than 100 ft. The second issue dealt with the parking area paving and drainage. P. Herr had no problem with leaving the parking area unpaved. They added concrete wheel blocks to identify the parking. They also added a service area. Previously, they did not think they would need dumpster. The plan now shows a future dumpster location surrounded by a 6' high stockade fence.

EM states that if the need for the dumpster does not arise they will not need to screen.

R. Mastroianni shows the location of the added parking which has been moved. The parking area shows 13 spaces with expansion possibilities to 18 as designated. The location of the parking allows them to comply with the Zoning Bylaw and add more parking if necessary. There was a question last time relative to the future growth and building numbers in excess of what they need in terms of capacity for parking.

EM asks how many spaces they need based on the square footage of the building.

R. Mastroianni responds that they need 13 based on the Bylaw and the square footage of the building. The 4th area of discussion dealt with the issue of exterior lighting. The note on the plan has been expanded to show the preliminary layout of 10 locations with 200 watt maximum with a maximum height of 10'. The final layout for the lights and fixtures will be submitted for approval. The signage will comply with the Bylaw. The specific signs will be submitted prior to installation.

EM notes that is more of a Building Inspector issue.

Clerk reads P. Herr's comments which she took down during a telephone conversation with the Board's consultant today. Mr. Herr indicated that he had spoken with Mr. Mastroianni and was sent a revised drawing. The plan is o'kay as revised. The Planning Board will have to determine if they want to allow the applicant to use crushed stone instead of concrete. He thinks that they should but a decision is needed. The architectural elevations of the building have not been done. They do not own them but they are not

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proposing to change the building so they do not need them. He just wanted to point out the fact that they are not included. There is a question regarding the necessity to obtain a variance from the ZBA to approve the use for a hair salon from an office building. The applicant has agreed to obtain approval from the Board prior to putting up signs and lights. They will bring a plan back to the Board. He feels that the building is very nice and has a lot of potential. If he could only have one building in Bellingham, this would be the one.

R. Mastroianni points out that P. Herr asked him about building plans. They do not need building plans because they are not building. They do not have the building elevations because it is an existing building.

EN asks if the upstairs will remain vacant for the time being.

R. Mastroianni responds in the affirmative.

EM states that they can waive paved parking for crushed stone, but he does not know if they need a motion to do it. The Board changed the Bylaw so they could do it right now without a hearing.

EN makes a motion to waive bituminous paving for crushed stone with concrete curb markers. RL seconds motion.

EN asks if there will be dust involved.

Vote of 4 (EM, EN, GG and RL) to allow crushed stone for the parking area with concrete curb markers.

EN makes a motion to approve the developmental plan with the waiver for paving as noted above. RL seconds motion. Vote of 4 (EM, EN, GG and RL).

Fee of \$59.00 based on 13 parking spaces presented for the Pearson Developmental Plan Review.

EM instructs Clerk to prepare a letter to the Building Inspector indicating approval of the Developmental Plan for the Pearson building on 334 Hartford Avenue. Copies of the letter of approval to be sent to R. Mastroianni and Ms. Pearson.

**GEORGE LEVINE**

**DEVELOPMENTAL PLAN REVIEW**

**MECHANIC STREET/SOUTH MAPLE STREET**

**MINIATURE GOLF/DRIVING RANGE**

EM abstains from discussion because he is an abutter and will therefore not be sitting in during this discussion. EN will

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conduct the meeting since Vice Chairman AM is not present.

EN opens the meeting and instructs Clerk to read the Notice of Review Meeting.

EN explains the meeting procedure. The applicant will make their presentation after which they will hear questions from Board members and the audience. Any member of the audience wishing to address the Board should raise their hand and identify themselves prior to asking a question.

Neil Roche, Esquire, is representing the applicant. They filed an application for a special permit with the ZBA relative to use. The hearing was scheduled last Thursday but was postponed because of the weather. He identifies applicant, George Levine, and Michael Aucoin, engineer who will make the presentation.

EN asks if they can turn the map so people in the audience who may be interested can see.

M. Aucoin explains that they are proposing to develop a recreational area of 11 acres which will contain an 18 hole miniature golf course and putting green as well as 19 holes with a 30 station driving range which will be well over 200 yards. They have 8 acres of land for the miniature golf which will be 20,000 square feet, typical for today's standards. They are proposing 59 parking spaces and one maintenance building entrance for customers to pull right in. He discussed the parking spaces with the Building Inspector. He explains the details of the building which will be 850 square feet with a 16' x 16' deck on side of building and seating for an ice cream service area. They calculated that 44 parking spaces are required. They are proposing 59 at this point but they do not want a problem with abiding with the local Bylaw. They are looking for variances relative to the setback requirement of the Zoning Bylaw by application for a special permit with the ZBA. They first submitted to the ZBA. They want this project to get going this year or it will not be done. They are trying to do this for the summer season so they did not want to wait until the ZBA hearing to come here. They distributed complete plans relative to the site plan review.

EN asks if they talked to P. Herr.

Clerk reads notes of P. Herr's comments which were relayed during a telephone conversation. P. Herr noted that the drawing did not show the zoning districts which are part industrial and part business. The drawing did not include floor plans or elevations for the buildings which they propose. He commented that the buildings are tiny so this is a technical omission. Erosion control was also omitted. The land is flat so they may not need to

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do anything. The use requires a special permit from the ZBA but the Planning Board can go ahead and hear it now provided they make it conditional on ZBA approval. The plan does not show enough about the signs to determine if they comply. It appears that the planting does not meet the specifications. They are short trees as a percentage of the parking area. He suggests that their landscape architect get in touch with him to discuss the landscaping issue further. The land abutts agricultural at the back. The Bylaw calls for landscaping across the boundary which is right where the Maplebrook Sewerage Treatment Plant is. Therefore, they do not need the screening but he wanted the Board to be aware of the agricultural zoning. He is concerned because they are showing leaching basins as a means to get rid of the stormwater. The Board has not accepted that in the past. He further notes that this plan was more carefully done than most. He questions whether or not the number of parking spaces is adequate. He asks how they decided the number of parking spaces.

EN states that their attendance here is premature since they would normally go to the ZBA first. There are a few minor flaws to be taken care of.

M. Aucoin explains that based on the building size which is 850 square feet, they are not required to include the floor plans. He believed that it was required for a larger building. It is obviously not a problem for them to include them.

GG thinks they are probably not needed because of the size of the building.

N. Roche notes that the size of building is not mentioned on plan.

M. Aucoin indicates that the proposed signs have not been designed at this point. He talked with the Building Inspector who said that based on the frontage, the proposed 8' sign off the setback would meet the requirements. They did go into very extensive landscaping design so they would be surprised if it is short.

GG points out that P. Herr mentioned trees in the parking area.

M. Aucoin indicates that they have shown 6 trees as well as numerous shrubs.

GG believes that is probably a minor detail too.

M. Aucoin states they will have tree planting on the southwesterly side in the industrial area. There are a number of trees out there. They are not removing every tree.

GG refers to the back side of the property where the condo is. He wonders if there is adequate screening provided for public use.

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RL states that there will still be substantial lighting there.

M. Aucoin does not think the owner will be upset over more plantings. They are trying to meet all the Bylaws in town.

GG questions whether or not the parking will be enough for that type of recreational area. He knows they will draw a large crowd from Franklin. He does not think that there is anything like this in Franklin. Route 140 is in constant development. Maybe 59 parking spaces is not enough.

N. Roche notes that Mr. Aucoin spoke with the Building Inspector relative to this issue. A major consideration was the 30 driving points. The calculation was based on that. They will have people coming and going who are not going stay 4 hours driving golf balls.

GG points out that since they are talking about an 11 acre site. He asks if there is any room to expand the parking area. Everybody wants to grow. It is a morbid site to look at right now. He does not want to see parking on 140 because it would be a nightmare. He asks if they can add on another 20 spaces. He asks if the entrance road coming in which is proposed as a 2 lane road can be expanded to 3 lane to give them the option of using it for overflow parking along the entrance way. He looks at Franklin which is a town which is booming with development. For the past 10 years Bellingham has had a reasonable rate of growth, but the growth rate could increase and Bellingham could come into fruition as well.

EN reads letter from the Water/Sewer Dept., Donald DiMartino, Superintendent, dated February 28, 1994. He states that he sees no problem with supplying service to this property. The plans show a sewer connection to the stub off of the existing sewer manhole on Mechanic St. The proposed sewer line indicates that a new sewer manhole will be installed on the property of the developer. This is the configuration which he requested. Although the pipe sizes are not shown, it is understood that the sewer pipe will be 8" in diameter from the existing manhole to the proposed manhole and will be 6" in diameter from the proposed manhole to the proposed building. The plans do not show the proposed location of the water main connection. It appears from the Department's records that there are water mains available in the south side of Mechanic St. and in the utility easement which is shown on the west of the parcel. He requests that the developer contact the Water/Sewer Dept. to determine the best place to connect and the size of connection needed. He further states that the next plan revision should indicate the exact location and size of the water and sewer service. Once a final plan is approved for the building construction and a building permit is issued, the developer must file for all water and sewer connection permits and pay all fees before proceeding with construction.

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N. Roche requests copy of the Water/Sewer Dept. letter.

EN reads letter Fire Chief, Richard F. Ranieri, dated March 8, 1994, stating that he reviewed the site plan as it relates to access for emergency vehicles and does not see a problem. The paved area should be more than adequate. The main access road appears to be approximately 18' wide and should be adequate. The proposed buildings will be reviewed during the building permit application process as to their compliance with codes for fire protection.

EN reads letter from the Safety Officer Haughey, dated March 1, 1994, indicating that he has reviewed the plans and the location and sees no problems with the site distances for the proposed miniature golf/driving range to be located on Mechanic St. near South Maple Street.

EN expects that the Conservation Commission will get in at some point.

M. Aucoin points out that there are wetlands way in the back. He talked with Don DiMartino who agreed to the 8" sewer line being tapered down down to 6". They also discussed bringing the water line in from south of the access of the property. He is not sure where they will hook into the existing line. They have to find it and show the location. There is a line in Mechanic street.

EN suggests they talk to P. Herr and have another meeting after they see the results of the ZBA hearing.

B. Wozniak asks what will be housed in the buildings.

M. Aucoin responds that it will be a two room ice cream shop.

B. Wozniak asks if there will be any amusement machines.

M. Aucoin responds in the negative.

N. Roche points out that they will not have a batting cage either.

M. Aucoin states that they expect people to come and have fun and then leave.

GG indicates that if it is done nicely, this type of recreational area works.

M. Aucoin points out that a normal miniature golf range only holds 100 people at one point unless they have 20 to 30 people in line waiting. He presents photos of miniature golf ranges which he has designed.

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B. Wozniak asks if they are all down the cape.

M. Aucoin responds that only one of them is down the cape. A miniature golf range can only handle so many people. Obviously, the owner will want to have as many as he can. He talked with the Building Inspector and discussed that the majority of people do not come as one person in one car. 3 sometimes 5 come in one car. The father goes to hit golf balls while the rest of the family plays miniature golf. These type of recreational areas are seldom designed with more than 50 parking spaces.

GG states that P. Herr may go along with their explanation. If they can convince him that it can work, maybe they can convince the Board. Maybe they could say that they could expand the width of the driveway later if necessary.

G. Levine, applicant, states that he hopes he has that problem.

GG suggests they talk with P. Herr relative to his comments. They can come back at the next meeting.

GG makes a motion to continue the meeting to March 24, 1994 at either 7:45 p.m. or 9:30 p.m. at the discretion of the Clerk and consultant. RL seconds motion. Vote of 3 (EN, GG and RL).

**COLEEN DOWD****DEVELOPMENTAL PLAN REVIEW****58 MECHANIC STREET****PROPOSAL FOR AUTO MECHANIC GARAGE**

EM returns to the meeting and opens the Developmental Plan Review meeting. He explains the procedure including applicant presentation, Board question period and open questions from the audience. Members of the audience are instructed to raise hands with questions and identify themselves prior to asking their question. Clerk reads notice of review meeting.

Fred Lapin, Shea Engineering, completed the plan.

EM asks Mr. Lapin if he can put the sign up so everyone can see. He suggests that he put one at the back of the meeting room so the audience can look at the plan and follow along with the discussion.

F. Lapin explains that they are showing a 3,000 square foot B-1 use building with a 24' access road off Rt. 140. The property is 700' down Mechanic St. from the South Main St. intersection on the northeasterly side of Mechanic St. The property is 21,383 sq. ft. providing 15 parking spaces. 12 parking spaces are required. Half of the property is towards the front of Mechanic St. with drainage



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runoff directed towards the catch basin location at the rear portion of the parking area. The outlet empties into a small depression at the rear property line. It does not put more water onto Mechanic St. The existing house is on a lot 30' back from the street line and sits on top of a hill with a street elevation at 82. The existing house is at 90. They are planning on lowering the elevation of the lot level with the lot to the left of the property. They will take the excess material and push it back. Behind the house there is quite a drop to the rear portion of the property at elevation 72. They will level it off with excess material. They will have approximately 1500 excess of material. They propose pavement in the parking area and access drive with bituminous concrete berm to contain the runoff and direct it towards the catch basin. It is a pretty straight forward design.

EM reads correspondence from Donald DiMartino, Water/Sewer Superintendent, dated March 8, 1994, stating that he sees no problem with supplying service to this property. The plans show a sewer connection to the existing sewer stub on the edge of Mechanic St. The proposed sewer line must be installed by a licensed drain layer and the installation and use must be in compliance with all sewer regulations. A permit fee will be required of \$100 for this installation. The plans show the proposed location of the water connection to the 8" water mains in the south side of Mechanic St. Their records indicate that there exists a 3/4" pipe from the water main to curb shut off near this lot. He requests that the developer contact them to determine the location of the existing curb shut off. The developer must pay the \$525 application and permit fee for the water connection. He also suggests that the developer consider installing a backflow prevention device just upstream of the meter on the water pipe. Depending on the type of business that will occupy this building in the future, a backflow prevention device may be required. Once a final plan is approved for building construction and a building permit is issued, the developer must file for all water and sewer connection permits and pay all fees before proceeding with construction.

EM reads letter from John Emidy, Building Inspector/Zoning Agent, dated March 10, 1994, putting Ms. Dowd on notice at this lot is nonconforming under the Bellingham Zoning Bylaws, Section 2300, Nonconforming Uses & Structures. Any increase in the nonconforming status will require a special permit from the ZBA before any such activity can commence. He further states that no Developmental Plan for this project was submitted to the Building Dept. or the Board of Health for review and comments. In the future, he would appreciate copies submitted to the office prior to the meeting for such review.

Clerk notes that the plan was distributed on March 1, 1994. The Building Dept. office was closed so the plan was left on the

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counter in the Selectmen's office. The plan ended up in the Building Inspector's office but they did not realize that it was there until today. They asked that their apologies be extended to the Board.

F. Lapin states that the lot is substandard as far as frontage covered under the preexisting nonconforming lot.

EM reads letter from the Fire Chief, dated March 8, 1994, stating that there is paved access for emergency vehicles on the right and rear sides of the building which should be adequate. The proposed building would be reviewed during the building permit application process as to its compliance with codes relative to fire protection.

Clerk reads P. Herr's comments stating that careful attention was made to the submittal requirements. However, there are complications. There is no indication of signage on the plan nor words relative to erosion control. Everything else needed was complete. They show 15 parking spaces but only need a dozen so they exceeded the requirement. They have an existing lot which is undersized. There is nothing in the Zoning Bylaw which grandfathers use for business. There is nothing which exempts the lot from the frontage and area requirements so they may need a variance. The requirement is for 125', but they only have 100'. There is also a question of what the area is. They show 21,380 square feet but the Assessor's Map shows it as 19,400 square feet. The Board may want to send this plan to Lee Ambler for his evaluation on the use question. The town has extended the statutory grandfathering to certain classes but not business. State law does not grant grandfathering for business. Technically, they need to get a variance. He also has concerns about the exterior lighting. They show two fixtures, one on each side of the building to light the front and back of the building but not the driveway on the side. He questions if that is their intent. He is concerned that if they put lights on the side of the building, they want to make sure that they do not shine in the window of the existing house at number 62. There is a complication regarding protecting existing vegetation. There are 3 15" maple trees in the backyard which will be removed to make room for bituminous concrete. They could reconfigure the parking to save the trees. It is a lousy layout of the parking area. It is really storage space for the cars they will be working on. They could rearrange the parking layout to save the trees and comply with the site plan guideline for saving existing vegetation. The north side of the building does not comply with the foundation grade requirement. There is a grading problem relative to the Wheeler lot. The Board should be tuned into the little detention basin at the back end of the lot. The lot information on the drawing complies for the most part. He would try to keep the trees if he owned the property.

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EN does not think they have grandfathered status.

EM states that they will put all the issues presented by P. Herr in the form of a letter and forward to Town Counsel. The meeting will be continued to a later date. If a variance is necessary, they will wait to apply for a variance before they do anything else. It will probably take one month. The Board will continue the review meeting to the first or second meeting in April 1994. If they do not need a variance, they will come in at the first meeting. P. Herr faxed a rough map showing a different parking layout which would save the trees.

F. Lapin requests copies of P. Herr's map as well as letters commenting on the plan from the town departments.

Bill Glose, 62 Mechanic St., abutter, asks what the developer proposes to do when he levels the land down to street level. What do they propose to do with the abutter who will be up in the air?

F. Lapin notes that there is an existing fence along property the line where the grade will be met. Between the fence and the access drive a two to one slope is proposed to level the bank when the lot is lowered.

B. Glose asks if that will be documented on the plans. What happens to the rear of the lot?

F. Lapin responds that it is on the plan. They will match the grade all along the property line.

EN asks if there is water coming off the hill in heavy rain.

B. Glose responds that there is.

EN notes that if they grade two to one it will wash down. They had problems before which will be made worse.

F. Lapin indicates that it will be vegetated. They will loom and seed and put grass in.

EM points out that they want the house next door to stay there.

B. Glose asks if there is anything in the Zoning Bylaw and Planning Board laws about removing top soil or grading being removed from the site.

EM responds that there is a Bylaw for removing more than 30% of the impervious surface, therefore, they would have to come Developmental Plan Review for seeding, planting and adding shrubs. There are Bylaws to cover it if they get to that point.

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Cynthia Glose, questions the original lot size.

EM asks where the lot size of 21,000 comes from.

F. Lapin explains that they did a survey of the site area. It was an actual instrument survey of the property.

EM notes that the Board can presume that his figure is correct since it was done from a survey.

GG believes that they could be right.

C. Glose also asks about the frontage. The original Assessor's Map showed 91.4.

B. Wozniak notes that they are showing 100.45 frontage.

C. Glose believes that there is also a discrepancy on that as well.

F. Lapin notes that they laid off the property according to the deed. The property on the corner which is a vacant lot was also shown in the deed. The plan also shows the Glose property.

EM states that the plan was done by a professional engineer so we are to believe that the plan is accurate.

EM asks if there are any questions from the audience. This matter will be referred to Town Counsel prior to continuing the discussion of the review meeting to April 14, 1994. By then the Board will hear back from Town Counsel as to whether or not they are required to go to the ZBA. It is a legal issue which has to be determined.

C. Glose asks how they can get around the frontage issue.

EM responds that they can only do that if they go to the ZBA.

Clerk is instructed to send a letter to Town Counsel with a copy to F. Lapin relative to the grandfathering for use status.

EN makes a motion to continue the review meeting for the Dowd Garage to April 14, 1994 at 8:30 p.m. RL seconds. Vote of 4 (EM, GG, RL and EN).

EM points out that if they go to the ZBA, they will have to hold a public hearing and notify abutters.

**HICKORY HILL**

**PRELIMINARY SUBDIVISION FOR 5 LOTS OFF SCOTT STREET**

**MAURICE MORIN, APPLICANT**

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Maurice Morin explains the history of the land bought by his father-in-law, Jim Fluette of Ideal Dairy. Ten years ago his brother bought the land from him. His brother wants to get rid of his land because he is tired of paying taxes on it. He owns 12 acres here. He wants to build a lot for his son. The only way to do it is to put in a street with 3 or 4 lots and give one to his son. He has lived in his house for 35 years. The land has been sitting there a long time. Frank Morse's development is right next to it. He sent a copy of his plan to P. Herr certified mail on March 2. He also distributed the plans to town officials. There is existing water from the Leonie's. It comes down and goes through the gas line. It comes down from Schaeffers. The water has been there. The land was bought in 1943.

Jim Fluette explains that Varney built a ditch all along for the drainage. The ditch filled up and a stream comes. One can see the trench on Morse's land. Now it is all filled up. There is a new ditch formed.

M. Morin notes that they are like brooks.

J. Fluette further explains that it follows the pipeline about 8' deep, 5' wide.

M. Morin states that the surface water comes off the hill. He points out the old railroad tracks here in back.

GG indicates that they are proposing 5 lots.

M. Morin notes that two of the lots are 9 acre and 10 acre lots.

EM asks what is going to happen to them later when this starts to go.

M. Morin responds that he hopes nothing. He has 12 acres and does not want development. He intends to get gravel here and bring it up to use on the road.

EM asks if the plan was distributed.

M. Morin responds it the affirmative. It was distributed on March 1, 1994.

EN asks if he will sell the lots.

M. Morin will sell them. He has a son in Albany who is a doctor. He may buy a lot for investment.

Clerk reads P. Herr's comments relative to the Hickory Hill Preliminary Subdivision which is Mr. Morin's property off Scott

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Street. He notes that there are 5 lots on a huge piece of land. It is famous land which was proposed for development when he first worked for the town. It is good cow grazing property. The submittal requirements have not been met. The Board can not require but can ask for an overall developmental plan showing all contiguous land in the same ownership. The owner owns land to the south of this. The drawing does not have the name of the subdivision on it. The name and address of the engineer were also omitted. In addition, the widths of Scott Street were not shown. He does not think that those items are worth making an issue out of. As far as substances goes, the property is abutted on the south by Pedula's. There is concern about having a road immediately abutting that property. The concern has to do with the grading effect on Pedula's land. There is no storm drainage at the intersection of Scott Street which needs an explanation. They may need a catch basin at the intersection. The end of the drainage is spilling out of lot 4. There is a question that they will need some form of detention and drainage easement because of this. There are also concerns about the wetlands. The property is very wet but it is not shown on the town's wetlands map. The subdivision ends with lots 4 and 5 which are 10 1/2 and 9 1/2 acres. He asks about their future intention for extension.

M. Morin notes that his brother owns the parcel next door.

GG states that there are two different owners because his brother owns the property next door.

EM notes that if Mr. Morin does not own this property, then he should not be submitting a plan for it.

M. Morin reads from application showing applicant and owner in his name and his brother's name.

GG states that since there is separate ownership there is no contiguous ownership.

M. Morin points out that there is a catch basin too.

EM points out that those are for the road and already tie in. Those are issues to be dealt with at the Definitive stage.

M. Morin read the Bylaw which said that one could submit a preliminary before getting involved in the big expense of the Definitive.

J. Flurette states that the upper part of the property is not wet.

M. Morin indicates that they can put in a catch basin here where the land slopes.

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EM notes that they are not showing the detention. They may need something there to hold it.

M. Morin states that there is a town pipe on the land which is 40" deep and washing out a hole section of his property. He does not intend to extend because he does not want a lot of houses near him. The land goes all the way down to the old railroad tracks.

EM thinks that this is basically the same as what Frank Morse did to his property.

M. Morin reiterates that they do not want to develop further. His son was brought up hiking and spending time in the woods. He wants to do the same with his children.

GG understands that in order to pay for the road, they have to put the house lots in.

EM indicates that they could put one house anywhere on the lot with a long driveway. He could have all 40/50 acres.

GG further notes that when G. Brisson prepared the plan, he incorrectly put M. Morin as the owner.

M. Morin will hire Guerriere & Halnon to prepare the Definitive plan.

GG refers to the 40' right of way to the Pedula property.

M. Morin already met with him to discuss it. It would be 16' off the driveway. He just lost his house which his father and he own. When it comes available, he will buy it for one of his other kids. The house used to belong to his father-in-law.

GG states that Leoni is an abutter. The plan meets the square footage and frontage requirements.

EM explains that even though the Board did not receive any comments from other town departments now, it does not mean that they will not comment at the Definitive stage.

GG states that Mr. Morin said there is a 40" pipe in the backyard which is ruining his property. That is why he has to do something now for retention/detention.

M. Morin indicates that the water runs to his driveway.

EN believes that it runs through the cul-de-sac to flood Green Acres.

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M. Morin does not understand because he thought detention was dangerous.

EM states that they are dangerous, but the Bylaw says that they can not increase the runoff.

EN points out that the Conservation Commission may have something to say about the wetlands.

M. Morin already talked to them. They are going to walk it.

GG indicates that the Board is not going to say that do not need one. They are going to tell him to come in with something which meets the law.

GG makes a motion to approve the preliminary plan for Hickory Hill. RL seconds. Vote of 4 (EM, EN, GG and RL).

M. Morin asks if the drainage situation should be resolved with Mr. Herr.

GG responds that Guerriere & Halnon will meet the law and send the plan off to P. Herr a few weeks before the hearing for his comments.

Fee of \$126.00 paid by Mr. Morin for Hickory Hill preliminary plan.

M. Morin requests a copy of letter of approval of the preliminary plan.

EN makes a motion to adjourn at 9:35 p.m. GG seconds motion. Vote of 4 (EM, EN, GG and RL).



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MARCH 10, 1994



Edward T. Moore, Chairman

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Anne M. Morse, Vice Chairman



Emile W. Niedzwiedek

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Glenn E. Gerrior



Roland R. LaPrade