

BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

EDWARD T. MOORE, CHAIRMAN
EMILE W. NIEDZWIADK, VICE CHAIRMAN
ANNE M. MORSE
ROLAND R. LAPRADE
PAUL CHUPA

MINUTES OF REGULAR MEETING

NOVEMBER 17, 1994

Meeting was called to order at 7:42 p.m. All members except Chairman Edward Moore were present. Associate Member William Wozniak was also absent. Board's consultant, Philip B. Herr was present.

DISCUSSION RE: CUMBERLAND FARMS SELF-SERVICE GAS STATION
AT HARTFORD/PEARL STREETS

Michael Kelly, Esquire, presents a proposed plan which depicts an addition to the self service gas station at the corner of Hartford Avenue and Pearl Street. The existing pizza parlor would be eliminated. The front of the building would be moved back to allow for more space. This would be the only establishment on the location.

AM notes that they would be making it considerably smaller.

M. Kelly agrees. The proposed addition would be at the island. There will be landscaping on it and land along the property line. They will also landscape along the rear and out to the rear of the property line. They will have spruce trees to the rear and arborvitae.

RL asks what is in the back.

M. Kelly responds that there is a home. The property is zoned commercial.

AM asks the number of required spaces.

M. Kelly responds that it is 13.

AM asks if they could show the parking spaces somewhere else.

RL noticed that they are counting the bays as parking spaces. He questions if that is proper.

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P. Herr does not know if that is proper.

M. Kelly further notes that they propose two employee parking spaces which they do not usually have.

AM is concerned about setting a precedent with using the bays for parking spaces.

P. Herr believes that the amount of parking which they are showing serves during peak periods. There is no point in squeezing more in. He would like to see documentation relative to their experience as to the number of parking spaces needed.

AM indicates that the Board did not allow the Mobil station to count their bays as parking spaces.

M. Kelly can add at least two additional spaces to the left of the store for a total of 11 which is 1 short. He does not consider it a problem and will ask the Board to waive one parking space.

RL does not think that would be a problem.

M. Kelly asks about the required vegetation.

RL responds that the Board requires 3' greenhouse grade.

AM asks about the lighting with canopies on top of the dispensers. It should be tailed downwards.

Mr. Long, Cumberland Farms developer, prefers metal halloid with white rendition rather than yellow.

P. Herr explains that the Board does not mind what they use as long as it complies with the Bylaw.

Mr. Long understands that the Board is concerned about the focusing of the lighting. The lights will be put in the canopy.

M. Kelly points out that all equipment will be of the latest technology. They will meet or exceed the Massachusetts and EPA standards.

P. Herr notes that they need to obtain a special permit from the Board of Selectmen.

M. Kelly agrees that he needs to obtain one for a self service gas station.

P. Herr states that the special permit under the zoning is for a license for storage.

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M. Kelly thought they needed a special permit for storage from the ZBA and a special permit from the Selectmen for a license to operate.

P. Herr points out that Section 2400 of the Bylaw shows that they need a special permit from the Board of Selectmen. They should go to the Board of Selectmen first for two special permits and then return here.

Mr. Long asks if they can apply for both simultaneously.

P. Herr does not see why not. He thinks it can be done in a single time period.

RL suggests they speak with D. Fraine.

M. Kelly thinks that a special permit requirement from the Board of Selectmen is unusual in this situation.

P. Herr explains that they have to apply for two special permits one for use and one for self service license. Afterwards they need to come back to the Planning Board for a Developmental Plan Review before they can obtain a building permit. He refers to Section 4870 which documents the rules and setbacks. He will take the plan and look at it in order to respond to the Board's inquiries.

M. Kelly further notes that they intend to reduce the size of the building and eliminate the other uses. They will be expanding the Cumberland Farms store.

EN asks about the septic system for the other stores. He asks if that takes care of everybody.

M. Kelly responds that it will but there will be much less use. They are here looking for input in terms of the site plan.

AM believes that the Board needs to see if the Board of Selectmen will grant the special permits first. A big concern is the parking. The Board would also like P. Herr to take a look at the plan.

COLEEN DOWD AUTO MECHANIC GARAGE
CONTINUED DEVELOPMENTAL PLAN REVIEW

P. Herr explains that the remaining issue had to do with the grading to the west of the property line. They changed the scheme so it will no longer go onto the adjoining property. There is a real steep cut one on one which is steeper than normal. They will have rip rap rocks which he presumes will stay in place. There is nothing in the law which says they cannot do that. There is another

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drain which comes down and ends.

Steve Donatelli, Shea Engineering, explains that it ends at the pipe and goes into the berm drain out to the parking lot. It all slopes and water runs into the basin.

P. Herr notes that the 6 on the plan shows where the bituminous concrete is.

S. Donatelli responds that it goes around to a point.

P. Herr notes that the water runs over the surface of the parking lot to create slippery conditions. This is a backyard private garage. He would not do it that way but it is their prerogative to do so. If it will be used by lots of patrons he would be worried about the icy conditions which will be created.

Dan Doyle, Esquire, states that it will not be.

AM suggests that they do a subdrain. She asks why they are not running a pipe down.

RL thinks that the applicant will be opening himself up to lawsuits because customers will be driving their cars in. He would like to see the water go into a drain.

P. Herr does not think it would carry much water.

D. Doyle thinks that it would be negligible as opposed to the cost of subdraining.

P. Herr does not see it as a public issue. They will also be taking the roof water during a storm.

D. Doyle notes that they will show a 4' chainlink fence around the detention area.

AM makes a motion to close the DPR for Coleen Dowd. PC seconds. Vote of 4 (EN, AM, RL and PC). EM absent.

PC moves to approve the Coleen Dowd Developmental Plan. AM seconds. Vote of 4.

Clerk to send a letter to the Building Inspector with a copy to the applicant and his attorney approving the Coleen Dowd Developmental Plan.

SHOPPES AT CITY LIGHTS
SPECIAL PERMIT EXTENSION ENDORSEMENT

EN explains that the Board approved the special permit extension for Shoppes at City Lights at the last meeting.

AM moves to sign the extension. RL seconds motion. Vote of 4 (EN, AM, RL and PC). EM absent.

CENTERVILLE ESTATES
REQUEST FOR ROAD BOND

EN reads letter from Wilfred Arcand, Highway Dept., dated November 15, 1994 which states that he has reviewed the figures presented to his office for Centerville Estates. He is in agreement with the bond proposal in the figure of \$18,887.18 for the completion of the project. EN asks if the 10% contingency has been added and if the account has been opened yet.

M. Staniscia, developer, has talked with Town Treasurer Grace DeVitt who said that she would go over to Ben Franklin with him once she received a letter of acceptance of the bond from the Board.

P. Herr explains that he needs to complete the bond form in the subdivision regulation book. He also needs to complete the request for release. The request is also normally done in writing. Specifically he needs to complete the terms of the performance bond Form E-1 and a Certificate of Release.

M. Staniscia states that the Board can see that the job is being done right.

AM indicates that the Highway Dept. did comment on the good job he is doing. She further notes that he is volunteering to complete the work within 12 months instead of 24 months.

Board members agree to sign the Certificate of Release and Clerk will hold on to it until developer phones her with the information to be included on the form. Signed form will not be released until all information is provided. RL moves to release the covenant and sign the Certificate of Release by accepting the bond in the amount of \$18,887.18.

GENERAL DISCUSSION
REVIEW CORRESPONDENCE

Doug McCaukland, Finance Committee liaison, joins the meeting to observe.

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EN reads letter from the Fire Chief, dated October 31, 1994, relative to Caryville Crossing. He recommends that an 8" water main be used throughout the project including the branches off of the main road. Loop into Farm Street or Twinbrook Road. He also recommends that an additional hydrant be installed to the beginning of the roadway closer to Hartford Avenue. This will eliminate the need to lay a hydrant line across Hartford Avenue to service the beginning of the road. He would also like to see the proposed names of the roadways for both the main and branch roads. He would like to review the names for similarities to existing streets to avoid problems. If the branches are not going to have individual street names he would like to see a sign at the beginning of each branch at the main road indicating the number of units down the branch road.

AM and P. Herr ask why this letter was sent here since they read in the newspaper that the proposal was approved and this Board was never involved.

PC thinks it was also sent to the Water Dept.

P. Herr thinks that they may come here for a subdivision plan.

AM does not think that have to come here. She suggests that a copy of the letter be forwarded to the ZBA.

P. Herr does not know who will review the plans in detail for the roads.

EN suggests they speak to D. Fraine to find out if Ronca would allow an independent look at the roads.

P. Herr thinks that someone other than the ZBA should look at it. He suggests that someone speak to D. Fraine to keep the Planning Board informed and offer help.

EN thinks that Ronca should pay for a review of the plans. The town should develop a specific process.

PC points out that soon D. DiMartino will be in charge of he Highway, Water, Sewer which make up the Public Works Dept. W. Arcand will be retiring in December 1994.

P. Herr will discuss this matter with D. Fraine and also suggests that a copy of the Fire Chief's letter be sent to the ZBA. He will complete a geographic information study.

Clerk reads letter from the Town Treasurer relative to receipt of a \$7,000 cash bond for lot 12 in Bald Hill Estates.

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AM notes that Bald Hill Estates is under new ownership so it should come under the regular requirements.

EN thinks that the new owners should come in and post a bond for the entire subdivision.

P. Herr agrees that the new owners should come in and discuss the best way to deal with the bond issue for the remainder of the lots.

Clerk to find out how much is now in the account. Clerk to invite Mr. Burt Rhodes to come into the next meeting to discuss this further. Clerk to find out how many lots have been released and how much money is being held by the Town Treasurer. New owner to be invited to the next meeting on December 15, 1994 at 7:45 p.m. to discuss the road bond situation for Bald Hill Estates.

Discussion follows with Doug McCaulkland relative to possible subdivision at Hixon Street. There are frontage lots at Hixon Street. A developer could loop lots 2 and 3 with a wide area for a road.

AM notes that nothing has come to the Board yet. They cannot develop without first coming here.

D. McCaulkland notes that Hixon Street is only 12' - 18' wide. He heard there were plans to loop it around.

AM advises that abutters would be notified of any development with newspaper publication two times and posting in the Town Clerk's office.

RL updates the Board on the status of the Economic Development Task Force. A joint meeting was held with the Board of Selectmen. Right now they have to get together with the W/S Development to see what their plans are. They also want to talk with Ted Tye, Stallbrook Center developer. They are working on addressing the issues.

P. Herr asks what they decided to do about the Water Resource District.

RL responds that they agreed to work on the definitions. Everyone agrees that something should be done but they do not know what.

Clerk to complete Access Bellingham calendar form and mail.

P. Herr suggests that the Board discuss signs with J. Emidy at the December 15, 1994 meeting.

PC makes a motion to close the meeting at 9:17 p.m. RL seconds.

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Vote of 4 (EN, AM, RL and PC).

Edward T. Moore, Chairman

Emile W. Niedzwiadek
Emile W. Niedzwiadek, Vice Chairman

Anne M. Morse
Anne M. Morse

Roland R. LaPrade
Roland R. LaPrade

Paul Chupa
Paul Chupa