

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

FEBRUARY 9, 1995

Meeting was called to order at 7:35 p.m. All members were present. Planning Board Associate Member William Wozniak was absent.

BEECHWOOD ESTATES
LOT RELEASE REQUEST

AM abstains from the discussion.

Clerk explains that Attorney Neil Roche phoned her this evening and left a message saying that he would be unable to attend tonight's meeting. He asked that the discussion be continued to the next meeting.

Richard Martinelli asks what would need to be done to release lots 2 and 3. He does not care about lot 4 right now.

EM reads Form G, Certificate of Release, which states that the street has to be completed to the satisfaction of the Planning Board.

R. Martinelli will wait until the town finishes the road with the \$32,000 which they received from the sale of Dmytryck's land.

EM notes that the \$32,000 may not be spent on that part of the road. It may be spent on the existing road. The Highway Dept. said that the money is not enough to complete the entire road. They need to spend the money on the part where people are living. The Board has to go by the Subdivision Rules and Regulations. They are protecting whoever will buy the lot in there.

EN makes a motion to continue this discussion to February 23, 1995 at 7:30 p.m. Vote of 4 (EM, EN, RL and PC). AM abstains.

FREDAP ESTATES
PLAN ENDORSEMENT

Bruce Lord, Esquire submits a plan for Fredap Estates to be resigned. The Board signed the original plan last March. There is a note on the plan which states that nothing has been changed. The decision was made March 10, 1994.

RL makes a motion to resign the Fredap definitive plan. PC seconds. Unanimous vote of 5 (EM, EN, RL, PC and AM). Members endorse plan.

HOLMAN ROAD EXSTENSION DISCUSSION

EM talked with somone from the Highway Dept. There are a couple of issues remaining including whose lot line is where which is a civil matter. Another question had to do with drainage. He checked with Emile from the Highway Dept. who said that there is no drainage on any of the streets there. They do not intend to make any changes, just extend what is existing.

Mr. Maguire notes that the bank told him to hold off and wait until the property is resurveyed.

David Calarese, developer, indicates that his attorney is providing copies of the deed and other information to the bank.

PC states that the water is going to the same place as it will when they extend it.

EM asks how far they are extending it.

Paul Arnold, surveyor, responds that they are adding 50 feet.

PC went to look over the lot. He found that it is no different than Potter Drive and all the other streets there. Chances are they will be improving the existing road.

EM wants to assure that the road is put in. They may have to place a bond with the town.

D. Calarese is aware that he has to bear the cost of the road.

EM explains that he has to obtain an estimate from a paver and have the Highway Dept. go over the figures to see if the amount is sufficient before it is brought to the Board. He does not think that it will be a great amount because there is no drainage.

EN asks how wide the road will be.

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P. Arnold responds it will be 20' of pavement.

EM instructs Clerk to forward a letter to the Building Inspector stating that no occupancy permits be given until the developer either puts in a road or puts up security for the road. The Board approves the road extension provided that the road is put in to the satisfaction of the Highway Dept. or until a bond is posted with the Town Treasurer.

AM asks what happens if he just puts the road in first.

D. Calarese replies that is his intent.

RL moves to accept the Holman Road extension with the conditions noted above relative to road completion.

B. Lord suggests that they add in that the Planning Board finds the extension suitable as planned and designed as stated under Definitive Subdivisions Section (c) of the Subdivision Rules and Regulations.

EM believes that the Highway's approval of the road is sufficient.

PC seconds RL's motion. Unanimous vote of 5 (EM, EN, AM, RL and PC).

EM notes that the developer is on record stating that he will work out the lot line problem with the neighbor.

MINUTES ACCEPTANCE

RL moves to accept the minutes of December 15, 1994 with a spelling correction of Martex replaced by Mostek. PC seconds. Unanimous vote of 5.

RL moves to accept the minutes of January 12, 1995. EN seconds. Vote of 4 (EM, EN, RL and PC). AM absent on that date.

GENERAL BUSINESS

Members sign Clerk's pay voucher and invoice to order a Planner's Handbook from the MAPC.

Clerk reads letter to Jackie Richard from Donald DiMartino, dated February 3, 1995 with a copy to Chairman Moore relative to street acceptance for Geordan Avenue and Silver Avenue located in the Silver Heights subdivision. He states that all water and sewer installation are in order and acceptable and the Water & Sewer Division has on file the location ties for all services. The drainage was installed and inspected by Mr. Arcand and it appears

to be acceptable as well. His only concern is that the bituminous curbing that was installed is not the type of curbing we would like to see used when sidewalks are constructed without a grass strip. The developer used a Cape Cod berm which is noted as acceptable in the Subdivision Regulations, but this type of berm has very little curb reveal. This can be a problem for snow plowing and it does not act a protective bumper for vehicles. There are no special requirements instructing the developer to use any other type of berm, therefore this is not grounds for disapproval of the subdivision. Since all work was performed in accordance with the Subdivision Regulations and approved plans, he has no problem with these streets being accepted as soon as possible.

B. Lord notes that Mr. DiMartino would like to see granite berm but the town does not require them on their own roads.

Clerk reads memo from Jackie Richard, dated February 7, 1995 indicating that the warrant for the May 24, 1995 Annual Town Meeting opened on February 6, 1995 and will close on February 28, 1995.

Clerk to forward Earth Removal and Water Resource revisions proposed Bylaw amendments to Jackie for insertion on the warrant.

HIXON FARMS**PRELIMINARY SUBDIVISION**

Fred Lapin, Shea Engineering, is representing Mr. Robert Stockton, developer of the property. The owner has 41 acres remaining to the north of the subdivision area. Now the land is a hay meadow which is vacant except for the houses and buildings on the property. It is surrounded on two sides to the north and west by wetlands. Beaver Pond is wet around the perimeter of the property. There is a stream which runs through the property and outlets to Beaver Pond. The front lots have all been tested and are suitable for sewerage disposal systems. There is sand and gravel that tested at 2 to 14 minutes per inch. There is groundwater between 4.5' highest at the highest point of the property. In a northerly direction there is no groundwater at 10'. Unofficial test holes are shown on the plan at 10 minutes per inch or under but they were not witnessed by the Board of Health. They were done out of season. This proposal is for a 12 lot subdivision with single family homes and two roadways running through it for 1580 feet of road total. Road A enters opposite Barret Lane and moves 700' in a westerly section. Road B is a double cul-de-sac 880' long from beginning to end. For the drainage, they will convert the catch basin manhole with a pipe system for runoff from the street and overland flow from either side. The land slopes 6% from Hixon to the wetlands. They will control the runoff at two locations. Lot 4 will have a detention area and lot 7 will have another partially on it and on

the remaining land of the owner. They are reserving the area of frontage for access to the remaining land on the cul-de-sac.

RL asks if it is all wetland.

F. Lapin responds in the affirmative. A fair amount is. He points out the subsketch which outlines the subdivision area.

EM questions counting the wetlands as part of the area.

F. Lapin explains that the minimum requires that 90% be out of the wetlands. Each lot has 36,000 minimum area out of the wetlands. The requirement is for 40,000 minimum total lot area. Of that, 90% has to be outside of the wetlands. All of the lots are oversized and have at least the minimum lot area.

Clerk reads notes of comments from Philip B. Herr, the Board's consultant, relayed during a telephone conversation today. Mr. Herr noted that the scale is not what is specified in the Regulations but the Board can accept it. The drawing does not show what they intend to do with the rest of the property. The owner has another 41 acres adjacent to the subdivision. The end of the road location invites that they extend it. It is hard to tell but it does end at the wetlands. The property abutts property owned by Alexander Capital. They own frontage lots which are separate from this land. There is a roadway easement on their land. The problem is that Hixon Street is not fit to take more traffic. He refers to Section 352 which deals with adequate access. He does not know if this has it. He thinks that the road could be widened but doubts that it could be widened to today's standards. 90% of the lot area has to be out of the wetlands. There is a lot of wetlands on the lots. 36,000 square feet of each lot has to be out of the wetlands. He is concerned if the flagging would be accepted by the Conservation Commission. They may want to go there first before they go any further, otherwise they may have to start over. He can't say if the detention facility on lot 4 is right or wrong but it raises big concerns. It is located on the side of the hill next to the wetlands. He indicates that the Board must insist on compliance with Section 434 of the Subdivisiioin Regulations. There are existing structures with lot lines going through them. He would like to see them clarify what their intentions are with respect to those buildings. He described the plan as "unimaginative" and suggests that they go to the Conservation Commission first. He also suggested that it may be wonderful to get together with Alexander Capital to do a cluster.

F. Lapin notes that the wetlands are flaged and the numbers are shown. They have surveyed the wetlands with flags but they haven't actually done the instrumental survey because they are at the preliminary stages of design.

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RL agrees that this would be an ideal situation for a cluster development.

F. Lapin states that it would be difficult to cluster lots because of the front lots on Hixon Street and there is not a lot of land between that and the wetlands.

EM thinks that they could create a problem here which they wouldn't be able to correct later. They need to see the whole picture. Technically this will be a collector street. They are piecemealing the development. They will have to design the road to comply with a larger street if they intend to go further.

EN asks how wide the streets will be.

F. Lapin responds that it will be 50' wide. The owner has not decided what he wants to do with the rest of the property. 12 lots is the maximum number for a single entrance. It uses most of the land south of the brook. He has no definite plans for the rest of the property.

EM suggests that they may want to use the existing road with two means of egress. They may use a loop instead of two cul-de-sacs.

EN does not know how they will do it with one cul-de-sac.

F. Lapin thinks that it is better to have less road. He believes that it is an efficient length of roadway.

EM notes that the DPW likes to see the water lines looped but there is no way to do that here. They like to see the road looped in case of an accident.

F. Lapin could provide easements for looping the water. They could loop their own extension.

PC refers to Morse road which has problems because the line is deadended. They had to flush out the hydrants.

F. Lapin responds that they could loop with this arrangement.

EM asks what is below this development.

F. Lapin responds that there are streets 1,000 feet between the road and the street.

B. Lord points out that conservation land is between the land.

F. Lapin indicates that there is a 20' right of way from the cul de-sac to access the land.

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RL believes that the Conservation Commission is very sensitive to the proximity of the development to the pond.

EM asks if Alexander Capital has already started building.

B. Lord responds that they were 81-Ps which were cut out earlier.

F. Lapin notes that there is a narrowing of wetlands where the wetlands cross. They have limited access. He is aware of the sections which P. Herr cited. They will provide more detail later. They estimated the amount of runoff which will be added because of the pavement and roof. The Conservation Commission does not act on preliminary subdivisions.

AM agrees that they have to get through this stage first before they go to the Conservation Commission.

RL points out that P. Herr said that Hixon Street is not suitable for more traffic.

F. Lapin states that this will have a much wider paved surface than Hixon Street.

EM asks the number of acres on the site.

F. Lapin responds that there are 17 acres.

RL agrees that this is a piecemeal development. He would rather see the whole picture.

F. Lapin reiterates that at this time the owner does not want to pursue that. To the north on the other side it is zoned industrial. They cannot do a residential development there right now. They will consider a cluster development after.

EM asks what the zoning is for this parcel.

F. Lapin responds that it is suburban.

EM notes that if they do a residential subdivision first it would defeat the purpose of having a cluster.

AM does not know that a cluster has a good market right now.

EM believes that they are going to have to consider the rest of the land at the same time.

F. Lapin points out that the industrial zoning changes at the brook and goes inside the wetlands.

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EM asks if there is access to the industrial.

B. Lord responds that there is none. It is a badly zoned parcel. The property is landlocked.

EN asks if they could tie into Farm Street.

B. Lord notes that 495 Associates owns the land in between.

F. Lapin states that the plans which they are presenting right now are for a maximum of 12 lots. He cannot say when the plans for the remaining parcel will go forward.

AM believes that the biggest issue is the Conservation Commission.

RL makes a motion that the Conservation Commission be contacted to provide input by reviewing the plans for this development.

AM identifies the concerns as detention and wetlands issues with delineation of the flagging. These issues could possibly affect the plan dramatically.

F. Lapin again states that they do not intend to extend the residential into the industrially zoned area.

EN moves to extend the discussion for the Hixon Farms Preliminary Subdivision to March 9, 1995 at 8:00 p.m. RL seconds. Unanimous vote of 5 (EM, EN, AM, RL and PC).

F. Lapin would like to hear the Board's views relative to access.

EM indicates that the Board will hear from the Highway Dept. at the definitive stage.

RL describes the road as very narrow, windy and poorly paved.

F. Lapin would like to get some ideas during the preliminary stage.

PC suggests that they check with the Highway Dept. before they go any further.

AM suggests they also check with the Safety Officer.

PC also suggests he check with Donald DiMartino, the DPW Director relative to the water line and drainage.

EM asks if Hixon Street is an accepted roadway.

B. Lord responds that it was accepted in 1765.

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F. Lapin refers to the detention pond for which the town accepts easements to allow them to go in and maintain. The above ground detention pond is easier to maintain than other drainage designs. He requests that Clerk send him a copy of P. Herr's comments after they have been typed into the minutes.

DISCUSSION RELATIVE TO SIGN REGULATIONS

RL thinks that a task force to study sign regulations should be created and presented to Selectmen.

B. Lord suggests that they send a letter to D. Fraine asking him to coordinate.

EN thinks that the laws are already on the books. The Building Inspector should enforce them.

AM refers to a fee for temporary signs.

Clerk to send a letter to D. Fraine indicating that the Board is in favor of forming a committee task force to study signs in general. Suggested representation to include representation from the Planning Board, ZBA, Bellingham Business Association, Building Inspector and Selectmen.


EN thinks that someone should find out what the sign bylaws from other towns entail.


Clerk to schedule Earth Removal and Water Resource Revisions proposed Bylaws for March 23, 1995 at 9:00 and 9:15 p.m. respectfully.

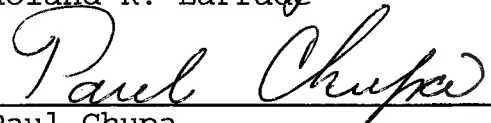
EN moves to adjourn at 9:10 p.m. RL seconds. Unanimous vote of 5.


Edward T. Moore, Chairman

Emile W. Niedzwiadek, V. Chair


Anne M. Morse


Roland R. LaPrade


Paul Chupa