

**BELLINGHAM PLANNING BOARD**

**P.O. BOX 43**

**BELLINGHAM, MASSACHUSETTS 02019**

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**ROLAND R. LAPRADE**  
**PAUL CHUPA**  
**WILLIAM M. WOZNIAK**

**MINUTES OF REGULAR MEETING**

**MAY 25, 1995**

Meeting commenced at 7:40 p.m. All members were present.  
AM opens the meeting and acts as Chairman until EM's arrival.

**DALPE CONTINUED DEVELOPMENTAL PLAN REVIEW**

Bruce Lord, Esquire, requests a postponement because he had to send the plan back to Mr. Brisson.

RL moves to continue the review meeting to June 8, 1995 at 7:35 p.m. PC seconds. Vote of 4 (AM, RL, PC and BW). EM not present.

**GERRIOR BACKLOT SPECIAL PERMIT**

AM reads L. Ambler's letter, dated May 23, 1995, wherein he states that the Gerrior permit decision was inappropriate. Variances were granted in two instances for side yard requirements, a need for frontage requirement variance for one lot is described, and is either granted or they expect the Planning Board to do so with a special permit for back lot division. The latter determination seems more feasible as they describe the need for compliance with Section 2590, but granted no variance for same. It is his opinion that lot 3 is not a buildable lot.

EM joins the meeting at 7:45 p.m.

B. Lord explains that the problem is that the zoning variance was vaguely written. He has to go back to the Zoning Board and start over. The problem is that the Board closed the hearing on the special permit. He asks if there is any way to hold the decision in abeyance until he goes back to the ZBA instead of going through the whole procedure over again.

P. Herr states that they can't approve the permit unless they previously got the variance regarding the 50'.

EM refers to the problem with the lot shape factor.

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AM asks why they don't keep the lots together.

B. Lord responds that there is a problem with the mortgages.

P. Herr believes that the Board of Appeals probably meant to give the applicant everything he needs.

B. Lord wants the Board to hold the whole thing for now but the question is the procedure.

EM states that the Board can't do anything about their decision until the other decision is properly written.

B. Lord thinks that in the future it would be better to hear L. Ambler's comments before closing the hearing.

EM agrees. The Board misinterpreted the ZBA decision. They should have checked with L. Ambler before deciding.

P. Herr asks for the results of the Town Meeting which was held last night.

EM advises that Depot and Maple Street rezonings did not go. The in-law accessory apartment was passed over. Water Resource, Earth Removal, Site plan and Home Occupation all passed.

P. Herr met with engineers from Sumner Schein relative to the Hartford Avenue Complex. They went over the plan but when they left they did not leave him a copy of the plan. He asks Clerk to contact them and ask them to send P. Herr all the plans.

**CHESTNUT HILL CONDOMINIUM**

**SPECIAL PERMIT AND DEVELOPMENTAL PLAN REVIEW**

EM went to look over the buildings. The developer did take out the sliders and put them in each of the cellars. The doorways are covered with two pieces of particle board. The new door is not in but they can't get the sliders out through the opening. It looks like they intend to put the sliders back in because they left the flashing there.

RL indicates that the determination to file the decision was left to the satisfaction of the Chairman.

PC will go and look over the site tomorrow.

**SHORES AT SILVER LAKE**

**SPECIAL PERMIT PUBLIC HEARING**

EM explains the public hearing procedure with applicant

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presentation, Board and consultant questions followed by questions from the audience who are instructed to raise hands and state their names and addresses for the record.

Clerk reads notice of public hearing.

AM discloses that she is an abutter to abutter but did not receive a certified notice.

Janice Hannert, Fafard representative, explains that there are a number of ANR, approval not required plans, for frontage lots. They intend to develop this site in stages with each one requiring a separate special permit. AM may be an abutter for one of the other stages but not this one. She would like to proceed with that understanding. Hopefully, the Board will have an alternate by the time the other permits come up. PC is not within 300' either. She would like to discuss the proposal for the piece of property encompassing 26 acres at Center Street/Cross Street and Silver Lake Road which are pointed out on the plan. The proposal is for 49 townhouse unit which will be single family detached modest homes with 2 to 3 bedrooms for first time homebuyers or the elderly. They will not be subsidized. They prepared an alternate definitive subdivision plan which would be for 23 single family homes with making use of the frontage which they have legal rights to do. The townhouse proposal follows the same road system which was approved for the Shores definitive. She points out roads A, B, C and D. They will have dual access into and out of the area through Center and Cross Streets. The units will be branching off Lillypad Lane and Swan Path creating small village enclaves. They will setback the units 100' in every direction. The alternate plan includes the ANR lots which have frontage on Cross Street and one street going in. The townhouse proposal has less impact on the neighborhood because it allows them to keep the existing trees and a significant amount of vegetation which they do not want to disturb. It will also create more revenue to the town. It will create 50% more in revenue produced which will offset against the number of school children. They estimate 18 school children with the townhouse proposal and 20 children with the single family alternate. 50% of the town's taxes goes to support the school system. The landscaping plan shows that the existing vegetation line will be preserved. They will also have additional landscaping around each unit so they probably won't be seen from Cross Street. Within the development, the units will be screened. They will have evergreens and deciduous trees which will not require a great deal of care. They will comply with the DPW and Fire Chief's requests to connect to the 10" water line at Cross and Center Streets so there won't be any deadends. She shows the Board the 7 architectural plans for the different types of units which will be 1300 to 1800 square feet not including the basements. 39 of the 49 units are proposed with garages to get as much parking as possible off street with 3.5

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spaces per unit which is more than what is required by the Town's Bylaw. They have an attractive well designed first floor unit for the elderly. They did receive a sewer permit for 50 units to the new pump station. They will have a quiet, audible alarm which will be heard only if there is an emergency. They will have a pumped up force main to Douglas Drive with a gravity and dual force main system with 2,000 feet of force main. The sewerage will be pumped to Center Street. At some time in the future the sewer may flow to Woonsocket because there is 1.2 million gallon capacity from Woonsocket of which only a small portion has been used. Some archaeological finds have been made which won't be disturbed. They are leaving large open space areas which would otherwise not be possible. They will not have additional units near Silver Lake for environmental reasons and because it cannot take additional traffic. They have been in contact with town officials. The Board of Health had no specific issues or comments.

EM calls for questions from the Board.

RL asks about the basements.

J. Hannert responds they will all have basements unless the Board does not want them. 39 of the 49 units will have garages which is shown with the dot on the plans.

EM explains that the single family proposal shows 23 houses and 49 with the multifamily. Part of the Bylaw requires the applicant to show the Board two proposals so they can see which is better for the town.

RL thinks that the town needs more upscale housing. They have an abundance of lower housing. He thinks that the single family proposal is the better plan with 40,000 square foot lots. They could have houses in the \$175,000 to \$200,000 price range which would be a nicer development. He likes the clustering but doesn't like the 49 lower scaled homes which the town already has too many of.

J. Hannert explains that they are trying to provide an alternate type of housing with smaller upscale housing. Condos have a lesser burden on the town. The design of the homes is upscale and will be marketed to first time buyers and empty nesters to broaden the range of housing choices. They will be single family attached homes 20' from each other.

AM asks if they will be comparable to Bellwood.

J. Hannert explains that they will be somewhat like Brook Estates which is also for 49 units but only has 3 styles whereas this has 7. Brook Estates is also one color. With this proposal, the

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homeowner will be allowed to pick out their own colors within reason.

WW asks how many units are sold in Brook Estates.

J. Hannert responds that 12 are occupied, 3 are up and 3 are framed.

WW points out that was during the last two years. He asks if they have built a subdivision like this elsewhere.

J. Hannert responds that there is nothing directly comparable but they expect this to sell faster.

WW asks about the price range and timeframe.

J. Hannert identifies the price range as \$130,000 to \$150,000. The time span depends on the market since the homes will be built as they are sold. They will be pre-sold. There is a strong market for small upscale units with nice amenities. They expect 6 months to 1 year and understand they will have to comply with the Board's limitations.

PC indicates that the town has to weigh both sides but points out that the town would not be liable for water, sewer, pump station or roads with this type of development. With a subdivision, the town is responsible which is a big expense to the town. The burden on the town is greater down the line.

EM notes that either way the town gets the water loop because it is the same road layout. The sewer permit is for 50 units. He asks how it was received since the special permit has not been granted or approved.

J. Hannert explains that it is because they have an approved subdivision.

EM could understand granting a permit for 23 houses but not 50 units.

J. Hannert responds that the number was arrived at with the gallonage available.

EM refers to the sewer and the new Title V requirements. Either way the town will get a double sewer line which is the way they were encouraged to go.

J. Hannert points out that is an additional cost for them.

EM asks about the 100' setback for suburban. Even if they put

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frontage lots on Cross Street, they will be setback from the road.

J. Hannert notes that seven driveways are directly on Cross Street with two on Center Street and two on Silver Lake Road.

EM thinks they will have double traffic, cars and water usage with more units.

J. Hannert indicates that the condo development has fewer cars than single family homes.

EM asks about peak hours.

J. Hannert did submit a traffic analysis.

AM asks if all the lots in the single family proposal meet the lot shape factor.

J. Hannert believes that they do but did not do extensive calculations. They are grandfathered under the zoning before lot shape factor.

EM asks how this will be different from Brook Estates. He only heard a difference of color. Brook Estates still has 30 or so more units to go. Maybe they should be encouraging bigger more expensive homes. He reads letter from the Fire Chief, dated May 23, 1995, wherein he lists changes which are being made from a practical response plan for the use of fire apparatus: (1) Lilly Pad Lane - Move hydrant from station 3+25 to 2+25. Move hydrant from station 8+25 to 7+50; (2) Swan Path - Move hydrant from station 22+90 to 23+25. Move hydrant from station 17+75 to 18+10; (3) Driveway B - Add additional hydrant at station 2+0; (4) Signage to be placed at the end of each driveway indicating unit #'s on that driveway. (5) Present numbering system on plans lends confusion to the development in the event of an emergency (i.e., driveway A has units with B-#'s and C-#'s). To avoid confusion he recommends that units be numbered consecutively. House numbering to be coordinated with the building and fire departments. He also recommends that water lines and a basecoat for roadways be installed prior to allowing construction of the buildings. This is critical for access for firefighting and rescue efforts of the Fire Dept.

EM also reads letter from DPW Director Donald DiMartino, dated May 12, 1995, wherein he comments that relative to the roadway and drainage, it was his understanding that this area will be a condominium complex and therefore roadway maintenance will never be a concern of the town. Therefore, he will make no comments on the roadways or driveways. He suggests that the Board consult a professional engineer to review the drainage designs for the site.

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Regarding the water works, there are several dead-end lines created by this plan. Dead-end water mains are the most likely cause of water quality deterioration and should be avoided at all times. He suggests that all dead-ends be looped to connect to other water mains. Between many of the dead-end pipes at the end of driveways, sewer or drainage pipes are shown to be constructed. Water pipes should be installed in all of these areas to complete the looping. The other two dead-ends can be looped to Lillypad Lane (near building B-3) and Cross Street (near building C-6). In some situations hydrants are allowed to be installed at dead-ends. He is less willing to accept this solution for a condominium complex, as in these complexes the town will not generally control the flushing of hydrants. In all locations where any tee fittings are installed in the water main, a cluster of valves should be installed. That is one valve on each leg within 20 feet of the center of the fitting. He also feels additional hydrants will be required. There must be a hydrant every 500 feet of roadway. This should apply to driveways as well. He leaves the location of hydrants in the driveways to the Fire Chief, as the largest concern is fire protection. Very few gate valves are shown on the plans. Therefore, he presumes this is a preliminary submittal and better plans will be prepared for final approval and construction. Although it will not apply once the pipe loops are established and clusters of valves installed at all tees, there should be no more than 1,000 feet between gate valves in the water main. Sewer plans seem to be in order. The main sewer lines will need to be tested and the individual building sewer connection must be inspected and tested separately. The sewer inspection will be coordinated with the DPW office and Fafard who possesses a drain layer license.

Clerk reads May 22, 1995 letter from Sgt. James Haughey, Police Safety Officer, wherein he concludes that both entrances have a site distance of more than the required 300 feet.

EM calls for questions from the audience.

Ron Maillet, 110 Cross St., is concerned about additional traffic. He sees another 50 cars as a threat. There are a lot of near misses on that road. It is an old road which has not been improved at all with only 4 street lights. People from Rhode Island cut through to get to 495. He doesn't think it matters whether or not it is a cluster or a subdivision. There will be a dramatic increase in cars with 2 cars per family.

Judy Marchand, 110 Center Street, asks about the proximity of the new road to Gail Drive and Cross Street.

J. Hannert points out the wooded area.

J. Marchand asks if there will be two streets coming out.

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EM refers to letter dated June 1, 1994 from the DPW stating that there was not enough capacity for this development.

J. Hannert explains that at the time they were applying for 100 units. Letters were provided in September 6, 1994 approving capacity for 33,000 per day.

EM points out that condominium or multifamily development by special permit have to show the benefit to the town. If a subdivision meets the requirements, the Board has to approve it. They can't tell someone he cannot develop his land. It would be nice to leave it that way but eventually something would go in.

RL notes that the September 6, 1994 letter pertains to the pumping station.

J. Hannert presents a copy of the plan showing the intersection with Gail Drive which will come out directly opposite which is consistent with subdivision approval.

EM notes that now there is a 49 unit proposal but there could be 5 applications for 49 units.

J. Hannert indicates that now there are 49 units which stand alone. They looked at breaking it up to a manageable piece.

EM thinks that they could go single family. They would either end up with 450 units or 150 homes.

Cathy Hamburger, 400 Center Street, certainly understands that the owner wants to maximize the use of his property but is concerned about the traffic flow of the road coming out.

J. Hannert points out subdivision roads A, C out to S. Main St.

C. Hamburger is concerned that all 450 units will only have 3 ways out of the maze of roads.

J. Hannert doesn't think that 450 is a reasonable number. It is more like 250.

C. Hamburger asks about traffic studies and the negative impact upon traffic.

J. Hannert has done traffic analysis for the 49 units. 49 units will generate 22 cars. 23 single family homes will generate 18 cars which is a 4 car difference for morning peak hours. 49 units will generate 27 cars in the afternoon and 23 homes will generate 23 cars which is a 4 car difference.



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C. Hamburger asks about the basis for the analysis.

J. Hannert responds that they used the Institute of Traffic Engineers published books.

WW notes that is not a traffic study of Center Street.

J. Hannert indicates that the statistics were based on the 1991 most recent study.

EM states that is the last time a traffic study was done.

Gene Trudel, 471 Pulaski Blvd., asks the zoning of the Fafard property.

J. Hannert responds that the parcel being discussed tonight is all suburban. There is a portion in residential and a small portion in agricultural.

Gerry Hamburger, 400 Center Street, asks if there will be a buffer between Center Street and the houses.

J. Hannert responds that on the multifamily proposal there will be at least a 100' buffer of trees preserved at every existing street. It is a policy of the company to preserve the existing tree and shrub growth as much as possible. The existing vegetation around the perimeter will be preserved. 100' in the back at Cross Street will be preserved as it exists. They are 1000 feet from Silver Lake Road. The townhouse proposal allows for better buffering between new units and existing homes.

EM asks the Hixon Farm Estates proponents if they will wait another 20 minutes to finish this discussion. He opens public hearing.

Clerk reads notice of public hearing.

AM moves to continue Hixon Farm Estates to 9:20 p.m.. RL seconds. Unanimous vote of 5.

EM asks for P. Herr's comments relative to the Shores at Silver Lake proposal.

P. Herr thinks they should hear more from the neighbors.

Gerry Fredette, 23 Silver Lake Road, asks if they will provide for hook up to the sewer along Silver Lake Road.

J. Hannert responds that it an option they would like to explore. The sewer line will go to the pump station and get pumped up. There will be a sewer line in the street.

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G. Fredette asks if there will be a provision for manholes.

RL explains that the problem is the capacity. The capacity is reserved for single family homes for all the people who paid betterments.

WW notes that they would have to wait 3 years until all the people who have rights have the opportunity to get their sewer hookup.

AM doesn't know if there is no capacity.

RL does know that Home Depot took the last of the capacity.

J. Hannert notes that this will go to Douglas Drive. Anything beyond that will go the other way. That's why they were required to put in the dual system.

Suzanne Bandera, 30 Cross Street, discusses the fact that there are alot of utility vehicles on Cross Street with construction workers.

J. Hannert indicates that the traffic number statistics looked at a large number of samples and a large number of projects.

S. Bandera asks about the affect of the real estate value of the houses surrounding the project.

J. Hannert does not believes there will be any direct or negative impact on the existing homes.

Phil Sawyer, 85 Cross Street, questions the marketability of the houses which will be the same value as their houses. He believes it will drive the prices of their houses down.

J. Hannert does not see a negative impact.

P. Sawyer is concerned about water consumption since there is a water ban every year.

PC explains that the town cannot stop building because of water. The state won't let them do it. By the time they get to construction it may help to put in a well.

C. Hamburger notes that they do not have enough water pressure to even sprinkle their lawns.

AM explains that water loops sometimes help the pressure.

PC further explains that Bellingham is built on rivers so there is plenty of water but the problem is pumping it out which requires more wells.

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G. Trudel asks about the future potential of improving Cross Street.

J. Hannert has not offered to do any.

J. Marchand asks if the units will be built after they are sold.

EM believes they will be built to order.

J. Hannert further responds that they will be built as they are sold and customized for buyers.

G. Fredette asks if they will be taxed on the property and the building. How will the tax base be worked out so Fafard is paying on the entire property.

J. Hannert explains that the individual unit owners will pay taxes. The association pays for the open space areas.

WW asks who pays the taxes for the land which is not occupied.

J. Hannert responds that will be the condo association.

EM notes that the town will still tax all the land which is not turned over.

Gerry Batinai, 41 Cross Street, asks when the special permit will be voted on.

EM responds that it won't be voted on until the Board closes the hearing and then there is a 20 day appeal period.

G. Batenai states that the owner will pay for the full acre if the developer puts up a house.

PC indicates that they will pay double the amount of money because they will have 4 units in the same amount of area.

J. Hannert agrees. They will bring in more revenue for the town with less impact to the schools. She will provide the Board with information pertaining to existing units in Bellingham.

P. Herr states that the proposed units are not quite like anything anywhere but they are somewhat like Brook Estates. It would be useful to hear why nothing is going in there. There are only 1 dozen units occupied. He asks how many kids there are. It is consistently the case that the usual townhouse units have half as many. They will also consume less water per unit because there will be fewer people per unit if the demographics are like Maplebrook.

RL asks if the individuals will take care of their own yards.

J. Hannert responds in the affirmative.

AM moves to continue the public hearing for the Shores at Silver Lake special permit to June 22, 1995 at 7:30 p.m. RL seconds. Unanimous vote of 5.

**HIXON FARM ESTATES****CLUSTER SPECIAL PERMIT PUBLIC HEARING**

EM explains the hearing procedure.

Fred Lapham, Shea Engineering, identifies the location of the property off Hixon Street, 2,000 feet north of Hartford Avenue. The green on the plan delineates the wetlands. The northwest side borders Beaver Pond and the northeast side borders the stream. It slopes from Hixon Street to Beaver Pond at 6%. The area is less than 24 acres. They soil tested the sand and gravel and got good perc rates. This is not the first plan. The original was submitted at the end of January 1995 and was for an area smaller than this plan. This complies with the zoning requirements for the minimal lot frontage. This proposal is for a special permit to reduce the lot area. One concern of the Conservation Commission was that the wetlands would be disturbed if homeowners were allowed access. Having the area open for public use is the main improvement of this layout over the subdivision layout. The Water Dept. requested that they loop the water service connecting the two cul-de-sacs with a water easement. They are proposing 15 building lots, of which many of the lots will comply with the original zoning requirements which is 40,000 square foot zoning. Cluster subdivision allows for 20,000 square foot units. 3 of the 15 lots will be over 50,000 square foot. 3 will be between 40,000 and 50,000. 9 will be 30,000 to 40,000 so they have not maxed out the area. Each of the lots will have frontage on the two cul-de-sacs. Road A will be 790 feet long from Hixon Street to the end of the cul-de-sac. Road B will be 610 feet long from the end of the cul-de-sac. For the drainage, they will have the conventional catch basin manhole system. They will have two separate drainage systems for each roadway. Applicant, Robert Stockton, owns the property to the north and northeast which is 41 acres north and east of the stream. He has no plans to develop at this point. They attempted to rezone the property which is zoned industrial to residential. There are two areas which are attached to roadway B labeled roadway easement. The applicant has 41 acres in the back and must have options to leave it open. He can't access industrial land through residential property but this gives him physical access to the property with a roadway easement which is not proposed for construction.

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EM reads letter from the Fire Chief, dated May 10, 1995, in which he makes the following comments. 1. Hydrant spacing should follow DPW requirements, hydrants on Road B exceed 500' and another should be placed equidistant from the two hydrants indicated. 2. Road B should be named Hixon Street as it is a natural continuation of Hixon Street. Road A should be named such that it is not in conflict with any other proposed or existing street name in the town. The Fire Dept. reserves the right to comment further on this plan as further information is submitted.

P. Herr explains that this is a preliminary subdivision plan but it is also a proposal for a cluster special permit.

EM reads letter from Donald DiMartino, DPW Director, dated May 12, 1995 wherein he states that he believes that the date on this plan is incorrect, as the last cluster submittals was dated March 8, 1995. This plan has addressed the water pipe looping issue previously noted. It has not eliminated any dead end roads, but has not added any beyond those shown in the original submittal dated January 20, 1995. He understands that this is a preliminary plan and therefore many items, such as water gate valves are not shown. It can be noted that the location of the hydrants may need to be adjusted. There must be a hydrant every 500 feet of roadway. Depending on the location of the existing hydrant south of Road A, the hydrant now shown at the end of Road A may need to be moved within 500 feet of the existing hydrant. Future definitive plans should include the location of the existing hydrant in this area.

F. Lapham agrees that the date on the plan should be March 20, 1995. The March 8, 1995 plan was a concept presented for discussion. It was not a formal submittal although they did disperse the plan.

RL thinks that they should ask for something in writing from the Conservation Commission.

EM asks when they go before the Conservation Commission.

F. Lapham responds that they do not formally have to go before them. They have met with them and got feedback which they incorporated into the design.

P. Herr thinks they should hear from them now on whether or not they want to own the land.

Clerk to send a letter to the Conservation Commission asking for comments as to what they are in favor of and their opinion.

AM thinks that the last plan really maximized the area.

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RL would like to clarify whether or not the access will ever become access to industrial land.

P. Herr responds absolutely.

EM explains the cluster subdivision development. They can have no more lots than they would normally have as a subdivision. Clustering houses together disturbs less trees to the surrounding area. The land left undeveloped remains undeveloped.

RL asks if the applicant is planning on improving Hixon Street to the easement.

F. Lapham responds that they will set aside easements for the possibility for anything outside the subdivision.

P. Herr believes that it looks like an easement across land.

F. Lapham states that it was created when the lots were created with the subdivision front lots.

RL is concerned about the potential access to the industrial site. This is a much better plan but the access to the industrial scares him.

F. Lapham points out that the property on the other side has no other access. This would be the only way for physical access for the owner at this point.

EM notes that the plan says it is a roadway easement - construction easement of 30' so the owner doesn't landlock himself.

F. Lapham understands that they can't access industrial through a residential area.

P. Herr agrees that it is a roadway easement but if it becomes a street it would be a right of way.

AM is much happier with this submittal.

Doug MacLachlan, 8 Barrett Lane, asks if the town has any plans to expand Hixon Street which is only 12' wide to 16' wide at some points. People are very courteous now and pull over. 15 homes on Hixon Street and 15 homes on Barrett Lane have a total of 58 cars. Where is there a limit to what Hixon Street can handle? There is a big concern over the roadway easement to industrial.

EM explains that industrial development requires Developmental Plan Reviews. With a subdivision, a landowner has a right to develop his land if it meets the criteria. A 16 lot subdivision fits and

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works. They haven't heard about offsite improvements to Hixon Street.

P. Herr notes that there is a provision in the subdivision regulations for adequate access for the street by which the subdivision is reached. The Planning Board could approve the special permit but can't meet the subdivision regulations with a 40' right of way. He is talking about the road that the subdivision uses to reach the development. He reads from Section 252, Access, in compliance with 11 to 50 dwelling units. There are already 35 houses with this additional 15 bringing it up to 50 homes.

F. Lapham took that to mean the development they are proposing. Across the front and at the immediate approach there will be a provision for 50' width should the roadway easement be utilized.

P. Herr indicates that it is the standard at the point where the road serves 50 homes.

D. MacLachlan asks if a traffic study can be done.

EM responds that the Board has never asked someone to do that for 15 homes.

P. Herr is not sure that a traffic study is needed but the Board should know the width of the road.

D. MacLachlan states that it is in the 12' - 16' range. There is a safety issues coming out of Hixon Street and turning to Hartford Avenue with a potential for accidents.

P. Herr indicates that there are a couple of real issues. The Board should be better informed about the width of the road. The visibility of Hartford Avenue is a question for the Safety Officer. The Board should know these answers at the next meeting. The Planning Board will get their own road measurements. He guesses that they cannot get 20' but sometimes they could get a few more feet.

RL thinks that it is no longer feasible to access the industrial land.

P. Herr believes that the question is complicated. The industrial land may be merged with other land and accessed elsewhere. It defies reason to think that the industrial land would be accessed through Hixon Street.

Jim Bell, 16 Barrett Lane, does not know how they would get more footage to make the road 20' because of existing stonewalls, big

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trees in front of the houses.

EM explains that before anyone had a house on Hixon Street, this developer's family had the only house. A lot of the houses up there are part of the farm where this man wants to build.

T. MacLachlan asks why they would have a roadway easement if they don't want to access the industrial land.

AM would do the same if she owned the land. They may need an emergency access.

PC agrees that they need some kind of access.

Rich Lombard, 40 Hixon Street, thought that the Board said that the access could not be used.

AM does not think that the Board can tell him that he can't get to his own land.

R. Lombard thinks it is a gainable venture given the criteria to access the property.

AM questions the powers of the Planning Board to require that a developer widen Hixon Street. The Board should ask Town Counsel if they can provide that.

Eileen Jionzo, 51 Hixon Street, discusses the quality of life. The street is so narrow and during the winter there is a crystal canopy of trees. It is an unusual street.

Another resident likes it the way it is and doesn't want the road improved.

EM notes that if the Board does not act, it would be constructively approved.

Gary Belcher, 76 Hixon Street, asks if the Planning Board prefers the 15 lot cluster versus the 12 acre lots.

F. Lapham explains that originally they had 12 lots and could get 15 conventional if they use the same area.

AM thought it was the Conservation Commission's idea to have them give the open space to own so they could preserve the pond and the trees.

PC states that if there were lots all the way to Beaver Pond no one else would have access.



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G. Belcher asks if the land offered to the town would be usable land. He thinks they could have immediate access to Beaver Pond so it can be preserved and still have one acre lots.

F. Lapham explains that there are some wetlands in the 7.7 acres. It is upland between the house lots and the wetlands. Open space connects to the 24 acre parcel which the town owns to Beaver Pond.

WW asks what good the open space will be since there is no access for him to go there for a picnic with his family. They could have a small gravel parking area.

John Henderson, 49 Hixon Street, prefers that the developer doesn't go in but if he does he prefers that the road doesn't get widened.

EM does not think it is possible for the developer to widen it.

T. MacLachlan wants to talk about other alternatives so the developer can have access to his land in the back.

EM explains that the land abutts industrial land in Milford but he thinks that wetlands blocks it. They do not want to see access through Hixon Street.

P. Herr believes they would be able to cross in some parts.

AM wants to discuss the conventional or cluster plan to obtain input from the neighbors.

T. MacLachlan indicates that the open space could increase traffic.

EM needs an opinion from the Conservation Commission on what their intent is for the open space land.

RL thinks it is for environmental protection.

F. Lapham explains that one of the requirements of the cluster is to provide 40' access to the open space for the public.

Sherry Lombard, R. Belanger Drive, would rather see larger lots with 12 instead of 15 with access to the owner's land.

EM asks if the access to the industrial will be smaller.

F. Lapham responds that it will be wide enough to provide projection of a future roadway. It will be as wide as the other plan.

P. Herr states that the 15 is just because it leaves a portion of the undeveloped residential property.

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F. Lapham indicates that the 15 lots includes all the land.

P. Herr notes that if the Board refuses the special permit, they will probably be looking at a subdivision for 15 lots.

AM is leaning towards the cluster.

EM asks if the subdivision loops and other information is shown on the plan.

F. Lapham will loop the services.

EM needs information from the Conservation Commission and the Police Safety Officer could look at the width.

J. Henderson asks if there would be more lots if they came back with a subdivision plan.

EM states that the applicant decides whether or not to proceed with the special permit or the subdivision.

P. Herr thinks they would have smaller lots with on site disposal systems. He refers to Section 4330, no public sewerage, and questions whether or not the requirements of Title 5 are satisfied.

F. Lapham has given percs and deep hole tests. He did call the DEP on the nitrate and they said this was not a nitrate sensitive loading area. The percs haven't been witnessed by the Board of Health. The Board of Health will make them do deep hole tests and perc tests before they will send something in writing.

EM asks if a cluster special permit requires a definitive plan.

P. Herr responds in the affirmative.

F. Lapham indicates they will be connected to the town well.

P. Herr thinks that it is probably o'kay but the Board should have it in writing.

Clerk is instructed to send a letter to the Board of Health asking whether or not this development comes under the new Title V requirements. They should also ask whether or not it appears that lots this size at this location satisfy the new Title V requirements.

Clerk to also send letter to Conservation Commission to find out what the intent is for the open space land. Is it to be used by the public or just to protect the environment? It would generate more access if it is public.

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Clerk to send letter to Sgt. Haughey, Safety Officer, asking him to check the site distance at Hixon and Hartford Avenue and to take a ride up Hixon Street to advise about the condition of the road.

P. Herr states there are two detention facilities in the land which will be conveyed to the town. He questions who will maintain them. They are on the side of a hill which is tricky and requires more disturbance.

F. Lapham indicates that they are elongated area which wouldn't cross much. They could have put the ponds on the lots but they figured that since the control will end up with the town, they would be better off putting them in the Conservation Commission land area.

PC moves to continue the public hearing to June 8, 1995 at 7:00 p.m. WW seconds. Unanimous vote of 5.

**STALLBROOK MARKETPLACE**

**SPECIAL PERMIT REVISION TO MAJOR COMMERCIAL COMPLEX**

P. Herr reviews the plans with the Board since he will not be at the public hearing on June 8, 1995 when this will be discussed. They did send him the plans. The real issue is that they want to increase the total square footage on the other side approximately 14,000 square feet because they have someone interested. They do have approval for more square footage but want to keep it for when WalMart expands.

**HARTFORD AVENUE COMMERCIAL COMPLEX**

Public hearing commences on June 8, 1995.

P. Herr met with a number of people from Sumner Schein relative to this proposal. The question is how they will authorize the square footage. A guy from Vanesse Hagen said there have only been 5 accidents since Stallbrook opened.

EM questions that figure.

P. Herr states that the figure was based on actual Police records. They are concerned about the liability, recognize there is a problem and will try to solve it. They propose traffic signals on N. Main and their own placed to be tied together at a cost of \$2.50 a square foot. The real issue is offsite mitigation. The state DPW says that they have to have so much traffic before a lite is approved. There will be no light on Maple Street unless they receive special permission. He questions what they will do to make the intersection safe. They will have 2,000 square feet plus 14,000 square foot offsite mitigation.

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Discussion follows relative to Stallbrook Marketplace where WalMart is using the parking area for their garden shop. They are also putting in an ATM in the middle of the parking area.

P. Herr thinks they should stop using the parking lot for other things.

P. Herr states that the engineers have done a good job on the Hartford Avenue plan. The Board should watch issues relative to the access to Varney's back land. They are reconsidering how they will handle the storm water detention and under the parking lot. The parcel will be separated by wetlands. Some things not shown on the drawings are included in words for which he questions inconsistencies. They propose that the plan is inconsistent with the subdivision plan of record which is Riverview Park Phase VI. The previous special permit was approved with a bunch of stipulations. They have to apply for an 81W recission of the old subdivision plan. They will take care of the old special permit with the new one. The new makes the old go away. This is a realistic plan. Access to the other land is one issue. The Bruce Campbell plan showed 6 lanes but there is no way to do that here.

EM thinks this will not be inviting to future industrial development.

P. Herr calls this a pretty flip of WalMart. The landscape architect did a good job. There is an issue relative to signs. They want two pylon signs but they can only have one.

EM asks how they will get access to N. Main St.

RL asks about the easement relative to the water line.

EM asks why they don't buy more land to put in a road.

PC thinks they would have to go to Caroline Drive.

**CHESTNUT HILL CONDOMINIUMS**  
**DISCUSSION RELATIVE TO DECISION**

EM explains that the Board signed the special permit but decided to hold off on filing it until the sliding doors were taken out which was supposed to be done the next morning. They were to put in a walk in instead of the side doors. He went up to look them over tonight. They did take out the sliders and put them inside and studded off the wall. There is a 2 x 4 piece of particle on each side but there is no walk in door. They left the flashing in place so it looks to him like they can't take them out through the opening. Fred DaPrato stood up at the meeting and said he would take out the doors.

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**TOWN MEETING RESULTS**

Board members advise P. Herr that Depot Street and Maple Street rezoning proposals failed to pass. Three attorneys were against the Home Occupations but it did pass. They passed over Accessory Apartments and will ask L. Ambler and J. Emidy to come into a meeting to discuss it further. Water Resource and Earth Removal both passed. Clerk to ask Town Clerk to forward copies of Town Meeting results to P. Herr.

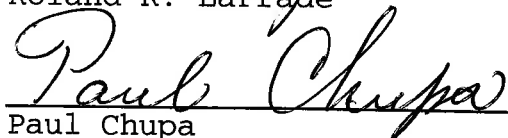
RL moves to accept the minutes of April 27, 1995. PC seconds. Unanimous vote of 5.

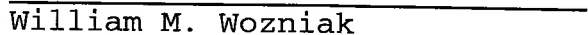
Meeting adjourned at 11:50 p.m.

  
Edward T. Moore, Chairman

  
Anne M. Morse, V. Chair

  
Roland R. LaPrade

  
Paul Chupa

  
William M. Wozniak