

BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

EDWARD T. MOORE, CHAIRMAN
ANNE M. MORSE, VICE CHAIRMAN
ROLAND R. LAPRADE
PAUL CHUPA
WILLIAM M. WOZNIAK

MINUTES OF REGULAR MEETING

JUNE 8, 1995

Meeting commenced at 7:30 p.m. All members were present.

AM moves to continue Hixon Farm Estates to 7:40 p.m. in order to give the Board time to take care of some general business items. RL seconds motion. Vote of 3 (EM, AM and RL). PC and WW came in after the meeting started.

SUBMISSION

Diane Roberts, Naples Realty Trust, submits an 81-P, Form A, for property located on Center Street.

EM notes that the zoning is agricultural.

RL asks if they are expanding a lot or creating a new one.

D. Roberts responds that she was granted a variance from the ZBA and the 20 day appeal period was up two days ago.

EM states that because they are dividing it, it is actually a subdivision and requires a hearing like a similar one off Pearl Street and Darling Lots. It is because the Board is signing a plan which does not have the required frontage. The note on the plan should be corrected to state that she was granted a frontage variance instead of by special permit.

PC joins the meeting at 7:40 p.m.

EM advises Ms. Roberts to take the plan back to her engineer to put in the word variance in place of special permit. There is a question as to whether or not they need a subdivision public hearing. If so, the Board will be able to waive the road and bond requirements. He will check with Town Counsel to find out if the hearing is needed. D. Roberts will call EM to find out the results.

HIXON FARM ESTATES
CLUSTER LOT SUBDIVISION SPECIAL PERMIT
CONTINUED PUBLIC HEARING

Clerk gives Fred Lapham, applicant's engineer, copies of letters from the Fire Dept. and the DPW, Health Agent and Safety Officer.

EM reads letter from Sgt. James Haughey, Police Safety Officer, undated, wherein he states that at the proposed road facing a northerly direction (toward the farm), there is a site distance of 320 feet. Looking in a southerly direction, the site distance is over 500 feet. He sees no problem with the proposed road. Hixon St. is 14 feet at its narrowest point to 17 feet wide. There has been no reported accidents in the last ten years on this street. Hixon Street coming on to Hartford Ave. looking easterly (towards Medway), has a site distance of 240 feet. Looking westerly (towards Mendon), the site distance is well over 500 feet. This is a town accepted road and there has been no reported accidents due to the site distance.

EM reads letter from Edward H. Kingman, Health Agent, dated June 6, 1995, wherein he states that he reviewed the preliminary plan of Hixon Farm Estates as requested and offers the following comments: 1. The only specific housing density provision in Title V is in reference to designated nitrogen sensitive areas or interim well head protection areas and mapped zone II's of Public Water supplies. Housing density in these areas are limited to 4 bedrooms per 40,000 s.f. Hixon Farm Estates is in neither of these areas and is, therefore, exempt from that provision. Since all of the lots are shown to be 40,000 s.f. or more in area and assuming that no homes larger than 4 bedrooms would be built, this subdivision is in compliance with the above area requirement anyway. 2. It appears that some unofficial percolation testing has been done throughout the area yielding favorable perc rates. Definitive plan approval cannot be made, however, until two passing perc tests per lot have been performed in the presence of the Board of Health agent and with recording of appurtenant soil and ground water data. Before the time that the perc tests are to be done it is expected that, as a minimum, the center lines of both roads will be staked and stationed. He is curious as to why the Board is calling this a "Cluster" subdivision.

EM wonders if the Health Agent looked at the correct plan. It sounds like he was confused by the plan. He is probably not familiar with a cluster.

Clerk advises that she identified the correct date and heading for the plan which the Board asked him to review.

EM notes that the first preliminary plan submitted showed all lots

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at 40,000 square feet but that is not the case with this recent plan.

RL does not think that it makes any difference for Title V purposes.

F. Lapham indicates that they are in compliance anyway. The area is exempt from the provision according to what the DEP told him.

EM will check with the Health Agent to verify that he reviewed the correct plan.

F. Lapham advises that all the homes will probably be 4 bedrooms.

PC does not think it makes that much of a difference.

EM asks if a response was received from the Conservation Commission relative to the Board's inquiry asking about the intent for the open space. Clerk responds in the negative.

B. Lord believes that the Board could declare inadequate access for industrial from the residential area. Section 81Y refers to access. He has looked at the cases but can't find it. Town Counsel says it is a state law.

WW joins the meeting at 8:00 p.m.

EM thought that P. Herr said that Hixon Street could be considered inadequate access for industrial. They are petitioning for 15 lots under the cluster. How many lots would they have with a straight subdivision?

F. Lapham responds that according to the calculations in the Zoning Bylaw, they could have 20.3 lots but practically speaking 15 is a more realistic number under a conventional plan including open space. They have to leave open access under the Bylaw at the last 40' of frontage.

AM asks if Water Morse Rd. is open to the public.

B. Lord responds in the affirmative.

EM calls for a 5 minute recess while he calls the Chairman of the Conservation Commission to ask him about the open space issue. He returns and indicates that Cliff Matthews was not at home but he left a message on his machine. He knows that the Conservation Commission is in favor of the cluster. They recommended and suggested a cluster when it first came in. The open space will be deeded to and owned by the town and will be open to the public.

RL states that it will not necessarily be deeded to the town.

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EM indicates that they can't ban nonresidents from using a public street. He calls for questions from the audience.

Doug MacLachlan, Barrett Lane, asks about the cost of the detention ponds to the town with the open space.

F. Lapham responds that they are both located in an open space area. Even if they weren't in the open space area, the town would maintain them through an easement. Either way the town will maintain the detention areas.

WW refers to the liability for the town.

F. Lapham states that the Board could put in a condition requiring that the detention areas be fenced.

EM explains that the town has to allow detention areas and the town ends up owning them.

F. Lapham points out that these are a low maintenance type design.

EM thinks that the Board should hear from the Highway Dept. and Conservation Commission to see if they want it fenced.

F. Lapham will agree to a fence.

EM reads letter from Donald DiMartino, DPW Director, dated May 12, 1995 and letter from Andre N. Genereux, Lt., Fire Dept., dated May 10, 1995, both of which were read at the last meeting.

AM identifies the two remaining questions as the fencing of the detention area and the intent for open space.

D. MacLachlan agrees with the cluster except if there's more traffic because of the open space.

AM moves to continue to June 22, 1995 at 7:00 p.m. PC seconds. Unanimous vote of 5.

ALGONQUIN INDUSTRIES
CONTINUED DEVELOPMENTAL PLAN REVIEW

Jeff Ballou, New England Construction, on behalf of Algonquin Industries, advises that they did receive a variance from the Zoning Board of Appeals which was either recorded today or yesterday. He does not have a copy of the variance.

EM advises that the Board cannot act on the DPR until the 20 day appeal period has passed.

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AM moves to continue to July 27, 1995 at 7:30 p.m. PC seconds. Unanimous vote of 5.

DALPE GOLF COURSE

CONTINUED DEVELOPMENTAL PLAN REVIEW

Bruce Lord, Esquire, on behalf of Mr. Dalpe, explains that the amount of spaces required is 143 spaces. He suggested that they construct an area to the left for future expansion if it is required. He sent the plan back for correction.

RL was there Sunday and there were 7 open spots in the whole area.

B. Lord notes that the applicant has the area to do it. He is not removing any trees. There are 52 parking spaces to be built with another 50 for future expansion if the parking is inadequate as noted on the plan. P. Herr has not seen the changes yet. He will send him a copy of the revised plan.

WW moves to continue the Dalpe DPR to June 22, 1995 at 7:15 p.m. PC seconds. Unanimous vote of 5.

BEECHWOOD ESTATES LOT 18B

Frederick K. Heim, Jr., purchased lot 18B in the Beechwood Estates Definitive Subdivision 3 weeks ago.

Board members review plan and determine that there is no lot 18B unless an 81-P was done to change the numbering. It looks like 18B is really lot 19.

F. Hein indicates that it is house #4.

B. Lord knows that some lots up there were merged.

Clerk reviews file and determines that both lots 18 and 19 were already released in addition to a number of other lots.

B. Lord indicates that since the lot numbering was changed after the lot release was already done, the lots are already released. Mr. Heim has to prove to the Building Inspector that the lots were released before the numbering was changed.

Clerk will mail Mr. Heim a copy of the Form G, Certificate of Release, dated November 17, 1988 documenting the lots which were released.

HARTFORD AVENUE COMMUNITY COMPLEX

MAJOR COMMERCIAL COMPLEX SPECIAL PERMIT PUBLIC HEARING

EM opens the public hearing and explains the hearing procedure.

Bob Frazier, Vice President of Development, WS Development Associates, intends to withdraw the special permit for Shoppes at City Lights. He introduces attorney Dick Marks, Jeremy Squire, WS Development, David Shanahan, Home Depot, Bob Natishan, Home Depot architect, Roy Smith, Sumner Schein, Bill Fleming, Land Architects and Dan Cleary Vanesse Hagen traffic engineers. They started with a proposal for a 242,000 square foot complex and now have 232,000 due to the wetlands and traffic. It will bring in \$200,000 in tax revenues for the town and will provide 450 part time and full jobs. 250 to 300 jobs will be created during construction.

EM asks why they need to withdraw the existing special permit. If they don't act on it, they will lose it.

Dick Marks, Esquire, explains that they met with P. Herr and it was his sense that they should withdraw. They will do whatever the Board wants. He talked with Bruce Lord about the subdivision who advised that the plan was never endorsed or recorded so they don't need to do anything about it. He will check with Town Counsel.

Roy Smith, Sumner Schein, is the site engineer. Their company has over 70 years of commercial experience.

EM hopes that they are going to come up with a different name soon. Bellingham has a number of community buildings which makes the name very confusing.

R. Smith identifies the location of the project with frontage at Rt. 126 bordered by 495 and N. Main Street. The existing gas station is on the northern side. Home Depot is on the southern part. Home Depot will be 131,000 square feet. There will be a strip mall on the side with a restaurant in the front. The southern part of the site extends into the wetlands. The original detention area was proposed upland of Spring Brook but they decided to move it to north of Spring Brook to eliminate the potential impacts to the wetlands. They will have two conventional drainage and subsurface detention areas. It borders the Varney parcel. This site was a prior sand and gravel pit. The town did a study of future development with Varney and other parties. They designed the detention area behind Home Depot and split the area. They will maintain the grading. 600 acres are zoned industrial. The DPW asked them to keep the integrity for future tax base. The 232,000 square feet is including the garden area. They will have a signalized intersection with a main driveway. The exterior road comes into the service road areas. They will use best management

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practices with erosion control, detention areas, wet ponds and will maintain the integrity of the water quality. The Water Quality Analysis shows that they are removing about 10% of the total suspended solids. They will have hoods and pump to the catch basins. There will be sweeping of the parking lots. There will be nonuse of sodium chloride on the parking lot. They divide the islands to break up the parking lot. They will have pedestrian access. The signal will be actuated for site access via the sidewalk to the strip center and along the front.

EM asks about Hartford Avenue pedestrian access.

R. Smith states that it is part of the right of way and Massachusetts Highway jurisdiction.

Bob Frazier will show elevation to the retail component. They will use materials and colors along the facade to match up with Home Depot. The concept plan is dependent on where each tenant will be and the size of their store. All the retail tenants have prototypical stores to suit their images. Bob Natishan will go through the Home Depot design. The Home Depot store will be 131,000 square feet with a 28,000 square foot garden center with a 4,500 house plan enclosure, a greenhouse. They will have hoop houses. Home Depot will have a main entry with a vestibule entrance and exit and a lumber pick up canopy. In the back of the store, they will have a concrete pad for the lumber delivery trucks. They will have a loading area and a truck well.

EM asks about the dotted line shown off site on the plan.

R. Smith identifies it as a wetland finger.

Bob Natishan explains that the building is split with concrete block, light tan on the face and darker brown in the middle separated by an orange strip. He points out the entry vestibule and exit vestibule with an orange canopy and a pick up canopy. They use the same basic building material on all 4 sides of the store. They drop off the accent in the back. They will have a glass enclosed greenhouse. There will be a vinyl clad chainlink fence surrounding the remainder of the garden area.

EM asks if this is a standard size store.

B. Natishan responds that this store is about the same overall square footage as other stores but they do adapt to the site. The store will be 380 feet across.

William Fleming, landscape architect, explains that they will reflect the overall circulation of the site divided into different zones with flower trees and shrubs on both sides of the road. They

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will also have evergreen trees.

EM thinks that this should be brought up during the Developmental Plan Review stage.

Dick Marks, Esquire, states that P. Herr suggested they present an overall brief review to the Board.

W. Fleming further explains that they will have a London Plain tree which is a large scale tree on the access road.

R. Smith indicates that there will be some modification to maintain the future parking.

EM asks about another road to N. Main St.

R. Smith states that is something which the developer is looking into but they don't own the land and there are grave wetland impacts to N. Main St.

W. Fleming states that the interior will have honey locust burning bush shrubs. The sidewalk does lead out to the gas station.

Daniel Cleary, Chief Traffic Engineer, Vanesse Hagen, explains that they filed a thorough traffic study with MEPA and the town. They studied Hartford Avenue and Maple St. to N. Main St. They looked at the intersection at Hartford Avenue and 140 to include a broad study area in a number of existing conditions. Improvements to the 4 way intersections at N. Main and Hartford Avenue will be part of this project. They will signalize the driveway for access in and out of the development with a through left. The right turn will have the heaviest movement for which they will have a 4 lane cross section. It will be similar to Stallbrook with a signalized driveway. They will have more depth flow into the site for anticipation of future development down on the site. They have proposed a traffic signal for N. Main St. within the existing right of way for a left turn lane with a through lane. The southbound ramps will be modified to what the state is constructing. A signal will go up to add an additional left turn lane off the ramp to maintain the state highway system.

EM asks when the light is proposed.

D. Cleary responds that all the lights will be put in at the same time and will be connected to smooth the connection along the corridor. They will have real time monitoring by the state in Worcester to provide a smooth traffic flow. They propose to donate the right of way if it is needed in the future. They were able to design an access system which works at a high level of service without having another access to N. Main St.

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EM thinks that this is the exact same thing as Franklin which has the worst intersection in the state.

D. Cleary believes that it is a bigger center and the volumes could be higher.

EM would say that it is less.

D. Cleary indicates that the test they used was very conservative in conformance with the state and town standards. It works at a high level of service C. They tried to be conservative for the town and the developer.

EM notes that Stallbrook has a single access and when there is an accident it blocks the access.

David Shanahan, Home Depot, indicates that getting customers in and out is a major concern to them but they do have lots of stores which have a single access. The ramp at 495 in Franklin is further away and is not signalized. For this development, the 495 access is signalized. It will clearly be a busy intersection. They will have a truck only one way with a exit only.

EM thinks that it helps within the site.

AM states that the safety officer asked that they have synchronization of traffic signals.

D. Clearly responds that they will all be tied together.

PC asks about an exit out to N. Main St.

D. Cleary explains that as traffic grows and they move forward with development, they may need to have an access to N. Main St.

D. Marks notes that this study takes them out 5 years.

D. Cleary points out that there is a difference in what works every day and what works in special situations.

WW thinks that part of the problem would be the way it is designed to cause accidents.

EM refers to the Attleboro and Shrewsbury Home Depot stores which are located on divided highways.

D. Cleary states that they have a series of recommendations to make lefts into the site.

PC refers to the cars which are bunched at the Stallbrook entrance

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where McDonald's and Market Basket are located.

D. Cleary left a lot of room for stacking which is a significant change from Stallbrook. They propose changing the light at Stallbrook to add more green time to the left turn before oncoming traffic. They will increase the time between with an arrow yellow clearance interval to be increased. They will have additional signage for which they will work with the town and state for changes. The design of this intersection is significantly different than Stallbrook.

B. Frazier explains that they are in contact with the new owners of the Charter Gas Station. They will work with them for a cross connection/access to the site if they can do it. They have a right of way constraint. They are constained under ownership by what they own. They tried to design the road and the location of the buildings master plan so they could accomodate other issues of widening.

EM reads P. Herr's comments relative to Stallbrook revision and Hartford Avenue major commercial complex special permit from the minutes of the May 25, 1995 meeting.

R. Smith identifies alternatives for sewerage including Caroline Drive municipal sewer and Stallbrook across 495 bridge which are two potential hookups. They have been allocated 15,000 per day for sewerage with an onsite private pump station. It will be a privately owned pump station which goes down N. Main St. to Carolina Drive. The wetlands are separating the area.

B. Frazier points out the wetland finger which goes back to N. Main St. The railroad is bordered by the wetlands. They will align the sewer to come through the road.

EM notes that the pumping station is costly and asks how it will be maintained.

R. Smith responds that it will be privately owned. It will be pumped down 126 to N. Main St. where it will hit a low point. 75% would have to be pressure.

WW notes that they might hit 3 houses on N. Main St. and that's it.

R. Smith will look at the potential municipal easement to let the residents across 126 tie in. That would turn over the pump station to the town.

PC states that they can run gravity back to the pumping station.

R. Smith states that it is not a high priority area since it is

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land which they don't control.

David Pendergast, 2 Deerfield Lane, asks if the septic will tie into the sewer line.

R. Smith states that it could be possible in the future to turn the pump over to the town.

RL points out that they have no capacity right now.

R. Smith notes that the Charles River has 300,000 capacity.

B. Frazier believes that a lot of the capacity is for residents who may tie in.

D. Fraine will get together with Don DiMartino to come up with an answer and solution to these questions. They can determine the ability to do it with their designs.

B. Frazier realizes that this is the first meeting. It takes corrective action for things to work.

Peter Harkey, Millis, MA (508)376-2221, notes that his mother is 126 Realty Trust and Hartford Realty which owns 40 acres on either side of 126 which starts next to the Dunkin Donuts. It would be lousy to see sewer go by and not be able to tie into it. Roger Belanger is their absent partner. He notes that no one has contacted him or his mother to discuss the site.

B. Frazier thinks that it is a town master plan issue. He will discuss the matter further with Mr. Harkey.

AM moves to continue the Hartford Avenue Commercial Complex, Major Commercial Complex Special Permit public hearing to June 22, 1995 at 8:30 p.m. WW seconds. Unanimous vote of 5.

STALLBROOK CENTER

PUBLIC HEARING FOR REVISION TO MAJOR COMMERCIAL COMPLEX SPECIAL PERMIT AND SITE PLAN REVIEW

Ted Tye, representing National Development Associates, explains that the Board granted a special permit for major commercial complex and developmental plan review. They have been back three or four times since then. The original special permit had a cap of 260,013 square feet. They could go ahead and do anything under that figure. They recently added to the original Almacs building to accomodate the Market Basket supermarket from 46,000 to 63,412. That did not accomodate for Phase II to the right of Market Basket. 151,000 square feet of the 260,013 has been allocated to WalMart which is not all built out and is about 30,000 square feet less

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now. That left 109,000 of the original permit for the other side. They will come back for the stores to the right which have not been built. They are requesting a 13,912 addition. This allows for the original plan plus the supermarket expansion. They will also have a 109 square foot ATM teller machine in the middle of the parking lot. They will have two stores to the right of the supermarket. One will be 20,000 square feet for which they have a lease with Staples with construction starting next month. They are trying to come back and restore what they took for the Market Basket addition.

EM asks the number of parking spaces which will be generated by the addition.

T. Tye responds that they already have too many parking spaces with 825 on the Market Basket side. Only 604 are required by zoning. There are 607 spaces provided on the WalMart side and only 492 are required.

EM asks how many spaces are lost with the tent at the WalMart parking lot.

WW believes that the tent on the WalMart side uses over 100 parking spaces.

T. Tye does not own the WalMart side of the property.

EM asks if they still have control over the McDonald's.

T. Tye responds in the affirmative but notes that he thought the lighting issues had been resolved.

D. Fraine states that they met with John Emidy. He thought that was addressed since they meet the minimal requirements.

EM asks what this will do for increased traffic.

T. Tye submitted a traffic analysis which shows that it will impact 30 spaces during the peak hour. The supermarket added a lot of space with very little impact. They share the same traffic consultant with the Hartford Avenue Complex development.

EM notes that the sign which says to yield on green is not illuminated.

T. Tye explains that instead of a green arrow at the end of the cycle, they will have an extended yellow light.

RL thinks that the yellow light is kind of short.

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PC notes that the Market Basket was mostly expanded for loading space.

T. Tye indicates that there is more room in the back of the building.

EM starts to read letter from Donald DiMartino, dated May 26, 1995 relative to the sewer.

T. Tye advises that they have been granted a sewer permit and since then another letter has been forwarded.

EM reads letter dated June 1, 1995 from Donald DiMartino, DPW Director stating that he and D. Fraine discussed the sewer capacity and permitting issues which he noted in his letter to the Board of May 26, 1995. They have determined that the increase in sewer flow from the proposed building would be minimal, approximately equal to one half of a single family home. D. Fraine has asked him to reconsider the issuance of a permit for this facility. "As we are estimating our sewer flows based on a conservative estimate that 100% of the people who have sewer available will connect, it seems unlikely that the increase caused by the addition of this retail space will adversely effect our sewer capacity." Therefore, he writes this letter to inform the Board that he has issued to National Development/Bellingham Limited Partnership a sewer extension permit for the added 14,000 square foot of retail business. They have filed their sewer extension permit application and delivered a deposit check for the privilege fee as required.

T. Tye notes that there aren't any site changes relative to this plan.

EM reads letter from Richard Ranieri, Fire Chief, dated May 23, 1995 wherein he states that he has reviewed the plans for the proposed amendment to the plan. He spoke with Theodore Tye of National Development of New England on this date regarding the proposed amendment. He was informed that the roadways, access, and hydrant layouts will remain unchanged from the original plan and installation. Since the development will not alter the above mentioned items, he sees no problem with the change.

EM calls for questions from the audience.

D. Fraine believes that the Staples store will give the center stability and it is what they are looking for in that plaza.

PC moves to close the public hearing. AM seconds. Unanimous vote of 5.

AM moves to approve the revision to the major commercial complex

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special permit for Stallbrook Center to add an additional 13,912 square feet retail space. RL seconds. Unanimous vote of 5.

AM moves to approve the revision to Developmental Plan Review with reference to the plan, dated October 12, 1994, revised May 18, 1994 for a 13,912 square foot addition. RL seconds. Unanimous vote of 5.

AM moves to waive the fee because they already have sufficient parking. PC seconds. Unanimous vote of 5.

DISCUSSION RE: ALTERNATE MEMBER APPLICATIONS

EM states that an additional 4 applications have been received. He asks when they will hold discussions with the Selectmen to review the applicants.

^{4/4} ~~Gil Trudeau~~ ^{Fluette}, Chairman, Board of Selectmen, suggests they hold a joint meeting on a Monday night which is not their regular meeting night.

D. Fraine will ask Jackie to schedule a joint meeting on June 26, 1995 at 7:00 p.m. with the Board of Selectmen and Planning Board to interview the Alternate Member applicants. Jackie to coordinate, notify applicants and post notice of meeting.

CHESTNUT HILL CONDOMINIUM

DISCUSSION RE: SLIDING DOORS

EM reads letter from Fredap Realty Trust agreeing to remove the sliding doors.

B. Lord indicates that Town Counsel dictated the letter.

EM will file the decision tomorrow.

AM asks if the Board only accepts a cash bond.

B. Lord refers to Section 81U which identifies 4 methods of bonding including a bond and passbook.

CENTERVILLE ESTATES LOT RELEASE REQUEST

EM explains that a lot release was already completed but apparently contained incorrect information which was recently identified because they are about to close on some houses.

PC moves to approve the lot release request with the correct information. AM seconds. Unanimous vote of 5.

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Clerk notarizes EM's signature.

GENERAL BUSINESS

Clerk reads letter from Denis Fraine, dated June 7, 1995 wherein he states that he has contacted the Franklin Planning Dept. and they have not received an application for extension of the Leo Mayewski, Woodlands subdivision, parcel into Franklin. However, he notes that Lee Ambler, representative of Mr. Mayewski states that they will be filing shortly.

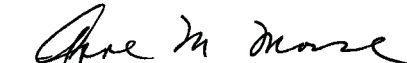
EM will follow up with Lee Ambler.

RL moves to accept the May 11, 1995 minutes as written. PC seconds. Unanimous vote of 5.

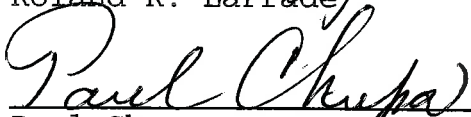
Members sign clerk's pay voucher and semi-annual stipend voucher for members as well as invoice.

Meeting adjourns at 11:15 p.m.


Edward T. Moore, Chairman


Anne M. Morse, V. Chair


Roland R. LaPrade


Paul Chupa


William M. Wozniak