

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 22, 1995

Meeting commenced at 7:10 p.m. All members were present. Board's consultant, Philip B. Herr, was also present.

HIXON FARM ESTATES
CLUSTER SPECIAL PERMIT PUBLIC HEARING

EM reads June 15, 1995 letter from Edward Kingman, Health Agent, who reviewed the Cluster plan, dated January 20, 1995 showing 15 lots ranging in size from 30,000 to 57,000 square feet. All the lots appear to be of sufficient size and configuration to enable individual septic systems to be built within the dimensional constraints imposed by Title V provided that the necessary on-site testing and investigations are made that result in suitable data for acceptable designs. He refers the Board to item 2 from his previous letter of June 6, 1995 where he stated that 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. EM confirms that Mr. Kingman did look at the wrong plan the first time. The remaining question had to do with the accessibility of the land out back and the intended use of that land.

Cliff Matthews, Chairman of the Conservation Commission, explains that they already own 25 acres nearby and they want to ultimately protect the immediate water front all around in case the town needs another source of water. He doesn't know about the potability of the water but does know that it is clear and there is no industry. They intend to keep the land for the open space preservation and water shed preservation.

EM asks if they intend to leave it untouched, undeveloped without building.

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C. Matthews responds in the affirmative. He understands the concern that cars may be parked on the road for fishing but he thinks it is unlikely. It will not be encouraged. Right now people have limited access into Varney's property. There are 7.7 acres, half of which are wetlands so it is a long hike to get to the water and it is a natural deterrent. The configuration of the lots on this plan crosses the least amount of wetlands as possible.

F. Lapham agrees that it is the narrowest place.

EM asks if the Conservation Commission can do anything if problems arise with use.

C. Matthews responds in the affirmative. There will be no picnic tables there. Historically people have been fishing off Varney's property or off Grove Street. The development is configured so it looks like it all belongs to someone. There is not apt to be a road in to encourage fishing. If it became a problem, the Conservation Commission could post it.

EM points out that the neighbors are concerned about access.

C. Matthews notes that they really want the land for watershed protection.

PC states that a study of Beaver Pond was done when he was on the Water Commission. If it was dammed it would be pretty good but they didn't go any further because it would require an elaborate filtration plant and they would have to take 12 acres for a well.

Doug MaLachlan, Barrett Lane, asks the percentage of land around Beaver Pond which is owned by the town.

C. Matthews responds that it is 7 or 8%. They are already working with the people on the opposite side. They want to send the message to people who develop property there to take extra care. They could go to the town and say that they would like the land as a future well source.

RL asks if the land will be specifically deeded to the Conservation Commission since there are other options.

F. Lapham responds that the intent is to deed it over to the Conservation Commission.

P. Herr did compare the plan with a conventional plan. Physically it is not different.

C. Matthews indicates that the Conservation Commission supports this. He saw 3 plans of which the main difference was that 4 of

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the house lots would actually have fronted the water. He is concerned with people wanting access to the water. They suggested the cluster when the plan was originally presented.

RL notes that the detention basin will be on Conservation Commission land.

C. Matthews does not have the details on the detention areas. They will have to talk about the responsibility since the Conservation Commission does not have the funds to maintain them.

F. Lapham can put in an easement so the DPW can get in for maintenance.

C. Matthews states that the Conservation Commission definitely does not want to own them. Belanger Drive is another cluster owned by the Conservation Commission.

EM notes that there is another public hearing commencing at 8:30 p.m. for the Hartford Avenue Commercial Complex. The developer told the Board that they talked to the Conservation Commission about a second access but the Commission discouraged it.

C. Matthews hasn't seen anything for them. There is a potential for access and it is worth investigating. The Board may want them to officially talk with the Conservation Commission. He does know that they did show a detention facility on the other side of the wetland.

P. Herr refers to the Hixon Farms plan where two lots are labeled front lots.

F. Lapham explains that lot 5 exists on an 81-P plan signed by the Board but is not included in this configuration.

P. Herr notes that Hixon Street was never accepted by the town. It is not included on either of the 3 lists which he obtained from the Town Clerk. It is public by use. They are creating two additional lots not included in this cluster.

F. Lapham does have frontage on existing public streets.

P. Herr indicates that when they do the subdivision there will be a further question about this.

EM states that they are willing to start the road in front of the two lots.

F. Lapham has provided the room for a 50' right of way.

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P. Herr notes that the real issue is access to the subdivision. Section 252 states that no subdivision can be created unless it shows adequate access which is a bituminous paved road 20' wide. Hixon Street does not meet it. The question is whether or not the Board is doing them a service since they should clarify this matter relative to the requirement with respect to the road before acting. They can waive the road. He did go look at the road. It does not meet this standard.

AM points out that the neighbors are against road improvements.

P. Herr believes that is a real issue.

RL asks if it is a issue with Barrett Lane.

P. Herr responds that potentially it is an issue but there are 17 more houses which turns out to be 3 trips every minute in peak hours. The Board could disapprove but the applicant is a good taxpayer who would be denied the use of his land. He has the option to widen the road since it is a public right of way. He could add to the width of the way which is variable. They could make some committment to take the narrowest places and widen where they could.

EM asks how they can widen when they don't own the property.

P. Herr responds that they can't. It is a travelled way 12' in some places. That is the only remaining issue.

F. Lapham indicates that the applicant is willing to widen the road in front of the lots. They left easements because they realize that the Planning Board may want to increase the road.

P. Herr states that a road being used publicly becomes public.

AM is concerned about liability. She doesn't see how they can widen the road legally. She asks who owns the street.

B. Lord points out that Hixon Street was built in 1776 and is shown on the maps in 1830. The town owns the street. It is accepted the same as Farm Street and Hartford Avenue. In 1948 and 1900 there were acts by the state legislature for lists of roads which the town submitted for acceptance.

F. Lapham has discussed improving the roadway in front of the subdivision area and the lots with the applicant from across the entrance to Barrett Lane and 300' beyond toward Route 126 but they haven't considered improving to Hartford Avenue.

EM notes that this has always been an issue since day 1. The

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access has always been the key.

F. Lapham believes that this is an unusual request for one landowner.

AM states that the neighbors specifically didn't want to widen the road because they were afraid of more development. She thinks it is rather dramatic.

P. Herr points out that a town on the Cape required a developer to do 3 miles of road improvements.

RL thinks they could improve the road to the point where they do the engineering work to the end. Then if anything opens up the town can do the widening.

F. Lapham asks what the Board wants him to do between now and the next meeting.

EM understands that they will be adding 17 houses and accessing out back. The road will be the last thing which is done. There is a specific Bylaw relative to the road.

AM states that a reason not to widen the road is to not encourage further development.

F. Lapham would guess that there are many subdivisions in town which do not meet the 20' pavement requirement. Pine Street is a horrible road.

P. Herr asks if somebody can do a survey of the road. He doesn't know if they are asking too much from the applicant.

AM suggests they survey it. There are several surveys done of the area. They could survey from Hartford Avenue back to the site.

F. Lapham hasn't done an actual survey of the property owners back to the property lines but he could come in with suggestions.

WW believes that the Board has spent a lot of time discussing the subdivision when the issue of access was brought up in the beginning but they never went back to it.

EM notes that Board required the Brook Street developer to widen where he could and cut the brush to improve the road.

Robert Stockton, applicant, asks if the requirements are the same for 15 lots without giving the town the land.

P. Herr responds in the affirmative. This plan is better but they

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still need to get there.

D. MacLachlan questions industrial travelling through residential property.

EM responds that he checked with Town Counsel who said there was case law in support of that but it is not a state law.

P. Herr indicates that one can drive over a street in residential property to get to industrial in the back but they can't have a driveway. The applicant shows it as an easement but he doesn't know what that means.

D. MacLachlan notes that is what everyone is concerned about.

P. Herr states that it is Massachusetts Law that they could take the easements off and come back next week with an industrial development.

WW moves to continue the Hixon Farm Estates Cluster Special Permit public hearing to July 27, 1995 at 8:00 p.m. PC seconds motion. Unanimous vote of 5. RL notes that he will be absent from that meeting.

EM points out that a special permit requires the vote of 4 out of 5 members.

F. Lapham will proceed on July 27, 1995 with 4 members.

HICKORY HILL DEFINITIVE SUBDIVISION
REQUEST FOR LOT RELEASES, PERFORMANCE BOND

AM abstains from the discussion.

Maurice Morin, applicant, included materials but couldn't count the fire hydrants or the water because they are already there. Don DiMartino told him to change the \$44,000 bond to \$53,000 because of the materials on site. Town Treasurer already has the passbook with the Ben Franklin Savings Bank Account No. 02-017760-0 in the amount of \$53,775.00 in the name of Maurice L. Morin and the Town of Bellingham.

EM reads lot release, Form G for lots 1 through 5 inclusive presented with an estimate for the road from Frank Morse with a speed letter from the Highway Dept. suggesting they include \$10,000 in the bond for a total of \$53,000 which is already deposited in a Ben Franklin Savings account.

RL moves to release the lots in the Hickory Hill Definitive Subdivision. PC seconds. Vote of 4 (EM, RL, PC and WW). AM

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abstains.

Bruce Lord, Esquire agrees to discuss the Dalpe Golf Course Developmental Plan Review for later in the evening.

SHORES AT SILVER LAKE

SPECIAL PERMIT FOR 49 TOWNHOUSE CONDOMINIUMS

EM reopens the public hearing and explains the hearing procedure.

Janice Hannert, Fafard's representative, summarizes the proposal which is for a special permit for 49 townhouse units at Center and Cross Streets. Previously, they provided information for theoretical models for the number of school children which will result in the development. The Board asked her to look at the actual number for the multifamily developments in Bellingham. She obtained numbers pertaining to Maplebrook, Bellwood and Brook Estates which is the most comparable since it is also a 49 townhouse development. For Maplebrook, she called the condo association management and spoke with Mrs. Aspen who provided detailed knowledge relative to the number of school children. A breakdown of the chart which she distributes shows that of the 97 units for Phase 1 there are 18 preschool children (0.18 per unit), 7 elementary school children, (0.07 per unit), 1 middle school (0.01), 0 high school for a subtotal of 8 school children (0.08 and 26 total children or (0.26 per unit). Maplebrook Phase 2 has 23 units with 4 preschool children (0.17), 2 elementary children (0.09), 0 middle school, 2 high school (0.09) for a 4 subtotal for school children (0.18) and 8 children total (0.35). She spoke with Mr. Ted Klowan who is the president of the condo association for Maplebrook II to obtain the school children information. Bellwood Condominium which is located off Rt. 140 has 64 units. She obtained information relative to the number of children last year from Mr. Tim McDonald, condo management and the Bellingham School Dept. There are 11 preschool children (0.17), 3 elementary children (0.05), 0 middle school, 4 high school (0.06) for a subtotal of 7 (0.11) and 18 total children (0.28). Brook Estates is located immediately beyond the Bellwood project. They are single family attached townhouse units, 12 units of which have been constructed and 6 are under construction. She took a door to door survey last week to obtain the information. Of the 11 units occupied out of 49, there are 2 preschool children (0.18), 2 elementary children (0.18), 0 middle school, 0 high school, for a subtotal of 2 (0.18) and a total of 4 children (0.36). Totals for all multifamily projects in town for 195 units are as follows: 35 preschool children (0.18), 14 elementary children (0.07), 1 middle school (0.005), 6 high school (0.03) with a 21 subtotal (0.11) and a total of 56 children (0.287). She took the percentages for those units and applied them to the proposed 49 townhouse development which come out to 9 preschool children (0.18), 3 elementary

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children (0.07), 0 middle school, 2 high school (0.03), for a subtotal of 5 (0.11) and a total of 14 (0.287). The numbers are lower than any theoretical multiplier factors she used. From the Town of Bellingham Annual Report, page 245, she obtained information relative to the total number of school children presently versus school years from 1980-1981 when total enrollment was 3353. For 1981-1982, it decreased 88 to 3265. There has been a decrease every year until 1991-1992 when 81 was added. In 1994-1995 total enrollment was 2394, an increase of 83. There are over 5,000 housing units in town but there is only 1/10th school children per dwelling unit.

P. Herr believes there is a miniboom happening all over the U.S.

RL believes that 1981-1982 was when all the Wethersfield and Scott Hill Acres kids graduated. They are calling this proposal condominiums but he doesn't really think they are condos since they are only connected by a subterranean wall. They are really single family homes which will be privately maintained. They are also in the \$140,000 to \$150,000 price range which is more than what one could pay for houses in town. They are comparing apples and oranges here. They will not have shared land and will be maintained individually. He thinks they should be using traffic studies and student studies for single family houses.

WW asks if she actually surveyed everyone in the Brook Estates development.

J. Hannert either interviewed the actual unit owner or neighbor. She went door to door and got an answer relative to every unit.

EM agrees with RL that these are really single family houses.

P. Herr states that there are a number of units which will be more than 2 bedrooms. 60 of the units will be 3 bedroom, 40% will be 2 bedroom. That is the critical difference between this and Brook Estates which are all 2 bedroom. They will require a special finding by the Board to have more than 10% of the units larger than 2 bedroom.

J. Hannert believes that the type of family attracted to these units will not have more children.

RL thinks these are more like starter homes.

AM can't imagine that there is a market for these units.

J. Hannert describes the development as more upscale in terms of architecture and design. They will do a nicer development. There is a different market with empty nesters and people who don't want

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to maintain a yard. At one time they did propose a larger type of development.

AM asks why empty nesters would want a 3 bedroom.

J. Hannert refers to the Zoning Bylaws which says that anything which is not a living room, dining room or a kitchen is a bedroom. There is no provision for a family room.

EM points out that the difference between Brook Estates and this proposal is that will always be 49 units but this has the potential to be 250.

J. Hannert states that at this point it is 49 units.

PC notes in Ashland, Fafard built condos and then single family homes for a mixture.

J. Hannert believes that this type of development appeals to single parent households and dual working families who don't want to maintain a large yard. This is in between a condo and single family home.

RL would like to see 6 large single family homes rather than 12 maintaining a cluster instead of a condo cluster with 12 small units. They could combine this concept with single family homes which would sell in Bellingham and provide a big improvement to the town. He doesn't think that this should be called condos. They are trying to maximize the land with a wall underground. Everything will be maintained like a single family home. It could be vastly improved with larger fewer homes.

EM states they are using the condo Bylaw for the numbers and the subdivision for the appearance.

J. Hannert reiterates that this provides a type of housing which is not available for working parents, dual career families who don't want a large lot or a large home and want a lower price. This offers an alternative.

RL states that 90% of the homes in Bellingham are in the \$140,000 to \$160,000 price range.

EM thinks the number is more like 65%.

WW asks what Brook Estates is selling for.

J. Hannert responds they are in the \$110,000 to \$120,000 price range. Her company specializes in these types of homes.

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AM asks where they have a comparable development.

J. Hannert refers to homes which they built in Marlboro which are somewhat similar. They offer amenities within the homes to attract a different purchaser.

AM asks if they have an amenities addendum.

J. Hannert responds that they would be extras which are added on to the base house.

AM does not really think they are an enticement if they are added to the price of the house.

J. Hannert explains that these units are almost semi custom. Each individual color is selected by the homeowner.

EM points out that Brook Estates was approved 3 to 4 years ago but has only built 12. Some have garages and some don't. He doesn't know that there is a market for these type of units.

J. Hannert will build to suit. They will not be built until there is a purchase and sale agreement.

EM would rather see a straight subdivision where one owns the lot which is individually owned. He is concerned because the Maplebrook road is in tough shape. They will have to go to Town Meeting eventually to fix the road. The Board granted a special permit for a treatment plant. Associations and groups don't work. They should stick with the Rules and Regulations for a straight forward subdivision with individually owned lots which comply with the Rules and Regulations.

J. Hannert is aware of the condo market during the last 5 years. They have ways of guaranteeing against that with more stringent conditions and guidelines.

EM calls for Board questions and then audience questions.

Gerry Marchand, Center Street, is concerned about adding 49 condos with 98 couple and cars because Cross Street is narrow and dangerous. Something has to be done with the road.

EM notes that is why the Board requested two means of egress.

G. Marchand points out that everyone uses Center Street as a throughway.

EM indicates that the road layout has already been approved at the subdivision stage and will be the same whether there is a single

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family or condo development.

G. Marchand thought there was a previous proposal which was shot down.

EM responds in the affirmative. The special permit was denied but the subdivision road layout was approved.

J. Hannert affirms that there was a 448 townhouse unit proposal on the site. This proposal is only for a portion of the site. There will be more like 250 plus or minus, not 448.

EM indicates that they could propose a bigger development but would have to go to Town Meeting for approval.

PC asks the number of single family homes they could put on the land.

J. Hannert responds it is apporoximately 150.

Pam Johnson, asks to see samples of what the buildings will look like.

J. Hannert refers to the architectural plans which she submitted showing 7 different building styles.

P. Johnson thinks they look like single family homes.

J. Hannert explains they will be like Brook Estates with a cluster type development attaching the units underground. They will be a smaller upscale unit which attracts a different market than the typical condo and different market than single family homes.

RL differs with her option. They will be single family homes. He thought the Board made a mistake by allowing condos connected by an underground wall.

EM asks the Hartford Avenue Commercial Complex applicants if they will wait an additional 20 minutes to finish up this discussion.

D. Fraine asks applicant who agree to the delay.

Gerry Fredette, asks if they will have two families in each unit.

J. Hannert explains they will be attached groups of 3 - 8 units each. The architectural drawing depicts the single family styles but the homes will actually be 15 - 20' apart. They have legal frontage on a number of streets with 11 lots on Center Street, Cross Street, Silver Lake Road so they could build right on the streets. This allows them to cluster the units to minimize the

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impacts to the existing homeowners and leave large open areas. There is very little difference between this and single family developments.

RL does not think they can use the standards for condos with this since they are really single family homes.

J. Hannert states that the townhouse development is for a different type of market and has half the number of cars as a single family. She refers to multiplier factors with 5.85 vehicle trips per unit/day.

WW asks the number of cars.

J. Hannert responds that she called the Institute of Traffic Engineers for multipliers in the AM peak hours which came out to 22 cars generated for the 49 unit townhouse development.

AM asks if she was using the same size units when making the analysis.

J. Hannert replies affirmatively. There was a difference of 4 cars per AM peak. Afternoon had 27 cars with 23 cars for 23 single family homes. There was a total of 14 more cars per afternoon peak hour.

WW refers to the 250 possible condos with 1.5 cars per unit for a total of 375 vehicles. 150 houses with 2 cars is only 300 cars.

J. Hannert states that single family houses have more than 2 cars. The type of market they are looking at doesn't have as many cars.

WW indicates that for \$150,000 he would want more than a driveway width between his neighbor.

EM thinks that 49 condos produces 98 cars.

Gerry Fredette believes that the type of market which they are targeting with young professionals will have 2 cars per unit during peak hour. What they are proposing has not been done so the information is not adequate to this type of development.

J. Hannert believes it appeals to empty nesters, retirees, people who might not generate 2 vehicles during peak hour. She could try to get additional information on traffic for the next hearing. She was able to get a list of accident information from the Bellingham Police Dept. since they now keep a listing on computer. Cross Street is not on the list at all. Center Street had 5 accidents with 3 in 1995 below the project and 2 in 1994. She will try to get more specifics on traffic. There were also questions concerning

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the sewer at the last meeting. They have no objection to parties wanting to tie into their system. They will construct both a gravity sewer pumped up Douglas Drive. She called the DPW Director who said that the existing adjacent homeowners could tie in but they will look at each at a case by case basis.

RL didn't think that came under the baseline.

J. Hannert states there is a gallonage reservation but the DPW will look at a rider for homeowners on a case by case basis. Additional gallonage is scheduled for the town from the Charles River.

EM indicates they could run a sewer line down Center Street to tie into the pipe.

J. Hannert replies affirmatively. The force main will allow the sewer to be pumped.

PC states that when they come back for another 49 units and there isn't enough capacity to go to Medway, they will have to go through Center Street to Green Acres.

J. Hannert indicates that is correct. The Town of Bellingham has significant capacity in the other direction.

EM asks why they don't do that now.

J. Hannert replies that it is 7,000 feet (1.5 miles) to tie everything in but they will go to the south in the future.

RL states that Douglas Drive and Scott Hill Acres can divert to Woonsocket.

J. Hannert submits a sheet detailing the street names which have been presented to the Fire Chief.

Gerry Fredette asks if the sewer will be in and functional.

J. Hannert responds that they it be in before the units can be sold.

G. Fredette asks if the roads will be in place.

J. Hannert has to discuss that with the Board. The Fire Dept. wants the roads in the front of each unit developed.

P. Herr indicates that the Board's decision is guided by Section 4424 which lists 8 considerations and shows that the town is better off with multifamily rather than single family development. This is more beneficial fiscally than a single family development. The

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drawing does show single family. The two weigh in favor of this development even if the Board does not like it. If the Board disapproves, the decision has to be written in terms of those 8 considerations. They have to look at it in terms of criteria with keeping the information submitted in mind. The traffic issues haven't been addressed because other condos are much smaller. Because there are different kinds of people living there, the day trips per unit will be lower but not half. Traffic from this will be larger than from a single family development.

EM is not sure they would even want 150 - 250 units.

P. Herr states they can't talk about that since it is not before the Board at this time. They can talk about 49 vs. 23 single family.

EM believes the issue is 98 vs. 46 cars. The advantage to the town is more money but there will be more units, more traffic and more impact this way so it becomes a wash. It generates two times the tax dollars with two times the problems.

J. Hannert will try to get the best information on traffic.

P. Herr thinks they should take into account that this is not the usual condo unit development.

J. Hannert will go to Brook Estates and take traffic counts.

WW asks where the Marlboro units are located and the number of bedrooms in those units.

J. Hannert responds they are on Decenzo Blvd., Marlboro. She would rather do the study here.

P. Herr asks if they would be agreeable to approve with 2 bedrooms rather than 3.

J. Hannert explains that they added a 3rd bedroom because the Bylaw has no provision for a family room.

P. Herr asks if they are willing to think about a reduction in the number of bedrooms.

J. Hannert will think about it.

AM moves to continue the Shores At Silver Lake special permit public hearing to July 27, 1995 at 8:30 p.m. WW seconds. Unanimous vote of 5.

EM calls for a 5 minute recess.

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SUBDIVISION SUBMITTAL

Bruce Lord, Esquire, submits the Edward Estates Definitive Subdivision with application, fee and abutters list.

HARTFORD AVENUE COMMERCIAL COMPLEX
SPECIAL PERMIT MAJOR COMMERCIAL COMPLEX

EM reopens the public hearing and asks if they have come up with a new name.

Dick Marks, Esquire, asks what the Board thinks about Crossroads.

EM refers to the outstanding issues including the sewer line, access road and Conservation Commission.

Dick Marks, Esquire, introduces Doug Benoit filling in for Roy Smith, Sumner Schein, Jeremy Squire and Bob Frasier, W.S. Development. They brought 8 sets of the plan including the landscape plan which they showed last time but was slightly different than the plan which was distributed. He presents plan to Clerk for distribution. This development meets the standards for the socio-economic community needs. Traffic flow and safety issues will be discussed by Dan Cleary, Vanesse Hagen. There is adequacy of the utilities and services and water available. Discussion relative to sewerage was held with D. Fraine and D. DiMartino. There is industrial or commercial development surrounding the property so it is consistent with the land uses in the area. The site has already been disturbed since it was previously used for gravel and there will be no adverse impacts. There will be a positive fiscal impact to the town because commercial development brings in more than it takes. The tax base will be increased by the minimal services which will be acquired. He talked with Town Counsel about the prior subdivision approval. He agreed that since it was never filed or signed, they do not need to do anything and the subdivision didn't exist. It was his suggestion relative to the special permit that once the Board votes to give a new special permit, they should include in the decision that the new special permit decision supersedes the special permit for Shoppes at City Lights. That is agreeable to them.

Doug Benoit, Sumner Schein, discusses two alternatives for the sewer. The first proposal is for a sewer plan pump station serviced by a gravity line. Home Depot and the remaining retail and sewer line will go out to Hartford Avenue which can also service the residents on Rawson Road and Deerfield Lane. From there, they will have a force main up hill to N. Main Street and Carolina Drive. Alternative 2 is primarily the same thing but the pump station will be on N. Main Street with another stump for gravity to Hartford Avenue. They will have service back to Home Depot and the

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remaining retail with a force main to Carolina Drive. It will go to the municipal pump station. It will move the cost to the town with a separate wet well and dry well system and electric generator to the pump station to still work. The pump station will be located on town land. The force mains and gravity lines will be located on an easement for the town to maintain. For the second alternative, they would have to cut through an abutter's land.

EM understands that if they use the second alternative, Rawson Road, Sunoco Station and Dunkin Donuts can tie in but they would have to run a line to the orange line (shown on the plan) to places where they could run a line. He thinks that is the better location for the pumping station to tie into the pipe. With the other way, they would have to tie in all the way to the off ramp.

RL asks if the orange line will be able to offer service to Farm Street or Cedar Hill.

D. Benoit responds that it will to some point.

EM believes there is a third alternative with the railroad bed out to N. Main St. without having to build a pump station. They don't own that land either.

PC states that it is all wetlands.

D. Benoit points out the wetland crossing.

RL indicates that the railroad bed goes through the wetlands.

EM thinks that the expense is more to put in a pump station rather than run a gravity line. More pump stations requires more expense to the town. A gravity line would be better.

D. Benoit states that if the wetlands abutts it, they would have to move the line out.

PC explains that gravity requires deeper cuts and they have to have the proper grade.

WW asks the size of the pump station.

D. Benoit responds it will be smaller on N. Main St. at 35,000 gallons per day.

PC states it is more like a parking pump, more like Douglas and Potter Drives.

EM asks who owns the railroad bed.

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D. Marks responds that it is in a bunch of different ownerships.

PC believes that Varney owns it.

Mrs. Varney confirms ownership from the audience.

EM states that they could put a road over it once they have an easement for the pipes.

RL indicates that the last time they were here, they said they couldn't put a road in because of the wetlands but they are not showing it now.

D. Benoit didn't have the information at that time but it is possible to put in a road.

Victor DeLoia from the audience, got into an accident this week backing out of his driveway. He lives right off the 495 ramp, first house on 495. He believes the traffic concerns will get tougher. A lot of signalization will correct some of the problems.

Bob Frasier, W.S. Development, explains that Peter Harkey (property owner) was at the last meeting and has said that he is willing to cooperate to talk about a piece of the land. He owns the piece across from N. Main St. It is a 40 acre piece with an Algonquin Gas Main and is mostly wetland. The owner is very interested in the sewer so they could gravity to the lift station.

EM asks what keeps them from going further to the left.

B. Frasier responds it is the wetlands. Mr. Harkey faxed him a plan detailing where the wetlands have been flagged. They are willing to reflag before they do any activity. It is 3/10ths of a mile to the low point.

D. Benoit states that the Spring Brook Culvert is at the low point which is difficult for gravity.

WW asks how far the pump station will be from the corner.

B. Frasier responds that it will be 1/10th of a mile. They have spoken with the Charter Gibbs Gas Station about abandoning their septic to tie into the sewer in exchange for providing another auxiliary access.

EM is concerned that people will use it as a cut through at 40 miles per hour.

B. Frasier can control it with a one way and speed bumps.

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D. Marks reminds the Board that they do not have control over the land. Harkey has partners and they are not certain who holds all the cards.

EM asks if they have talked with anyone about going the other way. Pumping stations cost hundreds of thousands of dollars. It would benefit the town to open up the back land as planned by the Industrial Development Commission.

D. Marks indicates it is their goal to avoid the wetlands if they can.

B. Frasier explains that they could size this with the right pitch, grades and depth to make it viable as a gravity sewer.

PC is not sure they can go gravity all the way to the manhole on Caroline because it may not be deep enough and is not designed that way.

EM states that going to the railroad bed property, they would have more pipe but no pumping station.

PC thinks they have to look at the grade of the manhole on Caroline Drive.

Guy Flurette, Chairman, Board of Selectmen, states they are the Water/Sewer Commissioners for the town. The force main will not serve much benefit to the town. Cedar Hill and Farm Street (lower) could look for an easement to connect to the pumping station.

EM thinks that is another reason to move the pumping station down.

G. Flurette states that they can't if it comes too low.

EM believes he is saying that the pumping station is better located at N. Main St. rather than Hartford Avenue.

G. Flurette indicates that there are benefits to the pumping station on the N. Main St. side.

B. Frasier is interested in providing capacity gravity mains.

EM refers to further issues of access/traffic and safety. He asks if they are willing to pay for the traffic light at the intersection which will be installed.

D. Fraine responds in the affirmative.

EM notes that there have been 80 accidents on Hartford Avenue.

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Dan Cleary, Vanesse Hagen, designed the lights at Stallbrook Center. They are presently preparing a plan to replace the signalization plan with moderate phasing including enhancing the signage and adding additional clearance time to minimize the accident frequency. The signals are up now but are not operating yet at Deerfield Lane and 495. For this development, they propose a signal on N. Main Street and at the driveway with connection of all signals. They will close the loop in the traffic signals and coordinate to allow the traffic to flow and minimize conflicts. They will be remotely constantly monitored so if anything happens it will be picked up immediately and corrected quickly to minimize disruption. It will be monitored by the state. Most of the signals in the state stand alone. In this case, as soon as a problem occurs in the system, they are notified so they don't end up with traffic down the ramps onto the interstate. There has been a lot of discussion with the adjacent property owners since the last meeting relative to the issues of secondary and emergency accesses. This entrance has been designed for this proposal. He went to look at the Franklin Village entrance. This proposal doesn't have crossing over like that center. They get the distance in to get the people in as far as possible. They know that an additional road will serve future development in the back but this will have the congestion like the front of Franklin Village. This will be a clearly defined 4 way roadway which will continue from the bridge down. There are distinct differences with this and Franklin Village. This will work on its own without a second access. He agrees that it would be beneficial but they don't control the land and the wetlands. It will work with one access. They will have a one way truck traffic only road for exit only.

WW asks if this will have more traffic than Franklin.

D. Cleary responds that it will not necessarily. This center and that is essentially the same.

B. Frasier refers to the two different uses at the Franklin Village with the movie theater and supermarket. There could be a movie theater but they do not have the same throat entrance.

EM thinks this has the potential to be bigger than Franklin.

D. Cleary responds that it will generate about the same traffic.

PC goes to the Attleboro center where Home Depot is located. There is a deep entrance and he never has any problem even though it is sometimes slow getting out.

EM asks if they have talked with the Conservation Commission.

D. Marks will be filing next week.

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P. Herr met with the applicants a few weeks ago. Moving the detention has nothing to do with the special permit. The basic criteria of the special permit is satisfied.

EM asks whose call it is relative to the sewer scheme.

P. Herr thinks they could make a condition of the sewer scheme to provide to the pumping station to N. Main St.

EM thinks they should talk with D. DiMartino.

P. Herr notes that the problem is that the special permit is a very inflexible document. The issues relative to access to N. Main St. is not a small matter. It could substantially impact the site plan.

Victor DeLoia thinks that one lane through traffic is going to seriously impact the traffic situation which is bad now.

P. Herr indicates that with Stallbrook across the road and the possibility of a movie theater and the capacity for development across the street, they will get another chance to look at it.

B. Frasier is constrained by the traffic but understands that they can't put in a theater without improvements to 126 and sewer.

EM thinks they should put in the number of square footage so they have to come back for an amendment if they want to add more.

B. Frasier does not anticipate doing more. He was talking about the additional land beyond for the movie site. They will make accommodations to the town for sewer and provisions for future traffic.

EM is concerned that the access road will never happen and someone else will build resulting in more traffic. He thinks they should encourage conversation with abutters. He is hoping they are making a sincere effort to obtain it.

B. Frasier is making the effort.

RL does not think the access road will help and thinks it will interfere with traffic coming out.

EM asks if they can place it further down N. Main St.

D. Marks explains that they can't get a permit for more than 5,000 of fill because of the wetlands.

D. Cleary states that 15% of the traffic will come out this way

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which is not a lot for this development. For future development, the improvements to N. Main St. will have substantial benefits and make a difference.

WW asks where the traffic figures were obtained.

D. Cleary responds that they are in the EIR based on the projections which they did and the existing traffic at Stallbrook.

EM asks if the Woonsocket WalMart is taking customers away from the Bellingham WalMart.

D. Cleary responds that they are put in strategic locations to maximize potential.

B. Frasier agrees that one store can draw from another.

PC notes that there is 2% more sales tax in Woonsocket than here.

P. Herr thinks it would be appropriate to start to write a decision.

EM wants to communicate with D. DiMartino about the sewer and access.

P. Herr notes the applicant is arguing that access is adequate.

EM asks if it would be fair to close the hearing and work up the decision. What happens if they don't like the conditions?

P. Herr doesn't think there is any strong reason not to close.

EM is concerned that they may not have all the information relative to the sewer until it is in the special permit.

D. Marks agrees that the sewer issues will be to the satisfaction of D. DiMartino or the Board of Water and Sewer Commissioners. If they can't get control of the land, they can't do the orange alternative #2. They are committed to a system which provides capacity to the neighbors.

EM states that they could close the hearing since it may be awhile before the permit is designed and worked out.

D. Marks would prefer to close it. They would be uncomfortable if the condition is beyond their control. The sewer line will provide capacity to the residential neighborhoods.

P. Herr states that they could close the hearing and instruct him to start writing the decision.

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D. Marks will work with the abutter but doesn't want a condition that they have to go one way or the other, especially if the abutter finds out.

Jeremy Squire, W.S. Development, has been talking with the abutters relative to (1) the easement for the sewer line through their land and (2) the possibility to purchase the land. They tried to put their best foot forward and are prepared to spend more money is necessary for just this project.

Linda Varney, Varney Bros., owns the property behind them and has 1200' road frontage on N. Main St. She is willing to talk with them if they are not able to work something out with the abutter.

RL moves to close the hearing for Crossroads (Hartford Avenue Commercial Complex). AM seconds. Unanimous vote of 5 (EM, AM, RL, PC and WW).

WW moves to direct P. Herr to draft a decision in favor of the proposal for the major commercial complex special permit. RL seconds. Unanimous vote of 5 (EM, AM, RL, PC and WW).

D. Marks intends to submit the Developmental Plan by the end of June 1995 for the July hearing.

P. Herr notes that the Developmental Plan is a big complicated plan. People need time to review it so it should be submitted as soon as possible. In theory, all the issues should be reviewed beforehand. He asks who will look at and decide the adequacy of the storm water management systems.

D. Fraine states that D. DiMartino uses Amory Engineers.

P. Herr indicates they will want to hire someone to look at the drainage.

EM explains that the town no longer has a Town Engineer so they have to use an outside firm at the applicant's expense.

D. Marks responds that is acceptable to them but questions what was done with Stallbrook.

EM states that there was a Town Engineer at the time.

DALPE GOLF COURSE
CONTINUED DEVELOPMENTAL PLAN REVIEW

B. Lord explains that they added numbers relative to the requirements as shown in the area in black. They will have 52 new spaces with 44 existing and future expansion for 58 spaces.

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EM states that the Building Inspector will make the call relative to the expansion issue.

B. Lord agrees.

EM asks where dumpster is located.

B. Lord notes that it is shown and there is a sign shown on the previous plan.

P. Herr indicates that the issues meet the landscaping requirements. The grade goes up but the cars don't stick out Wrentham Road so it doesn't require additional landscaping.

RL moves to approve the revised plan dated June 6, 1995. PC seconds. Unanimous vote of 5.

Clerk advised B. Lord that fee in the amount of \$350 payable to the Town of Bellingham should be forwarded for this DPR. Fee includes 52 proposed new spaces as well as 58 future expansion parking spaces.

PINE MEADOW HOMES

DISCUSSION RE: BRITTANY ROAD

EM reads letter dated June 13, 1995 from Brittany Road residents stating that Mr. Fred DaPrato has not begun the progress on road completion. They asked to be notified of the date of the public hearing so they can voice their concerns. Their letter is a follow up from the Board's April 16, 1995 letter which advises Mr. DaPrato that he has until June 24, 1995 to complete the work on this subdivision.

EM reads letter from FREDAP Realty Trust, dated June 22, 1995, indicating that he has an obligation to the Board and the Town of Bellingham for the paving and completion of improvements on Brittany Road which is now due. He respectfully requests an extension to this obligation until the end of August 1995, a time when it becomes more financially feasible.

B. Lord explains that Mr. DaPrato is asking for a two month extension. He started getting bids too late. It is not easy to get quick in process finishing.

WW reads from Planning Board letter to Mr. DaPrato dated April 16, 1995. Mr. DaPrato is responding at the last minute.

EM states that the Board could grant a two month extension but there are other concerns to be addressed besides the paving.

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RL moves to allow a 30 day extension for the clean up and 60 day extension for the paving. Copies of letter to be sent to the abutters and Town Counsel. WW seconds motion. Vote of 4 (EM, RL, PC and WW). AM abstains.

STALLBROOK DECISION

Clerk presents copies of the Stallbrook revised special permit decision as well as the revised Site Plan review decision.

P. Herr has seen it and it is o'kay.

EM asks if they could have put in other conditions.

P. Herr responds that he was amazed that they didn't. They could have gotten more money. The obligation relative to the lighting could have been fixed and assurance that they would redo the signalization at the intersection. In addition, there are detailed changes to the Developmental Plan.

RL states that they said they weren't changing anything.

P. Herr identifies the changes. Building E is a new building which has some consequence to drainage. What is there is not consistent with the developmental plan approved. The applicant is a quality developer and it is a done deal but they never went through the review. There was a row of trees removed but they never talked about it. They could have gotten \$26,000.

RL moves to sign the special permit and developmental Plan review decisions for Stallbrook Center. AM seconds. Unanimous vote of 5 EM, AM, RL, PC and WW).

P. Herr notes that the Home Depot site plan is better than Stallbrook.

GENERAL

Clerk reads letter from Town Counsel Lee Ambler, dated June 12, 1995, wherein he states that he is in receipt of several letters from property owners and the developer with regard to drainage problems on lots and roadways for Elm States. The correspondence clearly indicates that the issues presented are of a civil nature and not municipal. The Planning Board has the right to insure that there is full compliance with the rules and regulations of the Planning Board and approval which was granted by the town. This would appear to be outside the scope of that approval, and would not be a basis upon which were the developer to do all other things that he was required to do would result in the funds not being released to him.

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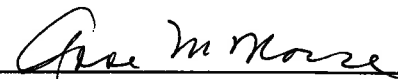
JUNE 22, 1995

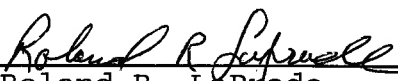
EM instructs Clerk to send a copy of that letter to the residents.

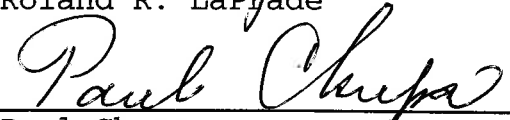
Members sign May 11, 1995 minutes which were accepted at the last meeting and invoices.

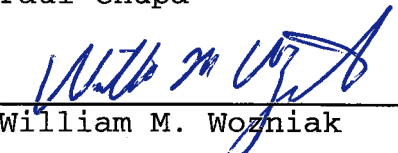
RL moves to adjourn at 11:25 p.m. AM seconds. Unanimous vote of 5 (EM, AM, RL, PC and WW).


Edward T. Moore, Chairman


Anne M. Morse, V. Chair


Roland R. LaPrade


Paul Chupa


William M. Wozniak