

**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**

**FEBRUARY 22, 1996**

Meeting commenced at 7:13 p.m.. All members except RL were present. Associate Member Richard Dill was also present along with Board's consultant, Philip B. Herr.

**SUBMISSION**

Max Kaufman submits an 81-P, Form A for Farm Street.

EM explains that this is not considered a separate building lot but redefines the lot lines for Land Court.

P. Herr states they are not creating new lots but it looks like it is.

AM moves to sign the 81-P. PC seconds. Vote of 3 (EM, AM and PC). WW not present for vote. RL absent.

**CENTERVILLE ESTATES REQUEST FOR STREET ACCEPTANCE**

EM reads letter from DPW Director D. DiMartino, dated February 14, 1996, wherein he states that Centerville Lane is acceptable to the Bellingham DPW. Some minor work related to setting one bound and some loam and seeding remain to be completed. The developer was unable to complete this work before the winter arrived. The work is minimum in nature and should cost less than \$1,000. He recommends this article be accepted.

AM moves to recommend street acceptance for Centerville Lane based on the DPW's recommendation. PC seconds. Vote of 3 (EM, AM and PC). WW not present for vote. RL absent.

## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

### **SUBMISSION**

Bruce Lord, Esquire, submits an 81-P, Form A for Lakeshore Drive. He explains that the engineer misread the property lines and the water well is on the wrong lot.

PC moves to sign the 81-P for Lakeshore Drive, Alfred DaPrato, applicant. AM seconds. Vote of 3 (EM, AM and PC). WW note present for vote. RL absent.

AM discloses for the record that she has done work for the applicant.

### **CUMBERLAND FARMS CONTINUED DEVELOPMENT PLAN REVIEW**

EM explains the hearing procedure to the audience.

Bruce Lord on behalf of the applicant, explains that the previous plan showed the original layout with the store at 4200 square feet which was reduced to 3,080 with gas pumps and parking. They have taken the comments from the last meeting and changed the design to satisfy questions. They changed the configuration of the tanks to a slanted position. They removed the parking from the front of the store. They reduced the store to 2,400 square feet. The parking from the front was moved to the side. They moved the tanks more to the corner so it is easily accessible for truck traffic which won't be backing in. The situation has improved. The original configuration is the food store with two rental units. The two rental units will be eliminated and the store will be reduced to the 2,400 square feet. Curb cuts are being put in and there will be no parking in the front. The traffic pattern will pull in, unload and pull out without backing and moving within the lot. He met with the Fire Chief who said he wants gas deliveries in the evening after closing. The change is considerable. A traffic study was conducted by Mike Desmond from Pare Engineering who will present an overview of the traffic area.

Mike Desmond, Vice President of transportation for Pare Engineering, distributes a Traffic Impact Analysis to Board members. He is a Registered Professional Engineer in Massachusetts. Cumberland Farms retained them to perform a traffic study. They treated it as a brand new development at the location. He explains the data collection process where the traffic was counted at the intersection of Pearl and Hartford Avenue to and from the site. They conducted a detailed field review of the area looking for anything which would impact traffic and did spot speed surveys for Hartford Avenue. The traffic is slowing at the intersection. They assumed a 10 mph design speed for Pearl Street at 35 mph even though it is now 25 mph. They collected accident data for 1994 and 1995 and met with the Traffic Safety Officer. They looked at the controlled entrances. The minimal stop distance is 250' but 500' is the actual site distance on Pearl Street. They take the 85th percentile for speed. At 50 mph design speed, it requires 400' and was measured in excess of 500'. The police data showed there were two accidents in the area during the past two years.

## MINUTES OF PLANNING BOARD MEETING

FEBRUARY 22, 1996

WW joins the meeting at 7:47 p.m.

M. Desmond continues that one accident was at Cumberland Farms but that doesn't indicate safety issues based on the information obtained from the Police Department. His discussions with Sgt. Haughey showed that it is not considered an unsafe area. They conducted traffic counts between 6:00 a.m. and 10:00 a.m. and 2:00 p.m. and 6:00 p.m. to get the traffic volume during peak hours. They used trip generation for a new site with a 2400 square foot building and 3 gas pumps with 6 fueling stations. He used the Institute of Transportation Engineers guidelines. AM peak hours are less than what goes in and out now. PM would be increased by two vehicles which is virtually the same. The traffic generated by this site will be the same as it is now. 50% of the traffic which comes is already in the traffic stream. The numbers actually show less impact to the traffic. They analyzed the internal traffic circulation.

AM asks how a fuel delivery truck will leave the site.

M. Desmond recommends that it go out through Pearl Street.

AM believes they need the parking area to maneuver out.

M. Desmond agrees. The argument is that they are doing it during nonoperating hours.

EM asks which door milk will be delivered to.

B. Lord points out that the loading delivery door is in the back.

M. Desmond adds they will drive in to the back and then back out.

EM was recently trapped at a Cumberland Farms for 20 minutes after he got gas because a delivery truck backed in and blocked the path in front of him. He had to wait until they finished their delivery because he couldn't get out. He asks how much space there will be between gas pumps.

Richard Longton, Cumberland Farms Construction, replies there will be 20 feet.

EM asks if it will be lit at night.

R. Longton replies affirmatively.

P. Herr asks for clarification. He received a set of materials provided with an alternative plan locating the fuel storage at the rear of the building which would use a different way for truck access and providing fuel.

## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

B. Lord explains that he thought the Fire Chief had a problem with the tanks and moved them to the rear but after discussing this with him, he had no disagreement with it.

P. Herr asks if he should throw away the alternative plan.

B. Lord responds that he should. Delivering is easier to the front.

P. Herr points out to M. Desmond that the 3 parking spaces to the right of the building don't work. The spaces are okay on the drawing but they won't work.

M. Desmond responds that they are anticipated to be employees parking.

P. Herr reaffirms that they don't work. He refers to the green shaded spaces in the back which is future parking and suggests they add one more space and remove the three to the right of the building in order to meet the requirement. He further explains that Cumberland Farms doesn't need the spaces in the back but agrees that the spaces will be put there if needed after 6 months. He suggests the Board require one more space in the back which would satisfy the law for parking. The parking requirement can be met.

EM suggests they could move the dumpster location to the right.

PC asks if they will open up access around the building if they remove the 3 spaces.

B. Lord responds that a car can go around but not a truck. Because of the distance from the door, the parking in the back will not be heavily used. Additional parking in the back is not a problem.

P. Herr states this type of operation is the fiercest trip generator. The trip generation is surprising with a reduction in the floor area. He doesn't think it is a street capacity issue. There are two issues: the peak hour trip generator and the estimate based on the floor area, employees and the number of pumps.

M. Desmond took the peak from the adjacent street. He used the 853 category for the average floor area and number of pumps.

P. Herr agrees that they all use the same book.

B. Lord refers to the 30' openings at Pearl Street.

P. Herr advises that the requirements are specific for motor vehicle stations. It is striking that they met all the town's requirements. The earlier plans didn't but each subsequent plan did. They met all the standards for the number of spaces and foot distance including the two waiting vehicles per filling station. He reads from the section of the bylaw relative to motor vehicle

## MINUTES OF PLANNING BOARD MEETING

FEBRUARY 22, 1996

service stations which states that there be no crossing a major flow. This does cross sidewalks and pedestrian flow. The issue is safety. He refers to the distance of the intersection and issues relative to curb lines and street layout which have all been resolved. They have done the stuff which can be measured. The Board must make a careful judgment relative to the parking.

EM reads letter from the Fire Chief, dated February 20, 1996, wherein he states that the modified plan has addressed his concerns by eliminating the front store parking and placing it to the left side and rear of the building. All other setbacks required in the Zoning Bylaws appear to have been met relative to abutting lot lines and roadways. He reviewed the plan which shows the traffic flow and parking requirements of Section 4800 of the Zoning Bylaw. The problem of cars driving through the dispensing area to reach the store front parking spaces appears to have been eliminated by removal of the store front parking. However, the Zoning Bylaw requires two waiting spaces for cars for each filling position. To meet this requirement, the waiting vehicles would extend out into the entrance area which could result in safety problems and a possible increase of motor vehicle accidents on Hartford Avenue by cars attempting entrance. Unless a waiver or variance can be granted by the Zoning Board for this requirement, he sees this as a possible obstacle to approval. If the Planning Board approves the plan, he recommends that the filling of the gasoline tanks occur when the station and store are closed. The plan depicting the tanker diagram while filling tanks extends into the parking area to the left of the building. This poses a risk to someone backing into the gasoline tanker causing a major problem.

EM states that there is also a letter from the DPW dated November 15, 1995 which no longer applies since it refers to the old plan. He thinks it would work better with an one way entrance off Hartford Avenue. He can't imagine cars coming out and in Pearl Street.

Richard Longton, Vice President, Construction for Cumberland Farms, asks that they not be restricted to one way traffic for stacking vehicles. Vehicles will enter Pearl Street and Hartford Avenue. The site is working now without controls. He refers to the Plainville site which EM had to wait 20 minutes to exit. They acquired the old home next to the store and plan to demolish the entire site and reconstruct. They are fully aware of the problems there but were strapped until they acquired the land. At this site, they will be moving the curb cut to a point of tangency in line with the property line. They are not allowed to have the radius encroach on the abutter. Parking will be to the west of the sidewalk to allow less impervious surface and landscaping. They have enough land space there to satisfy the parking but would rather see more asphalt as vegetated. Parking will be performed at the fueling position. The customer will leave the vehicle and enter the premises to complete their purchase. Cars will be parking at the island for 6 leg parking spaces. There will be an attendant for the self service operation per the State Fire Marshall and the local Fire Dept.

AM understands that the motive is to get them into the store.

WW asks if the customer has to walk in two times.

## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

R. Longton replies that the customer will pump first and pay later. There will be no automatic pumps at any time. There will be no impact of glare for the abutters. Only the bounds of their property will be illuminated. For deliveries at night, there will be low profile illumination from the store which will be adequate for visibility they will need. The Fire Dept. agrees that condensed tanks are better. They will be glad to do whatever the Board determines for the rear land. The dumpster was placed for easy access but could be moved. They will use a piping double wall system which will all be connected to sumps and will be monitored electronically at the store and at the office.

AM asks about the hours of operation.

R. Longton responds it will be 5:00 a.m. to 11:00 p.m.

EM believes that could be determined by the Board of Selectmen.

B. Lord agrees that they have to negotiate.

AM asks what the hours are now.

R. Longton replies it is the same, 5:00 a.m. to 11:00 p.m.

WW asks about the sizes of the autos at the pumps. Was it scaled to size?

R. Longton responds it is 18'.

EM refers to the Citco station where the Fire Chief made them put in arrows which requires customers to go down and come up.

B. Lord points out that not all vehicles fill on the same side.

PC notes that people turn around inside the location.

R. Longton indicates that the Fire Dept. has tremendous input and the plans are sent to the State Fire Marshall who could include a variety of things.

P. Herr states that crossing a major pedestrian flow precludes vehicular safety.

R. Longton states the sidewalk will only be on that side of the street. They will make the sidewalk continuous and open only at the entrance. Currently, there is no delineation.

B. Lord believes it will be safer than it is now with the pavement all around.

## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

Carla Doyle from the audience asks about people coming from Pearl Street and walking to the Rosewood.

B. Lord replies that there is no sidewalk on Pearl Street.

C. Doyle disagrees, there is a sidewalk on Pearl but no one in their right mind would walk along Pearl to Hartford Avenue.

B. Lord has no objection to connecting the sidewalks to Pearl Street. He refers to the retail malls at the 495 entrance. This disperses the traffic from 495. It will provide a Godsend to people who won't have to go to Hartford Avenue for gas and benefits the town. They are suggesting that it is not a good idea to pave the parking to the rear. They are showing more spaces than required.

C. Doyle asks if they can pave over the leaching field.

B. Lord replies that they can.

P. Herr explains that the Planning Board is conducting a development plan review but the proposal requires a special permit from the Board of Selectmen. The criteria for crossing a major pedestrian access is not under development plan review. That is a question this proceeding is trying to resolve. This plan is better than previous plans. This meeting is not whether the use is allowed but if it is allowed, is the use arranged safely as can be done given the use on the site? He advises caution relative to the parking. The Board can alert the Board of Selectmen which is the special permit granting authority that they are concerned about safety. The pedestrian access disallows the permit.

C. Doyle refers to the speed survey. Between 7:00 a.m. and 10:00 a.m., it is slow with 15 cars waiting. During the hours of 11:00 a.m. to 6:00 p.m. and 8:00 p.m. and 12:00 a.m. there isn't one car going under 30 mph. Six months ago there was an accident with a firebird which moved the rock in her front yard. It doesn't appear that they considered people from Franklin when they did their study. Since WalMart came in, traffic on Pearl Street has quadrupled from Franklin. No one does 25 mph on the street. She is concerned there will be more cars flying up and down the street with many children living there. It is a heavily commuted short cut.

EM refers to enforcing problems which comes under the Police Dept.

Lee DeLoram, abutter to the right of Cumberland Farms, asks if they will be adding to any part of the existing building.

EM replies they are making it longer.

B. Lord responds negatively, they are cutting the width. The two plans are not to the same scale

## MINUTES OF PLANNING BOARD MEETING

FEBRUARY 22, 1996

and that is why it appears different.

P. Herr asks if the current proposal will move the front wall of the building. The earlier one was moved back and that's why it looks different.

B. Lord advises that they are not moving the front wall.

L. DeLoram asks about the required parking spaces.

B. Lord responds 13 are required according to the Zoning Bylaw.

P. Herr explains that the requirement is for one parking space for every 250 square feet of building plus the 3 gas pumps.

L. DeLoram states there is now a problem with parking at the front of the store and down the right side of his fence.

P. Herr advises that the town can require them to build the spaces in the rear.

L. DeLoram states that there is not enough space on the side of the building next to his fence which is on his property line. The traffic study doesn't take into account the Home Depot going in down the street. Anyone who lives on the north side of town is going to come in this way.

EM states their engineer said that Home Depot will have no bearing on this traffic.

L. DeLoram now has to wait 5 minutes to get out of his driveway sometimes. The two accidents are a joke - there are a number of accidents which happen where people don't call the police. He hears squealing brakes all the time. Since they started selling coffee, trailer trucks park on the main drag and no one can see to get out. At present the bulk of the deliveries are to the front door. Only the milk delivers to the back door. All else comes to the front. The drivers are bad and he is concerned they will hit the gas pumps. He refers to the mounds of snow 8' tall and that there is no way to maneuver cars or trucks around them.

Suzanne DiMestico, abutter, points out that the handicap ramp is close to the pumps. Why did they put the ramp where the cars are moving?

B. Lord replies that it has to be close to the door.

S. DiMestico advises that now deliveries to the front door use the handicap ramp and space.

B. Lord notes that there are doors on the front and side. There is a 30' distance between the filling pumps and the handicap space. It meets the law and gets the handicap space as close to the



## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

entrance as they can. There will be more traffic to Home Depot but there won't be more traffic at this site. They reduced the space by 2,000 square feet by removing a tenant and taking the parking out. Now people are backing into each other. They worked hard to try to make it neighbor friendly.

WW moves to continue to give the Board a chance to go over the plans.

AM moves to take the plan under advisement. PC seconds. Vote of 4 (EM, AM, PC and WW). RL absent.

EM states that the Board can discuss this matter more later on. He calls for a 5 minute recess.

### **CROSSROADS SPECIAL PERMIT AND DEVELOPMENT PLAN REVIEW DECISION ENDORSEMENT**

EM talked with Town Counsel relative to the special permit which he said was o'kay to form. He thought P. Herr had further questions.

P. Herr advises that the special permit has been taken care of.

EM asks if the 4 parking spaces have been added to the Development Plan.

P. Herr recalls two issues relative to crossing the stream of traffic where the 4 parking spaces were removed and then turned back after conversing with D. DiMartino, Police Safety Officer and P. Herr. The result is that the 4 spaces have been removed and grass is growing so the issue is laid to rest. There is a small piece of language in the Development Plan decision which should be modestly revised. The drawings were done by computer which goes through all of the plans but the changes are not shown on the landscape plans. The real issue is what gets built but the plans should be correct. The fence was not moved back the 10' as agreed on the landscape plans. The drainage drawing has the scale wrong for the detention basin. The question is where is the fence relative to the guardrail. It is not unsolvable to move it back the 10'.

Andrew Zelmeyer, Esquire, on behalf of the applicant, states that they agreed to set the fence back 10' as indicated in the record. They are not disputing that. The fence will be keyed off from the drawings correctly. He will relay the information to the engineer who will tell the landscape architect.

EM reads Amory letter, dated February 14, 1996, stating that the following outstanding issues have been resolved: (1) The groundwater separation that has been provided from the bottom of Basins 1 and 2, in their opinion, will be less than 2 feet. They concur with Sumner Schein that this is desirable for support of wetlands species which are proposed to be planted in the bottom of the basin. A waiver from 43.42 of Subdivision Rules and Regulations for design of storm

## MINUTES OF PLANNING BOARD MEETING

FEBRUARY 22, 1996

water basins will be required. (2) Stormwater Basin No. 3 beneath the Crossroads parking area has been redesigned. They understand that final calculations will be submitted, for the record. (3) The applicant proposes to construct Basin No. 4 with a 3.3 inch diameter outlet. Final plans will be submitted which show the 3.3 inch diameter outlet. A maintenance plan will be submitted which enumerates monthly inspections of the outlet control structures with cleaning as required. This will continue for a period of one year upon which these reports will be submitted to the DPW Director and Amory Engineers for review. A decision will be made at that time as to whether to continue monthly inspections or whether to reduce inspections to a quarterly frequency. The final plans will show 1 inch maximum openings in the trash rack which protects the 3.3 inch diameter outlet. (4) Revised construction details have been submitted. They understand that these details have been incorporated into the final plans to be issued to the Town and Amory Engineers.

EM asks if the final calculations have been submitted addressing item 2.

A. Zelmeyer does not know.

EM believes there is still information forthcoming.

A. Zelmeyer indicates that some of it is post construction and will be included in the maintenance plan.

P. Herr points out the 4 spaces which have been removed and the grass shown on the landscaping plan. He refers to the language on page 2 in the proposed Certificate of Approval for the Development Plan Review. The second paragraph refers to the Planning Board waiving requirements for #1 relative to Gibbs unsafe condition warrants inserting "in the judgment of the Police Safety Officer" at the 5th line. It is warranted because it gets rid of the ambiguity.

A. Zelmeyer agrees to the change.

P. Herr explains that the applicant agreed to do something which would prohibit autos from turning right. The applicant agrees to come back for Development Plan Review when they connect Gibbs.

EM states that the Board wanted to make it clear that Gibbs is not covered under this plan and needs its own Development Plan Review.

P. Herr suggests that the Board sign the Certificate of Approval tonight. The applicant can revise page 2 and the Board can insert it upon receipt.

WW asks for a modification of the landscape drawings LS1, LS2 and LS3 to show the set back of the fence 10' and the detention pond guardrail set back 10'.

## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

P. Herr refers to Certificate of Approval, page 4, where the Town Clerk's certification and the 20 day appeal period should be crossed off because there is no appeal period for Development Plan Review.

Board members sign special permit and Development Plan Review Certificate of Approval. Applicant will revise pages as indicated above and fax to EM for filing tomorrow.

### **GEORGIA PACIFIC SPECIAL PERMIT AND DEVELOPMENT PLAN REVIEW PUBLIC HEARING**

EM explains that a special permit requires the vote of 4 out of 5. He explains that one member is one vacation so the Alternate Member is sitting in for the special permit. He discloses that he is an abutter to the property and asks if the applicant has a problem with that. He did sit in on Somerville Lumber. He checked with Town Counsel who did not see a problem.

Applicant has no objection.

EM explains the hearing procedure and explains that the special permit public hearing is because part of the site is in the Water Resource District. The Development Plan Review is different and was advertised separately but they will be discussed together.

WW moves to waive reading the Notices of Public Hearing. PC seconds. Vote of 5 (EM, AM, PC, WW and R. Dill). RL absent

Paul Burnham, Georgia Pacific, introduces his team including Steven Garvin and Chuck Samiotes from Samiotes Consultants, Bruce Steel, Herring International and Rick Moore, Rizzo Associates. He provides background on Georgia Pacific, a national distributor of forest products including paper. They are proposing a wholesale distribution facility for the building products. They have two distribution centers now in Wilmington and Mansfield, MA. They have a triad distribution system. Bellingham will be the central distribution center for a good part of the northeast. They will be closing the Wilmington, Mansfield, MA and Hartford, CT facilities. They will leave open the bulk of the distribution centers from Maine, Vermont and CT for a different strategy for their distribution.

Chuck Samiotes provides an overview of the site. They will run the rail into the building. Green delineates the wetlands. The rail spur is one issue they will deal with. They will be using the facility similar to Somerville Lumber. The main focus is the different method of handling the Georgia Pacific stock. When the building was constructed Somerville Lumber misjudged so their evaluation of the site has included a second rail to the rear of the building for bypassing the existing docks without which they will have a locked rail system. They intend to increase the rail capacity on site. They also included a small enclosure over the existing rail. The solid dark line on the plan delineates the existing rail and the dotted shows the new rail required for the bypass

## MINUTES OF PLANNING BOARD MEETING

FEBRUARY 22, 1996

cars. The canopy will protect the trucks from the weather. The site is entirely paved so they are not including any impervious surface. They need to bring their trucks into the building so they propose to raise the grade 4'. They are required to construct retaining walls and will be bringing fill in. The number of employees will be the same at 150. The 3 issues include (1) rail, (2) enclosure for the rail and (3) the canopy for the trucks including the retaining walls, additional fill and regrading within the site. They are going to the Conservation Commission for their strategy of soil erosion sediment control. They will be removing earth and bringing it to the other side. The existing retaining wall is beyond the warehouse between warehouse 1 and 2. The question is whether it is structurally sound. They are evaluating it now.

EM asks if they received a gravel/earth removal permit.

S. Garvin explains that they are not doing earth removal in the front. They will take a small amount to raise the 3.5' in the back. The retention will stay where it is.

EM states that a special permit has special conditions. Somerville trucks agreed to only go up Maple Street from 140. Maple Street will be improved at a later date. He asks if they will agree to the same thing until the improvements are done.

C. Samiotes responds that Georgia Pacific owns most of their own trucks and will agree to go down Maple Street. All other truck drivers will be made aware that they can't go down to the north.

John Bouchard, abutter, understands that this will be a 24 hour operation. Somerville Lumber closes at night. He is concerned about the noise level.

P. Burnham advises that it will be 24 hours ultimately but they will have 2 shifts in the beginning.

EM asks how much outside activity there will be.

P. Burnham responds they will be loading outside and inside but the majority of the rail will be done inside.

S. Garvin points out that the railroad tracks are on the back side of the facility. The railroad does not deliver all night.

Dave Conroy, abutter, lives to the front of the warehouse. He asks if they would consider landscaping the warehouse and the property lines with a living fence. The trees there now are very sparse.

J. Bouchard agrees there is not enough light for the trees which are there to grow.

## MINUTES OF PLANNING BOARD MEETING

FEBRUARY 22, 1996

EM asks about a stockade fence.

D. Conroy indicates that a fence is not good because his deck is above the elevation.

C. Samiotes notes that there will not be a lot of activity to the front of the building.

D. Conroy disagrees because the employees go in and out that way.

C. Samiotes advises that the 150 employees is the total for all day. The majority of the workers will be on the regular day shift.

AM asks if there is a chance they can get some landscaping.

P. Burnham agrees to tour the area and walk the facility.

J. Bouchard refers to the speaker system which is really noisy. He hears it all day long and would not want to hear it during the middle of the night.

Rick Moore, Rizzo Associates, discusses the noise levels. They took measurements of the Mansfield plan noise levels. The peak noise level includes the short term spikes. Mansfield was identical to this. The calculations didn't include any buffer. The elevation distance does cut down on the noise.

C. Samiotes explains that during the day there will be more office workers and at night there will be more loading.

EM reads letter from Donald DiMartino, DPW Director, dated February 14, 1996, wherein he states that it appears that all of the work will be performed on private property and none of the proposed work impacts the roadway or the utilities owned and maintained by the Town. Therefore, the DPW has no comment or concerns regarding this submittal. EM reads letter from Richard F. Ranieri, Fire Chief, dated February 21, 1996, wherein he makes the following comments: (1) He noted that the railroad tracks are going to be added to and/or extended. He has no problem with this provided the access around both buildings is left open for emergency vehicle access. His concern is that rail cars will be parking and left blocking or impeding access. It is mandatory that access be maintained for emergency apparatus at all times. (2) With the addition and/or relocation of railroad tracks, he is requesting that all hydrants that may need to be relocated be kept and located for maximum use and accessibility of Fire Department equipment. He will be happy to meet with representatives of Georgia-Pacific prior to construction to discuss this. (3) The enclosing of loading areas may result in the extension of the existing sprinkler and fire alarm system. He reserves the right to comment on this at the appropriate time when building permit plans are received for review and comments. (4) The final issue which may arise is the possible need for licensing and/or permits for fuels, and other flammable or combustible

## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

liquids, gases, solids/etc. He has requested information regarding this from Georgia-Pacific representatives and as of this date, he has not received any information. Questions regarding storage of these items need to be addressed immediately due to the necessary time involved if public hearings for licensing are required. The gentleman that he spoke to from Georgia-Pacific could not provide him with this information. In addition to any licenses and/or permits required from the Selectmen, there will be other areas of concern. Therefore, he reserves the right to comment on the licensing issue until such time that he is provided with a list of all of the above items.

P. Herr asks if the applicant has shown where the Water Resource District is relative to the changes which they are proposing within.

S. Garvin doesn't have the final survey yet.

EM notes that they needed to provide that information before they scheduled the public hearing.

S. Garvin believes that it runs parallel to the wetland area.

P. Herr explains that there was a 300' strip in the Water Resource District but it is out of it now.

EM assumes that the applicant was not aware that the Water Resource Map had changed.

P. Herr does not think they are proposing anything inside the Water Resource District Map. The Board can't act on it since they can't tell what the applicant is proposing to do. He doesn't think the building is in the WRD.

EM states that before only one corner was in the WRD.

B. Lord indicates that Somerville Lumber had a detailed listing of the materials they had. This is clearly out of the WRD. The Water Resource is completely in the Core of Engineers property now.

C. Samiotes states that this facility will hold no fuel storage other than for vehicles. They will get the appropriate permits for the small forklifts. They will have no liquid flammable combustible materials.

EM points out that the Fire Chief is concerned about the trains blocking access.

P. Burnham agrees that they need full access.

C. Samiotes will work with the Fire Chief for relocation of the hydrant.

## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

P. Herr suggests that the Board continue the hearing for the special permit since they can't do anything with it now.

C. Samiotes explains that the survey is ongoing. They would like to continue with the possibility of withdrawing.

P. Herr refers to the Development Plan Review where the acoustics is the most serious issue. He suggests they do something reasonable about the voices over the amplification system.

EM agrees that people don't want to hear that in the middle of the night. He asks about additional lighting.

Bruce Steel, Herring International, indicates that the site will remain as is with the potential for additional lighting away from the residential area in the back.

P. Herr advises that additional information was not provided on the plan. He suggests they wait until the information is on hand. He already conveyed a list to the applicant. The Board can't act on it tonight. He suggests they send it to him two days prior to the next meeting for review.

Board members agree to hold the next meeting on Wednesday, March 13, 1996 at 7:00 p.m. AM moves to continue the Georgia-Pacific special permit and development plan review to Wednesday, March 13, 1996 at 8:00 p.m. PC seconds. Vote of 5 (EM, AM, PC, WW and R. Dill). RL absent.

Ken Crew, abutter, asks if the bulk of the outdoor activity will take place at night.

P. Burnham responds that there will be a single train delivery between 11:00 p.m. and 3:00 a.m.

K. Crew asks if the trucks will be loading outside at night.

P. Burnham responds they will be loading at all different times but will be the busiest during the daytime.

S. Garvin explains that the trains will be at the back of the building where forklifts will come out and unload them.

Ken Crew lives across from the space between the buildings. He asks if Georgia-Pacific intends to be a good neighbor.

P. Burnham responds "Of course".

WW asks if the trains will run everyday.

## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

P. Burnham responds they will run Monday through Friday and will run on Saturday from time to time.

K. Crew is concerned about the truckers who beep their horns on the property.

EM explains that this was a problem at one time.

### **DISCUSSION RELATIVE TO PROPOSED ZONING BYLAW AMENDMENTS**

P. Herr asks if the Board has considered an amendment to accessory apartments again.

EM states that Town Counsel was concerned because it made every house a duplex.

AM believes that he wanted to be here to discuss it with the Board.

P. Herr understands that it is Town Counsel's opinion that it is not good town policy. He will speak with L. Ambler and discuss something which works. Clerk to include an accessory apartment article on the warrant for the Annual Town Meeting. He asks about the progress of the Sign Bylaw Committee.

EM attended one meeting but there was never another one scheduled.

P. Herr refers to telecommunications towers which D. Fraine thought would be a good idea to address for tower limitations. Clerk to include Sign Bylaw and Tower Limitations on Annual Town Meeting Warrant. P. Herr will prepare articles and forward to Clerk to inclusion in the Warrant.

### **FURTHER DISCUSSION RE: CUMBERLAND FARMS DPR**

EM states that it meets the criteria and fits. The experts say it works but he doesn't think it does.

R. Dill can't see that many cars out front without them moving the building back.

S. DiMestico, abutter, is concerned about cars exiting and entering from Pearl since there is a school bus stop there.

WW believes that the Board can act on safety.

S. DiMestico refers to the 74 new homes which are going up in Franklin off Beech Street who will all cut through Pearl.

Carla Doyle, abutter, indicates that cars come out of Cumberland Farms at the end of Pearl. Cars



## **MINUTES OF PLANNING BOARD MEETING**

**FEBRUARY 22, 1996**

come around the corner and slam on their brakes waiting to take a right or a left.

B. Lord believes that the sidewalk will increase safety.

C. Doyle points out that the applicant is arguing that they are putting in a gas station to divert traffic from 495, therefore, it will increase the traffic where it is going.

WW notes that the applicant said they would not generate more traffic in their place of business.

EM understands that Cumberland Farms is not a good neighbor to the town.

P. Herr suggests the Board take more time to consider their decision. He will check the traffic comparison including Section 3200 environmental and 3300 parking and loading. It does meet 3200 and 3300 but the Planning Board could make a recommendation to the Board of Selectmen when they hold their public hearing for the special permit that the Planning Board is likely to oppose approval of the permit because the use is inappropriate. The reasons are legitimate concerns.

C. Doyle doesn't think there is anyway trucks can back up or in without going onto Pearl Street.

EM doesn't want to see the proposal constructively approved. The Board has 45 days from complete submittal which was tonight because the revised plan was just submitted.

AM moves to continue Cumberland Farms to Thursday, March 28, 1996 at 7:30 p.m. PC seconds. Vote of 4 (EM, AM, PC and WW). RL absent.

### **GENERAL BUSINESS**

P. Herr prepared a public hearing notice for revisions to the Rules and Regulations Governing the Subdivision of Land. He suggests the Board hold a hearing on March 28, 1996 to deal with the revisions.

Board agrees to hold the hearing on March 28, 1996 at 8:00 p.m.

P. Herr distributes standards for parking space dimensions. In 1988 a proposal was submitted but it was never adopted. It maybe attached to the Planning Board Procedural Rules. He will look at the Procedural Rules which have not been revised for some time. Clerk to send P. Herr a copy of the Development Plan Review section which replaced Site Plan Review.

### **DEER RUN PRELIMINARY SUBDIVISION CONTINUANCE**

EM reads letter from Robert Ficco, Esq., dated February 21, 1996, requesting a continuance of

**MINUTES OF PLANNING BOARD MEETING**


February 22, 1996  
~~DECEMBER 21, 1995~~

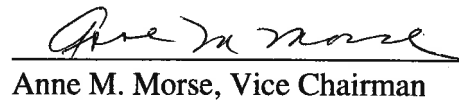
the Deer Run Preliminary Subdivision to March 14, 1996.

AM moves to continue Deer Run to Wednesday, March 13, 1996 at 8:30 p.m. PC seconds. Vote of 4 (EM, AM, PC and WW). RL absent.

Gagnon two lot subdivision off Harpin Street scheduled for Wednesday, March 13, 1996 at 9:00 p.m.

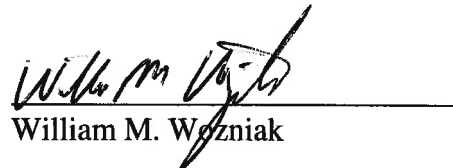
AM moves to adjourn at 11:20 p.m. PC seconds. Vote of 4.

  
Edward T. Moore, Chairman

  
Anne M. Morse, Vice Chairman

\_\_\_\_\_  
Roland R. LaPrade

  
Paul Chupa

  
William M. Wozniak