

BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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

MINUTES OF REGULAR MEETING

NOVEMBER 21, 1996

Meeting commenced at 7:05 p.m. All members were present. Associate Member Richard Dill was absent. Planning Board consultant Philip B. Herr was also present.

SPRING MEADOW DEFINITIVE SUBDIVISION CONTINUED PUBLIC HEARING

Greg Rondeau, applicant, spoke with the independent engineer who suggested doing soil tests to evaluate the detention pond. The question is do they have to put it in. They did the test holes which were witnessed by the town. They will evaluate the situation in terms of whether or not the pond is needed. The detention pond is on the plan but Amory brought up that it may not be needed. They may need a swale control discharge. He hasn't heard back from Tom Sexton and asks for another continuance.

EM moves to continue to December 19, 1996 at 8:00 p.m. with approval for an extension to January 9, 1997. PC seconds motion. Unanimous vote of 5 (AM, WW, RL, EM and PC).

81- SUBMISSION

Melissa Taylor, Pulaski Blvd., submits an 81-P.

AM reviews the plan and asks if it meets the requirements for the lot shape factor since it looks like an odd lot. She asks what they are dividing from what.

Brian Taylor responds this has already been approved by the Conservation Commission with an Order of Conditions. It has also been approved by the state. They purchased a piece of land from Pinecrest Dairy.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

P. Herr asks what district this is in.

B. Taylor responds that Deer Run abuts in the back.

P. Herr thinks it is in a residential district. The only question is does it have the required frontage and he thinks it does.

EM asks if it meets the lot shape factor.

P. Herr states this doesn't make it worse but does make it better.

EM moves to approve the Taylor 81-P. PC seconds. Unanimous vote of 5 (AM, WW, RL, EM and PC).

GENERAL

Associate Member Richard Dill's wife gave birth to twin girls.

AM asks the Middlesex News reporter to put a release in their newspaper stating that there is an opening on the Housing Authority.

RL moves to accept the minutes of October 10, 1996. PC seconds. Vote of 4 (AM, WW, RL and PC). EM was absent from that meeting.

Discussion RE: covenant submitted for Hixon Farm Estates. P. Herr reviews the covenant and proclaims that it is satisfactory provided that we are presented with an executed one from the applicant. A note referencing the covenant must also be on the plan.

AM will be on vacation from November 22, 1996 to December 8, 1996.

Members sign semi-annual stipend voucher and Clerk's pay voucher as well as invoice for P. Herr's quarterly consultant fee, Staples bill for Hewlett Packard multi-function machine, U.S. Postmaster for stamps and reimbursement for supplies.

DPW WELL #12 CONTINUED PUBLIC HEARING

DPW Director Donald DiMartino verbally requested that the Board continue this definitive subdivision since he is awaiting word from Land Court as to whether or not the plan is acceptable as presented.

EM moves to continue to December 19, 1996 at 7:00 p.m. RL seconds. Vote of 4 (AM, WW, RL and PC). EM abstains since he was not present for submission and original discussion.

81-P SUBMISSION ADAM STREET

EM abstains from the discussion since he was not present at the last meeting.

Denis Grillo indicates that the applicant has posted a bond with the Town Treasurer.

Clerk notes that Board received a letter from Grace Devitt, Treasurer, dated November 18, 1996 stating that a \$3,700 bond was posted in Dean Cooperative Bank in the name of Robert Ballarino and the Town of Bellingham. An October 31, 1996 letter from D. DiMartino enclosed a draft policy which he asked the Board of Selectmen to accept regarding the issues of streets which are unimproved or improved to below acceptable standards. He leaves it to the Board to decide what actions may be required of Mr. Ballarino regarding these areas. A public hearing has been scheduled with the Board of Selectmen on November 18, 1996 at 7:30 p.m. to discuss this policy. Planning Board input is appreciated.

P. Herr points out that there is no question that the way exists. The applicant proposes to pave it to 18' wide. It becomes a Form A if the Planning Board determines what the applicant has done is adequate. Last time the Board was not sure it was adequate so it was forwarded to D. DiMartino. He is asking for the full width of the right of way to be used at 18' pavement.

AM thinks they need a turnaround.

EM asks how they can propose a turnaround if they don't own the land. He asks if there is enough room to put it in.

P. Herr responds negatively. It is only 30' wide.

D. Grillo asks if it is an accepted road at this point and if the town is servicing the road?

P. Herr responds that no, it is not an accepted road. The piece D. DiMartino is allowing an opening is on Silver Lake Road for which the applicant has submitted a bond. A snowplow will have to back out.

EM thinks they can construe this is o'kay with D. DiMartino since he gave the applicant a permit to open the road.

AM thinks they should bring it up and widen out to the lot line to give more room to maneuver.

P. Herr reiterates it doesn't give enough room for a turnaround.

EM notes it would give them a place to put the snow.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

P. Herr indicates that the DPW doesn't want to plow this.

EM agrees it should be paved to the end of the property line.

WW asks how they can pave 18' of road if they don't own it?

P. Herr responds that is not a public issue. It is between the people who own the property.

WW asks who owns the piece of property at the end of Adams Road?

AM asked D. DiMartino and he said it was the town's right of way.

P. Herr thinks that may be wrong. If it was the town's land, they wouldn't be here. This is an old way shown on a subdivision plan. People bought the lot based on the deed which may give them the right to the center of the road. The question here is if the right of way is adequate to provide for access. Is there a right of way? Yes. Is it town accepted? No. The Planning Board must find if there is adequate provision for access under the Subdivision Control Law.

AM understood that there is a house being built right now.

D. Grillo responds not on this one. There is one being built on Third Avenue.

RL recalls that the foundation was held up on this one and they are waiting for the Board's approval.

AM thinks if it is extended to the lot line, it is probably adequate for 20-25' but how can the Board approve for people's land that this applicant does not own?

D. Grillo notes that the road could continue on.

EM suggests that maybe the Board should wait until this is a real road with drainage.

P. Herr notes there is a meeting scheduled for December 30, 1996 to discuss the town's policy further. Apparently, this applicant went to get a permit and D. DiMartino wouldn't sign off. It was his impression that the Board wanted to defer to D. DiMartino. Signing off on the street permit suggests D. DiMartino is saying he is satisfied.

AM interprets D. DiMartino's letter to mean that he would like them to adhere as closely as possible to this policy.

EM moves to approve the Adams Street 81-P if the applicant is willing to extend the pavement to the end of the lot line. PC seconds. Vote of 4-1 (AM, RL, EM and PC for and WW against).

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

Clerk to send a letter to DPW with a copy to the Building Inspector stating that approval of the 81-P for Adams Street is contingent on the applicant extending the pavement to the end of the lot line.

SUMMERLAN ESTATES DEFINITIVE SUBDIVISION PLAN ENDORSEMENT

AM abstains from the plan signing. EM abstains because he wasn't here for the public hearing.

WW takes over as Chairman on AM's behalf.

Board received notification from the Town Clerk that the 20 day appeal period has passed.

P. Herr notes that a covenant is not needed since there is no construction and no road or drainage. This is a subdivision because a variance was obtained from the ZBA. The title block should say a definitive subdivision plan of land. There is also a note on the plan stating that the lot can not be resubdivided without returning to the Planning Board for consideration.

RL moves to sign the Summerlan Estates Definitive Subdivision plan. PC seconds. Vote of 3 (WW, RL and PC). AM and EM abstain.

HIXON FARM ESTATES DEFINITIVE SUBDIVISION PLAN ENDORSEMENT

AM resumes as Chairman.

Steve Donatelli, Shea Engineering, presents the approved plan and points out revisions.

Board received notification from the Town Clerk that the 20 day appeal period has passed. Clerk reads letter from Thomas Sexton, Amory Engineers, dated October 29, 1996, wherein he states that they have reviewed the Hixon Farm Estates Definitive Plan revised September 27, 1996 (received October 22, 1996) and find the revisions and drainage system design to be acceptable based upon the Applicant's submittals. He notes their review has not included a site inspection or witnessing of test pits.

S. Donatelli notes there were a couple of questions left from the last meeting. 1. A note showing a cape cod berm from Road A to Road B has been added. 2. He points out the outlet control structure and wingwalls inside the detention basin and 3. There is a note showing the rebar detail on the plan.

EM moves to sign the Hixon Farm Estates Definitive Subdivision plan. RL seconds. Unanimous vote of 5 (AM, WW, RL, EM and PC). There is a note on the plan reflecting the covenant which has been executed by the applicant. Members endorse the plan.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

S. Donatelli notes that just the lot sheets are recorded and that is why the other sheets do not have a signature block.

Mylar plan to be retained by Denis Fraine until the independent engineer has been reimbursed by the applicant. Robert Stockton, applicant indicates that Amory Engineers was paid 3 weeks ago. Plan to be picked up by applicant tomorrow in Mr. Fraine's office.

81-P GRANITE AND FARM STREETS

Pat Arnow, Metrowest Engineering, Inc., presents an 81-P for Toby Cossman for property at Granite and Farm Streets which was signed by the Board but not recorded within the 6 month timeframe.

AM asks how long ago it was before the Board?

EM responds it was on April 13, 1995 and that nothing has changed.

WW can't sign this because he didn't sign the original.

AM disagrees. He can sign as a new Board member.

RL moves to accept the Cossman 81-P. EM seconds. Unanimous vote of 5 (AM, WW, RL, EM and PC).

CROOKS CORNER AND PULASKI BLVD. ROAD RECONSTRUCTION ENGINEERING SELECTION

Clerk reads letter from DPW Director D. DiMartino, dated November 20, 1996, wherein he states that they have advertised for submittal of qualifications from consultant engineering firms to start the wheels in motion to reconstruct Crooks Corner and Pulaski Blvd. from the corner to the Franklin line. The Selectmen have asked that a member of the Planning Board join Mr. Fraine and D. DiMartino to make up the selection committee. He hopes one member of the Board will volunteer to assist them in this matter. The volunteer should contact him to get a briefing on the requirements. He enclosed a copy of the Request for Submittal of Qualifications for the Board's review.

WW volunteers to be on the selection committee and will contact D. DiMartino to obtain a briefing. EM may also want to attend.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

CHARLES RIVER CENTER SPECIAL PERMIT PUBLIC HEARINGS FOR MAJOR COMMERCIAL COMPLEX, WATER RESOURCE DISTRICT AND DEVELOPMENT PLAN REVIEW MEETING

EM moves to waive the reading of the legal ad as it appeared in the newspaper on November 7 and November 14, 1996. WW seconds. Unanimous vote of 5 (AM, WW, RL, EM and PC).

AM explains the hearing procedure to the applicant and the audience. Applicant makes his presentation first followed by Board questions and audience questions. Audience is instructed to raise hands and state their name and address for the record when called upon.

Dick Marks, Esquire, Goulston & Storrs is here representing Bob Frasier, W/S Development. He also introduces Art Scarneo, Vanesse traffic engineers, Roy Smith and Lou Masiello, Sumner Schein and his colleague Andrew Zelmeyer. They are seeking a Water Resource District Special permit for the amount of impervious cover and the amount of vegetation removal, a Major Commercial Complex Special Permit and Development Plan Review. They met with the Board's engineering consultant and met with P. Herr and have submitted responses.

EM asks if his brother is on the list of abutters?

Clerk reviews the list and states he is not on the list.

EM discloses that his brother lives very close to this development and asks if the applicant has a problem with him sitting for the hearing.

D. Marks responds negatively, they have no problem.

AM discloses that her company has done work for Varney Brothers who is the owner of the parcel.

R. Smith explains that the proposal is in the vicinity of the 495 off ramp across from Stallbrook. They propose aligning the entrance with the existing Stallbrook driveway. They submitted an Environmental Notification Form (ENF) with the state and submitted a Draft Environmental Impact Report (EIR) with the state. They filed a Notice of Intent with the Conservation Commission and had their first hearing last week. There will be a two lane entrance and exit into the site. They propose a 4,000 outparcel pad restaurant where the entrance will taper to one lane. Total acreage of the parcel is 29.5 acres. There will be an external ring road and internal ring road at the service area. The building layout will include a proposed theater with 50,000 + square feet with 2,740 seats, a 128,000 square foot retail development, 13,000 square foot restaurant and a 9,000 square foot restaurant. They will have two detention basins and an infiltration basin. They are asking for a waiver for the parking on the basis of shared parking. The town's requirement is for 1,565 and they propose 1,340. They used a ULI Study for the shared parking

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

analysis which showed a need for 1,260 spaces. Based on the analysis, they are over what the shared parking should be and under the zoning requirements. The reasons for the waiver include a downsize of the amount of impervious surface. The Zoning Bylaw calls for 30% impervious. They are at 52% impervious cover right now. The old site plan filed with the ENF and a letter from the Conservation Commission regarding the impervious cover recommends 52% versus the 30% with the same conditions. He distributes the October 2, 1996 letter from the Conservation Commission and the site plan dated May 15, 1996. For protection of the pad, after filing the ENF, they decided to delete parking from the development. The Conservation Commission wants them to put in a conservation restriction in perpetuity.

D. Marks explains the conservation restriction will be deeded to the town for an easement. The land will be held by the applicant but will be burdened with an easement for the town.

R. Smith explains they were at 85% impervious cover previously. Based on the amount of stacking, crossing the railroad bed and the culvert and spring brook, they will reduce to one lane decreasing the impervious surface with a waiver for the parking. The parcel is in industrial zoning. The Water Resource District protection as an overlay encompasses the whole site. There are limited restrictions for the use of the site and makeup of the site. The restriction is because the town wells zone 1 which is 400' from the town well and zone 2 is within ½ mile from the site. The Water Resource protection recharges the town well in zone 2 which is only used in the most severe conditions to recharge. Industrial use allows for manufacture and research bulk storage. They will have no bulk manufacturing. 30% times 29.5 acres leaves 8 - 9 acres of allowed acres allowed for manufacture as opposed to their retail proposal at 52%. The use is allowed in the Water Resource District as long as for constrained use. They utilize "best management practices". They are asking for a waiver from the 30% impervious cover. They will have 70% vegetation removal so they are only asking for 71%, which is 1% over the requirement.

EM asks if the Conservation Commission has recommended that?

R. Smith responds negatively, they are currently in front of the Commission. They will require land from the existing bike store which is owned by Fafard Real Estate. That will give them the access easement to align the two driveways. They will give them 30' along the back property and 100' off which stops at the Conservation Commission restriction. They have to work to align the access and the bike store will have to relocate their access. They are working with them to modify the access. The slight bump up in the percentage of impervious surface depends on how the agreement works out with Fafard whether they are given an easement or a land swap which is in negotiations. They propose a permissible building line which meets the setback requirements based on zoning since they don't have finalized tenants or footprints. The proponent is willing to come back for the outparcel pad restaurant. The theater, 9,000 restaurant and 128 square foot retail will have a permissible building line which follows the sidewalk line. The revisions won't encroach on the parking which follows the back and extension of the ring road. The loading area will be screened with grading, planting, screen walls. Relative to water quality, total suspended

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

solids will be removed which carries the first flush. The criteria is 90%. Swales, detention, forebales meet the criteria and complies for zone 2. They will have infiltration basins and chambers for roof drains. The existing site is vegetated and has very little runoff. They have to recharge to control potential flooding downstream.

Art Scarneo, Senior Project Manager, Vanesse & Associates, traffic engineers, provides an overview. They submitted a draft EIR to study the area similar to Home Depot relative to existing conditions of high accident rates, future conditions with new counts at peak hours including am, pm, evening cinema and Saturday and mitigation. They will keep the proper progression and timing. The roadway improvements will include a closed loop system. The final closed loop will be hardwired to run on the connection. They will have a phone drop box so they can make changes if there are problems at the intersection. The light will be green from both approaches with a lag for the left turn. Now the left turn is first. They do recognize the high accident rate. Between January and September 16, there were 25 accidents. There is a high left turn demand so they need a left through and through lane. 600 cars would designate the turn lane. P.M. peak is 900 trips with 700 new trips to the road entrance and exit during the peak hours. The cinema peak is 9 - 10 p.m. with mainline traffic which is not as high. P.M. peak hour and Saturday is critical. They have prepared analysis for the intersections. For the study area, they recommend prepared analysis with a closed loop system. They considered 2001 conditions with a full build out of Crossroads. They incorporate the unoccupied numbers in the study. They included Home Depot which just opened at high peak since a store usually has more volume when it first opens. The signals are part of the closed loop system which is operating at a level of C or better. The Maple Street left is difficult during the peak. Overall it will be operating at a C to E level with the left difficult to maneuver. For mitigation as a result of the high accident rates, they recommended widening and additional lanes along Hartford Avenue. They propose widening the road with a double left turn lane into the Stallbrook Center with a through and through right turn lane. The left turns will be opposing each other separately. They shifted the driveways in response to the feedback. The driveways will be aligned appropriately. They are negotiating with Fafard who owns the bike shop. For 495, they will have a left turn on the northbound ramp with a double left which is not needed now but he recommends doing it since they are doing the roadwork and it will help reduce the cue length. They will have an exclusive left turn lane phasing as part of the closed loop which is a safer condition. They will have level of service of C or better during all peak hours including a.m., p.m., cinema and Saturday. They recognize the problems at the Maple Street intersection and mean to work with the town to modify the radiuses to allow one to enter and exit. He doesn't believe it warrants signal geometric improvements. Acceptable levels will be maintained and will improve from the high accident rate.

EM asks if they are offering to do the work at Maple Street?

A. Scarneo responds the proponent doesn't have the rights to do takings but they will work with the town for the engineering. It may be done through a grant.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

EM asks about the possibility of widening by the cemetery and through the curve?

A. Scarneo explains they are widening 20 feet for an 800' length. There is serious slope work to be done which will give a more generous radius.

RL asks why it is not necessary to have two lanes going into the project?

A. Scarneo explains they eliminated one lane to reduce the impervious surface. They would have already processed the vehicles into the site and will go down to one lane.

RL asks where it goes down to one lane?

P. Herr notes it is one lane in each direction.

A. Scarneo indicates there will be two lanes in each direction past the restaurant which will merge into one lane and will come out to a two lane cross section all the way to the back.

Arrival/departure is 72 - 28% split with 72% at the 495 interchange and 28% to the east.

Someone who is making a right won't sit long in the cue to get out.

P. Herr points out there are more traffic questions but suggests hearing the whole proposal before the Board gets into the detail.

Lou Masiello, Sumner Schein distributes a handout with a technical explanation of shared parking. They did a study which was based on two documents, i.e., the Urban Lane Institute (ULI) in 1983 and 1993, one in combination with the National Parks. The shared parking analysis considers general parking at different times during the day. The cinema and restaurant at night and retail during the day. There is a different demand over the course of the year. They used a calculation to determine the time during the week there will be worse case parking. They determined the hour of the day and the week of the day or Saturday and combined the requirements. Weekday 8 p.m. is the worse case time as a result of the theater and the restaurant. Different uses reflecting different percentages of peak are combined for each month. In this case, the worse month is July because of the theater and the restaurant. They considered the overall parking demand for verification in the analysis. They picked other times they expect there to be a high parking demand. They considered P. Herr's concern that the restaurant shouldn't be included in the site as a whole since they have their own demand and use their own lot. They did another calculation to break the restaurant out of the parcel and out of the calculation. One parking space per two seats was added to the end of the parking structure. He distributes a handout of responses to comments from Donald DiMartino and P. Herr.

Roy Smith sent the drainage information to Amory Engineers but hasn't received any comments yet. They wanted to meet with the Planning Board and receive all comments including the Amory revisions and then will get one complete set to the Board.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

EM understands they are in the process with the Conservation Commission. Are they finished?

D. Marks responds they met with the ConCom and got approval regarding the impervious surface.

EM asks how they can get 52% from the 30% requirement?

D. Marks explains the issue is how and whether the site is developed. There is the ability to have a site which will have a much larger volume. They are recharging to a degree but the Conservation Commission felt it was justified having impervious surface of over 30%.

P. Herr notes that before that happened they submitted to MEPA. Secretary Cox urged a reduction in parking and sought to reduce the impervious surface. The real issue is quality. The law doesn't limit to 30%. They need to document the intention is satisfied nonetheless. The analysis done was the most thought through groundwater quality analysis which was ever submitted to this Board and is commendable. Whether or not the numbers are correct is another matter. There is the same removal of vegetation but the intent is to limit it. The analysis shows a mechanical system will substitute. MEPA and Sexton will look at that. This Board needs to look at the traffic in order to act on the Major Commercial Complex.

D. Marks believes they are two weeks from input from MEPA. The comment period just ended.

P. Herr disagrees; it ends on Monday.

D. Marks agrees it ends on November 25. They will have comments and the Secretary's determinations before the Board will act on this. The town can communicate with MEPA.

EM asks who would do that on behalf of the town?

P. Herr responds the Board can do that itself but comments must be made right away. This is similar to the Stallbrook issue relative to traffic analysis but the Board was in too late. This is not a trivial question.

D. Marks notes they filed a draft. There are two bites at the apple since there will be a final report too.

EM asks since they are asking for a waiver from the parking requirements, is there sufficient room to put parking in at a later date?

P. Herr indicates that question will come up with Development Plan Review. He wrote a memo to the Board. They propose 1340 but their analysis shows 1200 + at the worst hour and the worst day of the year. He used a different set of ULI materials and found the number to be lower

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

than theirs. He is satisfied the parking is satisfactory and is comfortable with that.

EM asks if they use a different scale for the movie theaters?

P. Herr explains the system used treats all space as retail and adds a number of spaces for the movie theater per 100 seats. They considered how big the theater is relative to the number of parking spaces and didn't find peaks occurring at the same time. They need to build contingencies into the approvals.

EM asks what happens down the road? Can the restrictions be lifted?

P. Herr responds the Conservation Commission restriction is recorded. It would be difficult to take it away.

D. Marks indicates this is not going to go away.

P. Herr suggests they talk more about the traffic questions since everyone knows they are the main concern. The applicant proposes to make improvements at his driveway and the road way on either side and at Maple Street the proponent committed to improvements in the MEPA filing but tonight it doesn't sound like the traffic engineer is committed. The Board needs clarity. The Transportation Demand Management Secretary insisted they do it. They can attach agreement to the reduction of parking to seek a greater assurance. In 5 - 10 years it will provide a more efficient use of the road capacity. The question is the reality of what happens at Maple Street. It is projected to fall to level F which is the worst level. A portion of Hartford Avenue was left off for these improvements and Maple Street which is relatively narrow will have 1700 vehicles traveling at peak. He doesn't see that analyzed or addressed anywhere. He heard the recommendations about the changes to the northbound ramps but the MEPA filing doesn't say anything about that. Are the drawings they are reviewing proposed or not until Fafard moves the entrance to the east?

A. Scarneo responds that was changed last week. They had a meeting with the Massachusetts Highway Department. The geometrics are the same but the driveway location will be shifted to the east 7 - 8'.

P. Herr asks if that means the access to the property has been worked out?

R. Frasier, W.S. Development, explains there is an easement for the Town of Bellingham/Bellingham Limited Partnership/Fafard and the Varneys for which they are working on amending. The traffic engineer doesn't want a quick through in and out. They will work with them to provide an alternative access and alternative drainage for the site and Hartford Avenue. They have committed verbally. They are one week away from having a plan in front of Fafard which will benefit them because they will have sewer rather than the leaching system.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

P. Herr points out there is one drawing on the DPR showing the Fafard access/drainage which is in conflict.

L. Masiello indicates that the radius begins at the curb lines and is shown dashed. The 218 contour is set a few feet off the line. The details of the access come adjacent to the shelf of the detention basin.

P. Herr states the detention basin as shown is the way the detention basin should be. They will locate a left turn to get into the Fafard facility from the entrance.

RL asks if that signifies an elevation shift?

L. Masiello states the access is somewhat of a ramp.

R. Smith explains there might have to be a retaining wall there. All the detention will be enclosed by a 6' chainlink fence.

A. Scarneo states this plan was designed to modify the radius and is what they recommended to the state for review. This section of the road is under Massachusetts jurisdiction.

P. Herr asks about Maple Street?

A. Scarneo used the Manual for Uniform Traffic Design Criteria relative to what peak hour warrants and the accident rate warrants. They looked at the criteria to implement. The new methods of the overall intersection hides the poor level of service of the left turn level of service at F to the grade level C. They will work with the town but there are right of way constraints. They will give the design plans to the town and the town will work to do the takings. There are 150 cars during the peak hour at 25 mph and with the school located there he wouldn't encourage a traffic light. The radius will be modified first. It is not necessary to drop a signal in which will create a delay and rearend accidents.

P. Herr suggests that maybe the Planning Board should comment to MEPA there is no resolution for Maple Street. The proponent should mitigate before the facility opens.

D. Marks states they will look at the warrants and the radius and will come back at the next meeting with a clearer picture.

P. Herr points out the peak hour numbers are unchanged over 6 hours. There has been 2% per year background growth.

A. Scarneo states there are standard practices to apply growth.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

P. Herr notes that Maple Street is well developed. The traffic on Maple Street will go up because it is a way to bypass traffic and accidents.

A. Scarneo states there is 6% traffic use on Maple Street.

P. Herr believes there will be traffic from Medway to avoid the site. He raises questions relative to the traffic analysis quality. The trip distribution of 6% may be a low figure.

EM states that right now Maple Street is targeted as a problem street.

R. Frasier is committed to working with the town.

RL notes that during off peak hour at 1 pm, he had a 10 minute wait with two cars in front and him waiting to turn right.

R. Frasier agrees that if one person is stopped turning left it will hold everyone up.

RL believes the only way to do it is with a light.

R. Frasier doesn't have the answers now. They have to work on it.

D. Marks states they are committed and will not ask for action until they have worked it out. They will do a better job of answering the questions. If they can implement, they will. They will give better information than what they are doing now.

PC believes half of Rhode Island goes through Maple Street.

P. Herr has reviewed the drawings in detail and notes that the questions relative to the traffic and how they will handle it are big ones. The Water Resource District question may be relatively straightforward. The materials are well documented and thorough. There are interesting issues relative to landscaping, drainage and parking which are not big issues. The determination of mitigation proposed should be adequate to service and restore the traffic to safe levels. There is a similar determination relative to water quality.

EM asks if either Home Depot or Stallbrook exceeded the 30%?

R. Smith responds the Crossroads impervious cover was plus 80%.

AM calls for questions from the audience.

Andy May, Farm Street has lived here for two years. There have been two significant accidents on his street since the traffic lights went in. People are using Farm Street as a bypass. They are

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

driving quickly and it is congested. The street is falling apart from the truck traffic. With more lights and lanes, more people will be going onto Farm Street. Everyone is concerned about Maple Street but there is also Pearl Street, Twin Brook, Farm Street, the elementary school and the day care center.

AM explains they are concerned about Maple Street because it is a cut through.

A. May refers to the Voice Day Care where opposing traffic to turn is a royal pain. The entire stretch into Medway is difficult to turn into. There is significant volume. He may have a 10 - 15 minute wait at the Voice Day Care to get to Farm Street. One mile can take 25 minutes. This proposal will make that worse. This will impact further down the road. Crossroads originally had a single entrance and exit which resulted in the Board forcing them to change and put a rear entrance in.

EM points out there is no place for a rear entrance here. That was an existing street so they could connect.

R. Smith states there really isn't an area they can put in another entrance/exit since it is a basically landlocked parcel.

A. May thinks they should have an impact feasibility to do that. They could have another entrance further down.

R. Smith doesn't think it will help.

RL believes it would if there was an accident at the entrance.

R. Smith points out the green on the plan which delineates the Conservation Commission land. White is the wetlands with the lines being the Conservation restriction. In between the gap there is the AT&T easement. They are proposing widening and grading because the Conservation restriction is 100' off that. Once they know where the proposed right of way will be they will be able to move the Conservation restriction.

AM asks if they would be willing to put a light at Maple Street to alleviate the problems further down?

P. Herr notes that signals platoon traffic and make it easier to get out. They have done analysis further off the site than others. He is concerned about Hopedale at Hartford Avenue.

WW agrees it shows no increase in traffic to the year 2001. He took an informal count from Cape Road to Bellingham and didn't see a significant increase in traffic.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

A. Scarneo states that normally it wouldn't grow.

P. Herr states that Hartford Avenue is not a side street since it goes to Route 140. T15 - T6 at the intersection. He thinks the numbers will go up. 2% growth was derived from Crossroads Center to 11% background traffic.

A. Scarneo took the 11% and applied it to the 2001 year assessment. It did assign traffic to the site and deteriorates to level of service F. But by retiming, it will increase from level of service F to C retimed.

P. Herr notes that between 1996 and 2001 after building in the two sites it is the same as all the others.

A. Scarneo states that the mainline volumes have grown the turning movement coming down but even 10% growth shouldn't have an impact. A deficient intersection is not properly timed.

WW indicates that if it is deficient to D level today, he can't see it changing to C by 2001.

A. Scarneo believes it is a controlling issue. He will do travel runs which will help verify the assignment of the traffic. Crossroads is at 50% which is not full occupancy.

A. May points out that Stallbrook is not fully occupied either. They will add an additional building in the back. Neither site is at full occupancy. Doing a survey now is not representative of what will be there.

A. Scarneo states they have all been identified and included.

Dot McClandlis, abutter, has to drive by 495 to get to Stallbrook School two times a day Monday through Friday and sometimes takes Farm Street. She moved from Framingham and is concerned because 126 is starting to look like Route 9. She is concerned about the traffic, accidents, water, air quality with all the cars. Cars are sitting out in front of the Stallbrook School and Voice Day care all the time. Cars pollute.

PC notes the new gas is not supposed to pollute.

R. Smith indicates there is an air quality section in the Draft Environmental Impact Report.

Clerk notes that copies of the Draft EIR have been put on file with the Town Clerk and at the library for the public's view.

RL asks about accommodations for pedestrians and how they will cross the intersection.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

A. Scarneo states the pedestrian crosswalk will be worked in with the phasing.

RL asks if there will be a sidewalk from Home Depot to this.

R. Frasier states there are sidewalks from Stallbrook to Home Depot and the cemetery to Maple Street.

R. Smith indicates the sidewalk will continue to the theater.

RL asks if they will have a push button for the crosswalks.

A. Scarneo responds affirmatively.

D. Marks reviews the list of waivers including landscaping, height of the detention ponds, traffic because the 25% threshold has been exceeded and mitigation.

P. Herr notes it is clear the increase in traffic will be more than 25% in some places. The center will be allowed only if the Planning Board determines the traffic consequences have been mitigated.

D. Marks states they intend to adequately provide safety improvements.

P. Herr points out that some years ago this was 3 properties when the town and owners discussed trying not to reconstruct the road 3 times. They are winding up with something different than what it cost per auto trip. This time they are required to put their best reasonable effort. This applicant has a problem because it is the third one in.

D. Marks will come back with a clearer picture next time. The waivers are listed in the DPR filing.

P. Herr refers to the landscaping proposed. The Bylaw standards are not met here but they didn't either at Stallbrook or Crossroads. This is the same architect who worked on Crossroads. The parking lot will be the biggest thing in Bellingham. He thinks they can reduce the number of parking spaces. He asks about the dimensions of the parking and the width of the parking spaces. He noticed the distance in parking - the distance nose parking to tail to aisle and car to car to aisle. It is 61' at WalMart and 60' at Market Basket. He presumes the 60' works. If the Board takes the standards which were never adopted they would have 63' but it may be more than what is needed since no one ever complained.

EM notes that there are wider spaces at Crossroads - Home Depot for vans.

P. Herr thinks the 60' bay width is o'kay and thinks the same thing should be done for both aisles.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

D. Marks will bring the landscape architect next time.

P. Herr refers to the line choice species. He thinks the Board has standards where they are obliged to have more which would be an amenity for the development.

EM states there are two columns, one of which meets and one doesn't.

P. Herr believes this meets the Bylaw through the special exception process. If it fails to meet the Bylaw, they will be asked for a handful of discretionary determinations which will trigger thresholds. This is closer to compliance than the other two with the exception of the Water Resource District. There will be less development and fewer square feet of retail. They will have a lot of parking which will never be used. It may be too large from a traffic point of view. Why put in that much parking (1300)? They could go down to 1200 as suggested by the ULI. 14 spaces may go away because they are hazardous and maybe even 40 more.

RL believes that EM is saying they should get rid of some parking spots and put green space in.

P. Herr notes there is more parking across the street than what is needed. The parking numbers are dictated by the tenant demand rather than the town Bylaw.

Members discuss the WalMart parking lot.

AM believes there is a problem when the snow is stockpiled.

P. Herr suggest they make changes in the parking. He thinks the dimensions are o'kay but the 60' bay is tight.

R. Frasier refers to tenant requirements for parking. Most of it is gauged by 5 - 6 days a year. If they can't park people there is a problem for them. There is a 30 square foot expansion in the rear of WalMart. They are already packed in the front. Everything is tenant driven.

EM moves to continue to December 19, 1996 at 8:30 p.m. PC seconds. Unanimous vote of 5 to continue (AM, WW, RL, EM and PC).

EM calls for a 5 minute recess.

PINECREST DISCUSSION

Roger Gagnon asked to come in to discuss the waivers he wants to request before he spends more money. He went to the ZBA but they turned it down and said there was no hardship. The abutters were in favor of it because they didn't want the retention.

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

RL asks how the ZBA could have determined there was hardship on Hartford Avenue for Summerlan?

R. Gagnon states that the abutters don't want anything there. Everything pitches. The back land is a pond. It will be swaled away from the property and down where the retention is.

RL doesn't see a problem with waiving the sidewalks.

AM reads letter from Lee Ambler relative to waiving subdivision regulations which could be done in the public interest.

WW notes that the Highway Dept. is against it. They are trying to accommodate the Highway Dept.

R. Gagnon states that the buyer is going to take care of the street.

AM believes that the Planning Board does have the authority to do this.

EM understands that they can waive but they have to document why they did it since it can be challenged. Every case is different. He would go along with the Highway recommendation. Adams Street will have one house with no road. It is not in the best interest of the town to make the guy build a road and put in retention.

WW asks what is to stop the owner of Hartford Avenue from going backing and getting another variance since there is plenty of land but no frontage?

RL notes the difference is they received the Zoning Board waiver.

P. Herr indicates that there is a stipulation on the Summerlan plan that it can not be further subdivided without returning to the Planning Board.

WW believes that a lot of lots have the same situation and meet the Subdivision requirements. If they do it one time, they will have to do it again.

Pinecrest Revised Definitive Subdivision public hearing scheduled for December 19, 1996 at 7:00 p.m. Notice to state waiver for certain construction requirements.

CHARLES RIVER CENTER DISCUSSION

P. Herr refers to the MEPA study and traffic review. The traffic engineer is outrageous to say there is no change in the traffic. He is worried about the traffic and suggests sending a letter to Secretary Cox from Chairman AM asking for an extension of the timeframe. This is our chance

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

to get them to produce a supplemental report.

RL moves to send the letter to Secretary Cox, Executive Office of Environmental Affairs.

P. Herr looked at the Bruce Campbell traffic study for traffic work on 126 which was done a number of years ago. 4 lanes are needed between this and Maple Street. Some of the conditions have changed. He is concerned if the two lane section will work. There are real questions about the distribution of traffic. He would feel better if someone like Bruce Campbell were reviewing this on behalf of the town.

EM doesn't think that it has to be Bruce Campbell but it should be since they have already done the study.

P. Herr discusses fees and money for review consultants. That is covered under the authority of the Subdivision Regulations but the law doesn't cover DPR or SPR. There is nothing in zoning which asks for this. They will need 4 out of 5 members to agree to the special permit. He believes it may be appropriate to explore this with Denis Fraine. If D. Fraine is o'kay with it, we will approach the applicant. There is a dangerous turn into the bike shop. We need a concrete proposal about the location of the driveway.

WW asks what happens to the chunk of land on the other side of the building?

EM asks if they will have another restaurant on the other side?

P. Herr responds negatively, but it was going to be one at one time.

WW asks why they don't pave? Are they reserving it?

EM seconds RL's motion to send letter to Secretary Cox. Unanimous vote of 5.

DISCUSSION RE: FEES

P. Herr reviewed information relative to fees. He presents a memo which goes through each fee with a proposal to change. The Planning Board could raise fees. They could raise the fees and move to increase less for the size of the project. They collect more for the small projects. The fees trap the average person around town.

Board members to review P. Herr's fee proposal for discussion at the next meeting.

GENERAL BUSINESS

P. Herr discusses the Adams Street unaccepted, undeveloped street issue and adopting a policy or

MINUTES OF PLANNING BOARD MEETING

NOVEMBER 21, 1996

changing the Subdivision Regulations because the standards are not enforceable the way they are written.

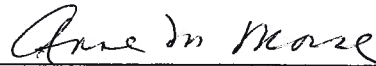
Forum for discussion to be held on Monday, December 30, 1996 at the Library at 7:00 p.m. P. Herr has been invited to attend also. Clerk to remind members to attend.

Clerk to check timeframe for action on Dairy Queen DPR. They have not submitted a revised plan to P. Herr.

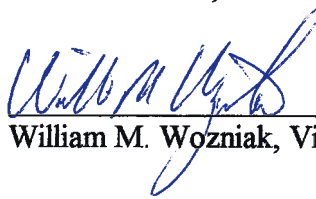
Clerk reads letter from Ken Langley, 20 Oak Street, Bellingham, dated November 8, 1996 discussing the preexisting nonconformance status granted for property at 74 South Main Street. He asks that the property be reverted back to residential use only from commercial in view of the number of fires and the hardship the premises has caused to the neighborhood. Copies were sent to the Planning Board, Zoning Board of Appeals, Board of Selectmen, Master Plan Committee and Finance Committee.

Board discusses that school proposals should also be mandated to come before the Planning Board.

Meeting adjourned at 11:45 p.m.



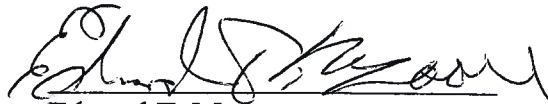
Anne M. Morse, Chairman



William M. Wozniak, Vice Chairman



Roland R. LaPrade



Edward T. Moore



Paul Chupa