

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

FEBRUARY 13, 1997

Meeting commenced at 7:06 p.m. All members were present. Associate Member Richard Dill was not in attendance.

PINECREST DEFINITIVE SUBDIVISION CONTINUED PUBLIC HEARING

Roger Gagnon, developer, has sketches. His lawyer went back and forth with Town Counsel and came up with another question relative to the calculation for the water runoff.

EM believes the question is that the plan shows a dirt driveway and it is now paved.

AM asks if they resolved the legal issues.

R. Gagnon responds affirmatively. Everything is satisfactory. There is a question if the Planning Board consultant can double check the calculations. It is a 10' driveway. The area around is covenanted with a 10' easement in the back between Gene and the stonewalls so it will stay natural. There will also be roof drains.

AM suggests he send it to P. Herr ASAP since our next meeting is next Thursday. She questions the liability factor since Mr. Gagnon has already conveyed the properties.

R. Gagnon had the new owners sign that they agreed to this prior to the closing.

RL notes that giving a frontage variance is not this Board's job.

AM states the Board is waiving.

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WW agrees that right now there is no frontage.

EM believes there is frontage on an approved plan. The Board wants to see how it can be done legally ahead of time before the next meeting.

R. Gagnon will have it distributed to everyone.

EM wants to legally see where the second lot gets frontage.

AM notes there was always a cul-de-sac on record. Each guy is responsible for his lot.

EM moves to continued to February 20, 1997 at 7:20 p.m. PC seconds. Unanimous vote of 5.

GENERAL BUSINESS

Members sign Clerk's pay voucher and invoices for P. Herr's Master Plan Workshops and Planning Board bills including P. Herr quarterly payment, U.S. Postmaster, Alternative School Printing for Zoning Bylaw Books ordered by Town Clerk and Clerk for reimbursement for Hewlett Packard Inkjet.

RL moves to accept the January 9, 1997 minutes. WW seconds. Unanimous vote of 5.

EM will read the December 19, 1997 minutes since RL was absent.

Clerk advises members that the warrant for the Annual Town Meeting closes on February 21, 1997. P. Herr is aware of the closure date and indicated that the Master Plan and Planning Board would be jointly sponsoring about 8 articles.

Clerk to obtain new Zoning Bylaw books from the Town Clerk for all members and P. Herr.

DEER RUN PLAN ENDORSEMENT

Erik Anderberg, Esquire, explains the covenant has been signed partially by the owners at this point. They are collecting more signatures and hope to have it complete by next week. They will present a copy to the Board when they have all the signatures.

Tim Jones, developer, advises that the Town Clerk certified there has been no appeal to the appeal.

EM moves to sign the plans and hold until the covenant is presented. RL seconds. Unanimous vote of 5.

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Clerk will take the original mylar plans to the Town Clerk for her signature. Developer will contact Clerk once all the signatures are on the covenant. Developer to make 4 copies of the signed plan for town distribution and Planning Board files.

SPRING MEADOW DEFINITIVE SUBDIVISION CONTINUED PUBLIC HEARING

Clerk reads letter from Greg Rondeau, dated February 12, 1997 requesting a continuance to the February 20, 1997 meeting.

EM moves to continued to February 20, 1997 at 7:50 p.m. RL seconds. Unanimous vote of 5.

CHARLES RIVER CENTER CONTINUED PUBLIC HEARINGS **MAJOR COMMERCIAL COMPLEX, WATER RESOURCE DISTRICT,** **DEVELOPMENT PLAN REVIEW**

Andrew Zelmeyer, Esquire, Goulston & Storrs, explains they will walk through the revised site plan changes. They responded to comments from Donald DiMartino. Art Scarneo will go over changes to the traffic plan and has a letter relative to issues from Rizzo & Associates, the Board's consultant. They received draft decisions and have been through them. They are prepared to talk about issues relative to the decision.

Lou Masiello, Sumner Schein, addresses plan changes relative to Donald DiMartino's comment letter including driveway realignment. Before the driveway was not completely aligned but they have now aligned it completely with Stallbrook and shifted 8 more feet up Hartford Avenue.

RL notes that Fafard's proposal is not consistent with that.

L. Masiello responds that the water revision and sewer revision are both incorporated in the plan. A dual water system will be incorporated with 2 water lines through the access road and looped. At two points it will connect to parallel water mains and gate valves will be added as requested by D. DiMartino. The sewer force main will be leaving the project further up. Hartford Avenue will tie into the existing sewer manhole. He distributes letter addressing changes.

WW asks where the connections to the mains at the entranceway are.

Roy Smith, Sumner Schein, responds the gate valve is in where the two are connected.

L. Masiello will incorporate the revisions into the plans

R. Smith understands that Fafard has applied for his permits. They have reached an agreement with Fafard but have not incorporated those changes into the plans.

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A. Zelmeyer spoke with the Fafard engineer. The issue is timing. There is no substantive disagreement.

RL reviews the Fafard plan which seems consistent.

R. Smith looks over the plan and advises that the Fafard plans are two steps behind them. They were totally not aligned at the original submittal.

A. Zelmeyer further explains that the Fafard plans were designed on an outdated plan of theirs. They spoke with them and they agreed to that.

Robert Frasier sat down with P. Herr and Janice Hannert from Fafard. P. Herr said to move the driveway over and they confirmed moving it over. He talked to P. Herr about the proper alignment. If they can't do what they have agreed to, they will have to come back for revisions. They prefer to act and not wait for the Fafard approvals. The alignment should be matching up. They will be here with Fafard on February 20th.

AM notes the Fafard driveway is a big issue with P. Herr. She spoke with him this afternoon.

WW reads from P. Herr's memo which states resolution first, improvement second.

Art Scarneo, Vanesse Traffic Engineer, states the alignment has been shifted and now aligns appropriately. Before they had a right out of the bike shop access to the drive. They incorporated changes to make a left rather than loop in and around. The striping has been modified for continuous striping. They revised their analysis for the northbound on ramp to allow for a right turn lane. There is more green time with a double left delineated left turn lane. He spoke with Mass. Highway and they are reviewing the plans. There will be an all red pedestrian phase. They ran how many times a pedestrian phase can go without dropping the level of service and found it was 12 to 13 times during peak hours before it drops. At 12 pedestrian phases, there is no level of service change but if there are 15 it drops to a level of service D from C. Relative to capacity analysis for a comparison between no build and build, the DEIR didn't have conservative background growth at 2% growth. They added all the conditions and there is no drop from B to D level of service. He read Barry Pell's (Rizzo Associates) letter, dated February 13, 1997, which has a summary at the end.

Deputy Chief Guerin, from the audience, asks about the emergency access requested by the Fire Dept.

A. Scarneo explains the state said no access line and that is why the driveway is where it is. They could apply for a break in access for emergency vehicles only but the state is strict about that. They might be able to get a crashaway gate for emergency vehicles only. An emergency access requires a break in access. They could move back to create a right turn lane and see if the state

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will allow the right turn lane.

EM refers to the McDonald's property across the street where there is an emergency access with a gate.

Deputy Chief Guerin advises the Fire Dept. requested signals for vehicle control lites and installation payment.

R. Frasier thought he committed to that.

Andy May, 280 Farm Street, from the audience, asks about signage for turn only lanes since arrows on the street are covered by cars. People have no idea where they are going until they get up there.

A. Scarneo replies it will be signed for a double left turn lane. Now there is a through lane which will become a left turn lane. They will be shifting the motorist over.

EM notes the double loop in the road requested by the Fire Chief has been covered.

R. Smith agrees.

EM refers to item #4 in P. Herr's February 13, 1997 memo which states that 10 acres of Conservation Commission land was changed to 6. They need to talk with the ConCom.

A. Zelmeyer talked with the ConCom about the restriction. The discrepancy in the number comes about because they kept out of the 100' setback to provide for road widening. They agree that any remaining area will go to the ConCom but if they put the amount in prior to the road widening, they would be prohibited from changing the number. The ConCom is okay with 6.4 acres. He refers to the October 2, 1996 letter from the ConCom.

EM reads from the October 2, 1996 ConCom letter which says 10 more or less.

A. Zelmeyer is working to get something from the ConCom to satisfy the concern raised by P. Herr.

WW asks if they talked with P. Herr about the pedestrian signalization.

A. Zelmeyer notes that P. Herr's Development Plan approval didn't make reference to that.

A. Scarneo has dealt with Barry Pell in the technical sense. He doesn't know if P. Herr got that information today. The analysis was done last week and hand delivered.

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WW asks if Mass. Highway could override that.

A. Scarneo replies affirmatively. It is their road but since there is adequate capacity he doesn't see why they would. They have the right turn lane and the capacity commitment for the other signals to be rephased.

R. Frasier explains that they were required to go back and amend their plans for Crossroads. They have been amended and will go ahead and do it.

WW asks if there would be an impact on the numbers if there is a signalization change at Crossroads. Won't an all red pedestrian crossing at Home Depot cause a back up?

A. Scarneo replies the phase is called a side street. They will have the same time for the perimeter and will still run in 90 second cycles but it may change the progression through slightly. It may give a few seconds of red time to accommodate pedestrians.

AM suggests they talk with D. Fraine about #10 from P. Herr's memo where he stated that Mr. Frasier has indicated that in the Major Commercial Complex decision, items 4.2e through j are under discussion with Denis Fraine, and that some revision may be anticipated. He conveyed that arrangements on those items, if satisfactory to the Town Administrator, would probably also be acceptable to the Board.

A. Zelmeyer refers to item 4.2 e through J which are additional conditions added to the Major Commercial Complex special permit decision at the request of Donald DiMartino and includes the scope of work they are asked to do relative to the sidewalk.

AM asks if they agree to work with the town.

A. Zelmeyer agrees. A lot of the work requires permits from the state and permission from homeowners and utilities which are not in control of the applicant. They are concerned because things are beyond their control. Denis Fraine thinks the town can obtain the approvals.

AM suggests they let P. Herr know they have resolved that with D. Fraine.

EM would like to continue this to the next meeting to get all issues addressed and L. Ambler's comments relative to the decisions.

R. Frasier notes the language of the agreement with Fafard is all complete. The Fafard engineer hasn't looked at the plan because he has been out sick. If they can't fulfill the plan they will have to come back and amend the decision.

AM would like to have a copy of that agreement for our files.

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R. Frasier advises that the Town of Bellingham is party to the agreement for the access easement. There are 5 parties including Fafard and Varney.

Denis Fraine, from the audience, advises that he will work with them the same way they worked with the developer for the sidewalks on the other side of Hartford Avenue.

EM moves to continue to February 20, 1997 at 9:30 p.m. WW seconds. Unanimous vote of 5.

WW suggests the drafted decisions be revised and sent to other town officials so they have enough time to comment.

WRENTHAM MANOR DISCUSSION

Michael Carter, Engineer, Project Manager, is here at the suggestion of the Housing Authority to see if a site plan review or development plan review is required. The project is funded through a grant for the purpose of building a parking lot. The present lot is 20 - 30 years old and the pavement is cracked. It is time to replace the parking lot. They now have 46 parking spaces for 56 units which is less than 1 car per space. Now there is a serious parking problem and they were asked to increase the capacity for parking. People now create their own spaces. There are 2 main parking areas now which are delineated in the red square area. People are parking wherever they can find a space. This will add spaces to the front. They propose pushing the sidewalk back 8'.

RL points out there is not much front lawn.

M. Carter is talking about 14' away. It will be 30' when done.

EM refers to P. Herr's February 7, 1997 memo which says they are changing the width of the sidewalk.

M. Carter advises that the sidewalk is 5' but was mislabeled 4'. Some cape cod curbing will be put in since it is broken at the sidewalk area out there.

WW asks where the other 19 spaces are.

M. Carter is adding parking to the driveway to the main entrance. They will take out 2 12' trees.

RL lives across the street from the Manor. There is a history relative to problems of drainage on Wrentham Road. The water can't get to the basins. They are putting 2 basins into the leaching pit.

M. Carter indicates a test was done several years ago which showed gravel type soils and a high water table. It puddles there during rain. The purpose is to alleviate and store the water so it

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won't puddle there. The septic is under the parking area.

AM notes the septic system will be experiencing problems as indicated from the Health Inspector. They have a letter from the state that they won't repair it until it fails. It is already causing fuel and odor problems.

RL talked with his neighbors about putting sewer in privately but it is not cost effective without the Wrentham Manor.

Janice Forget, Director, Wrentham Manor, has technical assistance from the EOCD. The system is not in failure. She gave a copy of that to D. DiMartino. They applied for a grant to tie into sewer in 1994 but it was not granted.

RL asks about putting dry sewer lines in on the property while they have everything torn up.

AM thinks they need to find out if that is possible with the DPW.

J. Forget discusses the sewer line going in on Pine Grove which would have to cross over the brook. There are conservation issues relative to the tie in. She doesn't know the situation with D. DiMartino.

RL talked with D. DiMartino who said it is very doable. They would be getting sewer up Wrentham Road across Peter Brook to Muron Avenue. The problem is that Wrentham Road only has houses on 1 side so it is not cost effective without Wrentham Manor.

EM moves to waive the Development Plan Review and the fee.

WW asks about the stormwater handled by 2 leaching pits.

M. Carter notes there are 2 there. Two are existing and they are adding two.

WW asks if the two in the front will alleviate the problems on Wrentham Road. It is possible to screen?

M. Carter explains this is being funded through a grant. The estimate exceeds the grant. They can't say there is enough money to complete the project as shown. They may have to cut back on parking spaces. They will have cape cod berm at the edge of the pavement to the sidewalk which will be flat. There will be no ramp because it is the same elevation. They are not changing it.

EM notes that P. Herr said there was no indication of a wheelchair ramp on the drawing and that is because there isn't one.

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EM moves to waive the Development Plan Review and fee for Wrentham Manor for the Bellingham Housing Authority on Wrentham Road because it is not necessary. RL seconds. Unanimous vote of 5.

OLD COLONIAL PLACE DEVELOPMENT PLAN REVIEW CONTINUED

AM asks about the bulkheads.

Clerk reads February 10, 1997 letter from the Building Inspector wherein he states that a variance is not needed from the Board of Appeals because the bulkheads are a precast unit, and then they are installed on the foundation by 4 bolts with washers and nuts. That makes it an accessory to the building and lot lines.

Bruce Lord, Esquire, abutter, requests the Board ask the opinion of legal counsel relative to the bulkheads. The problem is because it was in violation to start with. They shouldn't give an extension of the violation.

Don Nielson, Guerriere & Halnon, advises the building does comply with the setback.

Clerk reads February 13, 1997 memo from P. Herr wherein he states the drawings revised February 12, 1997 have brought many previously noted items into compliance, and is a superior design in many respects, reflecting the value of the Board's review. He notes the following:

1. The number of trees and shrubs proposed does not fully meet the requirements of Section 3500, nor do the submittals commit what species will be planted. However, the design might well be determined to adequately meet the intent of that section, as provided at Section 3510.
2. He is unclear regarding how grading and handicapped access ramps actually work around the new building. Further details could clarify that, but perhaps an oral explanation will do the job.
3. He infers from the drawing that the existing ? Freestanding sign at the corner of David Road extends within the right of way, which is not allowed.
4. The DPW request that Mechanic Street curbing be raised and reset which has not been responded to.
5. He is unclear regarding whether the southern two wall-pak lights on the back of the proposed building will comply with lighting requirements measured on the Lovejoy property. Those familiar with the location and the existing fence may be able to provide assurance that the lights in question, proposed to be mounted about 7 feet above grade, really will be in compliance.
6. Given the determination by the Building Inspector that the bulkheads on the back of the existing building are not subject to setback requirements, the questions regarding that area appear not to concern the Planning Board.
7. There continue to be minor drawing omissions and unclarities, but they are not substantial enough to warrant delay.

B. Lord would like the Board to question Lee Ambler about the bulkheads and send a copy of the Building Inspector's letter to ask for advice since it is a legal decision.

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AM would like to ask Town Counsel if the Board should be involved in what is pre-existing since we can't change the footprint to conform.

B. Lord notes that the fact is the property was sold and there are neighbors. The developer should put up a concrete barrier to hold back the area with a fence on top. It is not fair to the neighbors on the other side of the new building.

EM agrees that screening is part of the Bylaw.

AM questions the Board's authority to act on a pre-existing building which is not in compliance since it is not a concern with the Board.

B. Lord states it is a concern of the Board to protect the neighbors who are there.

Edward Broidy, applicant, states as a result of a disgruntled neighbor (B. Lord), the Board went to the Building Inspector and obtained an opinion. To keep prolonging this because of this disgruntled neighbor is unfair. It is not a legal matter. The present plan with a pre-existing use conforms. He wants to improve the property. He is willing to do the landscaping. He wants to comply with what P. Herr suggested. The Board already has a determination by the Building Inspector. This would be delaying a project which would be beneficial to the town. The lights will not reflect into the neighbors.

EM believes the problem with the bulkhead should not tie up the review.

D. Nielson came up with a number of trees in the parking lot. The pavement for the whole site is 50,000 square feet. They added 34 trees and the shrubs are highlighted. They will have arborvitae and rhododendrons.

AM asks why P. Herr disagreed and said it is not in compliance.

D. Nielson can add more if it is wanted. They will have screening along the front and are proposing a new 6' stockade fence along the back even though one is existing. It will be on top of a retaining wall which will be stopped at the location of the existing fence. A small section of that fence, about half the building, is on this property and will be replaced when the wall is done. The new fence will drop down to the retaining wall.

B. Lord notes that on the side it is undermining the fence. They need a wall on that side all the way back.

D. Nielson indicates the grades in the front 1/3 are relatively flat. The back of the building goes up hill and will be taken care of by the retaining wall. They will fill the front of the building so it is level and cut in the grade (slope) and replace with the retaining wall.

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B. Lord asks where the lites are in the back.

D. Nielson replies they are over the doors.

B. Lord asks the total height.

D. Nielson responds the retaining wall is 2' with a 6' fence. The wall-pak will be shielded and doesn't allow the lites to shine out. They will have glare shields with a 50 watt bulb and will be directed downward.

RL notes they won't be below the level of the fence.

E. Broidy explains it will be regraded. The light will be reflected down to the ground but it could be lowered.

AM is concerned about obstructing site distance.

D. Nielson replies they are 10 - 12' back. The shrubs are at 10'. There is nothing obstructing the existing fence which is at 15'. The lites on the plan can be put beside the door 5' up instead of above the door. They will replace the fence and add a height grade. It is the same type of earth condition. It will start to drop off at the last light. There is no obstruction to the site along 140.

EM refers to the White Hen Pantry where the Board made them put a retaining wall and stockade fence to screen from the neighbors.

WW asks what they are proposing to do for the neighbors in the back. Screening is part of the laws.

D. Nielson is not putting light in the back area.

WW believes that since this is a new plan, screening of the area is required. There is a fence but not the whole duration of the back of the building.

D. Nielson explains the building is down 3 - 4' along the retaining wall which is not on their property. They could put a fence along the property line. The stone retaining wall is 3 - 4'. Half of the fence would already be 3' below the wall in the back of it but it complies with the screening issue.

EM states it has to be on the applicant's property to comply. The stockade fence is not a big deal and it blocks the lights.

RL would prefer to see an entrance only at the new egress.

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D. Nielson refers to the handicapped ramps. Sgt. Haughey said he would ticket the vehicles which have been parking along the front.

EM notes if they raise the curbs that won't happen.

D. Nielson points out they have to get permission from State Highway.

AM agrees the whole road has been undermined.

EM suggests this would make the applicant's proposal better because the curb is almost gone.

E. Broidy could put bushes and hedges along there.

Clerk reads letter from DPW Director Donald DiMartino, dated January 9, 1997, wherein he states there is no longer any curb reveal on Mechanic Street in front of the proposed development. He suggests a new vertical granite curbing be installed to prevent vehicles from parking on the side of Mechanic St. The new curb should have a minimum reveal of 6" and should tie into the proposed driveway entrance curbing. He would also prefer to have vertical granite curbing at the driveway entrance rather than the slant granite proposed.

E. Broidy would rather beautify it. He will have signs posted for no left turn, right only.

B. Lord points out the lot is a strange shape. The as-built was done in 1989 after the fact. He picked up the fact that they were on his property after it was built. He allowed them to build the wall and fence on his property.

WW notes the curbing on the street exists.

EM states the slant granite is buried so they don't have to buy new stuff. He suggests raising it.

Michael Broidy asks about putting in the parking shrubs and landscaping.

WW replies that is not the only reason for the curbing.

D. Nielson notes they have to apply for a cut since they are proposing to cut a state highway. They would like to raise the slant granite curbing.

AM doesn't know if it is in the Board power to request the developer to do work on a state highway.

WW asks if they have applied to the Mass. Highway.

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D. Nielson states they need the plan approved before they go to the next route.

EM doesn't think it is out of line for the Board to say they should raise the curbing which is there or find out if the state wants bituminous berm.

RL believes they can recommend it be done on behalf of state. He asks about the dumpster for the existing building.

D. Nielson didn't show the dumpster.

E. Broidy replies it is in back of the building.

B. Lord refers to the dumpster in the back which is open to the neighbors and people driving down there. The tenants put their trash in the back. It should be screened from the neighborhood so they don't see it. A 6' fence would provide screening to the back of the building. The back needs a raised screen. He is not here to oppose this development but wants to protect the neighbors properties.

John Gargen lives across the street from the plaza. When he looks out his front window he looks to the back of the property at the trash. He gets trash on his property in the summer with the wind.

EM states the dumpster is supposed to be in a stockade area. Since this is residential use next door, it is our job to ensure there is screening.

Mrs. Gargen asks about 15' back from the street.

AM wants them to relocate the dumpster to where it is shown.

E. Broidy has to have 2 dumpsters. He would prefer fence or screening. The vegetation will grow. He would use evergreens or black pine. They cost more but look more attractive. He will put a fence though if the neighbors want. He has objections behind the building since there is already a 3' rock wall and a fence. It is ridiculous to put in another one and would serve no purpose. The lot line is in front of the wall.

B. Lord would like to see a screen with a concrete wall and a fence on top.

EM thinks it is not unreasonable for them to repair the existing fence.

E. Broidy was advised not to since it is not on his property but is on B. Lord's property.

AM disagrees with EM. Maintenance should be on the developer's property.

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B. Lord states there is screening but it is on his property.

E. Broidy presents a letter from B. Lord which constitutes an agreement with the previous owner. He had requested the screen be on his property.

B. Lord did give permission for them to put the screen on his property but they were supposed to maintain it.

EM explains that the building was put too far back. The previous developer cut the roof and bent the shingles to accomodate.

E. Broidy notes the previous owner put the screening on B. Lord's property.

EM states it is the businesses responsibility to screen the neighbors.

E. Broidy is requesting nothing be done in the back. He has done everything possible. He will get a determination from the state on the curb. He wants the property to look good and will screen the people affected. B. Lord wants \$5,000 from him to straighten it out and he refused. He asks the Board to make a decision.

Chris Healey, David Road, agrees the screening along the back of the area is an eyesore. He is abutting B. Lord's property. Profanity is spray painted on the back of the building. If it was screened he wouldn't have to look at it. He would like them to address the trash issue.

EM notes that not having it screened works both ways. Tenants can see B. Lord's house from the back of the property.

(?tenant) can see right into B. Lord's yard.

AM would like to refer this to Town Counsel because of the legalities. She would like to hold the pictures which Michael Broidy presented to use in explaining this to Town Counsel. Board will send him a letter but she will speak with him directly also. She will show him a copy of the previous approved plan. The question for Town Counsel is if the Board has the authority to pursue this. How can the Board ask the developer to put screening lower than what exists. She will ask Town Counsel if the Board has the authority to do it.

E. Broidy won't build the additional building if the screening in the back is required because he won't be backed into a corner.

EM advises that if it is required it is required by the Town of Bellingham.

WW asks why the Board should waive screening since this is abutting residences.

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E. Broidy would do it if it made sense.

WW states the law says the developer will provide the screening. It is not Mr. Lord's responsibility to provide the screening.

AM reads October 24, 1994 letter from B. Lord relative to putting the fence, plantings on his side so they will eventually grow.

B. Lord describes that as a private agreement which was done once he realized the wall was on his property. They were going to put a fence up and maintain it but they went belly up. They put in partial screening which was not done at the direction of the Planning Board. It hasn't been maintained at all. He has no agreement with Mr. Broidy.

E. Broidy explains he didn't want to come to the Planning Board himself and he was going to employ Mr. Lord to speak for him but decided to come himself because of the issues.

EM notes that every house is entitled to be screened. From looking at the pictures it is not screened in the back.

AM would like to visit the site and refer the issues to Town Counsel.

B. Lord believes there should be a light in the back corner where the dumpster is since it is a dark area.

Roger Gauthier, asks if the dumpster area will be enclosed. Response affirmative. He asks what happens if they go to the state and they say no entrance on 140. He will object if there is not another entrance and is opposed without it since there will be a liquor store there off a residential road.

EM advises if the state denies the entrance they will have to come back because there will be plan changes.

B. Lord would like a sign which says entrance off David Road since people now go by and turnaround in his driveway.

D. Nielson notes there will be an entrance sign.

EM states the screening to the back wall is subject to the Planning Board.

B. Lord believes the issue is screening the developer's property from residential.

E. Broidy reiterates it is not necessary.

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EM notes the screening is supposed to be on Mr. Broidy's property.

E. Broidy points out they are on the same level with the existing plaza. The benefit of another fence would be redundant.

EM indicates it is not the burden of the neighbor to have the screening.

AM advises Mr. Broidy if he is willing to put the screening in the back, he will get approval.

Andrew Marchand, David Road, asks about lighting to the back of the building. There is a large spot light which lights up his house. It is not directed straight down. There is no screen in front of it.

EM agrees it needs to be redirected or aimed.

E. Broidy will put a shield on the light if it needs one. He will put in a 6' fence and will comply if Mr. Lord takes his fence down. No wall is necessary.

B. Lord believes it has to be above level ground. 6' won't do it.

AM reviews the original plan which only shows a portion of the retaining wall. She would be happy to go with the original plan.

B. Lord points out the area is not the same as it was.

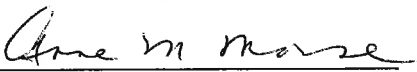
WW moves to continued to March 13, 1997 at 7:30 p.m. in order for Board members to view site, applicant to contact Mass. Highway and Board to receive response from Town Counsel. RL seconds. Unanimous vote of 5.


Clerk to forward letter to Town Counsel asking if the Building Inspector was right about the bulkheads and if the Board should be talking about the screening.

Meeting adjourned at 11:10 p.m.

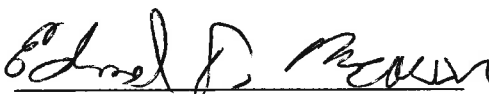
MINUTES OF PLANNING BOARD MEETING


FEBRUARY 13, 1997


Anne M. Morse, Chairman


William M. Wozniak, Vice Chairman


Roland R. LaPrade


Edward T. Moore


Paul Chupa