

BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

WILLIAM M. WOZNIAK, CHAIRMAN

PAUL CHUPA

EDWARD T. MOORE

ANNE M. MORSE

RICHARD V. DILL

MINUTES OF REGULAR MEETING

APRIL 23, 1998

Meeting commenced at 7:05 p.m. All members except EM were present. Planning Board Consultant Philip B. Herr was also in attendance. Minutes recorded by Planning Coordinator Jill Karakeian.

MASTER PLAN ADOPTION

Master Plan Steering Committee Chairman Guy Fleurette and some members of the committee are here for the adoption of the Master Plan.

G. Fleurette says that it is the Boards option to adopt the Master Plan or not.

AM says she is in favor of the Master Plan.

G. Fleurette says that the proposed group in the draft is planned to be put together in the next 2 to 3 months. Organize a meeting and have the Boards and IDC Group meet, prioritize and go from there. Says the IDC group would meet 2 – 4 times a year to prioritize what different boards would want.

RD asks about sub-groups and who would be involved.

G. Fleurette proposes the group would be made up of 3 or 4 primary boards.

WW asks the Board if they have any questions.

No questions were asked.

PC feels we should adopt the Master Plan and move on.

AM makes the motion to adopt the Master Plan as written. Seconded by PC. Carried with a vote of 4 (WW, AM, PC, and RD) EM absent.

P. Herr makes a comment that he works with a lot of communities and says he is very impressed with the Steering Committee's job for the Master Plan.

D. DiMartino mentions about implimentating catch basins. Says that infront of DPW there was hazardous waste dumped down a catch basin from a landscaper and it was witnessed and taken care of. The Blackstone River Valley Awareness is holding a catch basin stenciling day on May 16th. They are looking for 5-10 men teams to stencil catch basins around the town. The purpose is to notify people that what ever is going down the manholes, the stencil will tell them were the catch basin empties out to.

G. Fleurette wants to recognize R. LePrade. 1. The committee was started 2 years ago and R. LePrade's courage and determination on behalf of the Town was greatly appreciated. 2. There are only a few copies of the Master Plan left. He feels we are going to need about another 250 copies to have on hand. They need to be distributed so they are available for people who want them. Spoke to P. Herr and there are still funds in his budget for copying. G. Fleurette says just the cover the Master Plan needs to be changed with the adoption date.

WW says that is fine.

WILLIAMS WAY – STREET ACCEPTANCE

Guy Dupont came before the board on behalf of William Hood, owner of Williams Way. G. Dupont says that the as-built that he has information needed. Questioned weather the developments was an approved subdivision. Says that the development went through zoning change and all the necessary channels and got approved in 1984. Says Mr. Hood has been maintaining. Received Mr. DiMartino's letter dated 4/17/98. Road was bonded and monies have been returned. Would like the Board to recommend conditions to items on DPW's letter complete.

WW asks Mr. DiMartino for his input.

D. DiMartino says his files have nothing in them.

PC says it had been accepted a few years age, but there was a problem with the water.

G. Dupont mentions he understands the water problem, and Opus put an addition onto their building up the Development and took care the water problem that the site was having.

WW asks P. Herr if he has any comments.

G. Dupont asks what should have happened. In 1986 the development sold out. Owner should have to come into the Board and ask for acceptance. It, he feels, was just put on the back burner. Design features (1984) Definitive Subdivisions approval.

P. Herr says Section 471 Sidewalks aren't required in Industrial Subdivisions.

G. Dupont says that they didn't post a bond until they were requiring lot releases. As buildings were complete, the DPW recommends and the bond was reduced. Eventually all were complete and bond was 100% reduced.

D. DiMartino says that the road is in good standing, and there are some fairly minor items that are outstanding.

WW says he needs a motion to recommend the street acceptance for Williams Way under conditions of the DPW's letter dated 4/7/98.

AM makes a motion to recommend the street acceptance for Williams Way under the conditions of the DPW's letter dated 4/17/98 item #3 satisfaction. PC seconds. Carried with a vote of 4 (WW, PC, AM and RD) EM was absent.

STREET OPENING PERMIT – PUBLIC HEARING

Sponsored by DPW

D. DiMartino states that the Article is to be accepted as a Bylaw. Board of Selectmen has Street Opening responsibilities. The Biggest item of concern under the Section 15.06.040 Minimum S for Maintainable Level of Adequate Access (a) The minimum width of the traveled way must be equal to sixteen (16) feet or, if greater, the following.... (b) Roadway Surface and Subgrade..... (c) Other Required Improvements. i. The improvement must include a drainage system that is consistent with Section 43 Stormwater Management in "Rules and Regulations Governing the Subdivision of Land, "Town of Bellingham, as revised April 25, 1996.

D. DiMartino says this will make developers provide access that is reasonable. P. Herr was a major contributor to the legal ties in writing this bylaw.

P. Herr hopes that the town meeting accepts this bylaw, it is good for the town.

AM makes a motion to recommend the Street Opening Permit. PC seconds. Carried with a vote of 4 (WW, PC, AM and RD) EM was absent.

BAINBRIDGE WOODS – DEFINITIVE SUBDIVISIONS

Public Hearing-Continued

D. DiMartino states that Bainbridge Woods has access to town sewer but they do not have capacity. Private septic system must be used.

WW asked about sewer capacity. Do new regulations allow transfer?

WW makes a motion to continue the Public Hearing for Bainbridge Woods to 8:15.

MISCELLANEOUS CORRESPONDENCE/INVOICE

Clerk has bills, payroll change notice to be signed.

Clerk tells the board about phone calls concerning Rawson Road and the residents there are asking about street lights and when they are going to get them.

P. Herr said to look in file to see what kind of correspondence has been sent to the Developer and then the Board can go from there.

BAINBRIDGE WOODS – DEFINITIVE SUBDIVISION

Public Hearing-Continued

Norman Hill from Land Planning and Owner of the property Edward Raydale was here for Bainbridge Woods.

N. Hill presents the Board with a plan said suggested by P. Herr. Says grading easement to be recorded at the Registry of Deeds. Behind the proposed subdivision from Pine Street to Mohawk Path. At the sewer connection Mr. & Mrs. Dryer and Mr. & Mrs. William will be giving a water/sewer easement to tie into Mohawk Path. This has already been presented to the landowners. N. Hill said they do not that the sewer pipe must stay 10' away from water and it must be a cast iron pipe. Will be bringing water from Pine Street to Mohawk Path through the subdivision. N. Hill also has two (2) sets of revised plans in response to BDO Engineering's letter dated March 30, 1998 Review of Drainage Study and Design for Bainbridge Woods Definitive Subdivision. **BDO Eng. 4312.** Detention facilities should be designed for a 100-year storm. Since the proposed bridge will result in a quasi detention area, it is recommended sizing culvert pipes for the 100-year storm (calculations refer to the 50-year storm). **Land Planning 4312.** We do not intend to have the road culverts result in a quasi detention area. The proposed two 24" pipes are adequate for a 100 year storm. The attached pipe sizing sheet, page #3-1, has been revised for the 100 year storm. **BDO Eng. 4321** The drainage pipe size is shown on the plans but the pipe material (i.e. concrete or reinforced concrete) is not noted on all drain lines. It should be noted that reinforced concrete pipe is required where the depth of cover is less than 3-feet from the pipe crown. Minimum cover with reinforced concrete pipe is 2-feet from the crown. It appears that less than 2-feet is provided at catch basins 1 and 2. Drain lines should be labeled with size and material (e.g. 12" RCP Class IV). The spacing between catch basins exceeds the maximum requirement of 350-feet—plans show 387-feet. **Land Planning 4321.** All drain pipes are to be reinforced concrete pipe class IV. We have added this reference to several places on the plans. The plans have been revised to provide for 2 feet of cover over the drain pipes at catch basins 1 and 2. Also, we have revised the plans to space the catch basins at 350 feet rather than 387 feet. **BDO Eng. 4323.** The Designer states that the elevation of groundwater is 186.2. Based on this data, it appears that atleast 5-feet of separation between the pavement and high

groundwater will be provided. The Designer should confirm the stated groundwater elevation with high groundwater information obtained from test pits. Observed groundwater elevations should be adjusted by an accepted method to establish the high groundwater level (i.e. measured between 2/15 and 5/15, observed mottling, Frimpter Method, or other). **Land Planning 4323.** We are scheduling a test pit so that the high ground water reading can be confirmed. **BDO Eng. 4342.** The base of the detention basin must be 2-feet above the maximum groundwater table. Based on existing information provided by Land Planning, it appears that the groundwater level was at elevation 186.2 on January 27, 1998. Maximum groundwater elevations may be higher; therefore, the Designer should gather sufficient data to determine the maximum groundwater level and design the bottom of the basin accordingly. Currently, it appears that the bottom of the basin (elevation 187.50) is too close to the maximum groundwater elevation. **Land Planning 4342.** The soils in the area of the proposed water quality swale are medium sand with gravel. Those soils are free from silt and clay and have excellent percolation rates. As a result, we are confident that the water quality swale will infiltrate more than the 6" per hour that we have estimated, even though it is designed 1.3 feet above ground water. N. Hill also stated that the swale is 1 ½' deep and there is no fence prepared.

BDO Eng. 4344. Riprap, energy dissipaters, or other means of erosion control should be provided at the inlet to swale/detention basin. Designer should clarify the detail and/or plan views. **Land Planning 4344.** We have revised sheet #2 of the plans to have riprap added to the Water Quality Swale. **BDO Eng. 4345.** The outlet of the grass swale/detention basin does not have a trash interceptor. However, the stormwater system has deep sump catch basins with hoods and the swale/detention basin will have an inlet and forebay. These items serve similar purposes to the apparent intent of 4345. Data should be provided to show that the grass swale will not retain water for more than 4-days. It seems prudent to excavate test pits and conduct percolation tests, or sieve analyses, or falling head permeability tests to document the infiltrative rate of the on site soils. The design should consider the affect of sediment covering the bottom of the basin. The detail of the overflow spillway and the gravel filter appear to be protected with riprap—this should be clarified by noting the size and extend of the riprap. **Land Planning 4345.** We have scheduled deep hole and percolation tests for you to witness. The water quality swale, sediment forebay will protect the infiltration bay from sediment. We have added a note to the plans specifying that the size of the water quality swale riprap should be 3" to 6" diameter stones. **BDO Eng. 4346.** The proposed basin does not call for loam and seed on the sides and bottom. The Designer should address whether the required 4" of loam and seed on the bottom of the basin would be beneficial or detrimental to the operation of the swale/detention pond. Would a wetland seed mix be more appropriate? The sideslopes should be loamed and seeded for erosion protection. See seed requirement in regulations. **Land Planning 4346.** A note has been added to the plans specifying that the water quality swale sideslopes be provided with 4" of loam and seed. The bottom of the swale is to remain sand. This will facilitate maintenance and sediment removal. **BDO Eng. 4347.** The design plans do not show a chain link fence around the swale/basin. The regulations require a 4-foot fence with an 8-foot wide gate with lock and key. This requirement may be waived if the maximum depth is kept less than 2.5-feet and the sideslopes are flattened to 5 to 1. Access to the basin should be shown—consider the type of vehicles that will be required for maintenance and insure that the slope of the access way is appropriate. **Land Planning 4347.** The proposed Water Quality Swale is two feet deep with 1 on 3 grassed side slopes. We have not

proposed a fence and we ask that a fence not be required. This swale is very shallow and does not impose a safety risk.

PC says that the Board is concerned about a fence around the swale due to children's safety.

P. Herr says that it is not required by law.

N. Hill states that the issue regarding maintenance of swale. Instead of being mowed and maintained, I recommend that it be allowed to grow in.

BDO Eng. 4348. According to the Stormwater Management Form in the Drainage Calculations, a maintenance schedule for the grass swale/detention basin was developed; however, it was not found in our review materials. The regulations require maintenance to be performed at no expense to the Town. The Designer or developer must specify who will be responsible for mowing the basin area, remove vegetation from forebays, removing accumulated sediments, and any other basin maintenance. The detention basin operation and maintenance plan should include the frequency of inspections (recommend once per year minimum) and the number of mowings per year for sideslopes (recommend twice per growing season). **BDO Eng. Drainage Calculations:** 1. The existing drainage areas appear to be divided based on soil types as opposed to topography. The areas seem to be acceptable for this analysis. However, the values used for the runoff curve numbers seem to be in error. Based on our observations, the existing ground cover appears to be woods in good condition (i.e. leaf litter and brush adequately cover the soil). According to the preconstruction narrative, the site contains Scituate, Scarborough, and Windsor Soils. Our references show that these soils are in the C, D and A Hydrologic Soil Groups. Correlating CN values would be 70, 77 and 30. The existing conditions drainage calculations refer to Group B soils and a CN value of 73 for Subarea I and CNs of 92 and 60 for Subarea II. The Designer should provide a narrative to explain how the CN values were estimated and/or revise the calculations. **Land Planning 1.** The existing drainage was divided based on topography. We have rerun the TR-55 drainage analysis using the suggested CN values of 70, 77 and 30. New printouts are provided. **BDO Eng. 2.** Time of Concentration (Tc) paths were not depicted on the drainage areas. TR-55 procedures state that the Tc path should be from the hydraulically most distant point in the drainage area. Based on our review of the mapped areas, it appears that the drainage paths for the drainage areas are somewhat short (420-feet versus an apparent 580-feet for Existing Subarea I and 520-feet versus and apparent 2,000+ feet for Existing Subarea II). The Designer should show the assumed Tc paths and/or explain the logic for using the lengths shown in the drainage calculations. **Land Planning 2.** We have enclosed new copies of the drainage areas with the Tc paths depicted. We have rerun the TR-55 drainage analysis using your suggested drainage path distances of 580' for Subarea I and 2,000 for Subarea II. **BDO Eng. 3.** Tc paths and narratives regarding CN values should also be provided for the post development condition. Impervious areas should be provided including assumed rooftop area, driveway area, street area, and sidewalk areas. The Designer states that the lawn areas will be minimal and the driveways will be short-the narrative should assume a reasonable lawn and area and driveway area for the purpose of determining the CN value. **Land Planning 3.** The Tc paths and CN values for the Post construction TR-55 analysis have been revised per your suggestion. Also, the lawn area, roof area and driveway areas were calculated to total one half

acre per lot with 20% of it being impervious. **BDO Eng. 4.** The Designer has assumed an infiltration rate of 6-inches per hour for the grass swale/detention basin. This number should be verified by excavating test pits and conduction percolation tests, or sieve analysis, or falling head permeability tests to document the infiltrative rate of the on site soils. The design should consider the affect of sediment covering the bottom of the basin. **Land Planning 4.** We have scheduled deep hole and percolation tests for you to witness. Also, the sediment forebay should keep the infiltration area free of sediment. **BDO Eng. 5.** I may be prudent to investigate the use of drywells to directly infiltrate clean runoff (i.e. rooftop runoff). The Windsor soils located in the areas of the proposed houses may be appropriate for drywell use. The Designer may want to consider piping roof runoff directly to drywells. **Land Planning 5.** We have added a note to the site plan, sheet #2, requiring that each house be provided a leaching pit so all roof runoff be collected by gutters and be piped to a leaching pit. **BDO Eng. 6.** The grass swale seems to be designed more like a detention basin. The Designer may want to incorporate the use of extended detention in his design. This would require an underdrain below the basin—refer to DEP's Stormwater Management Policy. **Land Planning 6.** The swale is designed and will function nicely as a water quality swale. It will retain all storm runoff for most storms. Only during very severe storms will some water leave the metered outflow. **BDO Eng. 7.** The Rational Method calculations should include a narrative documenting the calculation and/or selection of the parameters used including: Rational Method Runoff Coefficients, Time of Concentration, intensity, and areas. **Land Planning 7.** Pipe sizing was done using the Rational Method. The enclosed sheet shows the parameter used. **BDO Eng. Miscellaneous Notes on Plans 1.** The detail of the catch basin on Sheet 4 does not show a catch basin hood. The hood should be shown on the detail or referenced in a note. **Land Planning 1.** The catch basin detail has been revised to show a hooded outlet. **BDO Eng. 2.** Castings should conform to the Town of Bellingham's standards. Suggested manhole frame and cover is LeBaron LK 110A or approved equal. Suggested catch basin frame and grate is LF 248-2 or approved equal. Confirm casting models with Town of Bellingham DPW prior to purchase. **Land Planning 2.** Notes have been added to the detail sheet specifying that each catch basin frame and grate is to be LF 248-2 or equal, and each manhole frame and cover is to be Lebaron LK 110A or equal, and that all castings are to be approved by the Bellingham DPW before purchase. **BDO Eng. 3.** The catch basins at Station 2+76 are in a sag vertical curve. The Designer may want to consider double grates at this location. **BDO Eng. 4.** The detail of the detention basin shows a groundwater elevation of 187.5. This conflicts with the groundwater elevation states in the drainage calculations. As mentioned in comment 4342, the groundwater level should be determined and the design of the detention facility should be revised as required. **Land Planning 3.** The detail of Water Quality Swale has been corrected to show the high groundwater elevation to be 186.20. **BDO Eng. 5.** The specifications for the bottom of the basin should be noted on the detail (i.e. seeding, requirements, depth and extent of any gravel, sand, loam, etc.). **Land Planning 4.** Side wall loaming and seeding requirements have been added to the detail sheet. **BDO Eng. 6.** The catch basin detail does not show a granite curb inlet. Specify length—we recommend 6-feet minimum. Also show 6-feet of transition curbing on each side of inlet or another method of blending the Cape Cod berm to the curb inlet. **Land Planning 5.** Granite Curb inlets with transition curbs have been added to the detail sheet. **BDO Eng. 7.** We recommend the use of polyethylene encapsulated rebar manhole steps rather than aluminum steps for all manholes. **Land Planning 6.** We have revised the manhole detail to change the ladder to be polyethylene encapsulated rebar. **BDO Eng.**

8. We understand that the Wetland Cross Detail (sheet 4) is for the temporary control of water during construction. A detail of the retaining wall showing the location and elevation of the two permanent 24" culverts should also be shown. Appropriate erosion control should be considered. **Land Planning** 7. The retaining wall designs will be forwarded to you once completed. **BDO Eng.** 9. Street sweeping is missing from the BMP's listed under Standard 4 of the Stormwater Management Form. Based on the submitted drainage calculations, street sweeping is required to meet the estimated 80% TSS removal rate. **Land Plannings** 8. Street sweeping has been added to the BMP's on the Stormwater Management Form. A copy is enclosed. **BDO Eng.** 10. The detail sheet does not show a detail of erosion/sedimentation controls. **Land Planning** 9. An erosion control hay bale detail has been added to the detail sheet.

N. Hill will also make revisions to the plans to include a fence around the detention swale.

P. Herr says the Board made changes at the last meeting and he has not seen those as of yet. Also wants to know if there has been conservation wetland flagging?

N. Hill says that he met with ConCom and they are satisfied.

P. Herr still does not see the tree markings that are required and have been asked of N. Hill on the plans yet. It is a requirement to show the trees that are going to stay standing on the site.

Gately says that the large trees on the site will be kept.

RD says that the trees must be put on the plans.

N. Hill says that the reason the trees aren't on the plans is because it is quite expensive to have that done.

WW states that there are three (3) topics from last meeting that haven't been taken care of. One is that the last gentlemen from Land Planning at the meeting said that Bainbridge will be sewerred.

Gately says that there is no capacity and they will not have sewer.

RD reads letter from Phil 2/27/98 regarding trees must be shown on plans.

WW says that trees need to be shown on plans.

P. Herr says that the street grades should be at 1%. There is one area that is at 1/2%.

N. Hill revised on section, but one area was not changed because of retaining wall height.

P. Herr feels that D. DiMartino DPW should comment on the plans as well.

N. Hill says that a copy of the plans went to D. DiMartino at the DPW and he made comments.

P. Herr wants to see the comments from D. Dimartino at the DPW and the Board should get a copy as well.

PC make a motion to continue Public Hearing for Bainbridge Woods.

P. Herr says that the water quality swale is a complicated question. Should it be maintained? It will need some sort of maintenance at some point. Would like to here from BDO Eng. And DPW regarding this swale. Phil requests that the Development maintains for first 2 years and then the Town.

AM makes a motion to continue the Public Hearing for Bainbridge Woods to May 28, 1998 at 7:45. PC seconds. Carried with a vote of 4 (WW, AM, PC and RD) EM was absent.

AM makes a motion of an extension of the Bainbridge Woods Development Plan Review to May 30, 1998. PC seconds. Carried with a vote of 4 (WW, AM, PC and RD) EM was absent.

ZONING BYLAW AMENDMENT – Public Hearing

Motion to extend to 9:25.

RD motioned, PC second. Carried with a vote of 4 (WW, AM, PC and RD) EM was absent.

MCDONALD'S – DEVELOPMENT PLAN REVIEW – continued

J. Carde was at the meeting and says he went to the McDonald's on Saturday and took a traffic survey from 11:30 am till 1:30 pm. Says that 328 cars came into the site. Calls first entrance B and a total of 60 cars used that entrance. 52 came from Walmart and 8 came from Hartford Ave. Second entrance is A. A total of 268 used that entrance. 102 came from Walmart and 166 came from Hartford Ave.

P. Herr spoke with Mr. Frazier regarding the circulation and it is important to understand that the authority is to oblige them. Mr. Frazier points out that there is soon to be a major change in the larger Staples parking field striping and circulation, along with continuing refinements on Hartford Ave. and the drive into the whole complex. His preference is to proceed step-wise, and observe the difference that those pending changes make before altering the access to McDonald's. He also indicates that the Police Safety Officer visited the premises with him, and shares his reservations about the change the Board has suggested. Since the McDonald's access on the submitted plan is as shown on a Board-approved plan, and the change is opposed at this time by McDonald's, by agents of the owner of the premises, and (we are told) by the Police Safety Officer, the Board would be hard-pressed to justify refusing to allow the building expansion pending the access changes.

RD says he would like to see statement from Police Safety Officer.

P. Herr wants to know who is responsible for the Landscaping? It is not reflected on the latest drawings received March 30, 1998.

J. Carde says that McDonald's will be taking care of the low hedges around the drive-through of McDonald's.

P. Herr says that the next drawings should include landscaping required by the Board, as well as the handicap ramps.

WW asked about the door on the side of the building. Would that still be there once the addition is complete?

J. Carde says that there is a door on the Hartford Ave. side shown on the plan as well as the door in the front.

AM makes a motion to continue the Public Hearing for the Development Plan Review for McDonald's to May 14, 1998 @ 8:00 pm. RD seconds. Carried with a vote of 4 (WW, AM, PC and RD) EM was absent.

RD makes a motion to continue the Public Hearing for Zoning Bylaw Amendments to 10:00. PC seconds. Carried with a vote of 4 (WW, AM, PC and RD) EM was absent.

TOWN COMMON ESTATES

AM abstains and removes herself from the hearing room.

Joseph Giovinazzo from GCG Associates came to get plans endorsed by the Board for Marinella Construction.

RD reads DPW letter dated 4/23/98 for record.

D. DiMartino writes: I met briefly with the engineer and development for this project and we reviewed the latest plans. They have completely addressed all items and I have questioned from the last submittal, except for the water main loop. They are the process of addressing the water main loop.

It is my understanding that the developer will connect the water main in Jamie Drive, through an easement on lot number 7, to the Bellingham Housing Authority (BHA) main at Depot Court. As of this date, the details of this connection have not been completely resolved. A meeting has been scheduled for May 13, 1998, with the developer, the engineer, the BHA, the State Executive Office of Community Development, and this office. I am confident that the connection will be a reality, as the proposed pipe loop will provide benefits to the BHA. The preliminary plans of this connection are acceptable to this office.

The developer has approached the abutters on the west branch of the street. These abutters are not willing to grant a water pipe easement through their property. However, the plan has an easement on the developer's property that would allow the Town to construct the loop connection at a later date.

The ideal situation is the completion of both loops and elimination of all dead end pipes. The loop to the BHA is of great value as this completes a loop from Depot Street to Mendon Street. This is fair more beneficial to the Town's system than a loop to Northeast Drive.

I understand the Board is ready to endorse the plans for this subdivision. I ask that the plan detailing the connection to the Depot Court be included in that endorsement.

P. Herr states that he also has the updated plans.

RD makes a motion. PC seconds. WW makes a motion to endorse the Definitive Subdivision Plans for Town Common Estates. Carried with a vote of 3 (WW, PC and RD) AM abstains and EM absent.

AM rejoins the Board.

WW makes a motion to continue Public Hearing for Zoning Bylaw Amendments to 10:25. All in favor. Carried with a vote of 4 (WW, AM, PC and RD).

SELECT-A-VIDEO – DEVELOPMENT PLAN REVIEW – Public Hearing

RD reads letter from DPW dated 4/17/98.

D. DiMartino writes: I have reviewed the plans that this office received for this building addition and site renovations. I have the following comments:

Traffic Impact: I have no major concerns. The existing and proposed driveway exits are in Blackstone.

Water: No Concerns. The building is not connected to Bellingham Water.

Sewer: No Concerns. No Bellingham sewer main is shown or available to this building.

Drainage: No Concerns. The majority of the building and added impervious surface is in Blackstone and Woonsocket. No drainage plans are shown. The grade of the site indicates that any future plans for drainage will discharge into Woonsocket.

P. Herr make a comment about the driveway on the Bellingham side and how it might be a concern with the neighbors.

J. Victoria with Select-A-Video says that they added some lights and changed the direction as well as some shrubs and embankments for screening.

AM makes motion to close the public hearing. RD seconds. All in favor.

AM motions to accept. PC seconds. WW motions to approve Development Plan as presented. Carried with a vote of 4 (WW, PC, AM and RD) EM was absent.

ZONING BYLAW AMENDMENTS – Public Hearing

Special Permit Certification

P. Herr says that the language of this bylaw will assure that special permits with the Town of Bellingham gets recorded at the Registry of Deeds.

RD asks if that is what was added to Section 1540.

P. Herr says yes.

AM motions to recommend. PC seconds. WW motions to recommend the changes to the zoning bylaw for Special Permit Certification as written. Carried with a vote of 4 (WW, AM, PC and RD) EM was absent.

Assisted Living

P. Herr says the purpose of this change is to clarify assisted living and to have the town recognize the rules and special process.

WW asks if targeted housing is changed in that section?

P. Herr says that the same rules for assisted living is for targeted housing.

AM motions to recommend. PC seconds. WW motions to recommend the changes to the zoning bylaw for assisted living as written. Carried with a vote of 4 (WW, AM, PC and RD) EM was absent.

MISCELLANEOUS CORRESPONDENCE

P. Herr talks about the memorandums that have been going back and forth between himself, legal counsel and Atty. Macchi regarding Targeted Housing. He reads him memorandum dated 4/23/98 to the Board regarding "Targeted Housing Section 2690".

Attorney Macchi has requested guidance regarding the criteria by which the Board would determine whether or not a proposal satisfies Subsection (a) of Section 2690, which requires that

"the development qualifies for a Comprehensive Permit under Chapter 40B, G.L." Here is by best stab.

To qualify for a Comprehensive Permit under Chapter 40B, Section 21:

- the applicant must be a public agency, a nonprofit, or a limited dividend organization; and
- the housing must be subsidized by the state or federal government under some program.

When State and Federal subsidy funds largely went away in the '80s, the Local Initiative Program (LIP) was created under EOCD, now DHCD, to provide State subsidy in the form of technical assistance with facilitation of access to subsidized interest rates through MHFA. The LIP program has two components, a Comprehensive Permit Process for bypassing local regulation, and Local Initiative Units, for units created through the Town's own regulatory process. Section 2690 was designed to facilitate the second avenue, Local Initiative Units.

State guidelines for Local Initiative Units must be followed in order for the units to be considered "subsidized" within the meaning of Chapter 40B, and therefore to qualify for use of Section 2690 without direct State or Federal subsidy. Those State guidelines are the criteria for Section 2690 (a). They require three things:

- (1) the units must serve households at or below 80% of median income;
- (2) the units must be subject to price restrictions of substantial duration; and
- (3) the units must be sold or rented on a fair and open basis.

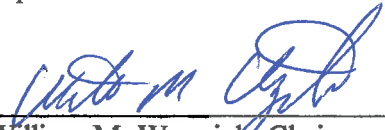
Going through the State-administered LIP process assures that those guidelines will be met. They are spelled out with unusual clarity in "Local Initiative Program Guidelines," May, 1997. Concretely, at the moment those guidelines require that for 25% of the units in a project the selling price for a three bedroom detached fee simple house may be no higher than \$94,500 in Bellingham. As many as 70% of the units may be reserved for local preference.

The intention of the LIP program and of Section 2690 is a partnership among local agencies, State government, and an interested developer. At the initial stage, assurance of meeting the criteria for Section 2690(a) is given by developer commitment to the LIP program. Assurance of compliance in later implementation could come through involving the Bellingham Affordable/Fair Housing Committee in the outreach and sales process. The Planning Board's chief role comes (§2690(b)) in testing the housing against policy guidelines it has approved, such as those in the *Master Plan*, and (§2690(c)) in judging the hazard, public service, and neighborhood or environmental degradation consequences of the proposal, if approved.

Note that if the Planning Board disapproves or if the proposal fails to meet the Bylaw-imposed Targeted lot area and frontage requirements, there is no appeal to any State housing agency, only the remove possibility of a court appeal. That is what makes this a local, rather than State-imposed, process. The resulting below-market units will "count" towards the 10% threshold for subsidized housing established by Chapter 40B.

Clerk tells the Board that the Decision for Excavate was issued and dated 4/22/98.

Meeting adjourned at 11:10 p.m.

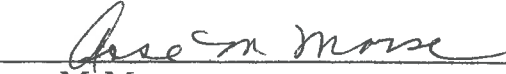


William M. Wozniak, Chairman



Paul Chupa

Edward T. Moore



Anne M. Morse



Richard V. Dill