

BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

WILLIAM M. WOZNIAK, CHAIRMAN

RICHARD V. DILL

PAUL CHUPA

EDWARD T. MOORE

ANNE M. MORSE

MINUTES OF REGULAR MEETING

JUNE 25, 1998

Meeting commenced at 7:00 p.m. All members were present. Planning Board Consultant Philip B. Herr was also in attendance. Minutes recorded by Planning Coordinator Jill Karakeian.

GENERAL BUSINESS

Brian Sutherland and Mr. Ken Hamway came before the board for an informal discussion regarding the zoning Depot Street.

Brian Sutherland asked in light of the INP Project. The zoning was changed on Depot Street. Should the project not go through would you like to see the land go back to the Agricultural/Suburban that it was?

AM says that she would personally like to see the unfolding of events and she doesn't feel that it is her position have an opinion. She feels the Board should take opinions on things because it could still come forward.

not

WW wants to make sure AM is talking as a Planning Board Member and not for the entire Board. He says that that is one Planning Board Members opinion and AM's personal opinion. I don't want that to be as part of my opinion. I don't wish to comment at this time. Says that the land actually went to Town Meeting twice to be changed to Industrial and it passed the second time.

PC says that if everything fails with the way it is right now, then you might take that into consideration about rezoning back to it's original zoning. Right now, I don't want to give an opinion because we don't know what is going to happen.

WW says that residents themselves can petition for the zoning to be brought back and then it would have to go in front of the Selectmen, Planning Board and Town Meeting.

WESTWOOD SYSTEMS – Development Plan Review – Continued

EM abstains and leaves the room.

Bill Halsing from Land Planning is here to present updated data requested from last meeting. The site plan shows the parking area and the grading of the site and where the run off is to the detention basins. Drainage calculations are also included. Phil had a few comments in which we addressed today. The emergency access gate has also been added to the plans as requested by the Fire Department.

WW mentions the concern about the illegal spray painting that was being done on site.

Owner of Westwood Systems states that, that has been discontinued. They have contracted that job out to another company.

AM asked if there is adequate screening for the residential home that abutts the building.

B. Halsing says that there are a row of arbovitues.

WW asked what the hours of operation was.

Owner of Westwood Systems says from 7:00 am to 4:00 pm. On a rare occasion we work on a weekend to meet a contract.

P. Herr mentions that he does not have a drawing of the entire building including the old building as well as the proposed building. States that there has been a comedy of errors. One of the questions that still need to be answered is the original plan is different on the drawings than what is there. There is a detention basin that is supposed to be in one spot, but it is in a different spot. Maybe the drawing that I have is not the drawing that the Board finally approved. One of the issues that were raised in the past is that we cannot see any handicapped access. Now there is a handicapped ramp which raises the question, in order to understand how that works we need to know how the buildings work. I'm a bit confused and all the items that should be on the drawings are not. Also, concerned that the detention areas are infact retention areas. They need to be maintained.

B. Halsing says that the errors that are on the plans are scripture errors.

P. Herr has sympathy for the owner now. I'm very tired of seeing drawings two days before a meeting. Nothing that is being proposed violates any of the Rules. The parking is well over that is needed. Question is if the trucks that are pulling in are able to move around in the parking lot around the parked cars.

WW asked when the work is expected to start.

Owner of Westwood Systems says he was expected to start already. Contractors are waiting for the go.

AM asked what the Board is looking for at this point.

P. Herr says that it is just clarity at this point. I don't see any violations that the building is in. Clarity of documentation.

Gary Boudreau who is an abutter has a question about the access road and if it is going to be paved.

B. Halsing says yes because it has to be accessible at all times for the Fire Department.

G. Boudreau asked if it will be used by anyone but the emergency vehicles?

B. Halsing says no, there will be a gate that is specified by the Fire Department.

P. Herr says that the Board could approve the Development Plan Review subject to. We need a drawing showing all three building together and a diagram of how the trucks and structures will flow through the building.

AM motions to approve the Westwood Systems Development Plan Review subject to a compiled drawing of all three buildings together as well as how the product gets through the building and out of the parking lot before a Building Permit is issued. RD seconds. Passed with a vote of 4 (WW, RD, AM and PC).

81-P SUSAN LANE – continued

EM returns to the meeting.

E.K. Kalsa from Land Planning and Atty. Steven Kenney here in front of the Board to discuss the Approval Not Required plan for two lots on Susan Lane. It consists of 31 acres. The Plan show sufficient frontage for two lots. There was some question with regard to an endorsed subdivision plan and I have brought a copy for the Board. There was some question with regard to the condition of Susan Lane and we spoke to Don DiMartino, Director of DPW and asked if he would write a letter to the Board in regards to that.

P. Herr says that infact that this subdivision is subject to severe disagreement between this Board and the Developer in reference to secure the Bond. I don't think that there is any question about it being an approved subdivision. It was approved by the Board and it wasn't completed by the Developer. Where does that leave the present owner with regard to the completion of the streets where the Developer has failed to finish.

EK Kulsar states that they intend to provide access to the lots that are going to be developed from the middle of Susan Lane. They do not intend to provide access from the culdesac end because as you see the wetland line basically cuts off access to the land on that end of the street.

P. Herr says that that is not what the drawing says. The drawing says you are creating two new building lots with the frontage on the culdesac.

R. Dill reads letter from Don DiMartino, Director of DPW dated June 24, 1998 regarding Tenderbough Realty Trust. Letter is addressed to Mr. Wozniak and states the following: Last week I met with Mr. Kalsa and Mr. Lansing, the proponents of this proposed subdivision of land. They asked me to comment on the condition of Susan Lane and their proposal to your Board. These roads were part of Centre Park Estates, which is subdivision approved by the Planning Board in 1965. This office had a copy of the signed plans for this subdivision dated 1972 and has now received a copy of the 1965 plan from the proponents. According to the information I received in January 1998 from Valerie, there is no longer any security being held on the Centre Park Estates development. According to our records Susan Lane and Sharon Avenue have never been officially accepted as town streets. Sharon Avenue is in good condition. Most of Susan Lane is also in good condition. There is not top pavement in either cul-de-sac on Susan Lane and the condition of the binder course of pavement is very poor. There are no curbs or sidewalks in the entire area. However, there is not typical cross section, no edge of road, no curbs and no sidewalks shown on either set of signed subdivision plans. There are a few bumpy areas of pavement near house number 42 (lot number 27) and the paved surface has minor age cracking. The proponents informed me that they intend to build homes based on the frontage at the north end of Susan Lane. However, they plan to provide access through the land between lots number 20 and 21. This access area is noted as belonging to John J. Kaltz on the May 1965. As the condition of both Susan Lane and Sharon Avenue is good, I do not see a problem with this proposal from a maintainable access standpoint. It is my understanding the access way will remain at all times a private driveway. If this access is allowed, an easement agreement must be attached to both deeds clarifying ownership and rights especially as it relates to utility maintenance. Sincerely.

WW says the Board needs to seek some legal counsel on this issue. It has been before the Board already this year.

SPRING MEADOWS – Bond Posting

Joseph Giovinazzo in front of the Board posting the Bond for Spring Meadows. Says that Don DiMartino suggests per letter written to the Board of a Security of no less than \$75,500.00 be retained. Attached to that letter is a subdivision checklist that has been performed by Ted Bailey. Also, there is a remaining work list that is the basis for the bond. The way that the project stands now is the drainage has been put in as well as the water and the binder coat of asphalt has been installed.

AM motions to accept the Bond Posting for Spring Meadows in the amount of \$75,500.00. EM seconds. Unanimous vote of 5 (WW, RD, EM, PC and AM).

PIER I IMPORTS – DEVELOPMENT PLAN REVIEW – continued

Bob Frazier of W/S Development, Andrew Zellimeyer of Sumner Schein Architects and Engineers and Roy Smith of S.R. Weiner & Associates.

Andrew Zellimeyer is asking the Board that they received the letter from Sgt. Daigle regarding the site distance.

RD reads the letter from Sgt. Daigle dated June 11, 1998 addressed to Mr. Wozniak. Upon your requested regarding the site distance at Pier I Imports, Charles River Center. I have reviewed the plans and location and have one concern. The cars coming from the Cinema wishing to turn left into Pier I will be cutting in front of traffic entering the Plaza. Motorists entering the Plaza headed to the rear stores or Cinema tend to speed up knowing they have a long entrance way to travel. Therefore I would suggest putting a sign at the entrance of the complex warning motorists that vehicles may be crossing traffic to take a left hand turn into Pier I. Hopefully this will slow down traffic around the bend or approaching Pier I Imports. Please be advised that I have also examined the site distances and find them to be adequate.

AM asks if they were okay with Sgt. Daigle's response?

Roy Smith wanted to touch base on the added signage that was recommended. There was a "Speed Limit" sign and a "Caution Vehicles Crossing" sign has been installed. There was some further correspondence from Phil regarding some coordination issues regarding the architectural drawings and the site drawings and we have coordinated those and I think Phil is all set.

P. Herr says that he received drawings. There are two issues. One is what was sent to me yesterday was a bound set of drawings and I didn't find in that bound set of drawings a revised landscape plan.

R. Smith says no and he has a plan tonight to give to Phil. He says that he has the Landscaped plan incorporating the emergency access drive. The Landscaping that already exists, the trees and the shrubs along the sidewalk and is part of Sgt. Daigle's review. This landscaping is to remain.

EM asked if he could look at the landscaped drawing and see the size and the height of the landscaping that is to be installed?

R. Smith says yes.

P. Herr says that the last drawing he saw, he interrupted that nothing new was going to go in between Pier I Imports and the entrance to the complex.

R. Smith says that there are some added shrubs in that area.

EM asked about the dumpster situation?

MINUTES OF PLANNING BOARD MEETING

June 25, 1998

P. Herr says that is the second issue he had. The dumpster enclosure has been clarified. What Sgt. Daigle is telling the Board is that he feels that the site distance is going to be okay. Given that the Sgt. saying okay and going by the State Highway standards I would say that the site distance is adequate. I won't say super adequate but adequate. I'm not sure if I'm right, but it seems that the dumpster enclosure got narrower than original which also helps. There is a question about, can you legally allow that dumpster enclosure to be built given that it goes outside the permissible building line? That resolves around whether or not we think that constitutes part of the building. He asked if the Board received a letter from Mr. LeClair regarding this issue. He said that he spoke at length about this letter to Mr. LeClair today.

J. Karakeian, Clerk said she did not receive a letter from Mr. LeClair.

A. Zellemeier said that he spoke to Robin (Mr. LeClair's Clerk) today and she would have that letter delivered for tonight's meeting. Robin said that the letter was going to say that the signage was fine and the retaining wall was fine.

P. Herr says that his sense is that there is real concern about site distance. The Building Inspector determines whether that is part of the building or not.

AM says that there was a mention about a separation between the wall and the building should that be a violation.

A. Zellemeier also asked the Board to approve the landscaping that was originally approved which will be more landscaping that was approved originally because the change of use gave them more room for landscaping.

EM motions to endorse the site plan for Pier I Imports. AM seconds. Unanimous vote of 5 (WW, RD, EM, PC and AM).

J. Karakeian to speak with Valerie regarding the fee that was collected previous compared to the change of use.

GIBBS OIL – DEVELOPMENT PLAN REVIEW – Continued

Letter received from Gibbs Oil's attorney withdrawing the Development Plan Review.

AM motions to accept the withdrawal of Gibbs Oil Development Plan Review. PC seconds. Unanimous vote of 5 (WW, RD, EM, PC and AM).

RIVERVIEW PARK – Discussion

Brian Kelleher with Aspen Group and Peter Beamis, Engineer coming before the Board to discuss possible developing of the land on Maple Street.

P. Beamis explains that the piece of land that they are talking about is the piece that is bounded by Georgia-Pacific, Maple Street and High Street. It is composed of 56 acres. What they are recognizing is that subdivision that was approved for Fafard which brought a road in from one corner of the property and to connect to High Street to reroute Maple Street. What we are recognizing is that out of that decision that the Board made was a 9' buffer to Maple Street because of the residential use. We are proposing a 100,000 square foot building and a 150,000 square foot building that we are showing now. We are also recognizing that Maple Street and the change in character with the other uses that are proposed further to the North. There are plans for the upgrade of Maple Street. We would locate our access drive centrally on the site opposite Stonehedge Road which would enable us not to impare anyone's visibility to their residents. We also recognized the driveway servicing future site's that are not proposed at this time. They will have common ownership with the site to be developed. We have the ability to set the property line and allow joint ownership of the driveway. What we are also suggesting is to manage the stormwater in one central location to the back portion of the site. Concentrating on the developing towards the front of the site. We have gone out to the site and done soil testing. The site is suitable for this development. On the Maple Street side there are some fairly large street trees that we are intending to keep. We are planning on a landscaped berm with the berm having some height and planting on top for some separation.

AM asked if they were talking about putting a high earth berm?

B. Kelleher said that it would probably be about 6' +/- . I think what we don't want to do is go with a real sharp berm with trees on it. Want to go with something that looks pretty natural.

AM asked if they are going to propose this berm as a sound barrier type thing?

B. Kelleher says that it will be couple of things. Obviously this is Industrial Zoned land but there are some homes there and we are very sensitive to that. What we tried to do when we sited the buildings was to put the building so that any noise, if there are any trucks will be behind the berm and behind the building. That type of traffic will be furthest away from the residential areas. We don't think that was the spirit of the original subdivision approval the Board allowed when Fafard was going to develop.

P. Beamis wanted to add that the grading of the property goes towards the back of the property. With the landscaped berm being 6', though it doesn't sound like a lot with the added benefit of the land dropping off. Planting pine trees that are going to grow on an average of 1' per a year you are going to get a substantial effect with that berm. Mentions that the amount of parking that is required per the buildings that are proposed compared to what is actually used is usually alot less. Which allows for more green should the Board waive some of the parking that is not needed for the tenant. He is not sure what Fafard had laid out for this parcel.

EM says that it took four years for the Board to get Fafard to lay the land out the way the Board approved it. It wasn't his plan or his intentions.

P. Beamis says that he wasn't sure what was driving the end result.

EM says that you are talking about being sensitive to the neighborhood and wanting to make everyone happy. You don't put a driveway that has 250 vehicles all coming out around the same time. If you really want to be sensitive, put the road the way it was approved for the Fafard proposal. There was a reason for that. It was to take the dangerous curve out and also to protect the residential area on the opposite side of the street. The buildings that are being proposed can stay right where they are and everyone can leave out behind the buildings and right out onto High Street and not effect the homes on Maple Street.

B. Kelleher says that Mr. Fafard owned more of the land in the area than we do and he was looking at a scheme for the entire area.

EM says that Fafard wasn't looking at anything as far as a scheme. He did that to make it work. It took him 3 or 4 years to get it approved. In order to get that approval. Make that street through the property is what got approved.

B. Kelleher says that they are only involved in the one parcel not the other land that is on the other side of High Street.

AM asked how they could make what was approved for Fafard work if they don't own all the land that was involved in the original approval for Fafard.

EM he just has to lay it out on the parcel they are involved in so when the other parcel is developed they can continue with the original approval.

B. Kelleher we thought as we were going through the process was to put the access drive in the middle here across from Stonehedge Road. We thought it was better so people aren't exiting directing across from someone's house. We just thought that this made more sense and we also have an agreement with Hill's, the people that own the land that an easement is provided over the High Street so whoever develops the parcel across High Street that will be an access point.

EM your talking a loop from across from Stonehedge Road going to High Street. Originally it came from the edge of the parcel you are developing. We weren't talking a driveway with Fafard. We were talking a street. The berm was all part of it too to block the industrial buildings from the resident's on Maple Street.

B. Kelleher says that when you looked at the site how it was originally approved it didn't make any sense as how you would develop the site. The street coming through the site didn't allow you to put buildings up that were proposed. We have no control over the other sites.

EM says that the other sites are there and they are going to get developed. This is the Planning Board and we need to plan for the future.

P. Herr says that the developer discussed this sight with him but what they are showing the Board tonight is not what they showed him. The plan that was showed to Phil had another building in

MINUTES OF PLANNING BOARD MEETING

June 25, 1998

back right hand corner of the site and for some reason it is not on the plan that is being showed to the Board.

B. Kelleher says that there could be another building maybe two more buildings but right now at this point they have two clients interested in the buildings that are shown on the plan upfront on Maple Street.

P. Beamis said that the back portion of the property has been stripped out of gravel. We are dealing with a 56-acre parcel and nothing more. The character of Maple Street is going to change as the Town makes other decisions that forthcoming.

AM says that is not written in stone.

P. Beamis is saying that if that is what happens is fine if it doesn't that is fine also. Our suggested program for this site is we are trying to bring a driveway down to where it meets the intersecting street (Stonehedge Road). Most times I don't try to advocate T intersections, I don't like them. In this instance I think it is warranted versus having a secondary point. This allows all vehicles to come to a central point, making a decision on their turning move. It won't be in front of one property owner. I think the project stands on it's own and makes the best use of the 56 acres involved. We are trying to honor the spirit of that original development program which was that berm. If you put the road in the way it was original approved you are going to have to develop the land all at once and you don't be able to put the buildings in that we are showing you today. You will be putting a road in for a non developable site.

EM what makes it non developed?

P. Beamis says because it has been stripped out to the point that you don't have enough earth to work with. We created this drive as a way and we will build it to town subdivision standard but there is the ability to turn it into a road someday. There is certainly some merit to this proposal. I did not know what was driving the original proposal. It is interested to know that the Board was driving it.

EM it makes sense for the Town to develop it the way it was approved.

WW asked who in the Town that B. Kelleher worked with as far as talking over what they are proposing.

B. Kelleher said that they spoke with Denis Fraine, Don DiMartino and spoke with Phil Herr several times. What the history of the land was and what was the intent. Concentrate on the berm.

WW says that is all it looks like they concentrated on was the berm. I don't see alot of effort.

AM asked if they could just come in and build what they plan?

MINUTES OF PLANNING BOARD MEETING

June 25, 1998

P. Herr said that he did not know. There are covenants. What he heard is the intention was to re-route the through traffic off Maple Street through this road. I did not hear any other objection other than that.

EM I feel that the shared driveway benefits everybody.

AM agrees.

P. Beamis says that the Board would have the luxury of being able to create this as a Way at some point. We aren't saying that they won't create it as a Way. The only difference we have here is where it actually outputs. If the Board feels that strongly that this is a superior outlet at this point.

EM says that it is only a superior outlet if there is a loop in the traffic.

B. Kelleher asked a loop to where?

EM says a loop to Maple Street. There are too many of these projects that are done before they even come before the Board. You've already met with all the town officials and everyone else.

B. Kelleher says that they met with them to get input.

EM okay you met with Phil Herr who is the one person that knows something about planning and engineering. You talked to Town Administrator. You talked to Don DiMartino and told him that it wouldn't be a road so he said that he didn't have a problem with that. What makes that road different than a condominium complex road where the first thing they say is that it's going to be privately owned.

P. Beamis says that what they were going to do is to have the interest in shared by the parties and legal documents would be drafted to deed their responsibilities.

P. Herr says that even condominium complex has those legal documents attached to deeds and it still happens. It is a concern.

P. Beamis says that they do have two potential clients for the buildings shown on the plans and they really need to act or need some sort of direction. Would like to come with a site plan and would like to come back with a different proposal. All we control is this 56-acre parcel.

EM says that if the road came in where it was originally proposed and only went to the middle of the site and then an easement was in place should it be developed then the road would continue as planned. If that is not done then the road will never happen as approved by the Board. Wants to see the road put in the way it was approved and it took 3 or 4 years to approve. The road that will take all the traffic away from in front of the houses. If the road comes in from the corner of the property as approved it is not in front of anyone's home. The idea of the road was to come in before Ustenawitches house so that it is not across from any house. That was practically

MINUTES OF PLANNING BOARD MEETING

June 25, 1998

guaranteed to the residents on Maple Street across from this site. If you studied the previous plan you know exactly what I am talking about.

AM say they come in as proposed do they dead-end it on their lot?

EM says bring it right to High Street.

P. Beamis says that what we were proposing we thought was better.

WW asked if they would like to come back to the next meeting and bring a new drawing?

Aspen Representative asked if we were to come in 3 or 4 hundred feet with a road to be built to subdivision standards and then even though it is not a subdivision road and then we were to build more or less a widen driveway out to High Street is that something you would entertain? Should we add another building then we would widen the road and build the rest of it to subdivision standard?

EM why wouldn't you want to have the street accepted?

Aspen Rep. Says that it may be something we might want to do down the road, but right now we have a couple of tenants that are interested in trying to get in a building this spring. Without Subdivision approval we are going to loose those tenants.

EM says that it is all ready an approved Subdivision.

Aspen Rep. Says that is just not something that is going to work for us. I'm not sure you believe a single word we are saying tonight.

EM I know why you revised the plan as you did because you wouldn't be able to put a 100,000 square foot building there before.

Aspen Rep. Says that they actually thought it would be better for the neighbors rather than all the traffic coming out infront of a house.

EM when I'm saying road I'm thinking Maple Street and when you're saying road you are thinking a driveway.

P. Beamis says that that is a distinction that was never anticipated sir. You are saying that Maple Street will go away through this stretch.

EM says that it just stays they way it is.

P. Herr says that they discussed this with Phil the first time they met. The concept was to take the traffic that uses Maple Street and get it to use that subdivision road so that the portion of Maple Street infront of the parcel of land doesn't get the traffic.

MINUTES OF PLANNING BOARD MEETING

June 25, 1998

WW asked if they want to be put on the next meetings agenda?

Aspen Rep. Please be honest with us. The scope of what your trying to do and I appreciate it and it is very large planning project and talking about redirecting roads and you need alot of land. It is something that we really can't accomplish. We don't control all the land and we don't have money to build new town roads.

EM it doesn't even sound like you're going to try. Why can't the money that is coming to the Town for the grant for Maple Street help put the new road through the property your trying to build on? It can't if nobody asks.

Aspen Rep. Says that they have met with a number of people in town and this is the first time this issue has come up. Out of all the people we met with nobody said, "can we take some of your property and build a new road". The reason we talked to these people is that we trying to get information so that we can come in with a responsible plan.

EM says that you spoke to Phil and he told you want the plan was like. You had the plan, apparently somebody wasn't listening.

Aspen Rep. Says that maybe they just misunderstood the whole thing.

EM says that we just put so much time and effort into that approval that it is a shame to see it just thrown away. This Board told 50, 75 or so people that Maple Street will be moved and taken away from their front yards. They have 300,000 dollar homes, we are going to protect them.

Aspen Rep. Says that is not feasible for the 100,000 square foot building. That building would have to be eliminated in order to put that road in they way the Board wants. We are trying to work within the rules that the town has in place. The zoning of this land and what the neighbors and Board is looking for. We didn't come here to fight. We will go back and take a look at it. They scheduled to come back infront of the Board on July 25, 1998 for some renovations of what they would like to do on that property.

BAINBRIDGE WOODS – Definitive Subdivision – continued Public Hearing

Bill Halsing of Land Planning is before the Board to present revisions as well as Bill Gately the Owner of the property.

WW said that at the previous meeting there were several issues that still needed to be completed. One of the issues was the tree cover on the plans.

RD says that the tree lines are now indicated on sheets 3 and 4. Also, the locus plan is corrected to scale. Street configuration still needs to be completed.

WW also says that the width of the sidewalk was an issue.

MINUTES OF PLANNING BOARD MEETING

June 25, 1998

B. Halsing says that was changed. Scales have been updated. Street numbers have been added to the plans.

P. Herr says that he didn't tell them anything that they shouldn't have done but it is still strange.

EM asked if Phil had anything else.

P. Herr said no.

WW asked if he was happy with the BDO Engineering report from June 15, 1998?

P. Herr said that he didn't see it.

WW says that BDO Engineering is questioning that the water quality swale resembles a detention basin. He thought it was questioned about how someone was going to get to that one area to maintain?

EM says that by looking at BDO Engineering's letter of June 15th it looks like frustration.

B. Halsing said that they went over this on site. Changed the swale type and revised some other items.

P. Herr asked if it was done subsequent to June 15th?

B. Halsing said no. Prior to June 15th.

EM says that the issue is that the maintenance of the swale was originally brought up in April and here we are in June and the issue is still not cleared up as well as the Engineer brings up issues that he had brought up in March and here we are in June and the issue is still not cleared up.

P. Herr says that the first issue seems to be a concern that the ground water elevations for the earth comes up to the surface of the swale. Are they wrong or is it okay.

B. Halsing says that it is okay. They went out to the site and did a deep hole and it turns out that it is low enough. A letter went to June 2nd with all the information that BDO Engineering was looking for.

EM says that we have a letter from BDO dated June 15th stating that they received the letter of June 2nd from Land Planning and they had additional questions.

P. Herr says that it sounds like the Town's Engineer says that the swale is not ready yet. The second one has to do with Maintenance Schedule's. This can be added in write with the decision but it sounds like Land Planning says that you should just let it grow natural like a pond. It can't be like that and needs to be maintained to make it work. He says that it sounds like none of the first three points on BDO Engineering's letter have not been reconciled yet.

MINUTES OF PLANNING BOARD MEETING

June 25, 1998

RD says that for the next meeting we need to see a letter from BDO Engineering saying that he has reviewed all the changes from Land Planning and it looks okay.

B. Gately signed an extension for the Public Hearing to extend to August 7, 1998.

AM motions to continue Bainbridge Woods Definitive Subdivision Public Hearing to July 23, 1998 at 8:30 pm. EM seconds. Unanimous vote of 5 (WW, RD, EM, PC and AM).

GENERAL CORRESPONDENCE

The Board signs invoices, payroll for stipends as well as a Payroll Change Notice so that Jill's increase can go into effect.

Form G Lot Release was signed by the Board and notarized by Jill Karakeian for 40 Porter Road Lot #1284 in Weathersfield II. EM motions to sign and AM seconds. Unanimous vote of 5 (WW, RD, EM, PC and AM).

Clerk brings up Northeast Drive developed Bob Ballarino and there has been some sidewalk work done there and none of the backing up of loam has been done after the installation of the sidewalks. Clerk to pull the files and find out the age of the development and send a letter to Bob Ballarino and ask him to let the Board know when this work will be complete.

RD feels that there should be something in the Bylaws telling people with revisions to Development Plan Reviews, Definitive Subdivisions, any other items that come before the Board for review that a certain amount of time is needed for review of revisions. Not, the day of the meeting.

AM says that if they don't have the common sense to give us some time for review they should be turned away and continued until the next meeting. It just isn't fair to all those involved in the review process.

Jill got a phone call from Michael's Deli regarding the run-off into his parking lot from the work being done up near the Lily Pad Aquatic Center. Michael was to send a letter to the Planning Board so that we had it on record, but we did not receive it yet.

P. Herr asked how they got authorization to dig what they did?

WW said that she starting digging and then she got stopped.

EM says that she didn't create the runoff. She made it worse but that has been running for years. I don't think it's a Planning issue.

WW said that Ted Bailey is the one that stopped the operation.

P. Herr says that he never saw any plans for the work.

MINUTES OF PLANNING BOARD MEETING

June 25, 1998

EM says that in regards to the revisions give to Phil prior to next meeting there should be a time frame of 5 or 7 days prior to the next meeting and if that doesn't happen we won't even discuss it at the next meeting.

RD agrees.

AM agrees.

WW says that we should send correspondence to all the engineers that the Board deals with on a regular basis and let them know that all revisions need to be submitted at a reasonable time.

RD asked if we had a Bylaw.

P. Herr said that it is a procedural rule.

RD mentions the rule about only signing wetstamped drawings. Feels it should be in our regulations.

AM agrees. Also mentioned changing the parking requirements for restaurants. Parking for newer restaurants in this Town is terrible. There just isn't enough parking.

P. Herr says that we can change parking requirements at the Town Meeting.

WW says that he is told that Building Inspector does not read the Board's letters. Feels like something should be done.

AM says that we should start with a letter backing up all of the items the Board has asked the Building Inspector to respond to or do and nothing has been done.

P. Herr asked if you have ever had a Building Inspector that has responded well to those things?

RD says that when you have the Clerk telling you that he doesn't even read the items then he probably has no clue on what special conditions are put on projects.

WW says that the Building Inspector can't be a zoning enforcement officer. Either your going to inspect zoning or your going to inspect buildings. You can't do both. This Town needs to create a Zoning Inspector.

P. Herr says that we heard that one of things that was going to change this year was that the Selectman in one way or the other engage in a Consulting Engineering firm to help do Plan Review.

EM said that we heard that 6 months ago.

MINUTES OF PLANNING BOARD MEETING

June 25, 1998

P. Herr said yes and asked if that had happened. I think it would make sense to meet with the Selectmen to talk about how the whole system could be performed.

EM says yes but it goes back to what Paul said. The Building Inspector says that he doesn't work for the Planning Board he works for the Board of Selectmen. He doesn't even listen to us.

AM I think if you listed all the items in letterform so that it becomes public record so you have back up. You go into the Public Hearing of the Board of Selectmen that is televised and you say this is what the Board is having problems with.

T. Guerin says that it deals with an individual and it will probably go into executive session.

AM asks even if it is a job function that is being discussed.

P. Herr says that the Metropolitan Area Planning Counsel asking us to gather information on Subdivision activity since 1990. With help from Jill, Valerie, Don DiMartino and Joe from my office we put together a response to that. He passed out a copy to all the Board Members before it is mailed and there were some changes from the Board so he is going to revise and resubmit. Last subject, you will recall that you all approved a Master Plan and in the master plan that was approved there were 18 items for the Planning Board to do in the next 3 years. He put the 18 items in some sort of sequence and schedule them over the next 3 years.

AM moves to adjourn at 10:00 pm. RD seconds. Unanimous vote of 5.



William M. Wozniak, Chairman



Richard V. Dill



Paul Chupa



Edward T. Moore



Anne M. Morse