

**BELLINGHAM PLANNING BOARD**

**P.O. BOX 43**

**BELLINGHAM, MASSACHUSETTS 02019**

**WILLIAM M. WOZNIAK, CHAIRMAN**

**RICHARD V. DILL**

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**EDWARD T. MOORE**

**ANNE M. MORSE**

**MINUTES OF REGULAR MEETING**

**JULY 23, 1998**

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

**81-P SUBMISSION – Sydney Lane**

Joe Giovinazzo came in front of the Board to present an 81-P for Sydney Lane in the Spring Meadow Subdivision. There were three lots that have been modified and the lot sizes have changed slightly due to mapping errors that were found.

EM asked if any of the lots were losing any frontage?

J. Giovinazzo said that none of the lots are losing any frontage. All of the lots have 150' of frontage and the required square footage. A fee of \$10.00 was paid.

EM motions to sign the 81-P for Sydney Lane on Spring Meadow. AM seconds. Unanimous vote of 4 (WW, EM, PC and AM) RD was absent.

**COUNTRY CLUB ESTATES II – Definitive Subdivision – Public Hearing**

EM abstains and leaves the room.

AM makes a statement for the record that Mr. Gagnon is apparently using an excavating contractor with the same name as her husband and it is not her husband doing the work for Mr. Gagnon.

Al Florentz from Bibeault & Florenze and Paul Gadery, Engineer for the drainage of the project came before the board to present the plans for Country Club Estates II. A. Florentz says that this is a Subdivision that was approved in October 1989. Actually this was the second approval. The first approval had a street that went from Rome Ave. through Benelli Ave. The went to Conservation and found out that they couldn't connect through from street to street. They ended up putting two cul-de-sacs. There are eight lots on this subdivision and they are all about 1/2 acre up to almost 3 acres.

AM asked if they are coming in front of the Board tonight to join the cul-de-sacs?

A. Florentz says no, that was the previous submittal. We aren't changing the subdivision in any way. We are keeping the roads the way they are, the profiles that were submitted and approved in 1989. The only thing that we are doing, back in the old days, they allowed direct discharge from the drainage. There wasn't sewer there either. We are now putting sewer in to tie into Benelli Ave. and we think they had a water line in at the time but they dead ended it and we are proposing a loop now to tie in the water from Rome Ave. to Benelli Ave. Basically, all we are doing is adding the sewer, connecting the water and adding detention instead of direct discharge. All the structures stay the same we just re-routed it to get it to a detention basin.

Mr. Picchioni who lives on Benelli Street asks where all the water was going to drain into?

P. Gadery says that the water is going to come down Acorn Street, runoff will come down Walnut Street. From Acorn Street it is going to be piped over to a manhole. On Walnut Street it is going to be piped to another manhole then go to the detention basin and then it is going to discharge into the wetland (Peter's River).

Mr. Picchioni mentions all the mosquitoes it is going to add to the area.

P. Gadery says that the detention basin has been designed to limit post development runoff to no greater than pre-development runoff of 2, 10, 25, all the way up to 100 year storms. It is also designed to retain the first .8 inches of runoff over the impervious areas which is water quality design method used to handle that type of runoff. The post development runoff actually ends up being somewhat less than the pre-development runoff. The detention basin does fall partly on the flood plain so that did occupy some volume. We make sure we maintain the same flood zone.

B. Buckman is the one abutter that is required to have Flood Insurance. Was wondering if the area that they are talking about the water running off into he was wondering if it was the Peter's River? The Peter's River floods every single time it rains. Not heavy rain like we have had recently, but every rain. My property borders the Peter's river. The water comes up in my back yard and up to my back door every time it rains and you are going to add more water to it? I have been trying for five years to get that river dredged, and nobody wants to dredge it. There are trees laying across it which slows down the flow. Adding more water to it will not help the problem.

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P. Gadery says that he just explained that that is the whole purpose of the detention basin. It is widely used in the industry and is perfectly capable of limiting post development runoff to pre-development levels and a matter of fact as my drainage calculations demonstrate the post development runoff is actually reduced. It is a detention basin not a retention basin. It is not going to hold all the water. It let's the water build up in the basin and releases it at a controlled rate. Right now, it is a lot better situation right now that exists out there right now.

AM asked if this project will go to Conservation under the Rivers Act?

P. Gadery says yes. We've also compensated the flood plain to make sure we don't have any impacts on the flooding.

WW asked if they realized that all the permits from Conservation has expired on this project?

A. Florentz said yes, we are reapplying. It is all new flagged.

Mr. Picchioni asked what size pipes were going to be used for drainage.

P. Gadery says that they vary. The pipes in the streets begin at 12" and go up to 15" and up to 18" and then 24" into the basin and twin 30" pipes exiting the basin.

Mr. Picchioni asks if that is all going to go into the wetlands.

P. Gadery says yes. The drainage has been designed without a detention basin. This was approved before. Prior to this, there was a direct discharge. Under this new design and recognizing the sensitivity to flooding and water quality and also the necessary approvals from the Conservation Commission we have redesigned it with a detention basin that's design to limit all the post development runoff up to 100 year storm. It is not going to be any greater prior to the development being built. That is the purpose of the detention basin. We are not dumping water in at a higher rate. This is currently a wetland and it will remain a wetland and all the water currently goes down to it now.

Mr. Picchioni asked about the water coming down onto his property on Benelli Street. He wants to know who is going to take care of that?

P. Gadery says that catch basin in the street before his house that is currently there is not going anywhere. It is not going to be piped into the storm drainage. There is also additional catch basins that are not going anywhere that is also going to be tied into the storm drainage with these improvements.

Mr. Picchioni says that the 12" pipe coming out of the catch basin is not going to handle all the water.

P. Gadery says that it will handle all of the water with the calculations. It is designed in accordance with standard engineering practice.

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AM tells Mr. Picchioni that the Town generally sends projects out to an independent engineer hired by the Town to review the calculations that were made by the engineer for the project to make sure he is correct.

WW says that nothing gets approved until we get the okay from the private consultant that is going to look at the design of the whole project.

Mr. Picchioni says that he understands.

Mrs. Frageau who lives next to Mr. Picchioni explains that we are concerned that what if this project doesn't go through and those drains that go nowhere. What happens then?

PC says that those roads down there have never been accepted by the Town. Because the Developer never went to the Town for acceptance.

WW as far as what hasn't been done on the roads is not the Planning Board's responsibility, it is the Department of Public Works.

Mr. Picchioni said that he has been talking to the DPW and the catch basins that are there now are not big enough and there should be double the catch basins.

Steve Chiavorini lives on Rome Ave. and has a question about the drainage modifications that are going to be made and if this is the only thing being done?

WW says no, the Board received a letter from the Conservation Commission regarding this project and on their meeting, 7/22/98, they met with Mr. Roger Gagnon with regards to Country Club Estates II at Rome Ave. and they expect to receive a filling shortly. This project now falls under DEP Sewer & Water Management Guidelines and plans on being submitted to the Planning Board and it may be subject to revisions as a result of the Conservation Commissions hearing process. The Commission feels that this review that could benefit from the simultaneous or concurrent hearing process by both Boards. Which means, maybe where Mr. Gagnon should be tonight is at the Conservation Commission instead of coming in front of this Board. Because, whatever we do, once ConCom looks at it they may change all of it. Then it comes back to the Planning Board again.

T. Riffel asked about sewer being brought in. Asked about the rest of Benelli Ave. and Empire Circle and sewer. He lives on Benelli Ave. and does not have sewer now. Is asking if this will give anyone there now access to sewer?

P. Gadery says that the sewer line will be coming in for the project but not to hookup the existing homes. Maybe in the future that will be done by the Town, but not by this Contractor.

WW reads letter from Don DiMartino dated July 20, 1989 regarding Country Club Estates II Amended Drainage Plan. I briefly reviewed the plans for this amendment that this office received on July 17, 1998. I have the following comments:

Roadway & General:

- The DPW does not have an approved plan of this subdivision. We only have a plan and profile sheet of a proposed street called Rome Ave. Extension. ( The DPW will need two copies of the signed plans for inspection of the project.)
- No plans we have show any typical cross-section for the project. A typical cross section must be added to the plan.
- The plan has revised the proposal from a street that loops through between Benelli Street and Rove Avenue into two cul-de-sacs. It is apparent that this is being done in order to decrease the impact to wetland areas. This is a significant change to the plan and I therefore suggest more review than an amended drainage plan may receive. This appears to be significant change of almost all aspects of the previous plan.
- There must be drainage easement established around the 24" drain pipe that extends from the end of Acorn Street and Walnut Street. (If water and sewer pipes are added to the plan, they should all be installed in the same easement if possible. There must be ten feet between water and sewer mains.)
- There must be drainage easement established for the detention basin area and any other areas that the DPW staff may need to enter in the future to maintain pipes and structures.

Drainage:

- I feel it is important to note the drainage problems that existing above this proposed project. Ground water runs out of an underdrain pipe onto the street the near the Benelli Street and Rome Avenue intersection. There is obviously a high ground water problem in the area. Therefore, I suggest that under drains be required on both sides of al proposed streets.
- The drainage structures should be designed with considering for the under drains.
- I leave review of the drainage plan and submittals related to storm water run-off quantity to your hired engineering consultants.
- I leave review of the drainage plan and submittals related to storm water run-off quality to the Conservation Commission.

Sewer:

- There is public sewer available for this project.
- This office has received no submittals related to a sewer connection. If the developer intends to extend sewer to service those lots, the sewer main should appear on the subdivision plans and a sewer extension permit application must be submitted to this office.

Water:

- The water main and hydrants should appear on the amended plan.
- The water main should be connected (looped) between the two proposed cul-de-sac.

General Plan Submittal Comment:

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I altered my schedule to comment on this amended plan submittal. In the future, I suggest that there be strict time requirements for submittal of plans. I suggest that no public hearing be scheduled and advertised until plans have been distributed for fourteen days. This last minute submittal could mean a waste of the Board's and abutter's time.

If you have any questions, please give me a call. Yours truly, Donald F. DiMartino, DPW Director.

A. Florentz says that all of the items in Don DiMartino's letter has been addressed.

AM asked when they next meet with Conservation?

A. Florentz says that the notice has not been filed yet. It will probably be tomorrow that we file.

R. Gagnon says that they are going before Conservation on the 26<sup>th</sup> of August.

AM says that before the Board sends the plans out to the Town's Consulting Engineer that maybe Conservation should see it first incase of the changes that might be made.

R. Gagnon says that he will be paying for the Town's Engineer anyway and he doesn't feel that there won't be major changes as far as the drainage is concerned.

P. Herr says that there he assumes that there will be a consultant for the Town to advise both the Conservation Commission as well as the Planning Board.

Monice Trottier who lives on Empire Circle and has a concern about seeing people on her street and was wondering why they were looking at a catch basin. Wanted to know if this project is going to effect what drainage is on her property?

A. Florentz says that they followed some drain lines and they did not know where they came from and they just traced them back to find out.

M. Trottier says that when she had moved to Empire Circle she was told from the Conservation Commission that all that land was Conservation and swamp. Are you going to be building up the property then put houses? She can see on the plans that some of the lots that are shown are definitely in the swamp/wet areas.

A. Florentz says that they cannot fill in the wetlands.

P. Gadery says that some of the lots are large but a good portion of the lots will remain undeveloped. The wetlands have been flagged by professional biologists. Development will only take place in non-wetland areas.

Dan Izzo lives on Empire Circle and was questioning the easements regarding the sewer that was going to be run for this new development.

A. Florentz says that the easement was from end of cul-de-sac to end of cul-de-sac where the utilities go through and around the detention area.

WW is asking for a motion to continue the public hearing and to send the drawings out to an independent engineering firm to review on the Town's behalf.

AM motions to continue Country Club Estates II Definitive Subdivision to August 27<sup>th</sup> @ 8:30 pm. PC second. Unanimous vote of 3 (WW, PC and AM) EM abstains.

AM motions to send drawings out to independent engineer for review on behalf of the Town and Mr. Gagnon agrees to pay for the services. PC second. Unanimous vote of 3 (WW, PC and AM).

### **MAPLEBROOK COMMONS – Development Plan Review – Public Hearing**

EM abstains from hearing and leaves the room.

Chris Emeleous with GEOD Consulting here to present drawings to the Board.

P. Herr was confused with the hearing notice. Asked that it would be read to clear anything up.

WW reads the notice: At the Bellingham Planning Board meeting on Thursday, July 23, 1998 at 7:30 pm in the Town Hall Complex, the Board will conduct a Development Plan Review on the application of Gail Fallon, 150 Hayden Rowe St., Hopkinton, MA for proposed 33 condominium buildings on an 80 acre lot bounded by South Maple Street, Blackstone Street and Maplebrook Road. Plan prepared by GEOD Consulting, Inc., 186 Lincoln St., Boston, MA and dated June 1, 1998 is available for inspection at the Building Inspector's office. Deed of property is recorded in Norfolk County Registry of Deeds, Book 8031, Page 196. Parcel is shown on Bellingham Assessors Map 51, Lot 1. All interested parties are invited to attend the meeting.

P. Herr says that this development has gone on for a very long time, it is very veig and very complicated. There is a distribution of materials process. I have not received the right drawings for review.

C. Emeleous says that it is not a complete submittal. They were required by Conservation to perform storm water calculations which are being done now. We had already submitted to Planning Board.

P. Herr says that there are alot of people here tonight with concerns and I don't want to cut the discussion short but for example. There was nothing in the materials that I received that tells me how many units there were.

C. Emeleous says that the plans that have been submitted were plans that are almost identical to the plans that received the Special Permit in 1997 based on 1989 plans. The plans that were

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submitted recently are different due to the growth of the wetland since the approval some of the buildings had to be adjusted as far as their location.

P. Herr says that, that is a questions for later. I just want to make sure that we all know what is being transacted tonight. There is an important thing to be transacted and maybe we have got enough information. Determine whether infact the applicant is in a position to receive Development Plan Review. Under the terms of the Special Permit and if it's going to be modified. If the Board would judge that the differences between the two submission of material then there should be a full blown Public Hearing on this. A hearing on an amendment to the Special Permit. As has been done with this project in the past.

C. Emeleous says that they are submitting this Development Plan for approval based on the Special Permit that was approved in 1997 from the 1989 plans. The primary difference is the growth of the wetlands. The growth of the wetlands did not allow us to exactly.

P. Herr interrupted and said that he doesn't remember plans being approved in 1997.

C. Emeleous corrected himself and said that in 1997, September 11, the Bellingham Planning Board voted to approve the application of Longview Realty Trust to amend to Special Permit to replace R.B. Walden Group with Longview Realty Trust as the name of the Developer. The plans that are being shown tonight is the plans with R.B. Walden Group's name on them. He showed the Board the drawings and the comparison where the wetland's have grown substantially. He says that in the 1989 approved plans there were 132 Townhouses. On the new plans there will be 132 Townhouses.

AM asked if sewer was available to the site?

C. Emeleous says that there is capacity approval for 20 units. What we have proposed is previously, approximately 20 units, we are submitting to Don DiMartino sewer extension.

AM asked if they would wait for sewer before the other units are constructed?

C. Emeleous says yes.

AM asked if that is something that will actually happen someday? We were told and sold on the idea that, that was gone.

C. Emeleous says that he would hope so. There is a waiting list.

WW asked if he know how long the wait was?

C. Emeleous said no.

P. Herr said that he would argue that the Special Permit is conditional upon onsite treatment plant being constructed. The question is whether or not you need a public hearing. That is something



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that really needs to be thought about. The last time this came before this Board there was a lot of heat when the question came up about what is part of what. It is very complicated. There wasn't much light put on the interlocking system of the Condominium Association.

PC makes a comment that according to Town Counsel the existing Condominium Complex and the new Complex is all one.

P. Herr says that he believes Town Counsel is right. He says that they did create associations within the existing buildings.

C. Emeleous says that they are just trying to rely on the Special Permit that came before us and allowed the latest set of plans to be approved. We tried to follow the layout that was approved as close as possible excepting the wetlands growth.

WW questioned the number of buildings and units.

C. Emeleous explains that they are increasing the number of buildings but not the number of units. The previous layout had larger buildings and due to the wetlands we had to make smaller buildings. All of our buildings are the same size.

P. Herr passed out a layout of wetlands that he had done to show the Board. It is his understanding that the number of units is going to be the same and will be not more than the number that remain authorized. I have not seen any drawings of the buildings. Design science includes building elevations, building floor plans and what type of units. The primary access configuration is identical. Very slightly changed because of wetlands. The next biggest concern I think is the sewerage. There was a generic concept in the approved site plan and it isn't in the plan that is being altered due to wetland growth. I didn't go through what I received in detail as I would have if it was a Development Plan Review because I didn't feel I had enough information.

Martha Aspen manages the Maplebrook Condominiums. The last time she was in front of the Board the name had been changed. Her concern is not to stop the development. My concern is still the sewer for our side of the Development. In getting the pipes installed. I know there is not capacity, but if pipes were to be put in then when there was capacity, we would be ready.

WW asked Martha Aspen if what she manages is on a waiting list for sewer?

AM says that she thought that the original design showed the pipes being installed for that part as well as the rest of the project.

P. Herr says that the original design said they could do onsite disposal for the first some odd units.

PC said that he remembered when the sewers were going in the state BOH or DEP said within 6 months after sewer was available, that Maplebrook Condominiums were supposed to hook up.

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M. Aspen said that DEP had an order. The Board went and had a meeting with them. It was the Condominium's contention that whoever finished the project would be responsible to put the pipes into Maplebrook.

AM said that it is a whole. I have argued that we can't look at it unless we look at it as a whole. The question from the Condominium Trust about sewer is a good issue because it is part of a whole package.

C. Emeleous says that when the Special Permit was approved it was based on the plans he had with him tonight and to his knowledge the plans don't include any sewer.

M. Aspen says that there are 97 units at Maplebrook.

J. Antonellis was at the meeting for an 81-P signature but was knowledgeable with the History of Maplebrook Condominiums. He says that he did the Sewer Treatment Plant. His memory of it was that DEP ruled that it was one parcel of property and that when there was more than 15,000 gallons a day being discharged on the property they cease and desisted all building. The only way around it was to put a Sewer Treatment Plant on the property. The treatment plant was approved for a size of the whole project, but with the stipulation that when town sewer went by the property, there was to be a valve placed so that the sewerage went from the Sewerage Treatment Package Plant on the property directly into the Town Sewerage System. It was designed for one whole parcel of property. Everything comes back to the fact that everyone in that project is supposed to be on town sewer.

P. Herr asked M. Aspen that she is a part of 97 units?

M. Aspen said yes and there are another 23 units but they are called Birchwood.

P. Herr says that there are atleast two entities? One of 97 and another of 23 and then there are the units that are being presented by C. Emeleous. They might think they are separate, but they are all one parcel.

WW says that he believes that the Treatment Plant was built but never used.

P. Herr says that he went and looked at it. But, it never was used.

M. Aspen said that Birchwood is hooked up to sewer, but Maplebrook isn't.

P. Herr says to the Board that if they decide they need a Public Hearing, to whom are notices are sent to? The question is, who is an abutter?

AM says that all the people that live in the complex are individual owners. They should be notified. They made the last person do that.

P. Herr says that the question is, is this modification to the Special Permit? I'm sure that Gail Fallon doesn't want to build sewer for 97 additional units anymore than the other person. I feel that the way to proceed is that I will draft a letter for the Board to send to Town Counsel raising the questions that ought to be raised.

AM motions to instruct Phil Herr to draft up a letter to Town Counsel from the Board addressing the legal issues for Maplebrook Common Condominium. PC seconds. AM motions to continue the Development Plan Review to September 10, 1998 @ 7:30pm. Unanimous vote of 3 (WW, PC and AM) EM abstains.

#### **CHARLES RIVER CENTER – Emergency Review of Parking Area sinking**

Thomas DiCicco, Senior Project Engineer for Sumner Schein Architects and Engineers is before the Board with actions that are going to be taken at the parking area at the Charles River Center that has sunk.

Ted Bailey is also in front of the Board to report on the sinking parking area. He was called out last Tuesday to inspect the sinking. The Fire Department and Officer Haughey was also present at this inspection. T. DiCicco gone through some temporary measures to protect the areas that have actually failed. They are going through the process right now submitted to the Planning Board and to the Conservation Commission some emergency measures in order to protect the parking lots and get the access road back open for the Fire Department.

WW asked Phil Herr if he was aware of what was going on?

P. Herr said no.

WW tells Phil that the access road to the cinema has collapsed. It is all detoured right now. The underground infrastructure that was supposed to be under the parking lot was put underneath the road and it collapsed.

T. Bailey said that when he was there on Thursday, there was about a 10' x 10' hole. Now the hole is 200' x 50' is gone.

T. DiCicco explains that the systems were designed for two purposes. One to infiltrate the water and also as part of the detention process. There is a system located up in front of the A store which is just next to where Linen's N Things is located. Another system is down at the tail end of the Cinema and then the last system down near the detention basin partially under the road partially under the parking area. The systems initially were designed with an infiltrative maximizer system which is a product that is series of semi-arches. This product has failed. The walls have actually collapsed. The system went in and then they started having problems with several systems. The parking lot that has collapsed has been roped off and the other part of the parking lot that has this system below has also been roped off as well. The critical area is the roadway to the cinema because everyone is being detoured through the parking lot.

T. Bailey told the Board that then the system was installed there was a 50 ton rock truck fully loaded over the area with the system below while pumping in water from three fire hydrants and it was fine.

WW says that right now there are a couple of problems. Emergency access is blocked, and there are parking issues. I think that something should be issued that no more stores should open until the parking area is corrected as far as parking is concerned.

EM says that we just need to get this corrected as soon as possible.

T. DiCicco says that he was in front of Conservation last night getting approval from them to go forward with the repair.

WW reads the letter sent to the Board from the Conservation Commission. It says: At our Conservation meeting held July 22<sup>nd</sup> we conducted an extensive review with the Project Engineer of Sumner Schein relative to the drainage system repairs at Charles River Center due to the failure of the maximizer system the entire drainage infiltration system is to be replaced. The technology is similar but the physical structures are smaller. Due to the smaller structure size, a slightly larger volume in square feet will be required to affect the same rate of infiltration. Our review concludes that these changes will assure conformance with the original infiltration specifications. The Commission strongly urges that you permit the work to begin in the fastest possible fashion. It is also the understanding that the Fire Department wants the access road opened again so they want permission to fill what is there and repave so that the access road can be opened. There is also a concern about when construction of the repair begins what kind of impact is it going to have on the parking lot that is usable?

T. DiCicco says that what we intend to do immediately is to dig the maximizer unit right out, go in the road, through the island. Use fill, bring the road right up to grade, full depth pavement and replace the curb on the lower section of the island. At the same time the 15" pipes are going to be extended back from the two existing catch basins back into the parking area. Where the fill is removed from we will put a chain link fence up. As soon as the units arrive, which actually should be relatively short time, the area will have a Phase II. Phase II will be in the island and on the parking area not on the road that people use to enter the site.

AM agrees with WW saying that no more occupancies until the work is complete.

WW I just want to make sure about the parking spaces. There wasn't enough parking when this project got approved as it was. There are parking problems up there every night.

P. Herr says that T. DiCicco wants authorization from the Board to go ahead with the repair. The second issue is that a letter to the Building Inspector that no more occupancies until that work is complete and the parking that is available is more than adequate.

T. DiCicco asked that that be the case. They have adequate parking rather than the whole repair be complete before occupancies. I need to get 1200 units. If they have 900 of them and

we do 2/3 or this work and we left one area, I would not want to see a stop of occupancies because of that one area.

EM motions to grant Sumner Schein permission to do whatever emergency repairs that is necessary however, Conservation Commission should be consulted at the same time. Whoever reviewed the engineering for this project on behalf of the Town in the beginning should also review again. We need an updated plan. Also, we should not allow the opening of anymore stores except "Newbury Comics" until we here that it is satisfactory to all involved. AM seconds. Unanimous vote of 4 (WW, EM, PC and AM).

**81-P SUSAN LANE**

E.K. Kalsa of Land Planning and Steven Kenney, Esq. before the Board to get the plan signed for Susan Lane.

WW asked if they spoke to Town Counsel recently?

S. Kenney he said that he spoke with Lee Ambler today and he said that there was no problem with the Approval Not Required plan as far as the plan itself. The one issue he raised was the issue about 12 houses on a dead end street and that wasn't applicable to the Approval Not Required plan. It would be affected when we went to get building permits.

WW said that the Board was told by Town Counsel to continue the discussion with out prejudice or deny.

E.K. Kalsa asked on what basis?

WW said that Town Counsel recommended that to the Board because he needs to do more research.

S. Kenney said that when the plans were brought to Town Counsel he said that with a quick review of what he saw, he didn't see any problems with the Approval Not Required plan. He did say that he really didn't have enough time to review to make any more comments than that.

E.K. Kalsa then put a tape recorder infront of the Board to tape the conversation.

WW asked the attorney's name and asked if he spoke with Lee today?

S. Kenney said yes he did speak with Lee this afternoon and he said that he didn't see a problem with the A & R plan. He did see a problem down the line because of the subdivision having more than 12 houses on a dead end road. He said that there may be a problem with building permits. But we don't agree with that. We feel that once we get the A & R plan approved Subdivision Rules and Regulations laws are no longer in effect.

EM says that, that is where the question comes up.

E.K. Kalsa says that they applied to the Board for an A & R approval on June 11, 1998 with this plan. With request from the Board we withdrew at that time so that the Board could get additional information with regards to Susan Lane. We reappeared in front of the Board June 23, 1998, made application once again for the A & R plan for two lots which we have sufficient frontage on existing plan road and at that time the Board suggested that they wanted Town Counsel to review the application and the plan. Upon request of the Board we withdrew the application again so that Town Counsel could review the plan. I was informed by Jill on Monday that Town Counsel had not received any information from the Board and she asked me to take the plan and the original subdivision plan to Lee Ambler for his review. I spent a few minutes with Atty. Ambler and he indicated that it seemed to him that there was legal frontage and therefore this was an A & R plan which has been our position from the first date. I don't mean to delay the Board's proceedings but frankly this is the third time we have been here, it's our Attorney's position that this is an A & R plan and the Subdivision Rules and Regulations do not apply, there is sufficient frontage for two lots, the road is a record, we show the Board the 1965 Subdivision plan, signed by the Planning Board and is on record with the Registry of Deeds that creates the frontage. I would just like to ask what matter is the Board applying?

AM asked how many developed houses are there?

E.K. said that he hasn't counted the number of houses. That is not a relevant point.

AM that is relevant because we only allow 12 houses on a dead end street.

EK says that it was approved for more than 12. There is nearly 30 houses in the Subdivision.

EM says that before we spend the whole night discussing this. Apparently Town Counsel wants to review the plan and the history of it. It has had a history over the past 20 years as to why it never got built, and there is question whether or not there was a subdivision? It never got approved but then got recorded as an A & R plan instead. Regardless, we have Town Counsel who works for us and if he is telling us not to sign he needs more time I'm not signing it. If you don't want to continue without prejudice, then I will make a motion to deny it.

S. Kenney says that he thinks the point that E.K. was making is that we were in here a month ago, and we were told to withdraw it and Town Counsel will take a look at it. Said that Town Counsel never got the plan until just the other day when E.K. took it to him.

J. Karakeian said that she never received any plans for Susan Lane to give to Town Counsel.

AM makes a comment that she doesn't feel that they should be pressuring the Board to make a decision when the Board has not got what they wanted which was input from Town Counsel.

E.K. says that he understands and he will come before the Board again at a later date.

Cindy Allane who lives on Susan Lane asked if they would be notified of this issue because she is an abutter? We were told that all the unused land was wetland and Conservation land.

EM says that, that may be the case, but there is no notice sent for Approval Not Required plans. That is a question whether it is or isn't a Subdivision. Their saying it is and we are saying that we aren't sure.

E.K. says that they will withdraw without prejudice and wait for word from Town Counsel.

AM motions to reschedule Land Planning with an 81-P for Susan Lane for August 27, 1998 @ 7:05 pm. PC seconds. Unanimous vote of 4 (WW, EM, PC and AM).

### **81-P SUBMISSION – DEPOT STREET**

Joe Antanellis submits to the Board for their signature and 81-P for Varney Bros. Sand & Gravel located on Depot Street. Also submitted Preliminary Subdivision for the same parcel of property with a fee paid of \$30.00 and schedule to discuss on August 27, 1998. The plan creates three lots of land which is on two sheets of paper.

P. Herr states that the two plans have different scales so it doesn't match up the three lots and it is very confusing.

EM says if we can't see all the lot lines then how can we determine that it is not a subdivision.

J. Antanellis says that he will bring back the plans that show what the Board is looking for.

P. Herr says that the plans do show that the lots are clearly not a subdivision.

Concerned Citizen was questioning where this lot of land was on Depot Street and was it the IDC property?

J. Antanellis says that this is just an 81-P plan and it is the land of Varney Bros. Sand and Gravel. He is going to come back with the plans for the Board to sign later on tonight.

### **BAINBRIDGE WOODS – DEFINITIVE SUBDIVISION PUBLIC HEARING – Continued**

Bill Halsing of Land Planning and Bill Gately the Owner of the property is in front of the Board with revised drawings. Bill asked the Board if they got the correspondence from BDO Eng.

EM reads the letter from BDO dated July 5, 1998. Dear Mr. Hill: We have reviewed your July 2, 1998 memorandum which addresses the comments outlined in our June 15, 1998 letter concerning the referenced drainage modifications. Your responses numbered 2, 3, and 4 are satisfactory to our office. However, Item I involves the detention basin design which does not meet the Town requirement for groundwater separation. Since your detention pond bottom is still less than two feet above the estimated high groundwater table, we assume that you are requesting a waiver from paragraph 4342. Obviously the Planning Board has the obligation to consider your request. If you have any questions or require additional information, please call.

B. Halsing replies that he has a waiver request. He has two waivers. One for the shoulders in the wetland crossing area and one for the bottom of the basin for a waiver of 1 foot. I also brought with me tonight, part of the storm water management regulations.

EM says that you are asking for a 1 foot waiver and BDO says that you are 2' off, so where has the other foot gone?

B. Halsing says that are asking for a waiver from 2' to 1'.

P. Herr asked if the 1' waiver was discussed with BDO?

B. Halsing says yes, he did talk to BDO about the 1' waiver.

P. Herr asked if it was subsequent to the letter of July 1, 1998?

B. Halsing said no, it was before the letter of July 5<sup>th</sup> and they suggested that we ask for the waiver. The reason they are asking for a waiver is because they can't bring the basin up anymore in order to meet the DPW requirements of having a 6' retaining wall.

P. Herr wait, you lost me there? The DPW has a requirement?

B. Halsing, yes, Don DiMartino requested that we do not have a retaining wall higher than 6'. We have made the retaining wall 6' high, we have put the pavement as high as we could, planting as high as possible.

P. Herr says that the function of the 2' separation between the bottom of the basin and ground water is to enable it to percolate. I don't understand how the Board can simply say Oh Well, and give you a waiver for something that won't function the way it is expected to.

EM says that BDO kind of says that in his letter at the bottom. He doesn't really sound satisfied with the waiver that is going to be requested.

P. Herr says that the letter from BDO doesn't tell the Board his view as to the waiver. Does Mr. Obelander understand what you want to do with the basin? Maybe the basin should be larger than planned. There are a few issues. 6' retaining wall, 1' separation from ground water and a larger detention basin. Now, I bet there is a fourth maybe a fifth issue that needs to be raised.

WW I would have thought by now this would have been rectified.

EM says that this is a very touchy lot and that is why we required a retention pond. If the retention pond is kind of iffy and it needs a waiver to get in their. What if we find out later that it doesn't work?

E. Gately asked if there was a regulation that the retaining wall can't be more than 6'?



WW says that, that came from the DPW and it is what he wanted. I don't believe that is a regulation.

E. Gately says that if we raise the retaining wall 7' and everything else 1', then we should be all set.

EM says then the height of the retaining wall becomes a safety issue. I think we ran into it on another subdivision.

WW asked how the 7' retaining wall fix the problem? Doesn't that put the Road higher?

P. Herr, yes that will change things but then they could solve it. They could raise the base of the detention base 1' and meet that regulation. I will call Mr. Oberlander from BDO and discuss this issue. If Mr. Oberlander thinks this is a lousy idea to grant the waiver, which I suspect he does. Then I will call Mr. DiMartino and ask him about a 7' retaining wall? If he says no, then I will go back to Mr. Oberlander and ask if they make the basin deeper. I can't believe this problem isn't solved.

WW says that this Public Hearing needs an extension.

AM motions to accept the extension for Bainbridge Woods Definitive Subdivision Public Hearing to September 3, 1998. EM seconds. Unanimous vote of 4 (WW, EM, PC and AM).

AM motions to continue the Public Hearing for Bainbridge Woods Definitive Subdivision to August 27, 1998 at 9:00 pm. PC seconds. Unanimous vote of 4 (WW, EM, PC and AM).

#### **RIVERVIEW PARK – Discussion**

Brian Kelleher of Aspen Group, Dan Homes, Atty., Owner: Mr. & Mrs. Hill, their son Rick Hill and the Engineer, Peter Beamis is before the board to present to what they propose to do on the Hill property located on Maple Street. They have some revised plans from the last meeting. Since the last meeting there has been some additional engineering work performed at the site. It is a 58 acre parcel on the corner of Maple and High Street. We are presenting a layout which we think is the maximum built-out density. Some of the buildings may end up being different sizes than what is shown on the plans tonight, but it is approximate. It is what we think the site will accommodate. Taking a look at the higher roadway what was approved on the site as part of a master plan for the whole area when there was another developer that controlled hundreds and hundreds of acres. We tried to take a look at that roadway and this is the only site that we are involved with. We have a drawing here that shows what the site could look like. Members of the development team are with me tonight.

Peter Beamis takes the Board through the plan. With regard to the original subdivision road we have dashed it on the plan that is being presented tonight. I wasn't at liberty at the last meeting to discuss the rear part of the land from what my observations were and I feel that we discussed them generally. What we identified was that a great deal of the gravel had been removed from the

rear portion of the site and some areas down to bedrock. In addition we did go and identify that there was a wetland area. There is a natural wetland spring. We determined that there is about 2/3 of the property up front is developable and 1/3 in the rear will be undevelopable. There is a portion that could be used for stormwater management. Parts of the rear parcel of land can be used but not for this kind of activity. What we are proposing to do is manage the stormwater in the back part of the parcel and as Brian described the 6' berms along Maple Street, a central driveway that is opposite Stonehedge Road. What we have tried to is to incorporate an outer perimeter road, which is a 30' wide drive that would feed from the corner of the lot off of Maple Street if we could possibly get our truck traffic to use versus the entrance across from Stonehedge Road. Your Zoning Requirements is 2 parking spaces per 1,000 sq. ft.. With a 100,000 square foot building, that would be 200 spaces. The type of facilities that we would propose would not need that type of parking density. So, what we had done is screen back the front parking to show that it could be located on the site, but not built. There is a connection to High Street that could be restricted. The roadway network that was being proposed by the other developer had a purpose and unfortunately we are not able to address that purpose because we are only looking at this one parcel of land. In addition, you can see what it does to this site. You limit the ability to develop this land.

AM says that she is surprised that they are coming back in front of the Board without using the proposed road from the other developer.

EM says but this will work and now it splits it and you have two means of egress. It makes it work and it so much better than the last time they came in front of us. I just didn't agree with everyone coming out that one road.

B. Kelleher says we would like to work with the Board. We wouldn't want to put the perimeter road in 100% until we knew that we would have to use it 100%. The spirit of the perimeter road is to provide multiple egress, cutting down on traffic, etc.

P. Beamis said that three means of egress can be easily done. If we are going to have a road coming out onto Maple Street, are we in agreement to it coming out across from Stonehedge Road?

The Board agreed.

P. Beamis as soon as they can, they will be back with an 81-P Plan to divide the lots and a Preliminary plan.

### **81-P SUBMISSION – Depot Street**

Joe Antonellis back in front of the Board for their signature on the correct plans and the correct scale so that it can be understood.

EM says that he thinks it should be a requirement that the engineer should submit these plans so that if there are any questions, then it can be answered right there.

J. Antonellis needs to come back again, because the sheets aren't all set for the Board to sign.

**AMERICAN NATIONAL POWER – DEVELOPMENT PLAN REVIEW**  
**PUBLIC HEARING – continued**

AM abstains and leaves the building.

Neal Roach, Atty., Bob Schaulavoy, ANP, Robert Dokens, ANP, Lynn Gresack, Earthtech, Pete Bolthauph, Construction Engineer, Steve Springer, Surveyer., Steve Pedreck, Construction Manager is in front of the Board to present to them a Development Plan Review revised from last meeting.

N. Roach based out to the Board copies of the Development Plan submittal. Also included are the Special Permits granted by the Zoning Board of Appeals. There is a total of 4 Special Permits granted. I think our focus tonight is on the principle of the Development Plan itself. We would like to make a brief presentation of the Development Plan. We have Mr. Herr's comments on the submittal. I think we are familiar with the site. It is a site consisting of 125 acres all of which is located in the Industrial Zone.

Bob Shaulavoy, Project Manager. Based on Mr. Herr's comments. To answer as many questions as possible we have brought a number of experts with us. What we wanted to do tonight is have Robert Dokens quickly introduce some of the more important plans to you and Lynn Gresack give a brief overlook of where we are with the Conservation Commission and storm water management. I was going to go over the site layout and talk about land ownership and convey some of the facts. As Mr. Roach said, we have under option all of 125 acres, Industrial Zone site bound to East by Maple Street to the South by 495. You probably heard that we will not be retaining all of the acreage. We have set aside for conservation land. 31.9 acre site also 3.2 acres are for the plant. The remainder of the land has been conveyed to the Town. 91.3 acres which is the total for Conservation. We have received all the appropriate permits from the Zoning Board of Appeals in the Town of Bellingham. We have completed all the necessary and derogatory public hearing from the siting board and have received final certificate. We are still in front of the Conservation Commission and hope that is all set for their August 26, 1998 meeting.

Robert Dokens the entrance that we are going to have off of Maple Street is a stone wall with a column and rail fencing that is similar to other entrances along Maple Street. The entrance to the plant will have a turn around that will allow traffic to turn around and go back out. Our access road is approximately 1,000 feet of bituminous concrete. Around our facility is a plant perimeter road also out of bituminous concrete. There is an 8' galvanized chain link fence that encloses our property. Also, I would like to talk about some of the main structures. Our main switch yard with connects to New England Power powers 325 kb transmission. Our air cooled condensers our gas turban, steam turban generator building, our steam generators, close cooling water coolers, our electrical buildings, our administrative building. Also, we have 29 parking spaces with handicap access to the administrative building. We have approximately 17 drawings in the package which include illumination and drainage. Lynn Gresack will give you a brief discussion of the storm water.

Lynn Gresauck the Storm Water Management system has been designed for the project to be consistent with the Town's requirements. The basic concept has been to follow the natural grade and patters that are on the site. We have a series of smaller detention basins, one to the northern end of the facility and one to the southern end of the facility and along the roadway itself there is one basin along the road and two smaller ones at the entrance on each side of the roadway. We have working with the Conservation Commission to learn the wetland boundaries of the site. There are no wetland impacts or buffer zone impacts. Walter Amory has been working on the review of the Storm Water Management System and one of the things that he required that be done was to take the design from the conceptional level where it was previous. Go out to the field and do deep borings to confirm what the actual subsoil conditions where out at the site. That work has been completed and there have been some minor adjustments to the basin sizing as a result of the some of the ground water information that is there. Walter has reviewed the revised plans and has provided a sequence of some minor comments. The Conservation Commission had a few comments last night at their meeting. We are planning on getting a final set of plans together for Walter to review. It seems that with the small comments that both the Commission had and Walter had that they are satisfied. That is the status of the Storm Water Management.

EM asked about the Special Permits that were granted from the Zoning Board. Is there any information about the Special Permits here in the package that you gave us?

B. Shaulavoy said no.

P. Herr mentions the memorandum to the Board. I spoke with Walter Amory yesterday. He certainly yesterday afternoon was not satisfied, but he was not dissatisfied. One point that seemed to be a stone in the road has to be the testing that Walter was asking to be done.

Steve Springer says that the entrance is a parcel of land that we have under option. The owner, atleast not at this point in time gave us permission to go in a dig up the front lawn. This has been an ongoing question with Conservation Commission that the detention basin be designed based on the conditions that we have from the closest test hole. We are looking to get a condition that the notice will allow for us to go in and do the testing and make changes that are required with the result of the testing and that would all have to be done prior to start of construction.

P. Herr says that when you see the location of the basins at the entrance at a larger scale it is a tight squeeze to get those detention basins and post and rail fence in. If there are uncertainties about where the size of the basins might need to be changed. I'm not sure what Mr. Dokens was talking about the entrance being of similar style to other entrances on Maple Street. The closest entrance that is anywhere near what he explained is the Golf Course. I think that is fine but the drawings show that it is nothing like that. It is much bigger and very industrial. I think we need to discuss what is the appropriate standard. Can we fit at the entrance, the detention basins, fence, walls, plantings?

EM says that a minute ago it sounded like the entrance was going to be like all of the other driveways and now Phil is making it sound like we could fly a plane down it.

P. Herr says that it is on the plans as being 37' wide.

EM says that he was under the impression that the existing stone walls in Linda Blais's driveway was still going to be there. This is the only thing that the Planning Board is going to see on this power plant and the other one should it go forward. There is no Special Permit required, it doesn't require site plan review. We need to change that law.

Steve Springer says that we aren't trying to make some sort of statement with the entrance. What we want to do is create an entrance. What we want to do is create an entrance that is infact consistent with the rest of the neighborhood. I think of one entrance that might be a nice one to follow is the entrance to the Golf Course. We are more than willing to design that entrance in any way the Board see fit. On that point, very early on in this public process we had invited the public in, Maple Street residence to come to the table and come up with a design that would like to see. Bare minimum is we need a sign that says turn right into this entrance. We are designing a driveway with two lanes in and one lane out. So we can get construction traffic off of Maple Street quickly, and keep that to a minimum. Having one lane out we would have better control of those vehicles leaving the site. It doesn't need to be 37' wide. We are open to suggestions.

P. Herr says why don't we raise the issue of temporary and construction and so on. The Planning Board has a condition in the law of allowing temporary structures on Special Permit. The were granted a special permit of 10 months for construction trailers. These trailers are not going to be there for 10 months they are going to be there for 21 ½ months. There are going to be about 400 cars on site during construction. They are going to need parking for 400 cars. Then you need to raise the question with the Storm water during construction. I think there should be a submittal with regards to this. There is a tiny little sketch.

Bob Shaulavoy says what they plan on for a temporary lot for the cars to park is to use the existing 345 kb easement. It has no trees in it. There will be a swale to protect against that area. Once the project is done we will regrade the area and take the swale out and put it back to it's original look.

P. Herr this Board needs to know what is going to happen so people aren't asking what is happening. This should be documented. Walter Amory has been hired by the town on behalf of the Conservation Commission. ANP has submitted drawings that show the drainage system. The only concern that I have is at the entrance to the site with those two detention basins. I would feel comfortable with Walter saying that he is okay with the Storm Water Manager System. My concern is where all of the materials are going to be stored while in the construction process. I've asked for an elevation plan.

Robert Dokens says there was one given tonight.

P. Herr asked about the noise. Questioned the professional that was hired to state the noise level and weather or not they are professionals. Do you get licensed for this type of work. Feels the town should question that. It is someone that ANP hired.

EM asked if they are professionals. Are they licensed and registered?

P. Herr says that this is a major concern. This site is such that it has lots of space. Measurement is critical under the Towns Bylaw.

EM one of my concerns is about the noise. At the first location on Depot Street, the plant that is there now, the noise sometimes travels down the railroad beds and people that you wouldn't think would here could here and people closer don't. Where this plant has a gas easement and power line easement is it possible for the noise to travel in the same way? Do they measure the noise at those locations too?

P. Herr says he believes that the bylaw says any point. With regard to the lighting. There has been some exchange about this. Because of the location of the site it makes it clear they can easily abide by the bylaw. The measurements are being based on the exterior lighting. They are putting alot of street lights. There is also going to be some lighting up on those things to enable workers to work. Air Quality: One of the special permits deals with that but there is one prevision of air quality which is not part of that special permit that is odor. Which they have addressed with a letter saying that they are not going to produce odor. The issue is, what is the definition of odor? It is extremely difficult to define. What you get about odor is a very short paragraph. Is the Board satisfied with that?

EM asked why would there be an odor any different than what you would get in your house of natural gas? If they have filters, then what would make the odor?

P. Herr says that he spent some years in Brazil some years back and they had all these cars that burnt natural gas. It smells terrible.

EM says that it is touched on in the letter. The project is designed to utilize only a very minimum number of potentially odor producing chemicals. Storage of these will be within contained and controlled areas designed to prevent any spills or odors affecting other employees, projects or other onsite areas. He also asked about Hazardous Materials and asked if the special permit was given by the Zoning Board of Appeals.

P. Herr says yes, a Special Permit for Hazardous Materials has been granted by the Zoning Board of Appeals. I have read through it. As far as the Planning Board is concerned there are no issues. It is the Board of Appeals jurisdiction and they are satisfied. Vibration there is some confusion. We again get a letter from ANP stating we won't vibrate. More than that, there is a standard in the Zoning Bylaws and State Law and they say they won't exceed. We need an updated version of the state laws because we don't agree with the section being referred to. I believe it is just an updated version. We just need to sort out what section it really is. Is the Board satisfied if we agree on the section from the State that they won't exceed? My understanding from talking with ANP is that their plant can't tolerate vibrations. The reference vibration limits deal with blasting and that is really alot of shaking. I think a letter with a better explanation of what the plant can stand as far as vibration goes and alittle more detail would be better than what we got in the package tonight. Electrical disturbance has the same quality letter. I am hoping that anything that

is sent out from the plant won't interfere with anyone in the area. Like, there is some kind of radio activity that would mess up people's television reception. I don't know how that is done.

B. Shaulavoy says that any high voltage would step off of the transformer system and would be stopped before it went out. Both systems will have circuit breakers. There are electrical standards that we must go by.

P. Herr asked if the Board was okay with it?

B. Shaulavoy says that there will be no interruption to the surrounding residents.

WW asked that in other words your generators is not going to create any static or interference with what's being used in the area?

B. Shaulavoy said basically yes. It will not interfere.

Pete Morelli, resident living on Temi Road with a question. You obviously have very large motors. If you have any kind of SCR's that create any kind of harmonics getting back into that system can cause problems. What do you do to take care of the harmonic problem?

Steve Pedrick explains the system and assures that it is controlled and there will be no interruptions to the residents in the area.

EM asks that if you are having a problem do you have some kind of switch so you can shut it off and go off line then when you are all set you can just turn the switch?

S. Pedrick says yes.

Bill Kelly, resident living on James Street with a question. As a CDL driver. Is Maple Street going to widened on one end or the other for commercial vehicles?

PC says that there is a Town plan to widen Maple Street.

EM says that Maple Street is being improved from one end to the other, not for this plant. It is being done through a Federal grant and a State grant. There was a public hearing held about a year ago regarding the Scenic Road.

B. Kelly, wanted to know how many commercial vehicles will be parked in the yard as they construct the building?

EM says that at the first plant on Depot Street they had made a special area on Riverbank Road that was fenced in for material during construction.

P. Herr says that we are going to get a plan that shows construction parking and other items that need to be addressed so the Board knows what is going to happen. There has been a question

with one parcel of land and whether it is or isn't part of this site. Their going to come back with a revised drawing to make that clear. I believe they are going tell us how high their fences are going to be. The drainage we are waiting to hear from Walter Amory on. As of yesterday afternoon, he was clear that he was not signing off on this until he know where the ground water is at those front basins. Tree removal, once again. We are going to get another elevation drawing and a sign drawing. A clearer letter regarding the vibration, a clearer letter with regards to electrical disturbance. Asked to see the front entrance landscaping plan.

R. Dokens said that there has been some revisions since the plan that he has.

P. Herr says that the problem as he reads it is. The roadway into the plant and the chain link fence around the detention basin. If because the ground water turns out to be higher than they guessed. It is necessary to make that basin shallower and it gets bigger. Then there would not be enough space. You would have to design for the worse case. We would like to see a larger scale image to see exactly what is going on there and look at it in a couple of assumptions. The Board is very concerned about fences around detention basins in regards to safety.

EM asked how deep the basins area?

S. Springer says that the basins are 2' deep. They are grass swales.

R. Dokens says because of the slope in the basin it is required to have a fence.

P. Herr says that the fences can be waived by the Planning Board because it is the Subdivision Regulations. It sounds like the chain link fence just went away. They should be able to grade that so that nobody will know that it is a detention basin. There is a whole lot that can be done with the entrance.

EM motions to continue the Development Plan Review Public Hearing for ANP to August 27, 1998 at 9:15 pm. PC seconds. Unanimous vote of 3 (WW, EM and PC) AM abstains and RD absent.

#### **81-P SUBMISSION – continued from earlier tonight**

Joe Antonelli came to the Board with updated drawings that were to scale for the Board's signature. He brought two complete copies. The Board signed and Joe Antonellis to bring two signed copies back for the clerk to distribute. A fee of \$10.00 was paid.

EM motions to sign 81-P plan for Varney Bros. Sand & Gravel on Depot Street, Lot 1; Assessors Map 38, Lot 23, Lot 2; Assessors Map 38, Lot 22 (NOT A BUILDABLE LOT), Lot 3; Assessors Map 38, Lot 23 drawn by Guerrier & Halnon. PC seconds. Unanimous vote of 3 (WW, EM and PC).

#### **GENERAL CORRESPONDENCE**



Bruce Lord submitted Preliminary Subdivision for Remy Estates located on Blackstone Street and a fee of \$506.00 was paid and scheduled for the meeting of August 27, 1998 @ 8:00 pm. Invoices and payroll for the clerk for the month of August was signed as well.

EM asked Phil if he received a copy of the letter regarding Brookside Estates from DPW? He felt it to be very offensive. I think they should answer it and send a copy of it to everyone they sent it to. They want us to up the Bond on the project. The amount was based on what they said. We can make sure that we don't give back anymore money from the bond but we can't collect anymore money.

WW they need to know that we can't increase a bond that was set by the DPW. Now we have a Honey Dew Donuts opening where Steven's Harvest was down next to Dairy Queen. Asked Phil if he has seen anything?

P. Herr said no.

WW says they have building permits and putting a drive-through in. They altered the parking. Should we address that?

P. Herr said yes.

EM there may be sufficient enough parking.

WW there needs to be a letter drafted with regards to the coffee shop regarding activity going on with Planning Board approval.

EM it is the Building Inspectors determination. It is altering the parking and that triggers Planning Board Approval.

WW I think a letter needs to go to Stuart LeClair regarding the Honey Dew Donuts.

Clerk asks the Board about Salvetti Surveying. They have a Subdivision with 589 square feet in Bellingham that is an approved subdivision from Franklin already. What is the fee for Bellingham?

P. Herr said that they have to treat it as if the whole Subdivision was in Bellingham.

Marinella Construction called the clerk regarding Spring Meadows and Town Common Estates. Wants to know how many street lights we want in each Subdivision and will the town take over after construction is done?

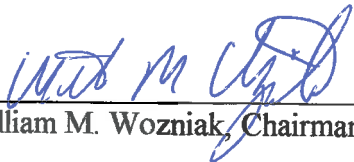
EM says that it should be built according to plans. We should have Phil look into it to see if infact the lights are on the plans before we answer them.

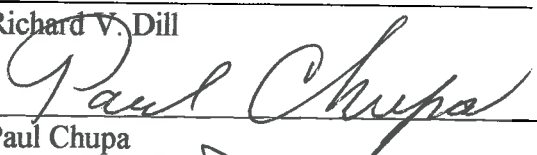
MINUTES OF PLANNING BOARD MEETING

July 23, 1998


WW says that the Developer needs to put in the street lights and the town doesn't take over the street lights until it is an accepted street.

EM moves to adjourn at 12:15 am. PC seconds. Unanimous vote of 3 (WW, EM and PC) (RD was absent and AM left the building to obtain from ANP).

  
\_\_\_\_\_  
William M. Wozniak, Chairman

Richard V. Dill  
  
\_\_\_\_\_  
Paul Chupa

  
\_\_\_\_\_  
Edward T. Moore

  
\_\_\_\_\_  
Anne M. Morse