

**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**

**January 21, 1999**

Meeting commenced at 7:00 pm. All members were present. Minutes recorded by Planning Coordinator Jill Karakeian.

**GENERAL DISCUSSION**

Jill Karakeian presents to the Board an Approval Not Required from Salvetti Eng. for one lot on Grove Street. Owner is Wallace. A \$10.00 fee was paid.

RD mentions the note suggested to be on the plan stating that Parcel A is being combined with Lot 1 not just that it will be combined.

WW locates that note on the plan.

EM motions to sign the 81-P for plan of land on Grove Street, applicant is Edward Lyons, owner is Fred and Jennifer Wallace. AM seconds. Unanimous vote of 5 (WW, RD, EM, AM and PC).

Frank Pirrello from Guerrier and Halnon presented an Approval Not Required for Grove Street on the Milford Line. A \$10.00 was paid.

EM motions to sign the 81-P plan of land on Grove Street. AM seconds. Unanimous vote of 5 (WW, RD, EM, AM and PC).

Roger Gagnon comes before the Board Form G for Lot Releases on Lots 1, 2, 9, 10, 35, 36, 37, 38, 39, 40, 41, 42 and 43 for Heritage Pines Estates.

Jill says that she has the copy of the passbook #02019484 showing \$46,000.00 deposits in Benjamin Franklin Savings from Grace Devitt.

## **MINUTES OF PLANNING BOARD MEETING**

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EM motions to sign Form G releasing Lots 1, 2, 9, 10, 35, 36, 37, 38, 39, 40, 41, 42 and 43 for Heritage Pines Estates based on Savings Account with the Town of Bellingham Acct. #02019484. AM seconds. Unanimous vote of 5 (WW, RD, EM, AM and PC).

Bruce Lord presents to the Board an 81-P for Joan Giard that was done in 1987. The plan was never put on record. We basically just need approval that according to the law it has not been modified, amended or rescinded. Nothing has changed. A \$10.00 fee was paid.

EM motions to sign the 81-P plan of land for Joan Giard. AM seconds. Unanimous vote of 5 (WW, RD, EM, AM and PC).

Bruce also presented to the Board a Request for Consent for Lloyd Brown and asked for a meeting date.

### **CUMBERLAND FARMS**

Lucien RJ Couture, Construction Supervisor for Cumberland Farms on Hartford Ave. is in front of the Board requesting a waiver for this landscaping until the spring so he can obtain his Occupancy from the Building Inspector.

WW asked if he posted money with the Town Treasurer?

L. Couture says that he has a performance bond for \$7,000.00 and a copy of the contract with St. Pierre Landscape Company.

EM feels that the performance bond form should be run by Town Counsel before the waiver is granted.

L. Couture says that he is also posting a \$7,000.00 cash bond with the Town as well.

AM motions to grant waiver to Cumberland Farms for the Landscaping until Spring as soon as the Board hears from Town Counsel that it is proper as a Performance Bond. EM seconds. Unanimous vote of 5 (WW, RD, EM, AM and PC).

### **GENERAL BUSINESS**

The Board signed payroll for clerk as well as invoices for office supplies.

### **MAPLEBROOK COMMONS – DEVELOPMENT PLAN REVIEW – continued**

EM abstains and leaves the room.

Mark Brabrowski, Atty. and Andre Hollosi, Eng. is in front of the Board for the Development Plan Review continued public hearing.

A. Hollosi says that as far as the engineering is there isn't much that has changed. We are in contact with the DPW and working on his concerns. We are proposing the same amount of units that was originally proposed. The project is generally the same layout

what was presented before. It has a looped driveway all around it. The storm drain is almost identical to the original proposal except at the wetland crossing where we tried minimize the wetland crossing problems. There are 36 buildings. The major difference between this layout and the old one is there units will have garages under, so the parking spaces in front of the buildings are eliminated and will all be on the side of the buildings. The larger buildings have two car garage the smaller buildings have one car garage. We feel that these style buildings better suites the market today. The original design was a pump station for sewer. We have eliminated the pump station and the whole project will be serviced by gravity sewer. The only other change is that we have to go by the storm water management guidelines, that is why there has been two detention basins created. Some of the building locations had to change because of the different building styles. The major layout change was because of the wetlands. Wetlands grow over time. We are proposing gravity sewer for all of the existing units to put into the existing road and stubs for the existing buildings so that they can tie in whenever they feel. The only cluster of buildings, eventually if they want to tie in, will need an ejector pump will be the last three. We feel that the other existing units will be able to tie into gravity.

AM asked how many units would need the ejector pump?

A.Hollosi says that he believes it is 14 units. He didn't have the direct number. The stub will be provided.

AM asked about the cost for ejector pump?

A.Hollosi says that it all depends but is should run between \$2,000.00-\$5,000.00.

### **MAPLEBROOK COMMONS – Special Permit Public Hearing**

Mark Brabrowski, Atty. and began by addressing some of the legal questions that were raised in Phil Herr's memorandum dated August 11, 1998. In which was responded by Town Counsel, Lee Ambler. What we are trying to do here is finish a project that has been in existence for the better part of 15 years. We have nothing to do with problems that were originally created. We are coming into this very late and we would like to see this a win/win solution for everybody. That includes the existing occupants of the condominiums, the Town of Bellingham itself and my client Gail Fallon. I looked at Phil's letter and have spoken to Lee on many occasions about it. I've had atleast four conversations with Lee in the past two months. I just spoke with Lee before he wrote this letter and he faxed me a copy. I know he is responding primarily to things that Phil had raised in his August letter. The first issue is fairly easy to take care of and it is a Purchase and Sale Agreement (The Board all got a copy from Mr. Brabrowski) that shows Ms. Fallon has sufficient interest in the property to make the applicant.

AM questions the date and asks if it has expired?

M. Brabrowski says that it is still valid and there is a sheet in the back that states that. The other questions that Phil raised, I think probably have been answered largely to your satisfaction in Lee's letter. Having made a quick read of Lee's letter, just a minute ago. I don't think that the other issue's raised by Phil's necessarily present a problem. For

example in #5 in Lee's letter he agrees that this is not something which is going to require Town Meeting vote. #4, he doesn't feel that this is lapsed. I want to bring you up to date with what is happening with the Conservation Commission. There was a question about whether or not the project would be subject to the Rivers Act. The issue is a complicated one, and it involves the MEPA Regulations and the Rivers Act Exemption. Without going into a whole lot of detail. The Rivers Act says that if the project has been approved by MEPA with draft EIR prior to 1998 then it is exempt from the Rivers Act. We have a draft EIR that was approved in 1987. Then the question became did that draft EIR lapse? The answer there is no because you must only substantially commence construction and we of course have families living there already. Then the question became what would be involved in our MEPA holdings, would we submit a change in project or would we have to make a new MEPA file? I believe that is going to work out with a determination by the assistant Commissioner for MEPA in Boston that we only need a project change notification which preserves the exemption of the Rivers Act. That is being resolved by the Conservation Commission, the Assistant Commissioner of DEP and the Applicant and I expect that will work to the applicant's advantage.

AM asked if anything got resolved per Lee's letter?

M. Brabrowski says that he feels that much of Lee's letter resolves much of Phil's questions. I don't see much things hanging by Lee's response. Lee has pretty much directly addressed, for example, #2, no necessity for a public hearing on that issue. #3 on Phil's letter raises the question, must the Board become involved with the question of any existing or regulation that might involve improvements? Lee answers, no. It appears to exist between existing unit owners and not with the Town.

AM says that she thinks they are talking structure issues, not road issues.

M. Brabrowski says that #4 in Phil's letter, is there a laps? Lee answers no. #5 in Phil's letter involves questions about other Zoning Provisions and Lee basically answers that they do not necessarily apply. The noticed question has been answered. We notified everyone. It is our intent to go forward in this with a concurrence of the trustees of the condominium association. I respect their right to reserve authorization or their blessing for this until they've seen fully engineered plans and had the plans explained to them as well as reviewed by their own engineers if need be.

RD mentions Lee Ambler's response to Phil's letter of August and mentions in #5 and you ran through it rather quickly and said that you found no problem. Reading it, it seems that Lee does raise some issues as to the waivers of the special permit, substantial non-conforming before the Board. Must conform to it's terms unless they have been modified by the Board and request...

M. Brabrowski says that he is taking the position that we are in substantial conformity with the Site Plan. The changes that we have and presenting tonight are not so significant that they are not in substantial conformance with the original site plan. Lee and I talked about the specifically yesterday.

RD asks that in two sentences or less where as you're the only lawyer here. What seems to be the big legal issue?

M. Brabrowksi says that I don't necessarily characterize any of them as big. We want you to be assured since we are modifying the Special Permit that the interests represented by the overall Special Permit are in agreement. If they're not, we are just wasting our time. We want work out a deal and everyone gets what they want. There are limits that I need to point out. We are interested in having a win/win proposition here but here are elements of compromise built in to that as well. I think our proposal to put the sewer line in the street and provide connections for the existing buildings are in that spirit.

RD says that my own concern looking at the proposed units, there being four units each. With the possibility of two cars per unit. It looks like the middle house next to the street, how will they park?

A.Hollosi says that the distance between each building is 60' plus.

M. Brabrowksi mentions the other legal issues that are still outstanding. Obviously, if we build the sewer, there will be question about maintenance, liability, responsibility for repair, this of that sort. I think it would be appropriate for the Board to indicate that no Certificate of Occupancy be issued until agreements have been reached and approved by Town Counsel.

RD says that he doesn't know if this question is appropriate for him to ask, but does this new development remain it's own entity? Separate from the other two. So, we are going to have three associations within there?

A.Hollosi says yes.

William Mowry, resident of Maplebrook. The existing 23 units that are commonly referred to as Birchwood has it's own association. It is our intention to work with the developer and we would expect that they would become part of our association. Obviously that requires some discussion with us, but that is our intention.

WW asked if they had the correspondence from the DPW?

A.Hollosi says yes.

WW asked if Mr. Cushing was in the room?

Mr. Cushing is here.

WW says that in the letter from the DPW it allocates 20 units reserved for the new units. Where is the rest of the capacity coming from?

A.Hollosi says that Ms. Fallon, he believes, has already allocated close to another 40 units and working on the rest of the units. She is in line and on a list.

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WW when do the people that you are going to put the dry lines in for going to get their sewer tie ins?

M. Brabrowksi says that they have to make an application for existing capacity.

WW go back to the original permit where it says no more units could be built until the sewers were furnished and the old units that were built were tied in. Now, you are going back, building all these new units without tying in the old stuff first which needs to be done. I mean get them capacity, not tie them in.

M. Brabrowksi says that in a scenario where we are searching for a win/win/win proposition, we have to acknowledge that the developer has to make his application for the capacity prior to the capacity for the existing units. We are perfectly willing to bring in the sewer and assist the existing units in preparing their application for capacity.

WW says yes, but the reality is when the project stopped from being built any further, it was because the other units couldn't be tied into sewer. The old units have to be tied into to.

M. Brabrowksi says that we are basically going to ask you to make a modification that would allow us to do it this way.

AM says that I think the fact of the availability is a big plus to this whole project.

WW asks about what availability?

AM says that they are going to be stubbed out at the street.

WW says that they are going to be stubbed out at the street but do you realize the cost to go from that street to the building? Also, delete their septic system. Can somebody give me a price?

AM says about a couple thousand.

M. Brabrowksi agreed with that.

Dan Hendrig, resident of Maplebrook. With regards to the tie-in, I paid for my tie in along time ago, I took on that special assessment with the Town. So, I don't know why we are talking about tie-ins? If they plan on putting a stub, I think that is pretty fair.

Concerned Maplebrook Resident asked Mr. Hendrig if he was talking about the betterment? They understand that they need to pay the betterment with the Town. That is not the problem.

WW says that it was mandated by the State to hook the existing units up to sewer.

PC says that he was on the sewer Board when that all took place. After the first units were built, they went to build the second face. The State gave them six months to tie in

after sewers were available. Then they went bankrupt, so nothing ever got done. Then, the Walden Group came in, started the process and then they went bankrupt as well.

Concerned Citizen of Maplebrook says that she can appreciate Mr. Hendrig's concern as a homeowner. But, you have to remember there are a lot of people who live in Maplebrook, who bought from Celtic at the beginning and when we bought, we were promised sewer in the street. If I knew that I wasn't going to get sewer in a matter of months, I probably would have not purchased there. From my point of view, we just want what was promised to us from day one, nothing more, nothing less.

Concerned Citizen of Maplebrook asked where the sewer line is coming? If it is coming just down the main road, then it is not acceptable to me.

M. Brabrowski says that we will not go from the road to the buildings.

Concerned Citizen of Maplebrook mentions that the main road is private property. The road belongs to the association.

M. Brabrowski says that we will need permission of the existing association's to go into their road.

Concerned Citizen of Maplebrook states that it is all one thing. How can you say that the road is not private property, but the land is private property?

M. Brabrowski says that I'm not. We are going to need permission to work in that road.

AM says that the interpretation of Lee Ambler's letter is that the units are like a private condo. They are separate from the road.

Concerned Citizen of Maplebrook states on the map presented by the applicant that the sewer pipe will go down the main road, what about the units that are all the way off that main road?

M. Brabrowski says that you may have been promised something in your deed or your condo documents by the original developer. We were not part of that.

RD says that I think somewhere in these special permits previous that were amended, and amended. Bill mentioned that I have yet to see where they were promised in that special permit them being tied in.

A. Hollosi says that it was never mentioned in the Special Permit.

PC says that all the people were living there before the sewers became available. It was the understanding that six months after it was available, they would be tied in.

M. Brabrowski says that he has the DEP Sewer Extension Permit dated 1990. It indicates that the Condominium 1-5 will be tied into the proposed extension of the Town of Bellingham sewer. We are not the entity that received this permit. Nor will we be

operating under this permit. We will be asking for a new permit. What we are proposing here is a compromise that allows people to go forward, clean this thing up, get it over and done with and move on with life.

AM reads from Lee's letter. The Board's involvement with questions of existing agreements or regulations which oblige to new owners to make improvements outside the portion of the development are issues which would appear to be between existing unit owners, mortgagees and Condominium Associations and not with the Town.

Requirements within the confines of a Permit Granting Board which would force the applicant to perform services on other peoples property which other people can deny would be an improper delegation or condition of approval. So, I'm interpreting that as him advising us that we cannot do that. I'm really happy that they are making that available.

Concerned Citizen of Maplebrook says that they were never under the impression that they were going to hook right up to the building. We were under the impression that they were going to bring the sewer pipe down the road and out in front of the building with a stub, then we would connect from there. Some of these buildings are a 1/4 of a mile off the main road.

M. Brabrowski says that they will take a look at it. So, now where do we go from here? Is Phil going to look at the drawings now that the legal issues have been addressed?

P. Herr says that he only heard answer to the sewer question and wondered if Town Counsel answered all of them?

WW as far as what your letter pertained to? We are interpreting that Lee doesn't have a problem with any of them.

P. Herr says that he assumes that Lee had spoke to Mark and others and some accommodations have been reached? Because his responses were predicated on some things which the predecessors weren't the same. It was little things like who gets notice which I believe that was taken care of and everyone got notice. There was an issue about a review with separate entities or one single applicant. That appears to be taken care of. It sounds that enough of the legal issues have been taken care of if this Board is comfortable with them. I think it would be useful for me to spend time reviewing these plans.

W. Mowry, trustee on the 23 units at Maplebrook Condominiums. I understand and I appreciate the concern of the other unit owners. I think that we also have a concern and that is if some plan is acceptable that really is a win/win situation doesn't go forward then we are behind the eight ball. We have a particular area of road in our section of units that is really bad. It needs the top coat and we will never get that road completed unless the Developer completes that for us. We want to see some units that will add value to our whole development. We feel that they will, we are quite impressed with it.

Nina Benjamin, resident of Maplebrook. I think it is fine to say that we have a commitment and we want to work together. We haven't looked at the plans yet. We haven't had time to have our engineering firm look at the plans or our attorney look at this



either. We just have a hard time to say okay, it looks good, because we haven't had time to look at everything. We are going to need some kind of agreement in writing that what we are going to get is what we are going to get. This is our last shot. If these guys develop this project, this is it for us.

RD just want to let the people know that the Board knows what you people have been through.

P. Herr says that Atty. Brabrowski suggested there were two ways of dealing with the sewer. One is a condition of the Special Permit another in which aside the Town Regulations Specs and the Development Specs there would be an agreement between the existing Associations and the developer. I think the second one would work better for everyone.

M. Brabrowski says that he agrees with Lee completely. If we were to disagree with a condition that would require us to put sewer on somebody else's piece of property, you wouldn't win. We are not in that situation, we agree that we will put the sewer in someone else's property. We agree that you can hold the Certificate of Occupancy for what ever we are so foolish has to construct hostage until we put the sewer line in somebody else's property. We will agree further that we will put the sewer line in that piece of property belonging to somebody else in accordance to the plan that you have to approve. As long as we put that all in writing, we are the only ones being harmed by that.

AM motions to continue the Development Plan Review public hearing for Maplebrook Commons to February 25, 1999 at 7:30 pm. RD seconds. Unanimous vote of 4 (WW, RD, AM and PC)

AM motions to continue the Special Permit public hearing for Maplebrook Commons to February 25, 1999 at 7:45 pm. PC seconds. Unanimous vote of 4 (WW, RD, AM and PC).

### **SUMMIT BANK – Development Plan Review – Public Hearing**

EM returns to the meeting.

Craig Chekanowski from Gilmore Reese and Carlson representing Summit Bank. We were here back in December on a Preliminary Review of the plan and at that point Mike our engineering from Guerriere and Halnon was there with me as well. Also with me tonight is Jean Stone, President of Summit Bank; Jim Keanan, Engineering with respect to the landscape and lighting work; Ron Derosia is also here from Bruce Campbell and Associates who are the traffic engineers. We also have a couple of representatives of AT&T here as well. Just to re-familiarize you with the project. Summit Bank proposes to rehabilitate the existing building, not to expand the footprint in any way, into a 2,100 square foot building. In addition we propose to add a canopy which would allow for three drive-up bays, one of which will house the ATM. We also have the associated site work which we included an entrance off the Charles River Center Drive as well as an exit and an entrance at Hartford Ave. and associated parking. There is a dedicated driveway just for AT&T's use. To date, we have received comments from the DPW as well as Mr. Herr

with respect to the plan. We had also had a discussion at the last hearing about the necessary public notice that we provided with respect to this hearing. I did have conversation with Mr. Ambler and he indicated that he was not going to provide an opinion to the Board with respect to whether notice was required or not. So, we just decided to just go ahead and give notice. The changes that we have made since the last plan are the result of the comments from various Town Boards. We have amended the landscape plan as well as the lighting plan per comments from Mr. Herr to comply with the Town of Bellingham's Bylaw. In addition, DPW suggested that we consider utilizing the septic system for the site as opposed to tying into the sewer line. Quite frankly, we appreciate the Town's okay to go ahead with the sewer with the reasons of the proximity of the site to the existing wetland and the detention basin. We do plan on tying into the sewer system. The other changes that have been made to the plan are a result of the study that was done by Bruce Campbell and Associates. They deal with ground signals. Another recommendation that they made was that there be two travel lanes going behind the rear of the building. When we were here back in December, the major topic was the traffic, specifically the traffic that was exiting or entering on Hartford Ave. as well as going into the site from the Charles River Center Drive. I did represent to you in December that my client was willing to limit the entrance on Hartford Ave. to a right turn in only and a right exit only intersection. They tell us that it might be a good idea to allow for a left hand turn into the site, not left turns out, just left turns in.

Bruce Campbell & Assoc. Represents to the Board. They did an AM and PM peak hour traffic count at the intersection of Route 126 Stallbrook Plaza and Charles River Center. We analyzed the intersection for existing conditions. We determined the trip generation for the site. AM and PM hour, we assumed the three drive-in windows instead of the square footage of the building to determine trip generation which is a little higher. The result from our traffic study presented in the updated plan. We have been in contact with Phil Herr and believe all his concerns have been addressed. The first concern was left turns into and out of the site. We suggested that left turns into the site be allowed.

P. Herr says that your suggestions to left turns in. If I understand correctly, in order to reduce the number of vehicles that will be depending upon the Charles River Center?

Bruce Campbell & Assoc. Says that is correct.

P. Herr says that I think the Board's concern about that left turn was that Mr. Moore doesn't have enough hours in the day to tow all the cars he tows now. I think it is a very real concern about the number of turning movements on Hartford Ave.

Craig Chekanowski says that there are two issues with this left turn. One is the public safety issue and another is the traffic flow. If what the Board wants from a public safety standpoint is no left turn in, you've got it.

P. Herr says that there are some real concerns about the stacking going into the Charles River Center and turning left into the Summit Bank. There is enough room for one car before there becomes a real big problem.

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Bruce Campbell & Associates says that they are suggesting that there be two signs that state do not block intersection.

AM asked if the bank was going to have any evening hours?

Jean Stone, President of the Bank says that we do have some branches upon on Thursday nights until 7:00 pm. We are going to have to see what the demand is over at the Hartford Ave. branch before we can say when they are going to be open as far as nights are concerned.

P. Herr well, I think we are maybe on our way to some sort of solution. But, I think that a study needs to be done during peak hours of the Charles River Center as well as the Movie Theatre. Because if the Bank is not going to be operating on the peak hours of the Charles River Center/Movie Theatre.

EM says that his only major concern is the enter and exit onto Hartford Ave. The other problem is the staking of cars going into the Charles River Center and turning left into the bank but I don't know that there is a solution.

P. Herr states that the Board is meeting in a week, maybe we can get some information to satisfy the questions raised here tonight.

C. Chekanowski says that is fine but I would feel comfortable leaving here tonight knowing that the majority of the questions have been answered to the Boards satisfaction.

EM says that the one thing that I might want to see is the island out on Hartford Ave. might need to be extended to avoid people from crossing traffic into the Site.

Bruce Campbell & Associates suggested putting a channelization at the driveway making it right turn in and right turn out only instead of working out on Hartford Ave.

WW says that would be good because that would probably cut down the people from cutting through the site as well.

P. Herr mentioned the landscape and lighting plans meeting the Bylaw requirements.

Jim Keanan, Engineer says that we did update the mylars for the landscaping as well as the lighting.

P. Herr says that the other issue that I raised was the question about whether it was possible to let pedestrians get access to the site.

J. Keanan says that the access is on the corner of the property due to the grade it is not possible in any other location.

WW asked if we could here from AT&T?

Tom from AT&T in front of the Board presenting their plans for the site located on the same lot as where Summit Bank is proposing. The plan that was approved by the Zoning Board is slightly different than this plan presented to you tonight. The only big difference is the top of the tower and it will be lower than what was on the Zoning Board's plan. We basically have one vehicle a month go on site and check everything out. It is very low maintenance.

RD asked about the color of the pole?

Tom said that the pole that we are proposing here is a flag pole design. It is probably going to be a standard galvanized steel.

RD asked if AT&T is opening themselves up to lease any more space off for other cellular providers?

Tom says on this particular pole we can handle up to 3 to 4 carriers. Everything is within the structure, nothing is shown on the outside.

P. Herr says that he is going to go and draw up a Decision of approving this and the only condition that I hear us talking about is the issue of hours of operation. As long as we can get some statistics as far as traffic concerned this coming week there shouldn't be a problem with meeting at the next meeting.

AM motions to continue the Development Plan Review public hearing for Summit Bank to January 28, 1999 to 7:35 pm. EM seconds. Unanimous vote of 5 (WW, RD, EM, AM and PC).

**R.J. COBB LAND CLEARING – Development Plan Review – Public Hearing**

Don Neilson, Guerriere & Halnon presents to the Board the plan showing what is proposed. RJ Cobb sits on approximately 6 acres of land. It is Industrial zoned and what they have presently is a house, a barn, coral for some horses and they are proposing to put a 4800 square foot steel frame, steel building for storage of equipment. There is also going to be a retention/detention area in the back of the lot. There was a variance for the house back when the house was constructed in 1984. There was a comment about not fencing in the retention/detention area. We are going to have the coral for the horses continue over the retention/detention area. DPW made a comment about servicing the site with water with an 8" water main. We have shown that on the site coming up to the hydrant that is located on the corner of the building. The lighting for site is just going to be on the building for security reasons. We don't want to light the hole lot up. Based on zoning for parking we are required five spaces and we are proposing six. We also have four spaces for trailers.

Tom Guerin makes a comment about the location of the hydrant. It is too close to the building and would like it moved. He would like it at a medium point between the house and the building so that it can service both.

Don Neilson says that is fine. He will relocate it on the plans at the end of the driveway where it opens up.

AM says that there was a question about truck traffic and that being a scenic road. Is that an issue?

D. Neilson says that at Mr. Cobb's other location he was storing mulch, chips and other material. There is none of that at this location. It is just for his equipment.

Mr. Cobb says that I try to send my equipment alittle bit each way so we aren't all going the same route and overloading the road one way.

WW brings up the issue that what if this property is sold and some trucking company comes in, then there would be a problem with the traffic.

D. Neilson says that Mr. Cobb doesn't have a problem with putting in the decision that if the property does sell, the potential buyer would have to come before the Board to discuss his use.

EM asked about a sign and if there is going to be one.

D. Neilson says that he did show one on the plans that is roughly 3'x6' but he doesn't even want a sign.

RD motions to approve the Development Plan Review for R.J. Cobb Land Clearing after the hydrant gets relocated on the plans. EM seconds. Unanimous vote of 5 (WW, RD, EM, AM and PC).

**BELLINGHAM BUSINESS PARK – Development Plan Review – Public Hearing Continued**

Peter Beamis from Engineers Design, Brian Kelliher of Aspen is here for the Development Plan Review. He is presenting to the Board an Alternative Plan discussed with Phil prior to the meeting. It shows the buildings in the same position but it eliminates the road that goes through the site which will allow monies to the Town for improvements on Maple Street with a cash payment of \$100,000.00. Aside from that change, the site is similar to before.

Tom Guerin makes a comment about emergency access roads throughout the site and to the buildings that are not shown on the plans.

P. Beamis says that he will add an emergency access gravel road around the first building, and the other two buildings will have emergency access gravel roads out onto High Street.

PC mentions putting gates at the High Street emergency gravel roads so that people won't use those as an entrance or exit.

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EM doesn't see any problems with the Alternative Scheme and makes a motion to approve the Alternative Scheme dated 1/21/99 for the Bellingham Business Park. AM seconds. Unanimous vote of 5 (WW, RD, EM, AM and PC).

### GENERAL COORESPONDENCE


Jill mentions that she has a submittal for Maple Sands and needs a hearing date.

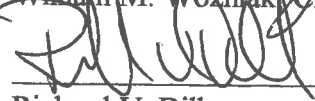
The Board sets a hearing date of Maple Sands of February 25, 1999 at 8:30pm.

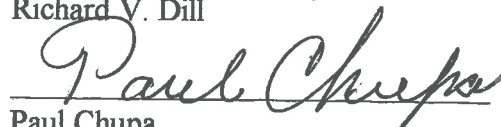
WW mentions the letter from Guy Fleurette regarding the Noise Bylaw and requesting the Board revisit the bylaw and discussing a possible change.

P. Herr says that there will be time at the next meeting for discussion the Noise Bylaw and changes.

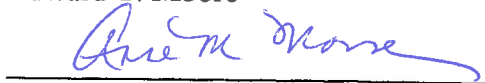
AM moves to adjourn at 11:05. RD seconds. Unanimous vote of 5 (WW, RD, EM, AM and PC)

  
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William M. Wozniak, Chairman

  
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Richard V. Dill

  
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Paul Chupa

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

  
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Anne M. Morse