

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
STEVEN CHOINIERE (Alt.)**

MINUTES OF REGULAR MEETING

April 8, 1999

Meeting commenced at 7:00 pm. All members were present except AM. Planning Board Consultant Philip Herr was also present. Minutes recorded by Planning Coordinator Jill Karakeian.

NOISE BY-LAW – PUBLIC HEARING – continued

P. Herr asked if the questions had been raised with Town Counsel?

JK said that Town Counsel saw the updated Article and was okay with it. She also asked him if the Noise Bylaw applies to renewed entertainment licenses and he said no.

P. Herr said that there was one word changed with regards to open space conveyed to the Town. The first section 3222 said "The premises or any contiguous land committed to be conveyed." It now says "The premises, including any contiguous land committed to be conveyed." and that seems to cure that question. There were some administered questions that got raised and we responded to those. Third there was a definition of the meter that would be used to measure the noise. I think all the issues that were outstanding are all set.

PC motions to close the public hearing for the Noise By-Law Article. RD seconds. Unanimous vote of 4 (WW, RD, EM and PC).

RD motions to recommend the Noise By-Law Amendment Article to the May 19, 1999 Town Meeting with noted changes as discussed. PC seconds. Unanimous vote of 4 (WW, RD, EM and PC).

PINE WABLER WAY – Street Acceptance Recommendation and Bond Reduction

Tom DiPlacido was before the Board to ask for the street named Pine Wabler Way in Center Run Estates to be accepted at the May 19, 1999 Town Meeting as a Town Way.

WW asks Ted Bailey his opinion on this request.

Ted Bailey says that DiPlacido Development did a great job and everything is complete.

WW reads that the DPW recommends that the Town acts to accept Pine Wabler Way.

RD motions to recommend accepting Pine Wabler Way at the May 19, 1999 Town Meeting. EM seconds. Unanimous vote of 4 (WW, RD, EM and PC).

WW asked about the bond reduction and what did Don DiMartino recommend?

Ted Bailey says that he did a final walk through with Mr. DiPlacido and everything is complete as well as as-builts.

WW says that normally we would hold 15% until Town Accepted, but know we are asking to release more than that?

RD asked what the \$1,000.00 being held is for?

Ted Bailey says that it is twice what the amount of money that is held for the Town Meeting vote which is usually \$500.00.

WW asked what happens if it doesn't get accepted at Town Meeting?

EM says that I think that we should hold the full amount until Town Meeting, then if it gets accepted release everything at once. We should go by the Bylaw.

Tom DiPlacido says that waiting until after Town Meeting is okay with him.

RAWSON ROAD & SAGAMORE ROAD – Street Acceptance Recommendation

Jim Britton of Alexander Capital came before the Board to ask their recommendation to accept Rawson Road and Sagamore Road of Rawson Farm Estates at the May 19, 1999 Town Meeting.

WW reads letter from DPW dated 3/2/99. Rawson Road: It appears that a very small amount of pavement repair work needs to be done in the cul-de-sac on Rawson Road. The work cannot be undertaken until the paving season arrives (after April 1st). We also need copies of the As-built plans, one hard (paper) copy and one digital (Autocad V12) copy. The proposed article references an as-built plan of which the DPW does not have a copy. Once the pavement repair is completed, and as-builts submittals, the DPW will recommend that the Town vote to accept the road. I question why Sagamore Road is not also included in the article? It is part of the Rawson Farms subdivision and appears ready to be accepted.

RD checked in the warrant to see if Sagamore was included with Rawson Road, and it is.

WW asked why this is still trying to get accepted. He thought it was up last year to be accepted and there were items missing. A year later, things are still missing.

Jim Britton said that the certified as-builts were dropped off today at the DPW and to the Town Hall for the Planning Board. The digital still needs to be done and the paving is scheduled for the week of April 19th.

Ted Bailey said that everything is complete except for one handy cap ramp and a little infrared on the cul-de-sac.

RD recommends Rawson Road and Sagamore Road to the May 19, 1999 Town Meeting pending all as-builts (paper and digital) and paving complete. EM seconds. Unanimous vote of 4 (WW, RD, EM and PC).

MAPLEBROOK COMMONS – Special Permit – Public Hearing – continued

EM abstains.

WW informs Bob Maschi of Real-Estate Engineering Management that there is only four voting member Board present tonight.

P. Herr asked if the Town has engaged an engineer to look at the Stormwater?

Bob Maschi said, not to his knowledge. He said that has been discussed with the Conservation Commission and they have talked about doing that.

P. Herr says that this Board as part of their responsibility to act on the Storm Water Management and something of this size not made a decision without engaging in an independent engineer to review.

B. Maschi feels comfortable with the Storm Water Management and is okay with the Town hiring an independent engineer to review the Storm Water Management.

WW says that the purpose of having somebody review it is because the Town of Bellingham does not have a Town Engineer?

B. Maschi understands.

WW says that this is at the expense of the partitioner as long as you agree.

B. Maschi says that is fine. He would feel more comfortable with a five member board as well.

P. Herr says that Jill should let Denis know about the Board sending this to an engineer and the petitioner agrees to pay and then the petitioner should contact Denis direct.

WW we will continue this public hearing for the Special Permit to May 13, 1999 at 8:30 pm and Development Plan Review to May 13, 1999 at 9:00 pm due to there only being four voting members present.

BAINBRIDGE WOODS – BOND REDUCTION

EM returns to the meeting.

Edward Gately is before the board requesting his bond to be reduced per Don DiMartino's letter.

WW asked if Ted Bailey was present during the installation of the binder coat on the road?

T. Bailey said that they installed the binder coat on December 24, 1998, out of spec. Mr. DiMartino asked me to inform the contractor that they were outside of spec. I was guaranteed by Mr. Tim Babola that everything was going to be okay. We kept the full amount of money for the binder through the winter because of that and they have gone down and had two testing labs go down and approve the binder before Don DiMartino would give his approval. Both testings according to my thinking, failed. That is why I told the contractor to put down a thicker top slab.

WW asked how much thicker on the top slab?

T. Bailey said that it calls for 1 ½" on the top on the plans and I'm suggesting 2 ½"

WW asked how thick the binder is supposed to be?

T. Bailey said it should be 2" and it goes from anywhere from 1 ¼" to 2 ¼" throughout.

EM so the DPW is recommending that we keep \$76,820.00?

WW how much money is allocated for the binder?

T. Bailey said \$13,500.00.

WW asks how much is kept in for binder?

T. Bailey said there is \$3,500.00 for the 1" level course to fix the road.

EM motions to reduce the Bond for Bainbridge Woods down to \$80,000.00. RD seconds.
Unanimous vote of 4 (WW, RD, EM and PC).

GENERAL BUSINESS

Board signs clerk's payroll and miscellaneous invoices.

Board signs Certificate of Release for Bellingham Business Park reviewed by Town Counsel and says that it is the release that the Board agreed to sign spelled out in the Decision for the Bellingham Business Park.

MINUTES ACCEPTED

PC motions to approve minutes dated 2/11/99. EM seconds. Unanimous vote of 4 (WW, RD, EM and PC).

PC motions to approve minutes dated 3/1/99. RD seconds. Unanimous vote of 4 (WW, RD, EM and PC).

MAPLE SANDS – SPECIAL PERMIT & DEFINITIVE SUBDIVISION

Public Hearing - Continued

Jane Neal a resident of Maplebrook Condominiums informs the Board that she is within 300' of this development and was not notified. I went to the Assessors office and went over it with them and we should have been notified, but they couldn't tell me why I wasn't.

WW says that we are going to have to start over.

Jane Neal says that she couldn't match the maps up and maybe they are wrong and that is why we weren't notified.

P. Macchi informed the Board that they met with Conservation and took the advise of the Board and donate the land to the Town. All we ask is that we don't have to resubmit to all the Boards. We will give you a whole new hearing but we ask that we don't have to go around and submit to all the Departments.

P. Herr says that I think the Special Permit hearing has just died. They are asking not to have to resubmit submittals and to have the Public Hearing as soon as possible.

RD motions to suspend the Special Permit, re-notice and re-publish for a new Special Permit public hearing but no submittals are needed. EM seconds. Unanimous vote of 4 (WW, RD, EM and PC).

RD motions to continue the Definitive Subdivision for Maple Sands to May 27, 1999 at 8:00 pm. and grant an extension for the Definitive Subdivision for Maple Sands to June 11, 1999. EM seconds. Unanimous vote of 4 (WW, RD, EM and PC).

32 WILLIAM WAY – DEVELOPMENT PLAN REVIEW – PUBLIC HEARING

Continued

Jim Roessling representing the proponent and is requesting that the public hearing for 32 William Way Development Plan Review be continued.

PC motions to continue the Development Plan Review for 32 William Way to April 22, 1999 at 9:30 pm. EM seconds. Unanimous vote of 4 (WW, RD, EM and PC).

COUNTRY CLUB ESTATES II – Covenant and Plan Endorsement

EM abstains.

Roger Gagnon presents to the Board a Covenant for Country Club Estates II as well as the plans to be endorsed.

WW makes a comment about the signature block referring to the plan as "Approval Not Required".

P. Herr suggests crossing out "al" after Approval and crossing out "Not Required".

RD motions to make changes to the signature block as Phil suggested as well as accept covenant and endorse the plans for Country Club Estates II. PC seconds. Unanimous vote of 3 (WW, RD and PC).

EM returns to the meeting.

ANTRON ENGINEERING – DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

James DeVellis, professional engineer of DeVellis Associates presents to the Board the Development Plan Review for Antron Engineering. John & Lillian Kaulker, owners of Antron Engineering also present. The location of the site is about half way between Rte. 495 and the Center of Bellingham, past Maple Street on the left is Bellingham Golf and just past the site on the left is Rte. 140 Trucking. It is a 5.5 acre parcel with frontage on Rte. 140. There is nothing on the site except woods. It is in the industrial district and it is a manufacturing facility. The building is proposed at 28,300 square feet and there is an office component of 3,600 square feet. The drainage continues to flow on the site just like it is now in the same direction with a series of closed drainage systems (catch basins and manholes, roof drains) which will bring the drainage piping into a detention basin and has been designed for a 100 year storm event. There is sewer in Rte. 140, but there is no sewer available, so we have designed a Title 5 Septic System. At the same time we will have a dry sewer line installed and capped so when sewer is available from the Town we can hook up.

RD asked the number of parking spots.

J. DeVellis said there was 79 parking spaces. 75 Standard and 4 Handi-Capped.

WW asked for Phil to comment.

P. Herr said that this is a pretty dramatic site and is very massively sculptured. There is heavy cuts on the North side and fills on the South side.

EM asked about the impact that it is going to have on the house down below the site going towards Franklin?

P. Herr says that there isn't any law that says they can't do what their doing.

J. DeVellis says that the slope at one point is 3 to 1 and also 2 to 1.

P. Herr says that it is a really steep, really high, very large slope. The house that EM is talking about is up closer to the street.

WW asked about the drainage and detention basin.

P. Herr says that is one of the questions. This site does not involve wetlands or wetlands buffer. The Storm Water Management for the site is quite simple.

J. DeVellis says that the Storm Water will sheet flow down to two catch basins. The entire roof will come down into one pipe to a manhole and all will come into the detention basin. The existing site right now is what we call "A" soils which is gravel and everything just soaks in. Because of the building and parking there will be a different in run off, so that is the need for the basin. The basin will fill up during the storm and at the end drain dry to an outlet control structure and to continue towards the location it goes now. It will be coming out at the same rate that it is coming out today.

P. Herr asked the Board if they feel this Storm Water Management needs to be looked at by an independent engineer? If it turns out that he has undersized his storm sewers, or undersized the detention area, or even undersized the outlet pipe, it will only effect his site.

J. DeVellis the way this has been designed is actually two factors of safety on it. One, it doesn't take into account any infiltration, assuming that there's almost pavement on the bottom. There is nothing going into the ground, everything's filling up. That's not the case because it is gravel, everything is going to go. That in itself is an over design. Two, at some point, speaking with Antron, maybe in the future they are looking to expanding if all goes well. We didn't want to come back later on and have to enlarge the basin, so we designed it to accommodate the existing building and the future expansion plus additional parking should they expand. The basin is oversdesigned. If something does happen, worse case, the outlet gets blocked off and fills up in the basin, there is a bench on one side and it would just flow out and continue where it goes right now.

P. Herr questioned the large slope and that the parking lot is about 20' above the existing grade. Comments that, that is alot of fill. I had concern over the fact that the 20' bank which is steeper then what the Board usually allows.

J. DeVellis says that the size of the building is based on the clients needs. In order to provide parking and proper trucking we needed to lay the site out the way we did. We came down 2 to 1. There will be a guard rail around the parking lot and the slope will be loamed and seeded. In order to go 3 to 1 we would have to put in a series of retaining walls.

P. Herr questioned the loam and seed staying on the slope?

EM questioned the detention basin and it being raised. Asked how they will be able to make sure it won't wash away?

J. DeVellis says that there is a 3 to 1 and a 3 to 1 with a 10' berm.

P. Herr mentions that there is no fence around the detention pond.

J. DeVellis feels that a fence is only an attraction for kids to get in and not necessarily to be able to get out.

WW asked on the average rain storm, how long does the water stay in?

J. DeVellis says about 12 to 14 hours from the end of the storm. A two year is maybe about a foot deep for about 12 to 14 hours after the storm ends.

P. Herr says that you can't tell from the drawings what trees are going to be removed for the driveway to enter the site.

J. DeVellis says that the site is entirely wooded. In our correspondence back to Phil we have requested that the regulation to mark all trees 8" in diameter and up be waived. If there is a concern with the entrance, we can come back and mark what trees are going to be removed for the entrance.

P. Herr asked if the Board thought that was a good place for the driveway to go?

EM says that there really isn't any other place to put it.

WW asked that they maybe they could flag the trees they plan on removing so we can drive by and check it out.

J. DeVellis says they can park the trees and the entrance right now is not set in stone. If there was a large tree we could shift the entrance one way or the other.

P. Herr says that we can't determine at this point the signs that are planned for the site.

J. DeVellis says that we have located where the sign is going to go, but we are going to go with a sign consultant so that all the signs will match from the entrance to the building design.

J. Kaulker mentions that they are looking at a similar design as Victory's sign.

P. Herr mentions that the landscaping doesn't fully comply by the letter, but it does comply with the spirit.

EM asked if there will be any night deliveries?

J. Kaulker said there shouldn't be any night deliveries. Our hours of business is generally 7:00 am to 4:00 pm.

J. DeVellis pointed out the lights on the site and passed out a lighting plan.

P. Herr points out one light at the end of the back parking lot. It is a 30' fixture and asked about the impact it will have on the house that abuts that lot and when that house looks up it will see that light.

J. DeVellis said that they can put a shield so it doesn't shine down on the hill.

EM motions to approve the Development Plan Review for Antron Engineering as presented. RD second. Unanimous vote of 4 (WW, RD, EM and PC).

ASSISTED LIVING ARTICLE

P. Herr made a few changes to this article with regards to Town Counsels comments. There is a very small change to made to the Assisted Living Article. At Step 5, where it now says "Amend Section 3320 Schedule Parking Requirement". Following the word Amend and before the word section insert the words item "(a)Dwellings" under, so it will read "Amend item "(a)Dwellings" under Section 3320 Schedule Parking Requirements" and delete "(a)Dwellings" following the word Requirement.

PC motions to change the wording in the Assisted Living Article per Phil and as discussed. RD second. Unanimous vote of 4 (WW, RD, EM and PC).

RD moves to adjourn at 10:30 pm. PC seconds. Unanimous vote of 4 (WW, RD, EM and PC).



William M. Wozniak, Chairman

Richard V. Dill

Paul Chupa

Edward T. Moore

Anne M. Morse