

BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

**RICHARD V. DILL, CHAIRMAN
PAUL CHUPA
VALERIE DeANGELIS
ANNE M. MORSE
WILLIAM M. WOZNIAK
STEVEN CHOINIERE (Alt.)**

MINUTES OF REGULAR MEETING

July 22, 1999

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

GENERAL BUSINESS

The Board signed payroll for clerk.

VD passed out correspondence from Don DiMartino regarding unaccepted roads in town.

**BUNGAY BROOK GOLF CLUB – SPECIAL PERMIT & DEVELOPMENT PLAN
REVIEW – DECISIONS ENDORSED**

JK asked that Bungay Brook Golf Club Special Permit and Development Plan Review get signed. She spoke to Town Counsel and didn't have time to review but he said that the Board could go ahead and sign and hold for his review.

VD mentioned that the issue about the nitrogen levels weren't mentioned like was discussed. We had said that if the nitrogen levels is continuously increased over a 3-year period then they will have to come back in front of the Board by a public hearing and explain why and what they are going to do to fix it.

SC mentioned that he thought that their special permit was going to be revoked if they had gone up and up for a 3 year period.

P. Herr said that one of the decisions he reprinted with the right page numbers. He thought he heard that the use of the chemical that was causing the nitrogen to go up would be suspended. It has been very difficult for me to assemble the documentation that goes with this project.

MINUTES OF PLANNING BOARD MEETING

July 22, 1999

VD says that she thought during the discussion it was agreed to by the applicant, because it was a control that the town was going to maintain if it didn't go down after a three-year period. It would force them to come in and respond.

P. Herr asks, if there are three years of it going up in a row, then what would be the remedy?

SC says that after the third year, they come in front of the Board and explain why this is happening.

P. Herr asks if the wording was the same as the pesticides, then would that satisfy the Board?

VD says yes, that would be stronger.

P. Herr if the wording was, if over any three year period the maximum contaminant level is continuously exceeding then the applicant shall present to the Board, not just the town, a plan to further assess the extent of the damage along with a plan to reduce the contaminant level.

VD says she would be satisfied with that.

P. Herr says that he is still waiting to receive a Water Quality Management Manual that is legible. I have called several people involved and I can't seem to get a clean copy.

Phil Gareau gave him his copy and it was just as legible.

P. Herr says the language seems to be taken care of that is satisfying the Board, now I just need a legible document to go along with it.

VD says that if it is over 5 for three consecutive years, then they need to come before the Board.

RD asked what the legal limit is?

P. Herr says that it is 10. You could say, if it ever goes over 10, we want to see you in here. If it stays above 5 for three years in a row, we want to see you in here. It is not a huge penalty. We are just saying, get in here and explain.

The Board was okay with that.

P. Herr was going to revise some wording in the document and the Board would discuss further later on in the meeting.

DUNKIN DONUTS – Development Plan Review – Continued

Stephen J. Kenney, Atty. representing Dunkin Donuts is in front of the Board withdrawing the Development Plan Review and is filing a Special Permit and Development Plan Review. He reads the letter dated July 16, 1999. Dear Members of the Planning Board: The Petitioner hereby respectfully requests the withdrawal of the development plan review application dated May 21,

1999 for the project located at the intersection of Blackstone Street and South Main Street and, specifically, the installation of a Dunkin Donuts Shop. The Petitioner is simultaneously filing an application for special permit for a drive-thru window and a renewed application for development plan review. Thank you for your cooperation in this matter. Sincerely, Stephen J. Kenney, Atty. for Bellingham Donuts, Inc. d/b/a Dunkin Donuts.

WW motions to accept Dunkin Donuts request for withdrawal without prejudice of the Development Plan Review. VD seconds. Unanimous vote of 5 (RD, PC, VD, AM and WW)

WW asked if the new plans for the Special Permit has been filed with the Town Clerk?

S. Kenney said no.

VD asked when he planned on doing that and has a date been set for the Public Hearing?

S. Kenney said the plans would be filed within a week and a public hearing has not been scheduled.

JK said that there was room on the August 26th meeting at 8:00 p.m.

S. Kenney was in agreement with August 26th at 8:00 p.m.

REMMY ESTATES – 81-P SUBMISSION

Brad Allan came before the Board to submit an 81-P plan for five lots on Blackstone Street. The plan was submitted to Mr. DiMartino of the DPW in conjunction with a road profile, proposed water main serving the lots and Mr. DiMartino wrote a response and comments to the Board. I have not seen those yet but they were read to me over the phone from my office. I believe that he says that he feels comfortable with handling the items that are in question in the street opening permit and the procedures therefore. The items that are spelled out by Mr. DiMartino do not show on the 81-P plan nor do they want to because it is a recorded plan. This just wants to show the outline and description of the 81-P lots so that they can be identified and referred to on record. The improvements to the road are on an improvement plan that I also submitted to Mr. DiMartino and that's what the comments are made from. My improvements are consistent with the regulations of the Town of Bellingham to improve a road which is not part of a subdivision.

P. Herr asked if Brad didn't think the Board should see that plan?

B. Allen said yes, of course and gave a set to the Board and to Mr. Herr.

Mike O'Harron (resident of Reberta Lane) questioned how the road was going to end and if it is going to go through to Blackstone?

B. Allen says that he is not proposing to change the length of the road. I'm proposing to improve the road that now exists.

PC says that he is not opening the road up. He is improving to the point that he needs then installing a break away gate for emergency vehicles.

Lynn Chappy (resident of Blackstone Street) asked if Blackstone Street has been determined a road or a way?

RD said that he doesn't remember Town Counsel giving us a definitive answer as to whether Blackstone Street was a road or a way. The last thing I remember is that Town Counsel said it was up to the Board to make that decision.

L. Chappy asked if everybody on the Board are not Attorney's, maybe some of you are, how can you decide in your opinion that is a road?

RD says that the letter from the Mass. Highways states, "Subject: Blackstone Street (2.45 miles) dated 8/1/98. The code AD-542 designates a Public Road." That is what I'm going by that it is a road and that is my opinion. The oldest maps that we can find in the town show it to be a road. We never found it to be a town-accepted road.

AM says that we have agreed that we have enough information to determine that it is a road.

WW says it is not an accepted road.

P. Herr says that the subject tonight is whether that road provides the access that the law allows the town to require to create new lots. It was a way that was in existence when the Subdivision Control Law came into effect with the Town.

RD asked about the width of the road and Mr. DiMartino saying that 18' is okay with him. Why would we accept 18' if the last 50' of the road is wider than that.

B. Allen says that he is improving the road that the 81-P lots are on 18' to a point at the last lot to two turn arounds which would allow for snow plows.

WW comments that the last lot would not have the required frontage because the road is not paved all the way the width of the lot on an adequate street.

B. Allen asked if there needed to be adequate access along the entire frontage of the lot?

WW says that was the way he read it.

VD asked if he was going to widen the existing portion Blackstone Street to 18'?

B. Allen says no, he is not. When we come in for the other part of the land it would be smart for me to plan for a wider street to come down to the land.

WW says that then you can't put the twelve lot subdivision in until Blackstone Street opens up to Blackstone?

B. Allen says that we covered that at a previous meeting.

WW says that he wasn't at that meeting.

B. Allen says you were. We mentioned several examples of decisions and approvals that have made of cul-de-sacs off of a street much the same.

RD says that there are very valid questions being asked but that is not what is in front of us tonight.

WW says that he wants to see the existing homes so that he can see that it doesn't exceed the twelve house limit law.

RD says that he thought that was shown before.

WW asked how many lots are on the existing Blackstone Street now?

AM says that it is not a dead end street.

WW says that it is a dead end street.

AM says that it is dead ended, but it is not a dead end street.

PC says that he is putting a breakaway fence up.

WW says he is not, he just said he wasn't. I heard that he was going to gravel all the way to Blackstone, trim the trees back and put a breakaway gate.

B. Allen says that is correct. When I come in to discuss the subdivision, I will be more than happy what we are doing about traffic and the road to Blackstone and so on. There are seven lots with frontage on Blackstone Street and with these five (5) on the 81-P make twelve (12).

WW asked where the pavement was being ended?

B. Allen says approximately 100' past the temporary easement.

WW says that the last lot needs to be paved in front of and the boulders should be moved to the end of that lot because you need frontage on a road.

RD says that it does have frontage on a road, because Blackstone Street is a road.

B. Allen says he will put the boulders at the end of the lot. The grading plan states to grade, preparing a base and paving pursuant to the Town's Specifications for adequate access to the five (5) lots on the 81-P plan and add the turn arounds per Don DiMartino for snow plows.

WW says that you run water it runs to the end of the lot, you run sewer it runs to the end of the lot, I don't see why you don't run pavement down to the end of the lot. I still would like to see the existing houses on Blackstone Street so that can see this is not exceeding 12 houses.

B. Allen says that there are 7 lots fronting on Blackstone Street and 1 fronting on North Street.

WW asks Phil how we can determine that there are not more than 12 lots on a dead end street when we can't see what is there now?

AM says that it is not a dead end.

RD says that we need to get beyond that it is not a dead end street.

WW says that it is a dead end street today, because it doesn't have adequate access to Blackstone.

RD says that the town has been collecting money from the state for this road, it is not this guys fault that it doesn't have adequate access. I'm trying to get beyond that this is not a dead end so therefore more than twelve lots does not come into play.

P. Herr says twelve houses is a limitation on a subdivision. We are not talking about a subdivision.

WW says that we aren't talking about a subdivision. But my question is, a person comes in with a plan with some lots on a dead end street, how do we know how many other lots are on that street.

P. Herr asked why we need to know that? I think everyone has counted that. What assures the Board that the improvements to the Road get done after this plan is signed?

B. Allen says that Don DiMartino is going to set a bond amount.

VD reads from Don's letter states that all the items listed can and will be covered in the street opening permit that Mr. Allen must obtain prior to the start of construction.

RD asked if B. Allen has filled out the form?

B. Allen says that he filled out the street opening permit form, which is the only format for which we have to address this adequate access issue. Don is assembling the bond amount with will be assurity for the work being done.

AM motions to sign the 81-P for Blackstone Street and to hold until Bond is posted through the DPW for the roadway improvements. VD seconded. Unanimous vote of 5 (RD, PC, VD, AM and WW).

WAL-MART SITE PLAN REVIEW – Continued

Margret Boals, Attorney representing Wal-Mart, Brian McCarthy, of Sumner Schein Architects & Engineers and Diane Brooks the store manager of the Bellingham Wal-Mart is present. When we last talked we were in discussion of four issues. One was the outdoor sales area, seasonal shop addition (4,556 sf), garden center addition (2,000 sf) and last was the trailer storage in the back of the building. Diane Brooks, Store Manager was looking to get permission for 30 trailers over the holiday months. What we have done is spoke to the home office about expansion of the store and what the plans were? Obviously, the store can't be expanded immediately and she has a need for the trailers on a temporary basis. We would like to ask for a permit for a year for the outdoor storage trailers. The location of the trailers will be coordinated with the fire department so we know where they would like to see them so they have access around the building. That will give Wal-Mart time to work on the expansion.

AM asked how many trailers are there now?

Diane Brooks says there are 16 there now. During the Holiday Season I will need to add 14 more.

WW asked who gives permission for the 16 that are there now?

D. Brooks says that she has a permit from the Building Inspector.

WW said he didn't think that the Planning Board had jurisdiction over temporary trailers.

M. Boales says that when the issue about the outdoor display area came up, I met with the Fire Department and they thought that everything on the site being put on a site plan would help everyone to understand the layout. That is the reason the trailers got put on there.

AM says that she thought it affects the parking and that is why it was put on the plan. I think 30 trailers significantly impacts parking also the movement around the building.

M. Boales says that is what they are going to correct.

VD asked what the total square footage is of what is actually there?

B. McCarthy says that the existing building is 116,000 s.f., garden center is 2,800 s.f., the addition to the building is 4,566 s.f., the addition to the fenced in garden area is 2,046 s.f. and the outdoor seasonal display area is 7,756 s.f.

M. Boales says that even with this there is sufficient enough parking.

RD asked if there is supposed to be parking behind the building?

B. McCarthy said there is no parking in the rear of the building.

T. Guerin says that he is okay with the addition they want and moving the trailers temporarily. But, not to keep the trailers forever.

P. Herr asked that when the addition is built in the rear of the building, then the trailers will go away?

M. Boales says that's the idea, yes. We are saying that we will have to expand in some manner in order to take the merchandise out of the trailers and put them into a building.

P. Herr says that when you expand the building, the parking requirements will go up.

M. Boales feels that we will have the adequate parking.

P. Herr feels that after all you want to do out front of the building with the additions to the garden center, the building and the seasonal layout that it will go over what you already have approved. Is the canopy area outside of the actual building included in the square footage?

B. McCarthy says no, it is not. It's never been included.

P. Herr asked if it is sales?

B. McCarthy says yes, but it is only a temporary structure and so is its extension that is planned, so it is not included in the original square footage.

P. Herr suggests we get clarification from Town Counsel before the plans for the expansion comes in.

VD asked Phil to clarify his memo of July 7, 1999 with regards to the square footage figures. It looks like the parking area shown on their plans, they are already in the negative?

P. Herr says that is true. If you were to count the out door garden center as if it were building area, they would be over the square footage. I count it as building area only because it generates traffic.

VD asked if the outside parking area enclosure intended to be temporary/seasonal?

B. McCarthy says seasonal.

P. Herr says permanently seasonal.

VD says then it takes away from parking, so it should be added to the total square footage.

P. Herr says if you count the building, seasonal shop addition, garden center, garden center addition. Those all still fit within what was approved. If you add the 7,700 square feet out in the parking lot, it goes over.

VD asked what was the square footage that was approved for an addition?

P. Herr says it was 30,000 square feet.

VD says then if you count the existing building, all the additions proposed and the existing garden center, you will be over by approximately 2, 233 square feet and that is in violation of the Special Permit that was approved.

M. Boales says only if you consider the garden center to be building area.

VD says that it is, it is permanently there.

M. Boales says that it is not a building.

P. Herr says that any attorney is going to argue that. It doesn't have a roof, it isn't a building. But, it is retail area and it generates traffic.

VD says that I think we should ask Town Counsel's opinion.

P. Herr suggests talking to Lee Ambler as well as the Building Inspector. I will draw up a draft letter. What now these people are seeking to obtain permission to build the addition to the seasonal center.

WW asked what happens to the trailers after a year? If there is no addition after a year are you going to come back to us and ask for another extension of time period for the trailers?

VD asked that in Wal-Mart's opinion after all of what they are asking is built, how much square footage will be left per the Special Permit to build you're addition in the back?

B. McCarthy says 18,500 (+/-) square feet.

VD suggests the Board sending a letter to the Building Inspector and Town Counsel asking their opinion on this.

Peter Morelli says that it is still considered a mercantile area by the building code. When it comes to egress it is part of the building and it is all under the building code. Those areas should be counted in the total square footage.

VD asked that at this point, you're only asking for the seasonal shop addition and the garden center addition?

M. Boales says that we are also asking for everything that is on the drawing, because we don't want to have to come back next summer.

VD says when you look at the garden center on the side (10,800 square feet) is already there but not included in the square footage.

P. Herr says that the parking was calculated on the garden center but it is not included in the square footage.

VD motions to direct Phil Herr to draft letters to the Building Inspector and Town Counsel for clarification relative to the square footage for additions that are proposed at Wal-Mart. AM seconds. Unanimous vote of 5 (RD, PC, VD, AM and WW).

VD motions to continue the Wal-Mart Site Plan Review to September 9, 1999 @ 7:30 pm. WW second. Unanimous vote of 5 (RD, PC, VD, AM and WW).

STOR/GUARD – SPECIAL PERMIT & DEVELOPMENT PLAN REVIEW – Continued

VD reads letter from Stor/Guard dated July 20, 1999 to Jill Karakeian. We were scheduled to appear before the Planning Board on July 22nd to continue our public hearing and Development Plan Review for our proposed Stor/Guard self storage facility on Hartford Ave. As per our telephone conversation today, we request that this public hearing and Development Plan Review be postponed for 30 days. Additionally we request that the time period for action be extended to 30 days as well. Thank you for your assistance in the matter.

WW motions to continue the Special Permit & Development Plan Review to August 26, 1999 @ 7:30 pm. VD seconds. Unanimous vote of 5 (RD, PC, VD, AM and WW).

WW motions to grant the extension for action on the Development Plan Review to September 13, 1999. VD seconds. Unanimous vote of 5 (RD, PC, VD, AM and WW).

MAPLEBROOK COMMONS – SPECIAL PERMIT & DEVELOPMENT PLAN REVIEW – Continued

Bob Maschi of Real-Estate Management is the engineer for Maplebrook Commons. My first question is if we have a letter from Town Counsel?

JK says that we don't but we spoke over the phone.

Bob Maschi says that he spoke to Lee this afternoon and felt he got some positive responses.

JK says that she has a letter from Lee dated 7/20/99. Dear Board Members: This office is in request to render an opinion relative to the proprietor of an amendment to a Special Permit. In order for this office to do so, it is necessary for me to be in possession each of the Special Permits rendered by the Planning Board and in addition of the scope of the requested amendment to the Special Permit of Special Permit. I am especially mindful of the fact that one of the Special Permits requires the Developer to connect all of the construction to a municipal sewer and/or a system to be constructed on site. Without the full compliance of that requirement or the waiver of it, it would seem senseless for the Board to entertain further modifications to permits and not insist on the compliance with that requirement. Please provide me this office with those documents so that we may proceed with an opinion concerning same. Very truly yours, Lee Ambler.

B. Maschi says that he dropped off a copy of all three Special Permits to Lee's office yesterday (7/21/99). I spoke to him and he had a few questions. His main question was the sewer. I would like to also inform the Board that we did get a letter this week from Amory Engineering and there were just a few small items that are being taken care of.

P. Herr asked if Lee spoke to B. Maschi with regards to the issue of Don DiMartino?

B. Maschi says no, he did not. As far as the capacity of sewer, we have a letter from the DPW and it shows the chart of all different allocations for capacity. Fafard is also involved in another project in town and they had capacity for 50 units. I spoke to Lee and it would be possible to give up the permits there. He is first in line for Maplebrook to receive capacity and he could get those 50 units that he would give up from the other project (Shores at Silver Lake).

RD says that in the Special Permit dated December 14, 1989. There are words in there stating that "the proposed Site Plan entitled Maplebrook Condominiums site plan...." and then later on in that Special Permit dated 9/13/84 "as revised and referred to in the Special Permit (preliminary Plan)". Would there be any verbiage or drawings on the plans showing sewer going to the units?

P. Herr says that it might show on the plans.

RD says that he can't find any words like that in any of the Special Permits. It must be on the plans.

B. Maschi says that with his conversation with Lee, I explained to him what had been offered by my clients. It was stated that the mains and sewer manholes would be brought throughout the property in front of the buildings, so that the buildings could be tied in to the main.

VD says that we always had the understanding that it would be sewer.

SC questioned the parking spaces and the dimensions.

P. Herr says that the Board has adopted a standard that he carries around and hopes the all the Board members do so as well.

VD says that the Board was looking for it and they couldn't find it.

JK made copies for all the board members.

RD asked if there were questions that any Board members had for Mr. Maschi so that he can have them addressed for the next time he comes before us?

SC mentioned the radius in the roads and the parking and turn arounds.

P. Herr says that for the most part those have been taken care of. There is still the question about capacity of sewer.

B. Maschi says that Fafard has capacity for 50 units at another project in town that he is going to give to Maplebrook. We already have capacity for 20 units and that 50 would make 70. We are going to run sewer mains down all the roads and driveways to be able to service all existing buildings. We are not going to tie the service to the building.

P. Herr says that we should check with Mr. DiMartino with regards to the sewer capacity.

AM motions to continue the public hearing for the Special Permit & Development Plan Review for Maplebrook Commons to August 26, 1999 @ 7:10 pm. PC seconds. Unanimous vote of 4 (RD, PC, AM and WW). VD abstained.

AM motions to grant the extension for action on Maplebrook Commons Special Permit & Development Plan Review to September 10, 1999. PC seconds. Unanimous vote of 4 (RD, PC, AM and WW). VD abstained.

HARTFORD VILLAGE – SPECIAL PERMIT – Public Hearing Continued

Joe Antonellis, Attorney representing Brad Wright, Country Home Builders and owner of the property proposed for Hartford Village. Mark Anderson, Engineer from Andrews Survey and Brian Maine and Brian Judge the Architects for the Buildings. We are submitting tonight some new plans conceptionally nothing has changed relative to the number of units or intended purpose. There has been some revisions and modifications relative to where buildings are going to be, style of buildings and size of the septic system (leaching field area).

VD says that even though the project is restricted to 55 and older. Can they still have their grandchildren living there?

J. Antonellis, says you can't have anyone living there that is not 55 or older. One of the things that the Board and residence were concerned about on the plans was the very large leaching field area and that has been reduced significantly. The buildings have been redesigned and repositioned along the perimeter. Documents that you see tonight have not gone to the Planning Board's consultant and we apologize for that. We did make serious renovations and we know that we can't go to far without him reviewing the plans.

Brian Judge who is the architect for the project explains the designs of the buildings. We have come back with a modified cape and a colonial style unit. The cape is 1,100 square feet and both types of units have two bedrooms. The difference is that the cape has a bedroom on the first floor and one upstairs and the colonial has two bedrooms upstairs. We have grouped them on the site so we have a mix of buildings. We have created a garage for each unit, so the parking is one car in the garage and one car in the driveway and we have designated spots in between the units. We have grouped the units to make it look like a village.

VD asked about the mound for the leach pit and how much that has been reduced and also asked about the detention pond in the front and if it is going to have a fence around it?

M. Anderson says that our plans for the detention pond is just landscaping around it. We didn't plan on putting a fence.

VD asked if the applicant decided to sell these condominiums would it still be restricted to 55 and older?

J. Antonellis says yes, it will be part of the condominium documents.

SC asked about the guest parking and the size of the spaces.

B. Judge says that the guest spaces are 12' wide and the streets are 24' wide.

SC asked about handicapped units.

B. Judge says that a number of the units will be handicapped.

M. Anderson briefly explains the reduction of the leaching field. What we have done since the last meeting is that we partitioned DEP for a ruling, now that we have committed to a 55 year and older project, typically under Title 5 it is 110 gallons used per day per bedroom, 220 gallons per day per unit which totaled about 9,000 gallons a day. DEP has a provision in the new Title 5 that does allow us to go to a 150 gallons per day per unit due to the fact that it is 55 and older and there are no children, obviously less water. It entitled us to reduce this system from 9,600 gallons a day to 7,200 gallons a day, taking about 1,000 square feet of the overall size of the system, which slid it back, we were able to twist it and gave us more landscaping area towards the street. Elevation it will probably drop about 2 feet to what it was.

Chip Lease (abutter on Hixon Street) asked approximately how far off the street did it get pushed back?

M. Anderson said that the top corner of the slope is, from the pavement, approximately 100 feet. The actual height of the slope has not been determined yet, because we have to do additional testing with the Board of Health.

Donna Moran (abutter on Hixon Street) was wondering the location of the emergency access road with this new design? It looks like it has changed position a little. The homes also look like they have been all moved and shifted down towards Hartford Ave.

B. Judge says that the emergency driveway is approximately where the other one was. We redesigned the whole development and put them into groups of three.

M. Anderson says that the emergency access driveway has shifted about 50 feet down from what was originally there. As far as the houses, from the pavement, the corners of the buildings are about 53 feet in from the pavement.

WW questioned the elevation going from Hartford Ave. to the first row of homes into the site? What happens to the elevation?

M. Anderson says that the grading there is not changing very much from what is there now. It is being sloped out and landscaped, but the grading is pretty much staying the same. There might be a change of about 1 ½ ' higher. It is making it a continuous slope, and we are just cleaning it up.

WW mentioned the corner of Hartford Ave. and Hixon Street seems really bad and I think it would help if you could clean that up.

M. Anderson says that they will take a look at doing some fine grading in there. Limiting the landscaping and making sure that there are only crawling type of growth.

RD asked about the irrigation and tree cover. I believe that if the Town decides to widen that road and has to remove any trees. They have to put the same amount of trees back.

D. Moran asked the height of the roofs on the buildings?

B. Judge says that the high point on the Colonial would be 24' high and the Capes are 22' high and that is right to the pitch.

Peter Morelli asked about the site lighting.

M. Anderson says that hasn't been determined yet, but it was going to be some sort of shoebox lighting or a low lighting as you are used to seeing in a parking lot. Minimal lighting and just enough for security, travel and walking within the village itself.

WW asked about the fact that 55 and older will be occupying these units, what if they have grandchildren and they would like to spend the night. How many nights are they allowed to say.

P. Herr says that will all be spelt out in the Condominiums Documents that will also be referenced in the Special Permit Decision.

D. Moran (abutter) asked if there were any other developments like this in the area that they could go and take a look at.

J. Antonellis says that there is one on Rte. 20 in Marlboro that is in the process of being finished.

D. Moran asked about the drainage. When it rains really hard the water runs down Hixon Street and into her yard and was wondering if this would effect that at all?

M. Anderson says that we are grading the entire site so that we bring it into our storm water collection system. Driveways are being pitched into the roadway.

VD asked about the Safety Officer and if he had any comments.

JK says that he has the plans and she had asked him for comments. She is expecting comments from him.

VD mentions that she has a concern with regards to development the back parcel. If you develop that back parcel, are the driveways and roads going to be adequate to handle additional traffic? If it was developed in the back, you may need the second egress.

M. Anderson says that the main road into the development is a standard subdivision road at 24' wide of pavement. If there was a development in the back, we would have to enhance the road exiting onto Hixon Street, we have the land to do so.

P. Herr asked about the guest parking shown on the site and wondered if they all need to be there. Was also wondering about sidewalks and there are none shown on these drawings.

J. Antonellis says that he is in agreement that sidewalks and walking areas are better than walking on the street. I can envision a walking path around the entire perimeter of the building. Take the middle square and put a walking path around so there was a place to walk and without effecting any of the buildings.

P. Herr asked what the distance between driveways were?

B. Judge says it is about 18'.

VD asked if you take the visitor parking away and make the street wider, then where do the visitors park?

P. Herr there is enough width for the visitors to park on the street but with driveways that are separated by 18' on center, then the answer is no. Mentioned also about recreational vehicles, boats, etc.

J. Antonellis mentions that the City of Marlboro, in their decision, specifically prohibited the parking of Boats, Trailers, etc. on the premises.

VD says that she feels there needs to be visitor parking.

WW motions to continue the Special Permit for Hartford Village to August 26, 1999 at 9:00 pm. VD seconds. Unanimous vote of 5 (RD, PC, VD, AM and WW).

BUNGAY BROOK GOLF CLUB - SPECIAL PERMIT & DEVELOPMENT PLAN REVIEW - Continued

P. Herr slightly changed the wording as discussed earlier in the meeting and discussed with the applicant Phil Gareau of TRG Family Limited Partnership and Joe Antonellis, his attorney. Everyone was in agreement. The language with regard to the nitrogen would say "if sampling at any time reveals total nitrogen concentration exceeding 10 parts per minute or if sampling reveals total nitrogen concentration exceeding 5 parts per minutes for the third consecutive year, the applicant shall forthwith cease all fertilizer applications until the Planning Board fall under a new meeting for which notice of review and development plan approval has approved a plan for

nitrogen reduction which would modify the application rates..... They can play golf, we are just stopping the use of fertilizer.

WW motions to sign the Special Permit Decision for Bungay Brook Golf Club. PC seconds. Unanimous vote of 5 (RD, PC, VD, AM and WW).

WW motions to sign the Development Plan Approval Decision for Bungay Brook Golf Club. VD seconds. Unanimous vote of 5 (RD, PC, VD, AM and WW).

AM leaves the meeting due to sickness.

DEPOT INDUSTRIAL PARK – DEFINITIVE SUBDIVISION – Decision Endorsement

JK asked Phil to explain Lee's comments with regards to the Decision for Depot Industrial Park Definitive Subdivision.

P. Herr says that he spoke to Lee and expressed concern about potential extension for the expiration date for Depot Industrial Park. He wrote a letter saying that he wanted the Planning Board to somehow record saying that they will not grant any such extensions. He said it wasn't a condition, but something he wanted documented. We spoke and we agreed on some language with regards to the extension and has been put into the decision.

WW motions to sign the Decision for the Depot Industrial Park Definitive Subdivision. PC seconds. Unanimous vote of 3 (RD, PC and WW). VD abstains.

GENERAL DISCUSSION

VD brought up Hixon Street and the industrial land that abuts it. Is there access onto Hixon Street?

P. Herr says yes, but it is complicated.

PC says that he didn't think you could access industrial land through residential.

P. Herr says a street is a street. A driveway serving industrial land cannot go through a residential district. But a street is a street.

VD says that is the peoples concern that live on Hixon Street. They feel if the street is left the way it is at 16' or 13' then it is not adequate access in their opinion for industrial development.

RD where it was a cluster, the land that was deeded to the town was actually behind there and the only opening was access to that land.

WW says that the land that was deeded was on the lake side.

VD says that she would like to know where on Hixon Street that that industrial land stub is.

P. Herr says it is part of Hixon Farms.

PC says that access to the industrial land is in the cul-de-sac.

VD says that they had mentioned that they would like the Planning Board to consider putting in a by-law amendment to require that roads be completed prior to the house being conveyed. I argued with that and asked about all the heavy trucks and the damage that will cause? They don't care, and they said that other communities do it.

P. Herr said that other communities don't do it.

VD they also talked about posting this very large sign on unaccepted streets that will say "this street is not a town way, the Town of Bellingham will not maintain this way, emergency access for properties on this way will be the responsibility of the party that owns the roadway." Then they went on to say, that if there was an emergency, they would send a plow down there.

RD asked Jill to pull Hixon Farm Estates folder.

PC moves to adjourn at 11:45 pm. VD seconds. Unanimous vote of 4 (RD, PC, VD, and WW).



Richard V. Dill, Chairman

Paul Chupa

Valerie DeAngelis

Anne M. Morse

William M. Wozniak