

BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

RICHARD V. DILL, CHAIRMAN

PAUL CHUPA

VALERIE J. DeANGELIS

ANNE M. MORSE

WILLIAM M. WOZNIAK

STEVEN CHOINIÈRE (Alt.)

MINUTES OF REGULAR MEETING

December 16, 1999

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

GENERAL BUSINESS

JK presents to the Board Phil Herr's contract for services. PC motions to sign the service agreement for Phil Herr. VD seconds. Vote of 3 (RD, PC and VD). AM and WW absent.

RD signs Phil Herr's contract.

The Board signs payroll for coordinator and miscellaneous invoices.

RD signs inventory letter for 1999.

JK asked the Board if they would consider Tri-party agreements? Phil Macchi, attorney for Maples Sands was asking.

The Board said that we don't use tri-party agreements and we only acknowledge cash bonds set up with the Town Collector.

JK let the Board know that Don DiMartino is going to notify all the abutters on Brookside Estates for our 1st meeting in January to revise the subdivision drawings as far as the work that is going to be done and the work that is not going to be done due to the money that we have.

MINUTES ACCEPTED

VD motions to approve the minutes of 10/28/99 meeting with the following changes. Page 2 fourth paragraph down, third line it reads "and it needed to be turned up immediately." Change up to off. Page 10 on both votes of Maplebrook it needs to say VD abstains and put SC in the vote. PC seconds. Vote of 3 (RD, PC and VD). AM and WW absent.

COUNTRY CLUB ESTATES II – Bond Posting and Lot Release

Roger Gagnon is in front of the Board to post the bond and release the lots on Walnut Street and Acorn Street of Country Club Estates II Definitive Subdivision.

VD motions to approve the bond amount of \$58,500.00 for Country Club Estates II as recommended by the Don DiMartino, Director of Department of Public Works. PC seconds. Vote of 3 (RD, PC and VD). AM and WW absent.

JK informs the Board that the bond has already been set up with Grace Devitt and is in Account #02791619 at the Benjamin Franklin Savings Bank for the amount of \$58,500.00.

VD motions to release lots 1A, 2A, 12, 11A and 10A on Acorn Street and Lots 3A, 8A and 9A on Walnut Street of Country Club Estates II. PC seconds. Vote of 3 (RD, PC and VD). AM and WW absent.

HERITAGE PINES – Bond Reduction

Roger Gagnon is in front of the Board to request a bond reduction on Heritage Pines Definitive Subdivision.

VD questioned the items that were addressed by Conservation and asked Ted Bailey if they are all Conservation items.

Ted Bailey says yes, they are all Conservation items.

VD asked about the erosion that has occurred around the detention pond?

Ted Bailey says that Conservation Commission has infiltrators around every house but one. That one house needs to be piped so that it is released further off of the property. The last house didn't specify infiltrators on the plans, so the downspouts are causing the erosion. It shows on the plans that the last houses down spouts need to be piped into the ground out towards the detention pond.

R. Gagnon says that they are going to do that with the downspouts of the last house.

RD asked if that is going to take care of the erosion and who is going to take care of the erosion?

R. Gagnon says that they will take care of the erosion.

VD says that she feels that the detention area comes under Planning.

T. Bailey says that the bond that the Conservation Commission is holding is not only enough money to build another detention pond but it is also enough to do the entire sewer easement for the project.

RD says that he doesn't like the idea of having an item on our Form J and pull it out of Conservation's bond money. It should be under our bond and held under our bond until is done and complete.

T. Bailey feels that the work that needs to be complete for the detention pond has a cost of \$500.00.

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bond. 1. Fill our property on the side of the road to the proper grade, 1-3 slope. 2. Install 6" of topsoil or loam. 3. Re-seed grass or re-sod. 4. Replace our wetland fence to the road. This was partially removed when the bridge was constructed. 5. Remove logs and trees left in the wetland when clearing for the bridge. 6. Install a curb from the bridge to Pine Street to prevent run off and drainage into and across our yard. 7. Install 4' fence or 4' bushes from bridge to Pine Street. In Closing, we would like to thank you for hearing our concerns and look forward to hearing from you.

E. Gately informs the Board the he brother-in-law wrote the letter. I just saw the letter for the first time. I was unaware of the letter up until now. There are no conditions in any easement about putting up fences or to that effect. We did slope the road off and we wood chipped in for him and it was acceptable.

RD asked if these items were in our decision for Bainbridge Woods?

E. Gately said no. Now that there is a house across from my brother-in-law that they do not appreciate the view of the house and they want these items done. We took one pole down on the fence when we erected the wall and our intentions are to put that back.

VD asked if E. Gately had intentions of doing anything on this letter?

E. Gately says yes. He plans on putting the fence back up, and I will slope it off. We did wood chip it and it took about 20 yards. They were happy with that. The curb is part of the road plan, so that will be done.

VD asked how many of the items Mr. Gately will do?

E. Gately says that they will do #1, 2, 3 and 4. Item #4 - We will install approximately 4" of topsoil or loam not 6". #6 is part of the subdivision plan so that will be done. Item #7 is out of the question. We can't touch the wetland area. So, item #5 is out of the question and prohibited by Conservation Commission.

VD mentions that on Page 3 of the Decision it says within 6 months following plan endorsement, the applicant will provide the Board with two prints of the plans and a copy of the final covenant. Did we ever get that?

JK said no. I have a signed and notarized copy but not recorded.

E. Gately says that he will get that for the Board.

T. Bailey says that the only concern I have about this roadway is. All the casting have been raised, ready for paving. If they don't pave and it gets too cold and snows. I have been guaranteed by E. Gately's contractor that they will plow that street. Don DiMartino said that he will not plow that street with the castings raised.

VD asked if a sign will be placed at the entrance to that road saying that the Town will not plow?

T. Bailey said he would look into the sign.

VD asked what the \$3,000.00 covers?

T. Bailey says the \$3,000.00 is for the punchlist. It seems like a lot of money for what is left to be done.

VD asked about the guardrail and why Don has \$5,000.00 and Ted has that it is not applicable? I did read about it not being included.

E. Gately says that the guardrail was a verbal agreement with the Planning Board. There was nothing specified or written down.

VD asked if the minutes were reviewed?

JK says no.

E. Gately says that they are putting a guardrail.

VD says that the guardrail should be investigated.

RD says that is what he is saying. Take off the \$3,000.00 and put \$5,000.00 in. \$5,000.00 is for the guardrail.

P. Herr asked where the guardrail is going to be?

T. Bailey says that it is going to be bolted to the side of the retaining wall. Just the length of the wall?

E. Gately says that the guardrail is a flush mount and goes on with an L bracket. It sits inside the berm. \$5,000.00 is way over the amount it is going to cost for the guardrail. It isn't specified anywhere on what the guardrail is to be. I could put 2x4 timbers up for a guardrail costing \$500.00, but I am choosing to install a metal guardrail that will probably cost around \$2,500.00.

VD says that she feels we should hold \$5,000.00 and investigate the minutes regarding the guardrail.

VD motions to reduce the bond for Bainbridge Woods down to \$48,900.00 as recommended by Don DiMartino, Director of the DPW. PC seconds. Vote of 3 (RD, VD and PC). AM and WW is absent.

VD asks JK to look in the minutes and find out if a guardrail is mentioned. Also, suggests sending a letter to Mr. & Mrs. Woodward outlining the items and that the only item that comes under the Board's jurisdiction is #6. #5 cannot be completed per of Conservation Commission.

81-P SUBMISSION – FARM STREET

Bill Halsing of Land Planning is before the Board to get an 81-P signed for Ana Keane on Farm Street and paid the fee of \$20.00.

The Board asked Phil if he had any comments and he said none.

PC motions to sign the 81-P for Ana Keane on Farm Street. VD seconds. Vote of 3 (RD, VD and PC). AM and WW is absent.

Bill Halsing of Land Planning is before the Board to get an 81-P signed for Raymond, Richard, and Roland Beachemin on Praire Street and paid the fee of \$20.00.

The Board asked Phil if he had any comments and he said none.

VD motions to sign the 81-P for Raymond, Richard and Roland Beachemin on Praire Street. PC seconds. Vote of 3 (RD, VD and PC). AM and WW is absent.

GENERAL DISCUSSION

Jim Gaudet is in front of the Board asking about the 81-P plan that he is looking for the Board to sign on his property located at the end of Essex Street and some of it is in Blackstone.

P. Herr says that his office has been working on this and had he known that Mr. Gaudet was going to be here tonight he would have brought his folder.

JK says that she didn't know he was coming tonight or she would have put it on the agenda.

J. Gaudet says that he has been calling Mr. Herr's office and haven't heard anything back so he decided to just show up and maybe get some answers.

SC says that he is concerned that he has two under-sized lots side by side. They are in the same ownership which automatically becomes one lot, combined.

J. Gaudet explains that he has one lot in Bellingham and one lot in Blackstone.

P. Herr agrees. He says that he will go back to his office and get in contact with Mr. Gaudet and let him know what we had found with the Town of Bellingham and Town of Blackstone. Mr. Gaudet needs to show where he has frontage and what streets he has frontage on in order to move forward with this.

P. Herr mentioned the submittal from Mr. Martinelli and Beechwood Estates. He asked what the legal status of the project is?

JK explains that she checked with Grace Devitt and there is no money left in the bond for that project.

PC says that the Town took what money was left in the bond and finished what part of the road had a base coat of asphalt on it.

VD asked if the entire subdivision was complete? Are all the lots used up?

JK says no.

VD asked if that subdivision was similar to Denault Drive where every time somebody bought a lot and wanted to build on it they had to put \$7,000.00 up before they got a lot release?

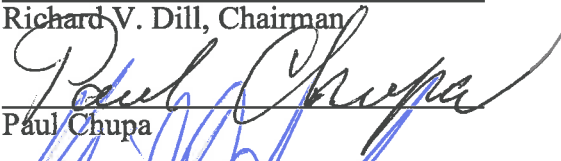
P. Herr asked if there was a covenant on this land?

JK says that she will check to see if there was a covenant.

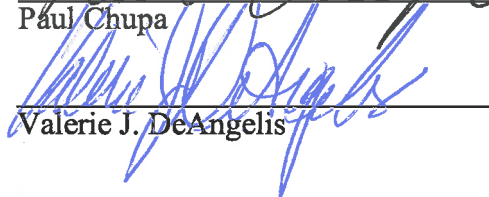
PC moves to adjourn at 9:25 pm. VD seconds. Vote of 3 (RD, PC, and VD). AM and WW absent.



Richard V. Dill, Chairman



Paul Chupa



Valerie J. DeAngelis

Anne M. Morse

William M. Wozniak