



BELLINGHAM PLANNING BOARD

6 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 966-0991 FAX (508) 966-5844

Meeting Minutes for March 22, 2001

Present at the meeting:

Richard Dill (RD)
Valerie DeAngelis (VD),
Steve Choiniere (SC),
William Wozniak (WW),
Edward Guzowski (EG),
Glenn Wocjik (GW).

Other officials:

Philip Herr (PH), Planning Consultant
Thomas Guerin (TG), Fire Safety Officer

RD Opened meeting at 7:05

WW: Motion to endorse the memo between the Town of Bellingham and the Town of Planner Paige Duncan.

VD: Second, vote of 5, approved.

- Gagnon Homes: 15 Mann Street, 20 Day Appeal Period

WW: Motion to sign plans for special permit back-lot subdivision for Gagnon Homes. Are we supposed to sign plans if the owner's name isn't on the application? Kathleen Harvey put the address of the job on the 20 day appeal, not the address of the property.

VD: Second, vote of 5, approved.

- 7:15 J & P Auto, 311 Farm Street, Development Plan, Jerry Moody

WW: For the record I'm abstaining on the vote because I wasn't present at original presentation.

Mr. Moody: The storm water will be improved by the project

PH: The storm water management issues have been resolved; there is agreement between the two engineers. The question is how strongly do you feel about raising issues about what happened years ago?

WW: When is the work to be started?

G. Moody: Going before the Board of Selectman for the license, then the work can be done. The applicant is seeking license for a restricted 40 cars, 25 for sale, 15 for repair, a total of 40.

SC: Motion to approve the development plan review for J & P Auto sending letter to selectman not to issue license until all work has been performed letter of approval to building inspector.

VD: 2nd, vote: 3, approved. WW: abstain, EG: ney. Motion passes.

- Pierce Estates, Definitive Subdivision, off South Main St.:

Requesting to withdraw the Special Permit, continue preliminary subdivision.

PH: There's no public hearing on a preliminary plan.

WW: How could a new board vote on it if they haven't heard it?

RD: It would be so much cleaner if they completely withdrew and re-submitted before the new board.

WW: Motion to accept the request for withdrawal of the special permit for a cluster development of Pierce Estates.

WW: Motion to accept expect extension of preliminary subdivision

VD: Second. Vote: 4-0, passes. EWG: Abstains.

VD: Motion to continue preliminary subdivision to May 10th.

WW: Second. Vote: 4-0, passes. EWG: Abstains, because he wasn't in on the original presentation and he is also in question of whether or not he is an abutter.

- IDC, Development Plan Review, Depot St., public hearing continued

Joseph Antonellis, the applicant's attorney, gave an update between the exchange of info. between engineers and their

consultant engineers Hoarsely and Whitney.

Ron Cook met with Tom Sexton to resolve issues of the letter, 30 item checklist on original letter. As early as Wednesday, there will be new and revised plans coming to agreements and modifications.

Theo Kinderman, Geller Associates, Landscape Architect, introducing formal plantings, as you enter, more heavily plantings, split rail fence, small sign, flowering trees, white pines, evergreens, ash, Colorado blue spruce, crab apples,

WW: Originally the road approved was a cul-de-sac, this is not what the Board approved.

PH: We discuss this a long time ago, a) either make the proposal consistent with what was approved; b) or come before the board with an amendment

Mr. Antonellis: Apologize, will bring the plantings in consistent with the drawings which would be consistent with the subdivision planting.

Dick Skinner: Neighbor in Mendon, would like to point out that white pines make a nice tall buffer, but the 1st hurricane will damage those.

VD: Does the applicant intend to replace any damaged trees?

Mr. Antonellis: Yes, we want the property to look nice; anything that is damaged will be replaced. In reference to the drainage ponds, the original submittal had 2 drainage ponds; we added one to form the road, realizing it wasn't part of the original subdivision.

David Keast, Noise Consultant, attachment D, p. 40, summarizes anticipated noise, 38 dba, to best of my knowledge this is the quietest plant that will be proposed in the commonwealth. Estimates of noise level relative to the limits maximum noise level 42, noise limit is 45.

RD: Why is it they don't have to comply to the town's new laws?

PH: It is frozen 8 ears because the preliminary subdivision was heard before the new law came about.

EG: What about noise levels for hours of construction?

JA: We'll be following the exhibit a, 7am – 5:30pm, There are several phases to the construction.

EG: The gas line was put in last year on Hartford Ave, they got around the board of Selectman,

JA: As this project continues, someone will be designated to work out complaints.

Brian Sutherland: Did the plans reflect the 10' walls required by the zoning of the ZBA?

Several other questions were raised regarding the noise levels reflecting the additional 10' walls on previous drawings trying to keep 80' transformer and whether or not the modified design needed to go back to ZBA?

Steve Pritchard said it was consistent with the drawings. Bushings will be mounted on the 10' walls, with bus bar and flying taps will come up, it's the only way we can meet the requirement.

RD: What is the total height of the transformer walls?

Steve Pritchard: 35' subject to check.

It's the transformer key that generates noise.

VD: I understand you're going to change the plans to reflect the decision of the ZBA and you're going before the Sighting Board for appeal.

JA: Then we'll be back, regardless of what happens, we're looking at plans that may be changed, we can come back for a revision.

PH: Can get a specification, it is unsettling to know that a change may take place.

Steve Pritchard: The intent is to keep it as close to the plans as possible.

RD: Who can residents go to if the noise levels aren't accurate.

Carol Duhaime: Every night all you can hear is a loud hum. And occasionally you hear this huge loud explosion boom, waking up everyone for miles.

Mr. Sutherland: There is much disagreement about the noise problem. Our concern is that the same type of thing could happen again. Getting something done takes years. The ZBA said the noise mitigation takes place only once in the beginning.

RD: Do you review the noise?

Mr. Sutherland: There are 2 reports of noise.

PH: The second part is the inability of the town to enforce the new law.

Mr. Keast: Although not applicable, the applicant will follow the last town law.

Laurie Spencer of Hartford Avenue: It would be very difficult to enforce the by-laws.

S. Pritchard: In terms of the steam venting, we have installed silencers to vent them, we don't foresee that problem happening in this plant.

RD: How do you know you can comply with these levels.

Mr. Sutherland: The applicant has made it clear they weren't going to comply with the new noise by-law.

S. Pritchard: As part of getting a permit from the DEP we will have to comply and test to monitor the noise levels for the entire process.

Mr. Sutherland: For the entire process, the applicant has made it clear they weren't going to comply with the new noise by-law.

WW: When it comes to enforcement, the Building Inspector. It hits the wall when you have the authority to close the plant, it should be in writing. I find it hard to believe that what will be built is going to be what is shown on the plans. There's so much discussion; why don't we have the final plans?

PH: Let me ask: is there a maximum 5' depth of retention pond? If they don't meet your regulations, then you have the authority to deny the proposal.

J. Antonellis: Between now and 4/12, we would like 10 minutes before the Board.

PH: The issue of a 20' deep basin has a ripple effect. I just don't see the necessity of it.

There is discussion among the Board and the applicant regarding completing the plans and submitting a complete set of plans to the Board. With the new election coming in May, it is apparent to the Board that the applicant won't have their complete set of plans, therefore a complete submittal before the Board, in time for them to review it and vote on it allowing the 20 day appeal period to close. The applicant requested a special meeting to hear their proposal. The Board's position was that the applicant would still not be ready in time for a vote before the current Board and requested the applicant to withdraw without prejudice and re-submit to the new Board in May.

WW: Motion to withdraw without prejudice, the Development Plan for LLC d/b/a IDC Power Plant.

VD: Second. Vote: 5-0, passes.

- Letter to Town Clerk.

- Drake Subdivision, off Blackstone Street, 2 lots

WW: Motion to waive reading of article.

VD: Second. Vote: 5-0, passes.

PH: Having got the variance for frontage, is their appropriate access for any remaining parcels? It would have been better had they come in as a back-lot subdivision instead of having to go before 2 boards.

WW: It's almost like an 81-P, except for the frontage.

WW: Motion to close public hearing for the definitive subdivision for Nancy Drake.

SC: Second. Vote: 5-0, passes.

WW: Motion to approve subdivision of land for lot A and remaining 24 acres.

VD: Second. Vote: 5-0, passes.

RD: Phil will draft the decision, and will have that ready shortly, you can wait for it, so it can be logged in with the Town Clerk tomorrow and begin the 20 day appeal period so it can be signed at the last meeting of the Board before the election.

- Form Centerless Grinding, Development Plan, Maple St.:

Don Nielson, Guerriere & Halnon: The applicant was proposing a 40,000 square foot building for manufacturing use and some office space. Restrictions have been placed on the current project by the Conservation Commission, and the applicant no longer wants to continue with the proposal. We have a new applicant coming in with a new proposal and would like to request to withdraw without prejudice the Form Centerless Grinding proposal for Development Plan. And we'll see you back here in a few weeks.

RVD: Change of use, retail to manufacturing, not manufacturing to manufacturing.

VD: So, you're eliminating the possibility of expansion?

D. Nielson: Yes, nothing will change.

VD: Motion to approve Mr. Nielson's request to withdraw Form Centerless Grinding without prejudice.

SC: Second. Vote: 5-0, passes.

- 81-P Tim Jones, Gracewood Development Corporation, Mechanic St.

2 81-P's for financing purposes only. Lot 1A and Lot 2A have all the frontage needed.

VD: Motion to approve 81-P for lots 1A and lot 2A on Mechanic Street for Gracewood Development Corp.

WW: Second. Vote: 5-0, passes.

VD: Motion to approve signing the form D-1 for Drake Cameron Property Subdivision.

SC: Second. Vote: 5-0, passes.

RD: Can the applicants bring in plans when they aren't the owner?

PH: The Board should ask Lee, if when a plan comes in for an 81-P, can we endorse it if the owner is not the applicant.

T. Jones: I can get a copy for the Planning Board.

PH: At the last meeting, I was asked to draft an approval decision for EMC. In regards to mitigation, monetary compensation is up in the air; it's not clear what Don DiMartino is asking for. In reference to the parking issue, 1000 are beyond the 300', 35% are beyond 300'. It's regrettable; they're avoiding getting within any wetland buffer zone. The 300' was initiated to benefit the retail community and wasn't necessarily intended for office use. What do you do when they aren't complying? The relevance of 300' with retail vs. office. The Board should make a decision on that.

There is discussion regarding the traffic study review from Bruce Campbell, conflicts over sewer, mitigation being calculated on a per vehicle trip generated basis, Phil Herr requested everyone look over the decision and get back to him with any changes.

VD: Motion to adjourn.

WW: Second. Vote: 5-0, passes.

Minutes Accepted on: _____
(date)

Richard Dill _____

Edward Guzowski _____

- Steven Choiniere
- William Wozniak
- Valerie DeAngelis