



BELLINGHAM PLANNING BOARD

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April 26th, 2001 Meeting Minutes

- **Present at the meeting:**

Richard Dill, Chairman (RD)
Valerie DeAngelis, Vice Chairman
Steven Choiniere, Sr. (SC)
Edward Guzowski, Secretary (EG)
William Wozniak
Glen Wocjik, alternate member (GW)

Also present:

Paige Duncan, Planner (PD)
Tom Guerin, Fire Safety Officer (TG)
Phil Herr

RL: Opened meeting at 6:30p.m.

- **Old business:**

- **Drake Subdivision:**

SC: Motion to sign Drake subdivision. VD: Second. Vote: 5, approved.

- **Mr. Endre Hollosi, 81-P for Maplebrook Condominiums:**

SC: Motion to sign 81-P Maplebrook Condos, to add that it doesn't conform with zoning. VD: 2nd.. Vote: 5, approved.

Mr. Hollosi: Why put that, it's not necessary.

RD: Why even put that? It's understood that it may not conform to Zoning. There are so many complications and confusion around this property. Signing this doesn't mean it's a clean, clear-cut deal.

WW: Are we putting a non-conformance with zoning on here?

VD: Just put, "This doesn't conform with zoning."

PH: "Compliance with zoning not determined," is the correct way to put it.

- **81-P, Weston Estates:**

VD: :Motion to sign 81-P for Weston Estates on lots 12A and 13A.

SC: Second. Vote: 5, approved.

Burr Signing:

VD: Motion to Sign Definitive subdivision for Burr Backlot Special Permit.

SC: Second. Vote: 4, approved. WW: abstained, wasn't here on the original vote.

- **Home Depot Garden Center Discussion:**

It was brought to the Board's attention by Steve Choiniere, that Home Depot's outdoor garden center was beyond what was originally indicated and creating an unsafe traffic issues.

VD: Ask if Paige can go and see if it's an unsafe situation.

SC: I was in there and the parking is a mess. You couldn't get a fire truck in there. I know it's unsafe.

RD: We don't have anything in our by-laws that state regs. for outdoor gardens.

WW: It started because they were taking up parking spaces.

VD: Last year we sent a letter, very descriptive, saying what they should do.

WW: The original pathways, the sidewalks, are not supposed to be blocked and they are.

VD: You should touch base with the Building Inspector, discuss then if it should come before the Planning Board.

PH: You have a provision in your by-laws that says they need a separate permit.

- **Maple Tree Properties, Maple Street, Development Plan:**

Mike Simmons of Guerriere and Halnon: We first presented the project as Form Centerless Grinding. We've made a couple of changes. We had a \$40,000 sq.ft. blue print of a building, 90 parking spaces with 2 accesses.

M. Simmons: The Plan we're presenting tonight is 30,000 sq. ft., with parking for 76 cars, eliminating the northerly access for the site, grading generally the same. We've

got approval with an order of conditions from Con. Comm. The drainage retention is the same; BDO has no outstanding issues. We're asking for a waiver for grading on the back side of the detention basin.

Tim Jones met with the safety officer; we have a clear site distance. It doesn't require any tree removal.

SDC asked if the applicant was willing to do anything with traffic mitigation.

P. Herr stated that the Planning Board has a requirement for mitigation only in a major business complex and that this would not fall under that.

Don Nielson stated that the building was split in half for offices and manufacturing. He also stated that there were bed elevations, no tree removal was required and there was already a curb cut.

VD: Have the issues of the April 23rd letter been resolved?

M. Simmons answered that the detention basin was sloped 4 to 1 on the plans, that the applicant is asking for a waiver to have it at 3 to 1.

P. Herr commented that there was no information about signage.

T. Jones stated that they hadn't gotten that far yet, that if the Board wanted them to come back in for signage that would be fine.

There was discussion regarding landscaping. Phil Herr said the landscaping complies with the spirit of the by-laws. The plan of the buildings and the plan of the landscaping were designed by two different people. Phil Herr stated the board should insist on the plans showing what is intended.

WW stated if it became retail after it was sold instead of light manufacturing, they would need to come back for usage change. Phil Herr said if they satisfy the parking, then they're all set.

VD: Motion to approve Maple Tree Properties on Maple Street with no restaurant, retail sales or services, with the 3-1 slope on detention pond, approving the Town's inspecting engineer to inspect during driveway construction.

EWG: Second. Vote: 4-1, SDC, nay.

- **Crystal Falls Commons: Definitive Subdivision, Mechanic Street:**

Craig Czechinowski: The last time we met, two issues were left on the table, the easement encroaching on the detention area and traffic mitigation. We feel the

approach effectively deals with the zones instead of trying to grab some control of the property.

P. Herr: We're talking about the road and equity. The first guys are okay; the last ones would put it over the limit.

They've represented to you that they intend manufacturing. I have some concern over the theory. We requested a traffic study and never got it; if we got a retail use, then you'd really be in trouble. This is more complicated because it involves covenants.

Don DiMartino stated there are many concerns about the egress.

PH: Lot lines are the most transient part of the plan. You could put a limit on usage.

VD: One of the things we talked about was the square footage. Does what we've drafted reflect that? Cumulatively, what could be the entire square foot of this parcel?

SC: The front two could be total retail, 40,000 on the rest.

PH: Williams Way was the same way.

WW: It's much different. They didn't do it this way from the start. They could come back 5 years down the road and merge 2 lots and a lot more traffic could be a problem in that area.

PH: I want to make sure the road works, not as necessarily concerned with mitigation fees.

EWG: We could require a traffic survey. How much does that cost, Don?

D. DiMartino: Up to \$20,000.

VD: I think a traffic study would be difficult to do.

PH: Well, no, not necessarily. It isn't total guesswork.

VD: If the applicant decided to put one business in, would it require the applicant to come in before us again? Where is the land you donated and to whom?

C. Czechinowski: It was donated to Mass. Highway

PH: So, it wouldn't apply. 10% would apply only to retail and restaurant, except for land within 150' of Mechanic Street.

VD: Is the road going to remain private or become public?

C. Czechinowski: It depends.

PH: You can't deny this subdivision on the basis that it contributes to traffic. You can direct the egress and the road to be sure that it's safe.

WW: What would happen if it were postponed to the next board?

PH: If you disapprove the plan, you understand the applicant may remedy the grounds in which you disapprove, then your stand is weak.

VD: Motion to approve form D-1, Definitive Subdivision approval with general conditions listed, \$10,000 study fee, 150' from Mechanic Street. They should confer with Paige.

EWG: Second. Vote: 4-1, WW: nay.

• **EMC, Development Plan, Maple Street**

There is discussion on the matter of a continuance for EMC due to ZBA issues.

WW: Motion to continue EMC to July 12, 2001.

RD: Second. Vote: 5-0

SC: Motion to accept the extension of EMC to July 12, 2001.

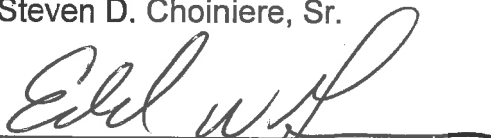
WW: Second. Vote: 5-0.

WW: Motion to adjourn at 9:50p.m.

EWG: Second. Vote: 5-0.


Richard V. Dill


Steven D. Choiniere, Sr.


Edward W. Guzowski

Valerie DeAngelis

William Wozniak

Date Accepted