



BELLINGHAM PLANNING BOARD

6 MECHANIC STREET
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February 28, 2002, Meeting Minutes

- **Present at the meeting:**

Roland R. Laprade (RRL), Chair
Richard V. Dill (RVD), Vice Chair
Brian J. Sutherland (BJS)
Steve D. Choiniere, Sr. (SDC)
Edward W. Guzowski (EWG)
Glenn C. Wocjik (GCW), Alternate
*Not present: Richard V. Dill

Other officials: Paige Duncan (PED), Town Planner
Beth Partington (BEP), Coordinator
Lt. James Haughey, Police Safety Officer

RRL opened the meeting at 7:05p.m.

- **Bond Transfer, Edwards Estates Subdivision, Off Laurel Lane, South Main St.**

Louis Montsoures, of Edward Estates, stated he sold 10 of the 12 lots to Foresight Developers, (Roger Gagnon & Sons). It's on contract and he's requesting a transfer for the entire amount of the bond from LLTreeside to Foresight Developers. The binder is down; it requires a top coat.

There was discussion regarding the transfer of the bond. Ted Bailey recommended that Treeside could transfer the money when Foresight agrees to the completion of the work. Mr. Montsoures agreed to getting a letter from Foresight committing to do the work.

BJS: Motion to grant the transfer of Bond moneys from L.L.Treeside to Foresight pending receipt of a letter from Foresight Enterprises stating information contained in 3212-I, pg. 3 in the subdivision regulations, the principals of the new entity shall give disclosure of premises, new ownership status, appear before Planning Board with contact information guaranteeing completion of work, present a new personal guarantee.

EWG: Second. Vote: 4-0, approved.

SDC thought the Board should check on previous work of the developer as the by-law recommended. Ted Bailey said Gagnon had done work on duplexes, Heritage Way and Hixon Estates and completed the work they committed to.

- **Plan Change Request, Hartford Village Condominiums, Hartford Avenue:**

Brad Wright wants to straighten out the buildings. On the plan they are indicated at an angle. BJS stated that he thought part of the reason for the angle was so that it wouldn't look so cookie cutter. One of the concerns for putting the building on the angle is so that it would look nicer. SDC thought the angle of the buildings would be better for privacy of the residents. The Board decided to ask Mr. Wright to come in with the new plans for an informal discussion with the Board.

- **Pierce Estates, signing of Water Resource District and Special Permit**

EWG asked about the light at Elm Street and stated that \$250,000 was not enough. It was discussed that the light in the center was over \$800,000. The lights at Blackstone Street would be \$250,000. Currently there is no design for the light. EWG recommended the DPW give us accurate figures to mitigate the correct amounts from developers to get much needed work done in areas of projects.

- **Bainbridge Woods Informal Discussion:**

Mr. Gately had requested the Planning Board take the bond money and use it to finish the work on the road.

BJS: It seems that it's not right that you started the work and now want the town to finish it.

E. Gately: I'm one of five owners. I've gone above and beyond the rest of the owners, who have thrown their hands up and aren't completing the work.

BJS: I understand if you're a responsible person. It sounds like you need to take the steps to get them to comply with the responsibility of ownership.

SDC: Could we have the owners' names?

E. Gately: Timothy Bobolloa, Anthony Cogliano, James Collacci, Thomas Lee

PED: Were they original applicants on this?

E. Gately: Myself and Mr. Bobolla are the two trustees on the original documentation.

Mr. Bailey: TNT Building Corporation. We found out the actual person on the bond is Mr. Gately. There's \$24,600 left in the bond, \$9,000 of work, \$4,000 for the maintenance fund, so there's plus \$4,000.

PED stated this has to go to town meeting and the money goes to general fund, the town votes on getting the work done.

Mr. Bailey: It's a matter of getting Mr. Gately to get the other partners to sign over the deed.

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BJS asked if there was any way to get the owners to get the work completed.

Mr. Gately said they wouldn't show up to a closing, he doubts they'd come before the board.

RRL suggested the Board consult with Town Counsel to discuss the legalities of the bond taking.

SDC asked if it was just minor things that needed to be done. Mr. Bailey answered that an 80' sidewalk in concrete needed to be installed.

Barry Lariviere, of DPW stated that stumps were left on someone's property and that they'd like this on the clean-up list. It seems the stumps were left by work that was done in Franklin. RRL suggested that this was a private land dispute.

Mr. Bailey stated if there's any money left over, the money could go toward removing the stumps. It was decided PED would confer with Town Counsel to discuss the bond taking.

• **Road Acceptance at Careyville Crossing:**

Jeb Booth, discussing road acceptance at Careyville Crossing, with questions as to how to get it done.

RRL stated that Careyville Crossing is a condominium development. They're intended to be private roads. This was a comprehensive permit that did not come before the Planning Board.

Mr. Bailey stated the minimum for roads in Town is 22', the cul-de-sac has to be a minimum of 50-60'. PED stated in the regs, it's 26' for a minor roadway, 50' right of way. Mr. Booth had concerns whether the condo association is even going to survive and wanted to make sure the roads would be taken care of.

BJS state the amount of money it would cost to engineer this would be better spent putting it in the condo association.

RRL opened the public hearing for Honey Dew Donuts.

SDC: Motion to open public hearing and waive reading of the article for Honey Dew Donuts.

BJS: Second. Approved, vote: 4-0.

Jeb Booth stated they have no services. RRL stated they have plowing. Mr. Booth stated plowing and lights. BJS suggested to start funds to do X,Y,Z; there are

successful condo associations out there that can be very effective. PED suggested they might also be mandated to have an association.

BJS stated that for the people who think it would be nice if it went away, he might need to educate the people that it will never go away. "You don't have a prayer of bringing it up to town standards. Good luck with it."

Honey Dew Donuts, Drive-thru Special Permit, Development Plan, 290 Pulaski Blvd.

PED stated that Glenn is able to act on this because it's a special permit.

Bill Halsing, of Land Planning, Inc. representing Honey Dew Donuts. The impervious area of the sight has been decreased 2,000 sf. It is bordered with arbor vitae trees. They have changed the entrance and exit to the site. Right now it's a free for all, with 2 ways onto Westminster Street. They've added a van assessable handicap parking spot and sign.

There was discussion regarding the queuing of cars. It's about 6 cars to Westminster, possibly a few more around the bend. SDC requested concrete berm, so it would hold up better with plowing. He asked if it could be a continuous berm. Mr. Halsing said they'd rather not because it would affect the drainage.

Mr. Lariviere of DPW stated they are in tough shape as far as drainage. The wetland is highly polluted and it can handle the runoff.

PED stated Town Counsel recommended they go ahead with the drive-thru even though they have a variance from the Zoning Board.

Mr. Haughey thought the drainage was all done and wondered if it could be re-done. RRL stated the problem is the land down there is so flat, the water table so high, it used to all be swamp.

BAL stated Phase II Storm Water was coming in 2003. Education and best management practices will require it to change, but now everything falls into Peter's River. There is a 6' pipe on Winter Street full of silt so there's no flow. We're looking into finding solutions.

Mr. Haughey asked what would it cost to clean out that pipe? BAL stated it was at the bottom of the list because the cost is so high, it doesn't even have a dollar amount.

SDC stated this is a special permit and asked how much.

Bill Halsing stated they put in a small water treatment area. EWG asked the direction of the speaker for the drive-thru be directed at the building stating concerns for neighboring houses. PED asked about lighting. It will be 10' so as not to be too bright. BJS asked the lot be labeled no parking. Mr. Bailey stated that we do have a wetlands fund that is \$200 a year, so for 20 years would be about \$4,000. It's currently

maintained by Norfolk County Mosquito Control. SDC asked if we should make this amount higher. Mr. Bailey thought it was enough.

SDC: Motion to approve the Drive-thru Special Permit for Honey Dew Donuts at Pulaski Boulevard that it satisfies the requirements as listed in the by-laws with findings that economic and community needs are served by:

- **Conditions:**
- Maintenance Bond for water quality system;
- \$200 annually for wetlands fund;
- 4' chain link fence along perimeters behind the arbor vitae barrier;
- all radiis should be concrete before and after;
- put "No Parking" signs around perimeter;
- sweeping of lot shall be done 4 times weekly and cleaning of lot done weekly.

BJS: Second. Vote: 5-0, approved.

SDC: Motion to approve the Development Plan for Honey Dew Donuts including outside trash receptacles.

BJS: Second. Vote: 4-0, approved.

- **Conroy Development, Bellingham Business Center**

Informal discussion regarding development on Mechanic Street. The site is 19 ½ acres zoned industrial. The owner is Alan Bernon Family Trust. The proposed development plan is two buildings on one lot, with the possibility of creating two separate lots further down the road. A proposed warehouse with office space to support it. The entire projects is in the water resource district. Will have dry hookups out to the street in case the opportunity comes at a later date to tie into town sewerage. The applicant would be applying for a Special Permit for the Water Resource District, requesting to work with consultants early on instead of afterward. Parking in warehouse is 1 per 1,000 sf.

SDC stated concerns that parking be able to be expanded to be able to accommodate future uses such as if the building went form warehouse to light manufacturing or office.

PED stated the regs require 1 per 250 in office use, 1 per 500 for manufacturing. Joe Lynch stated their intent was to have a warehouse building. BJS stated the septic system was not large enough to accommodate the needs for a larger use.

It was discussed the two driveways indicated on the plan would be a traffic problem. PED also suggested they line up with Crystal Springs across the street.

BJS suggested working with the Conservation Commission to discuss the water line issue in terms of finding places for additional parking. RRL stated the applicant was welcome to work with Paige and our consultants, that we welcome a good plan to move through the system.

Highridge Estates, Lake Street, Inspection Issues:

Mr. Jones brought plans that had changes mandated by Conservation Commission and needed to be signed. The sediment basins are all stone now, not grass. Mr. Jones stated they worked with DPW, Con. Comm, and the Burrs to work it out.

BJS asked if grass grew in the stones, if they would be willing to clean it out. Mr. Jones stated the maintenance fee is for that and he's buying specialized equipment, a flail mower, for the area. Mr. Jones also asked what to do as far as red line changes done on sight.

BJS stated this issue came about because of instances that happened in the past where major things were done differently than indicated on the original plans.

RRL feels the redline changes should be sent to the file for the as-builts. PED suggested stating no change to grade, design, alignments; these would result in the need for any waivers, all redlines sent to the Planning Board. PED asked once all the work is done, would the as-builts have all the changes made indicated? Mr. Jones stated that yes, it would be in the as-builts that he agreed to filing all red-line changes.

BJS stated the intent is to make sure all the information is recorded correctly and that if the changes are made to the plans they are recorded correctly. PED discussed who would pay to monitor changes made in the field and Mr. Jones stated that's what the inspection account is for. Mr. Bailey stated that a letter request was only for waivers. A discussion regarding catch basins took place. Mr. Jones asked to increase the catch basin size and eliminate the granite curbing in that area.

SDC: Motion to waiver to increase the double catch basins to 5' diameter, and to eliminate granite curbing.

BJS: Second. Vote: 4-0, approved.

SDC requested to send a letter to Mr. Eagan regarding tree work that was to be done at Blackstone Fields and the change in the road name.

The Board at this time discussed inspection/enforcement regarding septic, grading, driveways, controlled by the Building Inspector. There was discussion regarding signage. Zoning changes for the upcoming Town Meeting were discussed regarding parking and definition of waiting area. In Auto service and fuel stations, 1 space per 50' gross retail space. Parking, loading, signage, infectious waste were discussed and what to propose for the Town Meeting. It was discussed that Paige would put together the changes and advertise for the hearings.

BJS: Motion to adjourn at 10:50pm.

EWG: Second. Vote: 4-0, approved.

MINUTES OF THE PLANNING BOARD

February 28, 2002

Minutes Accepted on: 3-28-2002
(date)

Dee Cartington
(prepared by)

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Richard V. Dill
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