



BELLINGHAM PLANNING BOARD

6 MECHANIC STREET
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June 20, 2002 Meeting Minutes

- **Present at the meeting:**

Steven D. Choiniere, Sr. (SDC), Chair
Edward W. Guzowski, (EWG), Secretary
Richard V. Dill (RVD)

- ***Arrived Late:**

Roland R. Laprade (RRL) (arrived at 7:15pm)
Brian J. Sutherland (BJS), Vice Chair, (arrived at 7:50PM)

- ***Not Present:** Glenn C. Wocjik (GCW), Alternate

Other Officials: Paige Duncan (PED), Town Planner
Beth E. Partington (BEP), Coordinator
Amy Cook (AC), Chairman, Commission on Disability

SDC opened the meeting at 7: 10pm.

EWG: Motion to accept minutes of 5/9/02 and 5/23/02.

RVD stated he was not present at the 5/23/02 meeting and could not vote.

EWG: Motion to accept the minutes of 5/9/02.

RVD: Second. Vote: 3-0, approved.

- **81-P for Andrew Sarno, High Street**

Division of two parcels on High Street.

RVD: Motion to accept 81-P for Andrew Sarno.

EWG: Second. Vote: 3-0, approved.

RVD read from the plans that the marker for the property was an oak stump not found. He asked if anything could be put in the regulations to have the concrete marker set in place when a property is being surveyed.

PED stated that it would be very expensive.

RVD stated that it could be done when a survey is already being done, the only expense would be the small concrete marker.

PED stated she would look into it.

(RRL arrived at 7:15pm)

EWG: Motion to accept minutes of 5/23/02.

RRL: Second. Vote: 3-0-1(RVD abstained), approved.

Old Business:

SDC brought up the striping of Dairy Queen. They have sealed the parking lot and he wants it to be striped wide enough for a Volkswagon to be able to open its doors. He stated that last time it was striped, the spaces were extremely small, that they did the 9' across the end of the space, not perpendicular to the diagonal.

RRL stated it should be 9 x 18.

PED stated she will check the plans to see what was approved as far as parking regulations.

AC stated she would be more than happy to let them know the regulations for the handicap spot.

PED brought up monies left in Engineering Review accounts that were to be used for engineering review only. The projects are dead, and it is the applicants' monies and should be returned to them. PED stated there were two accounts for the Lorusso Shopping Center to review traffic if necessary and Mr. Lorusso wanted to keep the money in the account at this time, in case further review was needed.

RVD: Motion to release the monies in the Engineering Review accounts:

48450, 48452, 48457, 48458, 48459, 48456, 48455.

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

Landscaping was discussed. RVD asked if Antron had ever completed their landscaping and gotten back their \$20,000 bond.

PED stated they had not.

RVD asked how we can proceed.

Discussion took place that on future developments when Certificates of Occupancy were given, that a time limit should be given of possibly two years, granting the town a special easement to complete the plantings.

RVD stated that they originally came in asking the monies to be released directly to their landscaper. We told them no, because the town is not in the business of landscaping. This is essentially the same thing.

RRL suggested PED send a letter to Antron, declaring it, giving adequate notice, checking with Town Counsel.

- **Pierce Estates Definitive Subdivision, South Main Street, 78 lots**

SDC opened the public hearing at 7:30pm

EWG declared on the advice of Town Counsel, he needs to recuse himself as he is an abutter to an abutter within 300'.

RVD: Motion to waive the reading of the public hearing notice.

RRL: Second. Vote: 3-0, approved.

Richard Schwartz, attorney with Nutter, McClellan, and Fish, LLP, representing Bellingham Realty Trust briefly described the subdivision. There are two entries to the property, one on South Main Street, the other on Fox Run Road. In the 80's a proposal for 264 condominium units was presented for this property, but never developed.

John Jennings on the development team, presented the plan further. He stated the plan has been refined through the Special Permit Process and tonight represents what was requested through those hearings. The road line is long and winding to preserve and enhance the wetlands on the property, prohibit speeding and prevent people using the road as a cut-through. The proposal is to create a boulevard at the entrance, with a small gate on either side of the entrance, with a small sign. There are several cul-de-sacs, which will have landscaped islands in the middle instead of the traditional pavement that people may be used to. They plan on working with the town arborist on the property to maintain the integrity of existing foliage.

RVD asked about the housing envelopes. He thought at the Special Permit phase that the applicant had agreed to putting them on the plans to show that the houses would not be plunked all in a row, that they would be staggered and the Board could see that.

Walter Basnight stated that was certainly their intent to alter the envelopes of the houses, but that due to existing trees, ledge and current landscaping, it's difficult to put it on the plans.

RVD stated the PED could put that in the language of the decision to ensure the placements of the housing envelopes.

Kathy Noonan with VHB discussed the sewer easement along the clearing.

PED stated that Don DiMartino had suggested the bike path be along the clearing somewhat near the sewer for possible accessibility if necessary in the future.

Joel Harris of 72 Fox Run Road asked how far in the road is from Fox Run Road.

K. Noonan stated that it is several hundred feet in from Center Street.

PED discussed that in reference to the lighting, Don DiMartino, Lt. Haughey and herself, thought that the proposed lighting was excessive and extremely bright. Mr. DiMartino felt that they didn't need 76 lights proposed, that it would be expensive and not really fair when other parts of the town didn't even have street lights yet.

Jeff Pierce suggested the possibility of putting in lower lighting, with one in front of each house. There are several areas of Wrentham with this type of lighting. The home owners would be deeded to require the lights be maintained.

(BJS entered meeting at 7:55pm and was briefed on the application)

Hours of conditions were discussed for construction. Mr. Basnight stated that ledge hammering and blasting may have to be done and they wanted to be courteous neighbors. It was stated that the hours would be 7am-7pm Monday –Friday, 9am – 5pm on Saturdays, with no Sunday construction.

RVD asked the applicant in regard to ledge blasting that they notify the neighbors and post signs on the days they would be blasting as a courtesy.

W. Basnight agreed.

PED stated the Don DiMartino was looking for Elm Street to connect to South Main Street.

J. Pierce stated that they are willing to discuss this with Don DiMartino and S.E.A. It nearly doubles the cost of the sewerage. It's a considerable amount of cost. The 10" pipe is \$10-18" more a linear foot than 8" pipe.

K. Noonan discussed that she will meet with Mainstream Engineering to address the points raised by Tom Sexton. She feels many of them are minor and that some deal with the Conservation Commission and need to be resolved with them. She stated that with S.E.A. the main issue is the larger pipe size. Dufresne and Henry reviewed the water and there is no problem with them.

RVD asked the two gentleman who live between the proposed entrance had sewer or septic.

William Petta of South Main Street stated he had a brand new septic system that he just spent \$13,000 on. If they wanted to reimburse him, that would be fine.

Fred Stavinski of Center Street stated he is concerned with the safety of the detention area and asked who would manage the open space the town or an association.

SDC stated for the retention/detention, the town gets a maintenance gift. For the open space, usually the Conservation Commission maintains open spaces.

RRL also questioned who would manage the open space.

R. Schwartz stated in the Special Permit, it was deeded to the Town or Con. Com.

SDC read the decision from the Special Permit.

F. Stavinski discussed the roadway width. He thought 28' would be better. Regarding Arnold Brook, he hired a consultant that stated it is a perennial stream.

R. Schwartz stated the State of Massachusetts stated that it is an intermittent stream, but we are maintaining a 200' butter. All storm water is outside the 200' buffer.

Steve Schaeffer asked how this configuration differs from the original plan presented a year ago. He stated that Mr. Herr had stated that the Blakely plan in the 80's was better. He is concerned that there could be a dozen irate neighbors. He has a business that's been running for over 20 years. While this plan may look nice on paper, the Blakely plan was much better.

W. Basnight stated the Blakely plan was for over 200 condominiums. This is totally different. In reference to the proximity to the business, they could put in a landscape buffer.

BJS stated he had requested housing envelopes.

K. Noonan didn't recall that, but said they could be put in.

RVD asked Mr. Schaefer the concerns he had.

Mr. Schaefer stated the concern he has is the noise of the business and the closeness of the houses to the business.

RVD stated that possibly a berm or a vegetation barrier would work.

PED stated that hopefully the builder/seller would be honest with the buyers, that there is a noisy business back there.

SDC suggested a living fence.

Eric Vanderwalt, Fox Run Road, has an artesian well and has concerns that the blasting of the ledge will affect his well water.

W. Basnight suggested they're putting in town water.

E. Vanderwalt said he didn't want town water. He had it and didn't like it.

(SDC opened the Development Plan and Special Permit for the Conroy Development Bellingham Business Center.)

RVD read the letter from Mike Snow of Meridian Engineering that he asked to continue.

RRL Motion to continue the Development Plan and Special Permit public hearing for Conroy Development to 7/11/02 at 8:30pm and extend the review period to 7/19/02.

PED clarified the water resource special permit is open for public hearing.

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

RVD proposed the water quality test be done before and after.

E. Vanderwalt stated he's concerned that if he has to pump another hold in, it's because they're breaking ledge up north.

W. Basnight stated they are retaining water to the sight. He feels there won't be any affect on Vanderwalt's property.

SDC stated that time was running out and that the Board needed to move on.

RVD: Motion to accept extension to 8/2/02.

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

RVD: Motion to continue the public hearing for Pierce Estates to 7/25/02 at 9:00pm
BJS: Seond. Vote: 4-0, approved.

- **Bevilaqua Paving, Steve Bevilaqua, Informal Discussion**

Joe Antonellis, Attorney for the project, introduced the team, Don DeCristofaro, the environmental, water expert, Don Nielson, Project Engineer.

Mr. Bevilaqua purchased property on Maple Street, 5+ acres, behind Ed Moore's garage, abutting Georgia Pacific.

He is proposing an Asphalt Drum mixer for paving parking lots and driveways. It's a state of the art facility, fueled by natural gas. The drum mixer allows for a variety of sand and stone to be used, then pushes the finished product into silos to be stored for up to 3 days.

The Board will be able to make a determination that there is no injurious air once all the findings are in.

We will be meeting with the ZBA on 7/11/02.

Steve has a very large operation in Medway and has worked as an arborist the last 20 years.

Steve Bevilaqua stated he is excited about the property, the trees. He intends to transplant the trees and wants the sight to be heavily treed. The property is 17' lower than the road deck with no visual impact.

The trees on the property are of mature growth and he wants to keep them.

The apparatus is a drum mixer to make specific mixes with variations given the weather, temperature and humidity. Asphalt batching plants are done in 3-5 ton batches. Each truck is 12-15 minutes idle waiting to be filled, with the trucks turning on and off.

The machine he wants to install will load in less than a minute, with no idle time. He has only 5 trucks that haul asphalt. Paving driveways is workmanship. He stated that with 12 trucks – 300 tons, the machine is pushing out 250 tons an hour, would be able to load up the trucks in 15 minutes.

Under typical conditions, on a really great day, the machine will only be running 2 hours. He wants to be able to guarantee the material. As it stands now, he has to buy the material from say Aggregate Industries and has to take the material that they give him. If he opens this plant, he can assure the mix is what he wants for the specific job or climate and will be able to guarantee the material. With great opportunity comes great responsibility. The bins are on the railroad side.

RRL asked what kind of noise would be occurring.

S. Bevilaqua stated it is electric. The loudest sound you hear is due to the gas heater. There is no dust and no noise.

The silo is 12" insulated, air tight. The heat doesn't escape.

SDC asked if the piece above the property was the triangle piece in question on the Conroy Development parcel.

J. Antonellis stated the triangular piece was coming to an agreement and was not in question at the time.

S. Bevilaqua stated he almost didn't want to buy the property due to the dispute.

RVD asked: You stated this was for your needs. Does that mean, for example, Mr. Jones asks for product for a road, would you turn that down?

S. Bevilaqua stated that he would not probably have the product if someone came to him in an emergency or last minute situation. The product would probably not be what they needed. This type of mixer can change, but the materials would be stored in the silo, so there would need to be several days notice.

BJS stated concerns with the air quality and any odors that might be produced and he would like to see proof of the type of facility being built, that it really has no impact on the area.

S. Bevilaqua stated he would get a video from the plant in North Carolina and also other air quality statistics for their development plan approval phase.

- **Connor's Crossing Definitive Subdivision, Mechanic Street**

SDC opened the public hearing for Connor's Crossing Definitive Subdivision.

RRL: Motion to continue the Definitive Subdivision for Connors Crossing to 7/11/02 at 9:00pm.

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

PED discussed purchases being made, her contract, the office Laser printer.

Landmark Realty Trust, Maple Street Construction Garage Discussion:

There has been a change of use on the property. The Board stated they need to come back for a change of use. The property was purchased during zoning changes and basically at Town Meeting it was stated that previous owners would be grandfathered, when they weren't. It was incorrect. The owner had to purchase the abutting parcel and is trying to make things work financially.

Maple Tree Properties, Maple Street, Discussion:

Tim Jones came before the Board to discuss a water problem on the property. He stated there is serious water flow coming from under Maple Street. This is causing a

lighting problem. The light poles are in water and are not stable. There is approved lighting on the plans. He felt it was a drastic change and wanted to discuss it with the board.

RVD asked about the situation with the water.

T. Jones stated the ground water sheets across the street onto the property. They're going to have to do French drainage. Between the clay and the wetness, they aren't comfortable putting up the tall lighting called for on the plans.

RVD stated concerns with the glare from the lighting going onto other properties. He stated the electricians would know this as a fact and would like to see it come back before the Board before he made a decision.

SDC asked if they wanted to tie in the French drains with the subsurface drains.

T. Jones stated that 's not the problem, that they couldn't get the 6' into the ground deep enough where it isn't wet. He was also thinking of what it might look like with lighting on the building.

PED had concerns of what it would look like in the neighborhood with the lighting on the building.

BJS recommended discussing it with the electricians and coming back before the board.

RVD: Motion to adjourn.

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

Minutes Accepted on: 7.11.02
(date)

(prepared by: Beth E. Partington)

Steven D. Chainiere, Sr.

Brian J. Sutherland
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