



# BELLINGHAM PLANNING BOARD

5 COMMON STREET  
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## July 11, 2002 Meeting Minutes

- **Present at the meeting:**

Brian J. Sutherland (BJS), Vice Chair  
Edward W. Guzowski, (EWG), Secretary  
Roland R. Laprade (RRL)  
Richard V. Dill (RVD)  
Glenn C. Wocjik (GCW), Alternate

**Absent:**

Steve D. Choiniere, Sr. (SDC), Chair  
Richard V. Dill (RVD)

**Other officials:** Paige Duncan (PED), Town Planner  
Beth E. Partington (BEP), Coordinator  
Lt. James Haughey, Police Safety Officer  
Amy Cook, Disability Commission on Disability

7:06 BJS called the meeting to order.

- **Old Business:**

BJS discussed certified mailings and said that he checked with the Post Office and there is a mailing you can do that is called Delivery Confirmation. It's a small fee compared to the certified mailing and the recipient doesn't have to go to the Post Office to get the mailing.

PED asked if the Board wanted to stick with delivery confirmation. RRL, BJS and EWG agreed that it was a good idea.

- **ANP, Maple Street, Informal Discussion on Plan Changes**

Robert Hill, Project Manager, Ken Engstrom, Ron Frankenfield, Allston Power, He spoke with Don DiMartino and Stuart LeClaire regarding minor changes they want to make at the plant. In September of 2000 they came before the Board with changes in building sizes and went through the change process back then. The changes they're proposing now are minor: deleting several sidewalks, relocating 5 parking spots in front of warehouses. There is a 4500 sf gain of impervious services, a 6000-6500 s.f. removal, with a net gain of 1500 –2000 s.f. gain of impervious services.

*(Glenn Wocjik arrived at 7:20pm)*

EWG asked if there would be any more noise to neighbors from the change.

K. Engstrom assured that there would not be any additional increase in noise.

R. Frankenfield stated a large purpose of the rock is that it is highly resistant to enhance the capabilities of the grounding grid. The rock is for several reasons, for maintenance; we're proposing pervious crushed stone. The two areas are primarily for maintenance. Mowing the two areas would be extremely difficult to maintain.

EWG asked how the schedule was going for start-up.

R. Hill stated that it is going well. The first unit will be taken over in about 8 weeks. The second unit about two weeks after that.

There was discussion on the start up and the land being deeded over to the town for Conservation use.

RRL: Motion to deem the changes as a minor change and no need for development plan.

EWG: Second. Vote: 3-0, 2 absent.

- **Hidden Pines, Henry Wickett, informal discussion:**

Paul DeSimone, Henry Wickett, Paul Yorkis presenting Hidden Pines Subdivision. They're proposing 18 units with possibly 3 units to be made available at 15% lower than market rate to Bellingham employees.

EWG stated he may have a conflict of interest as he is a town employee.

RRL stated that he also is a town employee and that basically, they were asking for a Chapter 40B without the hassle. He said the only option they have is a 40B at this point.

BJS stated even the ZBA doesn't have any regulations outside of 40B to approve this. He stated if there is a number that was acceptable and you wanted to keep it to an affordable component.

Mr. Yorkis asked the mechanism of setting up.

PED stated you can always do more than 25% affordable.

Mr. Yorkis asked if the layout was acceptable.

PED stated she wasn't sure about fire for dead ends.

- **Hixon Farm Estates, Bond Reduction discussion:**

Bill Eagan discussed the letter from Don DiMartino stating that \$24,000 should be held.

Regarding the tree wells at Blackstone Fields, Mr. Eagan stated he would be willing to go out there with Steve Choiniere to discuss further work that he wanted done.

The name change for Allen's way has been recorded as changed to Maddie Way. He would forward the information to the Planning Board office and the Town Clerk.

RRL: Motion to reduce the bond to \$24,000 releasing the remaining balance to Fidelity Financial, Inc.

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

PED asked if Mr. Eagan would commit to meeting with SDC. He said no problem.

- **Bainbridge Backlot Subdivision:**

RRL: Motion to continue the Bainbridge Backlot Subdivision to 8/22/02 at 9:00pm

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

- **High Ridge Estates Tri-Partite Agreement Bonding Method:**

Tim Jones stated that he's been having difficulty getting performance bonds since 9/11. He stated the bonding amount on the outside is \$519,000, that between the inside and outside, the bonding is going to be close to a million dollars. He has a bond in place with Middlesex Bank and is proposing a Tri-Partite Agreement Bond, which is one of the four methods allowed in the by-laws. The money is already in the bank and basically not being touched.

RRL stated the reasons we didn't do these types of bonds any more was due to the banks failing in the 80's and the town lost their money. If it could be guaranteed that the town would get its money if the project failed, and it was one of the methods allowed in the by-laws, then he had no problem with it.

PED asked if the project failed, can the lender cancel it? Would the town still get its money?

T. Jones stated the lawyers would need to hammer it out. Lee would need to connect with Mr. Resnick.

RRL recommended to recommend moving along the process of the bond.

EWG stated he felt he didn't want the town to be a cosigner.

BJS stated it would be subject to Town Counsel approval.

RRL: Motion to forward the tri-partite agreement to Mr. Ambler subject to approval of the language by Mr. Ambler and with the banks' attorneys.

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

GCS stated Mr. Jones has completed many projects in town and he would feel comfortable with this type of bond.

PED stated that under Mass General law there are four ways to post bond and that the Board needed to accept this if the language in the agreement was legal and secured the town in the even of the project's failure.

- **Zoning Changes at the Fall Town Meeting:**

PED discussed the zoning map. Lee Ambler is concerned with the idea of adding lot lines. HE suggested we use the map with lot lines for illustrative purposes. It could be used in the Zoning By-laws and if there was a conflict to go back to the Town Clerk's office for the public.

BJS stated that with all the time and money spend in getting a clear, definitive map.

PED stated that Phil Herr suggested using several different maps, that we're not close to being done with the zoning map and probably should wait.

BJS stated that if we're not close regarding the zoning map, then we should wait until the May Town Meeting.

RRL and EWG agreed that we should wait and do it right and wait for the full board to be present regarding this issue.

RRL Motion to submit an article regarding section 4652 regarding the burial of stumps.

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

- **Conroy Development's Bellingham Business Center, Mechanic Street**

EWG: Motion to Continue Public Hearing for Conroy Development's Bellingham Business Center to 8/22/02 at 8:00pm

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

EWG: Motion to grant an extension for Conroy Development's Bellingham Business Center to 8/30/02.

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

- **Connor's Crossing:**

Sarah Pultz of Salvetti Engineering discussed the plans and the application. She stated the Mystic Valley Anthropolod, similar to a crayfish, is an endangered species inhabiting the wetlands. They would not touch these areas.

PED stated that ConCom was not aware that the drainage calculations indicated an increase in flow.

S.Pultz sated the meeting with ConCom is on the 24<sup>th</sup> at 8:15pm.

BJs stated his concerns are which calculations to go buy. The Town had to go by the Town's independent consultant if it came down to a choice.

S. Pultz stated, it's not that the two figures don't agree, but they disagree on the significance of the runoff.

PED stated Tom Sextons' concerns are the 1" holes in the leaching galleries. We still have that worry. This system won't work unless it's maintained properly. That was what Don DiMartino was referring to as the little man cleaning out the galleries.

BJS stated it's a serious consideration for us.

PED asked if there was no way to do this above ground, that she would assume he would of if he could.

S. Pultz stated not necessarily, visually, it's more desirable.

RRL stated we hire an independent consultant for a reason, my vote would concur with the Town's consultant.

S. Pultz sated if it were a private road the impervious surface would decrease and decrease the run off.

RRL stated if it were a private way, he would have no problem with the 20' roadway.

Martin Roche: resident of Crystal Springs Condominiums, as an abutter, stated they have great concerns of the future development on the property. The residents of Crystal Springs were extremely concerned of the water runoff onto the last lot.

Ped asked if 20' was sufficient for trucks.

RRL stated as long as there is no parking on the side of the road, then trucks could fit through.

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BJS requested if it were possible to reduce the street size and have more surface drainage. Maybe it would be a way of addressing if the drainage system failed. It might make it more palatable.

PED asked if the Board wanted to approve a plan regionally, that would increase runoff.

The Board discussed the drainage at length and felt they did not feel comfortable with the system and increasing runoff onto an abutter's property.

RRL: Motion to Continue to 8/8 at 8:30.

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

RRL: Motion to grant Connor's Crossing an extension to 8/16/02.

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

PED stated there would need to be more money for review. She suggested S. Pultz meet with ConComm.

EWG: Motion to accept minutes of 6/20/02.

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

RRL: Motion to adjourn.

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

Minutes Accepted on: 8/8/2002  
(date)

Beth E. Partington  
(prepared by: Beth E. Partington)

Steven D. Choiniere, Sr.

Brian J. Sutherland  
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Edward W. Guzowski  
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Richard V. Dill  
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Roland R. Laprade  
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