



BELLINGHAM PLANNING BOARD

5 COMMON STREET
BELLINGHAM, MASSACHUSETTS 02019
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PlanningBoard@bellinghamma.org

November 14, 2002 Meeting Minutes

- **Present at the meeting:**

Steve D. Choiniere, Sr. (SDC), Chair
Edward W. Guzowski, (EWG), Secretary
Richard V. Dill (RVD)
Roland R. Laprade (RRL)
Glenn C. Wocjik (GCW), Alternate

Not Present: Brian J. Sutherland (BJS), Vice Chair
Paige Duncan (PED), Town Planner

Other officials: Phil Herr, Consultant Planner
Beth E. Partington (BEP), Coordinator
Amy Cook, (AC), Commission on Disabilities

SDC opened the meeting at 7:05pm

General Business:

- **81-P Form A, Corsi Street, Letourneau**

Bruce Lord presented plan on behalf of applicant. The Parcel is off of Corsi Street, a paper road. BL said they are willing to accept the stipulation that building is subject to approval from DPW. The Board decided to seek the opinion of Don DiMartino before signing the plans.

Neil Stanley, of 9 Bliss Road, asked where they wanted to bring the road.

Phill Herr stated that he is going to opine serious issues, willingness may not be matched with ability to provide access to emergency vehicles. He asked if they could fill wetlands.

BL stated there are not enough wetlands to fill.

PH stated permission to do that lies with ConCom. He said there is no assurance that basic minimum access can be provided. If the Board is comfortable with landlocked lots being accessible by easements, then sign it.

BL asked if they sat with Don DiMartino and got his list of what he wants done, would that be acceptable.

PH stated case law is clear. A conversation with Don DiMartino has to take place. Ask Lee how do you appropriately secure that?

SDC said that the problem with plowing is there is no turn around or cul-de-sac.

BL stated they're willing to cooperate with anything to accommodate the road.

The Board decided to hold off until the next meeting to sign the 81-P after BL speaks with DD and Town Counsel.

Neil Stanley stated his concern that Corsi Street has never been anything but on paper and that there are significant wetlands back there.

SDC stated that is why the Board is speaking with DPW and Town Counsel.

Maple Street 81-P, French/Bel Castro:

Creating three lots with frontage.

RVD: Motion to approve plans for 160 Maple street, dated 10/22/02, for Graywall Realty Trust.

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

Maplebrook Condominiums Development Plan Approval:

RVD: Motion to continue to 1/23/03 at 8pm

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

RVD: Motion to grant extension to 1/31/03.

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

RRL: Motion to sign decision of Shores of Silver Lake

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

New England Country Club Discussion:

BEP: Meridean Engineering asked the Board if they would waive abutter notification since the property is so large and there are so many abutters. They want to notify everyone within 500' of construction, just not the entire parcel.

The Board discussed this and thought it best not to waive abutter notification.

Phil Herr thought it was absurd, if they're building a tiny little shed, but it's a town meeting regulation. He's not sure attorneys would agree. Phil Herr referred to Lee Ambler.

Beaver Pond Estates – Preliminary Subdivision Plan:

(D & F Builders, Inc.) – 9 acres, 3 residential lots proposed on Grove/Beaver Street. Chuck Strickland of Guerriere and Halnon presented the applicant. There are substantial wetlands around the site. It was formerly owned by the Boston Edison Company. There are two separate 40' easements, which provide access. There will be one cul-de-sac servicing three lots with a 40' wide driveway.

There was a preliminary meeting held with Phil Herr, Don DiMartino and the applicant, in which several issues came up. The roadway location needs to be entirely within Bellingham. They are in contact with North Star and they seem to be agreeable to relocating easements completely into Bellingham. It will also improve site distance. If the easement is moved, the wetland crossing area will most likely be eliminated. The applicant will meet with North Star regarding ownership of a stretch of land formerly owned by Boston Edison and will seek counsel on access rights to the parcel.

Phil Herr discussed the issue of cuts and fills. Grove Street is narrow and in poor condition. The cuts and fills on the property are 7'-9'.

RVD: Motion to continue Beaver Pond Estates to 12/12/02 at 8:45pm.

RRL: Second, 4-0, approved.

RVD: Motion to accept the extension request for Beaver Pond Estates to 12/22/02.

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

Bevilacqua Paving, Maple Street, Development Plan Approval:

Joe Antonellis introduced the design team of the drum asphalt mixer for Bevilacqua Paving.

Steve Bevilacqua has been an arborist for 21 years, consulting for construction projects to save as much of the natural landscaping as possible. Trees have grown thick on the property with large 12' poplars and fruit trees. PED originally walked the site. The machine will run for an hour and twenty minutes a day filling three silos. As far as traffic concerns go, his trucks will not be going down Maple Street. They will be using route 140 coming and going. He is concerned that the neighbors are pleased with the visual, traffic and environmental. There will be three employees on site using 18 gallons of water a day at the most. There will be a septic system for domestic use only.

JA stated the impacts to the town would be minimal, the equipment is worth over a million dollars and would bring in tax revenue. The neighbors are the car restoration facility and the railroad.

RRL asked what was to prevent Mr. Bevilacqua from turning this into a batching plant.

SB stated a batch plant is for a la carte orders. This machine makes what you need for the day. The way he would run his business would be to do all the ¾" binder jobs all in one day, top coats, all in one day, ½" road top all in one day. You don't mix them up with this type of machine. The batch changes, as the daily needs change.

RRL asked what is to prevent you from selling to competition?

SB stated that he is their competition as far as the industry goes. He's not doing this to go into the batching business. He's doing it to use it for his own needs.

RRL asked what about the case where someone needs a large amount?

JA said that based on the Special Permit for the air quality permit, they couldn't switch licensing. Economically, this machine is not what you go for to do manufacturing.

SDC asked the maximum amount per day.

JA stated that it is 201,000 tons per year.

SDC asked how the hours are kept, is it on a clicker?

SB stated that it is all done on computer.

JA stated an outside agency DEP is inspecting the plant. There are additional checks and balances to see that the plant doesn't over produce.

RVD asked who polices noise. Do we have documentation that it will be less than 65 d.b.a.?

SB stated it was amazingly quiet. At the property line you won't hear it.

RRL asked if the company that manufactures it would provide that in writing.

SDC asked what noise level was 65?

Don DiCristofaro stated that it will go by the DEP standards which means that it cannot rise at more than 10 d.b.a. above noise background.

RRL asked that if a baseline has never been taken, how do they adhere to their own rules?

SB stated this is so heavily wooded and set back far enough that you wouldn't hear it from the street.

RVD said the beauty of this is that it is surrounded by other industrial property.

RRL asked of the unit that produces the noise, where is it?

SB stated it is low, the plant is electric. It doesn't have a generator site.

SDC asked what the Zoning Board approved.

SB stated the apparatus of air evacuation silos, we didn't take anything off, changed it around.

RVD asked about capturing odors.

SB stated that Mort BenMoar was concerned about the steam on top of the silos. There's a reverse air draft that takes any of the opacities. There is an air evacuation system, which sends it back to the burner, so there is no air.

RVD: I'm pretty impressed. Since day one, everything that has been asked for has been given. I'd like to commend everyone involved.

EWG: Regarding traffic: Thank you for having all trucks turning right. The residents down there appreciate that.

SB: My trucks will not be on Maple Street. What you see today, is what you will see when I get done.

EWG: You stated this could be used for a warehouse?

SB: At 7am, while everyone is driving to work, I'm paving my first driveway. We presented a comparison use, such as a building of 71,000 s.f., 218 parking spaces, adding 800 trips per day on Maple Street, using 53,025 gallons of water per day. The tax money would be less to the town. We think we draw less and give more to the town with only 75 truck trips a day, than say a warehouse would on the property.

EWG stated concerns of neighbors with odors. He asked if the neighbors are going to smell asphalt?

SB stated with the air returning system, absolutely not.

EWG asked about the triangle piece of land formerly in question.

SB stated yes, he granted an easement to Moore and Conroy Development so they don't have to dig up Rt. 140. They're going to tie into the water by our easement.

RVD: Motion to approve Bevilaqua Development Plan, with the condition that all asphalt trucks will be turning right turn only.

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

General Business:

EWG: Motion to accept the minutes of November 5 special meeting and 10/10/02.

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

RRL: Motion to pay the bills.

RVD: Second.

Fleet Bank Discussion:

RVD asked Phil Herr is there is a difference between drive-thru and drive-up?

PH stated not as far as the regs. are concerned.

RRL suggested they come in as a Special Permit to deal with the drive-thru.

Discussion took place on Maple Street Construction Garage:

PH stated there are two different uses on the lot. The Garage is used by the father; the loom business by the son. The place is a mess. There are issues of drainage. The new drawing doesn't show drainage from the roof. There is illegal parking in front and the final pavement isn't done.

RRL asked if there were inspections done along the way.

RVD suggested this should be on the issue-tracking sheet.

EWG stated the primary zoning enforcement officer is for non-criminal dispositions.

PH stated the town has to adopt it.

RRL stated the fine is \$100 for each offense and each day after.

The Board was in agreement of recommending to Stuart LeClaire to shut down the temporary certificate of occupancy.

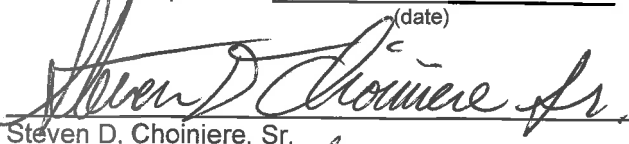
RRL stated the building is not in the approved location and there is a list of things that are wrong.

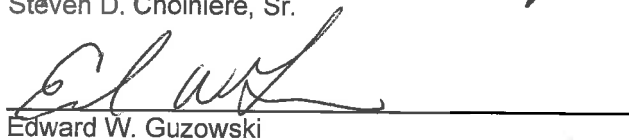
Discussion also took place on the Home Depot sidewalks, that they are covered with bricks and sheds. The Board would like a letter sent to Stuart, so that it can be enforced.

RVD: Motion to adjourn.

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

Minutes Accepted on: _____
(date)

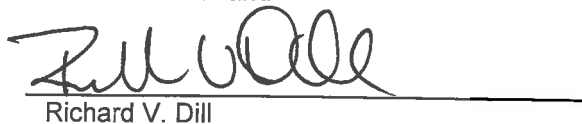

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(prepared by: Beth E. Partington)

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