



BELLINGHAM PLANNING BOARD

5 COMMON STREET
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October 9, 2003 Meeting Minutes

- **Present at the meeting:**

Edward W. Guzowski, (EWG), Vice Chair

Brian J. Sutherland (BJS), Secretary

Roland R. Laprade (RRL)

Not Present:

Richard V. Dill (RVD), Chair

Glenn C. Wocjik (GCW), Alternate

Arrived at 7:30:

Arthur P. MacNeil (APM)

Other officials: Stacey J. Wetstein, (SJW) Town Planner
Beth E. Partington (BEP), Coordinator
Amy Cook, (AC), Commission on Disabilities

BJS: Motion to accept 9/25/03 meeting minutes.

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

- **Hartford Village As-built Certificates:**

BJS asked if SJW checked into the construction with the engineer to be certain it was done.

SJW presented a letter to the Board stating they were done with Phase I.

RRL: Motion to accept the Hartford Village As-builts Certificates for units 204-207.

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

- **General Business/ Bills**

RRL: Motion to pay the bills and sign the vouchers.

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

- **Sunken Meadow Estates Signing:** Passed over until 10/23/03.

RRL discussed that he would like the no cut zone clarified on one of the borders of an abutter's property. He suggested consulting with the owner of the adjacent lot.

SJW agreed, stated she knew which border he was discussing, and would put that in the decision.

▪ **Connor's Crossing Peer Review Issues:**

SJW discussed a bill that has been submitted by Mainstream Engineering that Tim Jones is refusing to pay. He feels he has paid more than enough for a peer review. It was a peer review that was done with open ended billing, by the hour. The original quote for the scope of contract called for \$2,000, which was deposited, then another \$2,200, which also was deposited. But now there is an outstanding invoice of \$631.25. Mr. Sexton is asking the Board hold any bonds for the applicant until this is paid.

It was discussed the system in place now is a flat rate fee system which will be sure to be collected prior to any decision being rendered by the Board.

SJW stated that some towns collect the fee plus ten percent in case there were any additional charges, then the Town could go ahead and reimburse any overages, but they were covered in the meantime.

BJS recalled that this subdivision came in with an underground drainage system that was more complex than the usual and required several reviews. He felt it didn't have as much to do with the consultant and his proposal but the amount of additional work involved.

RRL stated they also had conservation issues with endangered species that they had to work around.

EWG stated for the record the taxpayers aren't being stiffed the \$600.

RRL stated that this is someone we hired to protect the taxpayers from being stiffed and we should do our best to see this get paid. He asked where this goes from here.

SJW stated Lee Ambler stated the Board can't hold the bond money. If we sign a contract, then we're liable. We haven't gotten to that point yet.

BJS asked if it were also true that if the applicant agreed to pay the costs of a peer review, then they were responsible for the entire amount.

SJW stated most of the communication was done via email. The applicant never signed anything. The go ahead was given verbally then emailed to the engineer. He never signed anything that said, yes, go ahead with this amount.

BJS stated that originally the applicant agreed to the peer review. He's not a neophyte to the system; he understands it's for a complete review. He's responsible for the

review. He's use to our procedures and rules. I'm sorry there's an overage here, but I'm confident the overage is something that is not subjective, it is substantive and on top of that he knows it's something that he is responsible for.

The Board suggested going back to the meeting minutes to see if the applicant agreed to the peer review, and to write a letter to Town Counsel Lee Ambler asking our responsibility and options.

▪ **Maple Street Commercial Building:**

Don Nielson presented the project and stated the traffic couldn't flow out left onto the adjacent property, as they did not have access.

Tom Norman, Maple St., asked if a roadway was being put in.

DN stated, no, it wasn't even part of the plan.

Steven Kohler, 26 Stonehedge Rd. stated he was speaking for himself and other residents, Susan and Robert Stearns. He asked the purpose of the building. They are concerned with delivery noise levels and hours of operation if this property is used for manufacturing.

DN stated there could be a bank of two to five truck docks.

SK asked the hours of operation.

DN stated these types of buildings have trucks that leave at 7am and come back at 5pm.

SK asked if he'd have a problem with the limited hours of operation.

Leonard French stated he didn't think so. If he lived there, he'd want it.

BJS stated changing the parking and building so the building would act as a buffer for the loading docks would be an amenable alternative.

DN stated it could certainly be looked at.

SK discussed the drinking wells. His well is an artesian well and bubbles up 24/7, 365 days a year. The Stearns have a water issue. Would anything being done on the development have an effect on our properties?

DN explained the flow of the storm runoff that the water would be flowing east away from the residential area.

SK asked about stacks/smells as the Garelick Farms stacks smell very badly and the entire woods near their homes smell badly as well.

DN stated these are small buildings, basically used for warehousing. There might be some light manufacturing and assembly, but nothing that would require stacks or bring foul smells into the neighborhood.

Peter Gabriel stated he was concerned about the noise and hours of operation.

Mr. Bell asked if the trucks would have the same restrictions.

EWG stated noise is a problem, traffic and hours of operation must be looked into.

Joyce Maria, Stonehedge Road stated unfortunately the town put residential in the middle of industrial for whatever reason, but somehow we need to make it work.

Anne Lange, 2 Stonehedge Rd discussed truck traffic on Maple Street that it wasn't being enforced as a "No through trucking" street.

RRL stated they couldn't enforce it, as that was illegal.

EWG suggested they might be able to have all traffic turn left toward Rt. 140.

Don Nielson stated they would have their engineers look at the things we discussed and come back in with a new plan.

BJS reminded Don that all these early discussions revolved around minimizing impacts on the residential neighbors.

DN stated he knew that and remember that before coming back.

▪ **Pine Acres Preliminary Subdivision**

Richard Pernetta, attorney for the applicant stated the property is currently a 9 hole executive golf course. There is parking for 98 cars.

The proposal is for a residential subdivision, 27 single-family lots. Most of the lots are 40,000sf; some are more than that. The four lots in the agricultural zone are all 80,000sf minimum.

There are two entrances, with no site distance problems. There are three wetland areas, which will affect about five of the lots and they'll be going through the Conservation Commission for the appropriate permitting. There will be a looped water line.

Don DiMartino suggested sewerage. Given the size and scope of this subdivision, it would be cost prohibitive. They are proposing private septic. Both wells for the town are within close proximity to the subdivision at 305' and 440', but well outside the state and local regulations.

BJS stated that in his opinion to discuss sewer versus private septic within a well head protection zone is critical. Ordinarily the Town would like to see protection for the wells. It's not a minimal request that DD is making in trying to protect the Town Water Wells.

RRL stated the area at Wrentham Road was proposed for sewer because the soil in the area is not good for filtration of the material before ending back in the groundwater.

RP stated Mr. Dalpe is a resident of Bellingham and certainly is concerned. This would create a financial burden and as an owner and developer, he wouldn't want to compromise the area because of a pre-existing condition.

BJS stated it's not a pre-existing condition – you're adding 24 homes in the area. I'm not looking forward to burdening anyone. Those innovative septic systems are very expensive and that would be cost excessive as well. We would like to see individual septic, but this is too close to the water wells to address the filtering of nitrates.

RRL suggested the Town work with the developer in getting the drainage issues discussed and the project on sewer. The solution might be to have a meeting with Leo Dalpe, Don DiMartino, Denis Fraine and the Town Planner.

EWG stated there are serious drainage situations that need to be addressed. He does not understand how the drainage would not effect the septic on rainy days and how that would not effect the wells. The Town uses a good percentage of its water from that area and it's important to protect it.

Amy Cook stated the line for the well is 400'.

RP stated they are certainly willing to stay within the state and local regulations.

BJS stated he understands because the homes in his neighborhood would not be allowed to have septic systems as they are now and so close to the water. He wanted the applicant to know that the Town wasn't asking for sewer arbitrarily but out of need.

SJW stated she spoke with Cliff Matthews. The ponds, even though they are man made, fall within the jurisdiction of the Conservation Commission.

RP stated he understood that.

RRL stated the cluster plan would eliminate the cul-de-sac. The dry sewer could save \$45,000 and this would protect the wells. He stated they were required to come in with two plans, that this was an incomplete submittal.

BJS: Motion to accept the withdrawal of Pine Acres Preliminary Subdivision Plan.

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

Discussion then took place that the applicant would come in with a complete submittal of both the conventional and cluster plans if allowed to extend the decision deadline.

BJS: Withdraw my motion.

APM: Withdraw my second.

APM: Motion to grant the extension for Pine Acres Preliminary Subdivision through 12/16/03.

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

BJS: Motion to continue the public discussion for Pine Acres preliminary Subdivision to 12/11/03 at 7:30pm.

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

▪ RK Plaza Public Hearing (Continuation)

EWG opened the public hearing for RK Plaza for a continuance.

RRL: Motion to continue RK Plaza to 10/23/03 at 8pm.

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

APM: Motion to adjourn.

BJS: Second. Vote: 4-0, approved. Meeting adjourned at 8:30

Minutes Accepted on: _____

(date)

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

Richard V. Dill (Absent)

Brian J. Sutherland
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Edward W. Guzowski
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Arthur P. MacNeil
Arthur P. MacNeil

Roland R. Laprade
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