



BELLINGHAM PLANNING BOARD

5 COMMON STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 966-0991; FAX (508) 966-2317
PlanningBoard@bellinghamma.org

January 8, 2004 Meeting Minutes

- **Present at the meeting:**

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

Other officials: Stacey J. Wetstein, (SJW) Town Planner
Beth E. Partington (BEP), Coordinator
Amy Cook, (AC), Commission on Disabilities
Tom Guerin, (TG), Deputy Fire Chief
Lee Rolls, (LR), Safety Officer
James Vallee, (JV), State Representative

The 12/11/03 minutes were passed over.

BJS: Motion to sign the vouchers.

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

Hartford Village was discussed. Mr. Antonellis submitted a letter to inform the board that they would be submitting an additional building, a proposed high-rise with about 52 units.

SJW notified the Board that Volta Oil submitted. They're not doing a McDonald's. They're doing a Dunkin Donuts, a D'Angelo's and a lot of pumps.

- **Planning Board Procedural Rules Public Hearing:**

SJW discussed that from feedback, she put in the Peer Review Procedures that the consultants are subject to change. The fees were changed for Special Permits and Development and Site Plans. Advertising was also changed from the applicant to the Planning Board according to Mass. General Law.

RRL: Motion to approve the revised Bellingham Planning Board Application Procedures.

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

- **Dunkin Donuts Distribution Center, Depot Street Development Plan Approval, Special Permit Public Hearing:**

RVD opened the public hearing for Dunkin Donuts Distribution Center Development Plan Approval, Major Business Complex Special Permit.

Jim Berman, discussed that the facility is currently located in Franklin. They've been a very good corporate citizen, contributing to the tax base through property taxes and excise taxes. They've met with local business people as well as the neighbors. The neighbors seem to be in support of the project. They're relieved it's not a power plant. The project will be buffered by buffer zones, corporate headquarters.

James Vallee, State Representative for Franklin and Bellingham, spoke in favor of Dunkin Donuts and their proposal. He stated that they had a good reputation in Franklin, and he looked to assist them in keeping them in the area.

Ted Tye, managing partner of national development. They'd like to introduce the project, walk through the site plan. They've filed a preliminary traffic plan and will come back at a later date to discuss the traffic. Tonight they'd like to focus on the project and the site plan. He introduced members of the team: Brian Hartnett and Tom Williams from Dunkin Donuts, Art Scarnio from GPI.

National Development is a company that's been in business since 1983, based in Newton. We've worked in 30 different communities around the state. Many are familiar with Forge Park, which began back in 1985. Their reputation speaks for itself. The million square foot corporate center for Staples in Framingham, the Cabot Industrial Park in Mansfield, a 400,000s.f. center for Raytheon as well as many others, ranging from corporate offices to industrial to hotels. I worked in Bellingham back in the mid 80's with Stallbrook Marketplace, which we co-own. We look forward to working with you in Bellingham on this project. We've been working on this project for close to a year. Dunkin has been a thriving business and engaged us to develop a corporate headquarters. Some of the critical issues for Dunkin is timing. They have busted out of their space in Franklin. Location is extremely important. They have a large employee base in the area. Many of them come from Bellingham. The highway accessibility is important to them. We've worked closely with several of the departments in the town, the Fire, the DPW, Denis Fraine.

Brian Hartnett. Tom Williams, VP of HR and Operations. We represent D & D, it's a growing thriving brand. We're really building our corporate headquarters. We're looking to build a headquarters that will take us into the next 10-15 years.

The site is approximately 140 acres, formerly the site for the proposed power plant. The back of the facility has power lines that run through it. Box Pond Road and Drive come up on one side. Previously the Power Plant intended to cut about 35 acres out of the parcel; we intend on keeping that basic blueprint.

The first plan will help to orient it in terms of location. There are 35 acres, which will be split out of the larger parcel. In the former plan, there was a cul-de-sac, proposed as a town road. All of the roads we're proposing will be private roads with their own private driveways. We will be coming later on with a Form A to cut the piece out. There is a 200' buffer zone along the roads as a separation between the two uses. There are a couple of wetlands that come into the site. We have stayed out of the 100' buffer zone of the wetlands, which maintains a nice buffer zone for the project. Depot Street is a nice wide road, which was improved several years ago under a grant. The zoning is industrial and consistent with the current zoning. The master plan stated it was looking for industries to develop jobs that do not involve retail or burden the town's infrastructure, which I think this facility is in keeping with.

The building itself will be set back over 500' from Depot Street. There will be stone walls and good landscaping, maintaining many of the existing trees. The building itself is proposed in two phases, but we're coming in for approval of the two phases now, so that it is on the table. Phase I is shown in the orange color. The expansions are shown in the outlined area and in the front. The area in the front is two-story corporate office. Initially we're proposing 43,000 s.f. of office space and 266,000s.f. of warehouse, with full buildout of 410,000s.f. The use of the building will be office and distribution. Anything you see in a Dunkin Donuts store comes from this building, from product to napkins. There is no cooking, baking in the building. Product comes into the store and is distributed. The goal is to have construction start this spring and have it up and running in early 2005. There are about 9300 gallons per day projected. Sewer disposal would be from an on-site disposal. We are removing 80% of solids. Parking on the site: The phase I is 350, Phase II adds another 150 for a total of 500. The front of the building separates office parking from trucks, which go around to the rear of the building. There is an emergency road at the request of the fire department. They're very close in satisfying all the comments that have been submitted.

Art Scarnio, traffic consultant, stated they're in the process of performing the traffic counts and access study. They've submitted a partial traffic study and are in the process of completing the final traffic study. They wanted to do the counts in January so that the retail traffic would not interfere with the study.

Paul Van Helden, 128 Depot Street asked about what they had said about not using town roads, but private roads.

TT explained that within the submittal, they're proposing to use private drives, there's no reason for the town to take over the roads. The roads on the site would be privately maintained through the site.

PV: Since the Franklin facility is expanding, there are 45 trucks there now, does that mean there are going to be 90 at this one?

TT explained that there would be 55 in Phase I. One of the reasons for the delay, was that we wanted to do traffic counts in January, which we did this week.

We think this will be a terrific project for Dunkin and the Town. It's a long-term location for Dunkin. We think it will have minimal drawing from the Town's resources. Excise taxes will generate \$300K annually. One time fees will be approximately \$200K to the town. They've been very generous to the community and supportive of community events. It creates a great long-term job base in the town of Bellingham. New jobs are created; it's logical to think people in the area will fill them. It's a kind of business that really is good for Bellingham. We look forward to working with the town and the Board on this project.

EWG: For me, I'd like to say we welcome the opportunity for the corporate offices of Dunkin Donuts into the town. I'm sort of a connoisseur of your product.

RVD: Can you explain in what way Mr. Guzowski?

EWG: I'm a police officer. One of my favorite subjects is traffic. I just have a little question on the intersection of 140 and 126. One of the major concerns in this town is traffic. In your report, which is preliminary, you state that we've had 24 accidents at that intersection. Do you think now with those larger trucks, at that intersection that now we'll have a fatality?

AS stated there is a great advantage for the traffic for this facility. These vehicles are already on the road at 5am. They miss peak hour because they deliver to all the different stores. I understand your concern for the trucks and their route. We've driven both routes and will be looking to the board for direction as to which route should be taken. There are obviously some mitigation funds, which will need to be dedicated to traffic. We've heard that the funds should go right to a certain area, which area that is depends on what you and the town decide.

EWG: There are a lot of residents in Bellingham with small children. Based on the size of those vehicles. Based on the 24 accidents at that intersection. The DPW has directed us to the cost of that intersection being \$500K. These trucks idling could cause noise problems in the neighborhood. Based on past performance, I believe you're a great company and will put together an excellent traffic study.

RVD directed the audience to defer traffic questions or comments until all traffic data was in.

Jeff Sire, 73 box pond, asked how many tractor-trailer trucks would be brought in.

PV asked if it was a given these trucks would be entering and exiting from one section of town.

AS stated that the direction of the truck flow was still being studied.

RRL: National Development is buying the entire 140 acres?

TT: No, Dunkin Donuts is buying the 35 acres.

RRL: So that parcel is being separated into three lots?

TT: Yes, D & D in the center.

RRL: If you don't own this land, how can you ensure the buffer?

TT: The current owner has agreed to keep the buffer zone and it would be a condition.

RRL: So for clarification, this parcel could be three industrial sites?

TT: That's correct.

RRL: So from the town's perspective, this could be a potential of three industrial sites. The power plant was only going to be one and donate the other parcels to the town.

BJS: One of the areas of concern is noise from the project. There have been some noise studies done on this property. A buffer zone on the Box Pond area is of very large concern. Noise generated from truck traffic, waiting and idling has to be seriously addressed. It is my opinion that this is much better than a power plant, but I would like to see a larger buffer zone for the residential areas.

TT: The buffer zone that we have here, along Box Pond Road and Drive is 200'.

BJS: You need to look at what was recorded at town meeting when the land was rezoned.

TT: The noisy part of the site is buried in the back of the site, which has a buffer, wetland, power lines and the Charles River.

BJS stated the power-line easement is a great conduit for carrying noise because there are no trees.

TT: I understand the nature of the concern and we've had to look into that for previous projects. We'll collect information on that and bring it with us at the next meeting.

RVD: It's my understanding that you're going to come in for an APR for the lot, how are we going to have any ties to conditioning that buffer zone?

TT: We'll find a way to make that enforceable.

BJS: That clearly is a concern of the town and the residents

TT stated that anyone who wanted to was welcome to come visit the facility.

RVD stated there is a lot of correspondence from Meridian. Have they all been addressed?

Theo Kinderman, the landscape architect: The correspondence with Meridian has gone well. They've been very good. We're down to minor adjustments that should be settled very soon.

RRL asked if this is a 24/7 operation?

TT: Yes.

Tom Williams, V.P. of operations. The building is open 24 hours a day for six and a half days. We close at 6pm on Saturday and open Sunday afternoon.

TT: If I were to sum it up from a layman's perspective, the office is open from 7am to 6pm, the rest of the building is warehouse.

RRL: So you said you had 500 parking spaces?

TT: At total buildout.

RRL: So how many employees do you have?

TT: Well, we have on-site and off-site employees, currently 55-70 on site. There are two employees to a truck that leave the site and make deliveries.

Eric Van der Wal 60 Fox Run Road. If you're going to do a traffic study, it increases in the summer. We know this from a family business on Depot Street. When they do a traffic study in January, the counts are going to be lower. Grove Street is really narrow and in the winter people don't want to travel it.

Tom Williams asked how many trucks would be coming in for supplies.

TT: It will be part of the traffic study.

AS: Stated they count the Franklin facility for 24 hours.

E V: Why is the buffer zone a voluntary buffer zone, not mandatory?

RVD: Well, it's a voluntary buffer zone, but after it's deeded it will be a mandatory buffer zone. Would that be deeded in the language as a buffer zone, not a voluntary buffer zone?

TT: When we get back to you, we'll get back to you on that.

Mary Lee McKenzie of Depot Street, stated that she constantly has problems with trucks. All the curbs on her property are torn up. No one has kept up with maintenance on Depot Street in the last year. At three o'clock in the morning, a truck goes by and it wakes up the house with loud crashes with the trucks hitting bumps in the road.

Dan Burgess: The road has a lot of ice heaving, wash board effect in the pavement and pot holes. You can hear it all night, all year long, the banging, the trucks. After 3:30, 4 o'clock, you don't move in this area.

RRL: Is there any way in discussing with DPW that part of the mitigation would be designated for the improvement of this road?

TT: I've noted that comment.

RVD: I've never followed the actual excise money, but isn't it supposed to go to that general area?

TG: I'm hearing mitigation for Bellingham center, the roadway. This project is beyond Lantor. Why wouldn't we want them to go to Hartford Ave?

RVD: Would you want to pass up the opportunity to get money to improve the center?

TG: I have no problem with them giving us money, but wouldn't it make more sense to improve Depot Street and Hartford Ave since the project is down there and they'll have the most impacts?

BJS discussed improving the railroad crossings on Hartford Ave. Currently, late at night when the train goes by, they slow down, throw out a red flare on each side of the tracks and then go across the road. For cars not familiar with this, in a high traffic area, it could be very dangerous. I would think, adding this many more cars with a facility of this size would require improvements to the crossing system.

RVD stated the train tracks are not in the town's jurisdiction.

Lee Rolls: Stated in a meeting they had was that a lot of the employees will be coming from the Woonsocket and Franklin areas and using those intersections, so that's why they thought focusing on the center would be a good place to start.

BJS: Motion to continue the public hearing to 2/12/04 at 7:30pm

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

BJS: Motion to grant the applicant an extension

- **Pine Acres Preliminary Subdivision.**

RRL: Mr. Chairman, I would like to recuse myself, as I live on Wrentham Road and would gain a benefit from the project.

EWG: Great things can be done from that back row, like a light at the corner of Elm and So. Main.

Richard Cornetta, representing Leo and Germain Dalpe, this is our third appearance for a preliminary subdivision. We presented a conventional subdivision containing 27 lots, with proposed septic systems. There was concern on this board as well as from the DPW regarding the close proximity to the water supply wells. We've proposed a cluster plan. Essentially the difference between the two plans, is the cluster plan calls for a large circle drive with one entrance and one exit with no cul-de-sac. We're eliminating that. We're discussing the proposal of sewerage the project due to the elimination of much of the roadway the cul-de-sac.

RVD thanked Mr. Dalpe for coming up with this plan and thinks this is quite favorable. I've looked at the draft decision that our Planner has written. I think this is a favorable plan and would like to apologize for coming across in a way that may have been heated at the last meeting. When we're talking about water, and the protection of a valuable resource, things can get heated.

BJS: In relation to lot 19, is it possible to deed that being a single-family home unable to split? Maybe take some acreage off the back so it doesn't meet the regs?

RC and LD agreed it could change the size of the parcels to reflect a square footage smaller than that allowed for a duplex.

EWG stated for clarification that the residents along the road would be able to hook into the sewer if they chose to.

EWG: I don't apologize for doing something to protect over 50% of our water supply.

I think with the additional land being given to the town, they could probably build another well.

RVD: Normally what we would do at this time, we would make a motion to draft a motion of approval or denial. But Stacey has done such a good job tonight that we just need to make a few additions to it. We can go over it tonight. There was a suggestion that because you were willing to fund the sewer, that certain Planning Board fees be waived.

SJW stated that some board members were not in favor of that.

GCW stated he hates treating one applicant different than another. As long as I've been on the board, we've treated everyone equally. This would be a precedent and I don't think a good one to set.

RVD: Understood, but this man is putting out \$600,000. We'd be waving 2500, in lieu of receiving a major piece of sewer.

GCW: When did that happen?

SJW: I thought that having them put in the \$400K sewer as an act of good faith, we could waive the fees.

APM: I'd certainly like to show good faith on this and waive one of the fees.

R. Cornetta: We're not here to nickel and dime the town. It was discussed as sort of a global resolution and we've done that and indeed came up with the suggestion to forego the fees and the requirement of the conventional plan. I have one other point on the wording of the decision. One of the issues that we discussed was that the cost of this was that the town would be taking care of some drainage issues. In doing so, it was expressed to us, that the workers would have to sit for at least a season. It was conveyed to us that if the town sought to construct their drainage concerns, the town would alleviate the cost of Mr. Dalpe from laying down the top-coat. As an attorney, we're always nervous about having something put in the order. As time goes on and memories fade, the town and Mr. DiMartino had stated that it would be possible, while if it wasn't in writing, people might not remember it.

SJW stated we can take it out or re-phrase it.

RC: I wouldn't say taking it out, but maybe making it a contingency. Something along those lines, but otherwise the wording seems appropriate.

APM: Motion to waive the fees.

EWG: Well what about the top coat now. Someone down the road could come in and say, "Hey that's unfair."

APM: Withdraw the motion.

George Resindes, stated the area was very congested and asked if there could be sidewalks put in front of the area of Mr. Dalpe's subdivision.

RVD stated that sidewalks are a funny thing. No matter what is proposed, some people want them, some people don't. It's like you can't win either way.

SJW stated she hasn't seen anything in the regs. regarding sidewalks.

GR: We might not have had the fatalities that we've had if we had sidewalks.

RVD: I think we ought to get the \$80K a year in

EWG: Motion to draft a decision of approval on the Pine Acres Preliminary Subdivision.

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

BJS: Motion to grant an extension for Pine Acres Preliminary Subdivision to 1/27/04.

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

Motion to continue to 1/22/04 under general business.

BJS: Second. Vote; 4-0 approved.

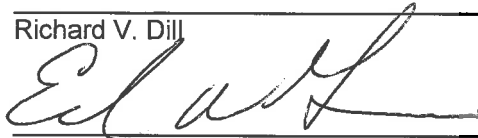
APM: Motion to adjourn.

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

Minutes Accepted on: 1-22-2004
(date)

(prepared by: Beth E. Partington)

Richard V. Dill



Edward W. Guzowski



Brian J. Sutherland

Arthur P. MacNeil



Roland R. Laprade