



# BELLINGHAM PLANNING BOARD

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## February 26, 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)  
Art MacNeil  
Glenn C. Wocjik (GCW), Alternate, arrived at 7:15

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

### ♦ General Business:

RVD opened the meeting at 7pm.

BJS: Motion to accept the 2/12/04 minutes.

APM: Second. Vote: 3-1, approved (RVD Abstained as he was not at the 2/12/04 meeting.)

BJS: Motion to sign vouchers.

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

SJW discussed going to a Historical Commission meeting on Monday, possibly preparing a preservation plan for the town, focusing on the North School, the Mill Street project, the Town Hall. She feels its part of Planning and hasn't been addressed in Bellingham yet.

RRL asked about the research SJW did on the overlay zone and possible funding.

SJW stated there is proposed legislation that provides funding for zones in which there are mixed zoning.

RRL stated the Pearl Street Mill, in which we're looking for affordable housing with a mixed use, such as affordable housing, apartments, condos, perhaps some retail, it could be a friendly 40B, in which a mixed use would be required.

SJW stated it could be useful to develop the town center village as well as South Bellingham.

SJW has been working on Sign By-Laws. Several of them have a design review committee for sign submittals. They would come to the Building Inspector, they would forward it to the Planning Board and they would forward it to the subcommittee who would in turn examine the sign. This is kind of extreme, but several local towns such as Medway are looking into it.

RRL asked if we could solicit feedback from Medway to see how it has been perceived there before we go into it here.

SJW stated that Medway had developed an extensive sign by-law last year and it wasn't approved, so they've been re-working it all year and it goes before the Town Meeting this year. Other than saying, "It's not acceptable."

RVD: stated that there are ways around it, the zoning board looks at it that if a light shuts off it's not a blinking or scrolling sign.

SJW: If a light shuts off and turns back on again, isn't that blinking?

RVD: You would think. I sat in that chair debating it for 20 minutes.

RRL: Define blink.

RVD stated that the sign up at Summit Bank was passed through as a lit sign. If more people knew that it was going to be a blinking sign, it would have been opposed.

RRL stated that our signage by-laws have long since needed re-working, but have never really flown at Town Meeting.

SJW asked what the problems were so that we could avoid those pitfalls in the future.

SJW stated that if you wanted a design review committee

BJS stated it would probably fly if there were some approval level, not just black and white.

SJW stated she didn't think it would be, that there would be various levels of

RVD: When you put the thing together to rewrite these, under 4310, the intent is so important. I believe the intent when they were talking about the arrows, those temporary lights, are what they were allowing.

SJW stated she agreed and that definitions are important as well. She would like to take all the definitions and key words to put them together. It's a little different,

RVD: I would add that as well. Put something together.

SJW: I want to have a draft to you fairly early; it's going to take a lot of work. The sign by-law is basically starting from scratch.

RVD suggested touching base with Stuart, that he knew some sign by-law expert.

SJW stated that with the traffic by-law, Paige had worked that to near completion. SJW had passed it by Bonnie Polin and that she had stated it was fine.

◆ **Hidden Pines Estates Definitive Subdivision, David Road, Public Hearing**

BJS: Motion to waive the reading of the public notice.

APM: Second.

Paul DiSimone Stated the land consists of 7 acres of land zoned business, with approximately 4 ½ acres zoned residential. Rolling Hills Drive with 3 houses. This land is very hilly. The pavement ends and the land drops. One lot is oversized 2 ½ acres and the lot would not be a duplex lot. The drainage system is very basic. There is a double catch basin at the end of the cul-de-sac. Soils were 2-5 in the perk rates. If there is any trickle, there is treatment with riprap. There is pretty much a maintenance free system. DD suggested they put in an oil free catch basin, which would catch any oil from going into the water tank.

RRL: Rolling hills drive presently exists now?

PD: Yes.

RRL: Well the Planning Board dropped the board on that one, how they got that approved is beyond me without a cul-de-sac.

EWG: Mr. DiMartino suggested a loop for the water main going out to Mechanic Street, are you willing to do that.

PD: stated they would, but there's no room to put an easement in the lot.

Lee Wickett stated that right now there is one house, which puts the linear draw to 110 feet per house. My understanding is that they allow up to 12 lots on a dead end, plus we're putting in a hydrant. To put a line all the way through, with no plans for the front, you would have to plan for the future for the business zoned property as it is. It's a big expense coming all the way to Mechanic Street. The fact that we own the business property is what e mentions in the note, but it wouldn't have come up except that we own the property.

EWG: You're going to put that hydrant in?

LW: Yes.

PD: I don't think the fire department knew that there was a hydrant in.

LW: There's one presently in.

EWG: Some of those houses are going to be right on top of rock.

RVD: I think the original question got side tracked. He read that at a minimum a water main stub with an easement be installed.

John Burgess, the proposed builder stated that if they could extend the drainage easement, they could

PD stated he thought he was looking for a separate area for the water easement.

RVD: What am I missing here? At a minimum he would request a stub.

JB stated that they wouldn't have a problem with putting it in underneath the drainage. He feels the extension of the easement would satisfy everyone.

RVD requested SJW to get clarification on that from DD.

SJW stated she has some comments from the Conservation Commission: The cul-de-sac is very close to the wetlands. They CC has a 25 no disturb zone. They also have to file a notice of intent because they're within a 100' buffer zone.

PD stated they're going to do their notice of intent, we have minimum frontage on these three lots as it is now, if we moved it back, we'd lose a lot.

RRL stated that unfortunately, the standard way is you get approval from us, and then you go to CC. They really should be going through the process simultaneously, and then they'll have all sorts of questions that should have been addressed prior to approval.

PD: We're not looking for any vote from this board prior to approval from this board until we've satisfied the conditions from the ConCom.

SJW: That's fine if that's your position, but I just wanted the Board to be informed of the issues that exist.

SJW stated her other concern was that she wasn't comfortable with the phrasing, "Not a duplex lot."

APM stated that really wasn't the issue, but the issue was that from a larger lot, we didn't want any duplexes to be popping up where there was only supposed to be a

single family. If you were up-front with that from the beginning, then we wouldn't have a problem with it.

PD stated we could change the note to anything you're comfortable with.

Chris Healy, 70 David Rd. Asked if they could explain how they would accommodate the dip in the land for the road, and how the drainage would flow so that it wouldn't go down to his property.

PD explained that with the equalizer pipe and the retaining walls, the pipe would assist in retaining the water.

CH: So when you refer to the drainage basin –

PD stated the basin was two feet deep.

CH: There is a lot of rock back there, if you had to blast would we be made aware of that? There are foundations and three built-in pools.

PD stated that if we have to blast, then we work with the fire department and take pre-existing pictures of foundations and yes, we notify neighbors.

RRL asked if all the utilities on David Road were underground?

CH stated no; they were above ground.

RVD and there are no lights?

CH: Correct.

RVD: Would that be Denis? You would have to go to the Board of Selectmen for streetlights.

Roger Gauthier, 76 David Rd. I see three lots, but you referred to four lots, what were you referring to?

PD stated the Harrington lots.

RG asked how large these were going to be?

PD: Similar to the ones on Rolling Hills.

APM: Motion to continue the public hearing for Hidden Pines Subdivision to April 22, 2004 at 7:30.

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

**♦ Volta Oil, Development Plan, Special Permit Public Hearing, Mechanic Street:**

BJS: Motion to waive the reading of the public notice.

APM: Second.

Bruce Garrett with Volta Oil Co. of Plymouth, MA, stated they were here to seek permission to develop the property at the corner of South Maple Street and Mechanic Street. The parcel is zoned industrial. There are currently residences, which are not with the current use of the site. We're proposing to put 6 gasoline stations in the front, with two diesel stations. We're proposing a 6300 sf building, housing a D & D restaurant and a D'Angelo's with the remainder of the building being a convenience store. We're also proposing putting in an unattended car wash, meaning that the machinery goes around the car. You can actually buy a car wash at the pump and go through punch a code in and start the car wash. We plan on running 24 hours, employing 24 employees, with a maximum of 15 employees on duty at any one time. We're proposing 55 car spaces but the by-laws require 171. We are asking for a waiver for the number of parking spaces. The two restaurants have different peak times and we feel the 55 spaces is an appropriate amount. The curb cuts we're proposing are two. Currently there are three. We've set them up in such a way that we're proposing to make the least amount of impact to the intersection. The one way out on route 140 is closest to the intersection, but we've provided plenty of room for them to stack. On So. Maple the biggest concern we heard was a potential for a left turn. We've designed the curb with a turn so they won't be able to turn this way. On the lighting issue, if I have a type 3 light, I am allowed to have it 30' in the air. Basically we sent this out to LSI, a large lighting manufacturer. The lighting we're proposing is a forward throw, which is less than the type 3. We do meet the limit we're allowed to be at with the property. The signage will be two free standing signs identifying the location, a little of 75 square feet, the only other sign is the menu for the drive-thru for the Dunkin Donuts so we do meet the requirements for that. It adds up to 230 sf. By the by-law we're allowed up to nearly 700sf of signs which we're not even approaching. Planning on architectural black shingles, with the walls being white. The building of the convenience store will be horizontal vinyl siding, proposing to put on a sterling color, a light gray, the corners on the freeze board, white with gray siding. There will be some awning lighting to light the sidewalks. The landscaping idea was to landscape the whole area, then at some time when there is a taking, to move the landscaping back, rather than leaving some void on the town owned land. There will be arborvitae and white pines on the sides and the backs to give screening from anything on the site. I misunderstood the traffic information and didn't get it going as quick as I should have.

Bill Scully from MS Transportation, located in Framingham. They've been collecting preliminary information, safety data at the intersection, morning afternoon and weekday counts. Currently what they're seeing is that 140 is carrying 14000 cars a day, peak hours somewhere between 1000 and 1100. There were counts taken just about two years ago show there have been a little bit of a drop. There are projects in the works that are coming on line that aren't on line yet. We're looking 5 years into the future in our analysis. We're looking for approval from Mass Highway, as it's required from the

light. We're in the process of talking with the district, but it hasn't been finalized yet. This is really a multi-use sort of project. All of those types of uses are considered roadside uses, with the effect of drawing traffic from the road. In a way it's a good thing, without drawing a lot of new traffic to the site. There is also a lot of internal capture business, where a lot of the people coming in for gas will also be using the restaurants. We've essentially based our figures on the Guidelines of the Transportation and Engineers.

	Total Trips		New Trips Only	
	In	Out	In	Out
Daily:	1268	1268	561	561
AM Peak	102	97	45	43
PM Peak	114	110	50	48

There is a passby factor and an internal capture factor. We haven't done a Saturday forecast. We'll look at the carwash a little differently on a Saturday. Clearly, a carwash is not normally the destination, but on a Saturday, many months out of the year, it will be.

In the morning there is fairly directional flow, with 70% heading toward Franklin and 495. In the afternoon it flips with most of the traffic coming from the other direction. The site is set up to have entrances on So. Maple and 140, allowing for people to enter into the site from where ever they feel comfortable at the intersection.

These forecasts are full build 5 years out. It's what we're seeing today. Initially we've looked at the signal; it's generally operating under acceptable conditions. We're coming in with levels of service with D in the morning and E in the afternoon. We're not seeing much change in either delay or level of service.

RRL: Do we have an independent peer review for traffic?

SJW: Yes, but they haven't done anything yet because it's still in the preliminary stage.

RRL: The thing that's come up is that there have been issues with truck parking, for both deliveries

BG: I understand there are issues that there are problems all the way up and down 140 with trucks not being able to stop certain places.

RRL: So there would be a time limit

SJW suggested a truck management plan.

RRL: asked that they did look at the previous development plans and they didn't think it was going to effect the intersection much?

AS: Yes, in the no-build case the service is going to decrease. In the build case, we've added them in. We haven't included EMC into the plans. We're doing the best we can to add in the build for up to 2009 with traffic from about 5 or 6 projects that we know about.

RRL: Now the right turn only coming out of So. Maple, is that going to be severe enough so they can't make a left hand turn?

BG stated they have a similar situation with a project in Bridgewater right before a light and it has worked very well. We had a situation in Falmouth, where we put in grooved concrete and it didn't do anything, but the granite curbing on a sharp slant made a difference.

RRL asked if the schedule of the light was going to stay the same, because currently the Maple Street wait is considerable.

AS stated that it would depend on what the state required.

SJW stated that DD suggested the applicant work on left turn lanes. He would be in favor of some kind of re-working of the light as well.

EWG stated there's a very good diagram of the site but there's no depiction of the traffic lanes of the road going to the site. There's a yellow painted island right near there, is that going to be converted into a turning lane. I feel you need a turning lane going in there. You don't want to block traffic on 140 with cars going in there unless you have a turning lane coming from Franklin going into the site; you're going to block traffic.

BG: It's certainly something we could look at. That's why we've put the curb cuts as far down as we could.

BJS: What we're saying is that is not adequate.

EWG: You need to get some kind of provision from Mass Highway to negotiate a turning lane into your driveway. That would be ideal that way cars could pass going into Bellingham Center. I also have a concern on the island in the center. You've proposed Maple Trees that will obstruct the view.

BG: That was to meet the guidelines of your by-laws. But we have no problem with removing them and putting in what you request.

EWG my other concern is that I'd like to see no parking signs put up because if the truck spaces are all taken, a truck will pull up and park on 140.

Ed Moore stated there are "No Parking" signs there already. One was put up

BJS: Has several concerns, although the queuing looks terrific, it doesn't look anything like what actually happens when people are waiting. My concern is that the flow is not



going to be what you want it to be. Another concern I have is when you look on the intersection on So. Maple. The island you've proposed. We had a similar set up near Market Basket, until we set it up. You shouldn't give people the option of doing it incorrectly on the entrance near Mechanic Street. Unless there's no option to turn, people will do it. There are ways of shaping that curbing so you can avoid that. On Saturdays, when everyone wants their car wash, if you have a truck and people getting their gas and coffee. It looks very awkward for people to get in if there's a queue there for the car wash, it means they're going to have to drive through the diesel area which doesn't work as well. I don't know about the dead parking area.

SJW: asked they were supposed to show a loading dock.

RVD stated they could designate that as employee parking.

RRL asked what those rear parking spaces accessed?

BG stated they serve a rear door to the store.

BJS: As far as the lighting concept goes, it does appear you exceed the lighting on the southwest corner; it is above three. On the west corner of the property, where the light standards are themselves, it looks like there are some places with 15, 16 lumens and in other places, 8.75, 4 and above. One last thing is that this might be a nice place for a Community Bulletin Board, then the parks department could keep it up.

RVD stated "I'm the anti-sign guy".

RVD asked if they were planning on signing up for town water?

BG stated yes.

RVD asked why not with the car wash.

RVD stated his concern was selfish, he has a business on that road. There are a lot of big businesses on that road and would their counts affect the fire safety on all those businesses on that road.

BG stated 50% of our water would be re-used. They tend to be high pressure but not a lot of volume. My experience is that we're not using a lot of water and not at a high volume.

BJS: In keeping with that Mr. Dill, the Charles River watershed stated they were concerned with towns taking water from the river's watershed. This is far enough away it would be better taken if it were well water. Handicap parking there are only two spaces, shouldn't there be more?

RVD: 4840 talks about two additional waiting spaces for the pumps, why don't we see that. And do you feel the pumps being straight at the building better than the diagonal.

BG stated from a traffic flow on the site, our goal is to take one customer and sell them as many services as we can. The other reason is somewhat selfish, and it's marketing, if you focus the people at the building they actually come in.

RVD: And you pay people to get that info? Why don't you add the two waiting spaces?

BG: That would be utopia to have all the stations filled and two cars waiting to fuel up. Let me throw up some counts. We're anticipated 275,000 gallons per month, which breaks down to 265 gallons per hour. We're providing for 5 to 6 times greater than what we actually anticipate at full volume. One of the reasons the islands are set up the way they are, we've learned that it's such a convenience business and if you don't make it very easy to get in and where you're supposed to go, they won't come in. 10-15 years ago, the pumps were individualized, now they have multipurpose pumps. If people saw 8 out of the 12 spots being used, people would probably drive buy, because it's that type of business. It's an unrealistic scenario, other than the occasional scenario when someone sells their product below their cost for a promotion. If people have to wait, they're not going to come in to our facility. There are way too many stores and gas stations around for people to have to wait.

RVD: so if I dissect all you just said, that was the world's longest explanation for a request for a waiver.

BG: Yes.

RVD asked if there were any plans for snow removal.

BG stated some of the truck spots. And in the landscaping there were spots to put it in.

RVD asked for it to be denoted on the plan.

BJS asked if it was going to be put in the landscaping make sure it's not in the "line of sight", especially where the underground storage tanks are.

RRL asked how high it gets stored.

BG stated that they're very aware of that and if there is that much snow, they have had snow removal companies to come in, because if it's not easy for customers to come in and out, they won't come in.

RVD: We've attempted so many times to direct traffic in certain directions.

BG there is a section in your bylaw that requires pipe. Meridian has a concern with that, but we believe it's state of the art, we can go back to the reinforced concrete, but we'd prefer to use that.

RVD suggest SJW confer with DD to see his opinion on the pipe.

RRL: asked if the fueling areas have spill protection.

BG: Yes, this is a state of the art facility, they absolutely will have that, there will be closed circuit TVs on the whole thing. There will be a mechanism to shut the whole thing down; we're actually exceeding the fire safety regulations on this.

SJW asked a concern of Don DiMartino's on the Charles River Pollution Control District.

BG stated yes, if the Board would like those things resolved before we get to the point of a decision, then by all means we could address those now.

SJW stated that you must comply with all the industrial wastewater requirements. He would like to do a water impact analysis. So he would like \$700 to address that. With Meridians analysis, the egress spacing minimum should be 250, you have 186 feet, are you requesting a waiver for that?

BG: Yes we come up 9 feet short on Maple Street, but it didn't make sense to move it because it moved it closer to the intersection. We looked at one curb cut in the middle, by separating them, with one way in and one way out, we believe this is the best design for this parcel and we would seek a waiver.

RVD asked if they had a formal list of the waivers.

BG stated that Joe Antonellis is representing us and he's having fun right now and I'm sure he's got that under wraps.

Mike O'Herring, a resident, asked what the deadline meant.

SJW stated that it's a deadline for when the decisions due.

BJS stated that a decision is due and if we had to make a decision tonight based on the information granted then it probably wouldn't be favorable and it would not be prudent to not grant and extension.

MO: I'm not going to call them death traps yet, but those entrances are not very friendly to those of us biking through.

There was discussion on the direction of the flow out of the exits. In particular the exit on 140 closest to the light, it would have to be right turn only.

BJS stated practically speaking it would have to be. Because it's in another area of town and it is the same set up. At Hess, if someone takes a left at the exit closest to the light, it is a nightmare, the flows of cars is blocked.

RRL: It is the same as Fleet in south Bellingham

AS stated they've made a list of the comments, they still need to talk to Mass Highway, my guess is that driveway is going to be restricted. We haven't made a determination on the other entrance. I think the left turn out is going to be self-enforcing. Having that more western drive available will possibly help the flow. I understand the applicant's need to have some sort of egress onto 140. As long as we have egress, I think the project will work. In reference to the comment on the biking, there is queuing. As people exiting, there could be a reminder sign, be aware of pedestrian or biking traffic. As far as visibility, there will be low-lying shrubs so the line of site would be clearly visible.

MO stated the traffic backs up whenever there is a train coming into Franklin.

RVD asked, but isn't that being addressed with the new road in Franklin and the parking on both sides?

RRL stated that now the parking was all going to be on one side.

MO stated he disagreed with some of their statements of flow.

RVD suggested holding off on traffic discussion until they got their counts.

MO was concerned that the lights were too high.

BG stated they would decrease them over the site to comply with the regulations.

Gary Boudreau, an abutter on the south side requested an 8' stockade fence.

BJS stated for the crowd's information that there is a state law that states a truck can not idle for longer than 5 minutes unless doing a safety check. You can call the police and they'll come down and take care of it.

RRL: It would mean they weren't adhering to their truck planning policy.

EWG asked about the drive thru speaker.

Neil Faulkner stated the speaker does not carry more than 15 yards, they won't hear it.

BJS: Motion to grant the extension for Volta Oil to May 1, 2004.

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

BJS: Motion to continue the public hearing to April 8, 2004 at 7:30.

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

BJS: Motion to adjourn.

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

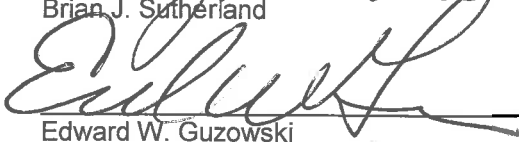
Minutes Accepted on: 3/11/2004  
(date)



Richard V. Dill



Brian J. Sutherland



Edward W. Guzowski

(prepared by: Beth E. Partington)



Roland R. Laprade



Arthur P. MacNeil