



# BELLINGHAM PLANNING BOARD

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## April 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

RVD opened up the meeting at 7pm.

The minutes were passed over.

BJS: Motion to sign the vouchers.

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

- **81-P, Lorusso, Bellingham Shopping Center, South Main Street:**

SJW stated that Lot 3 is being divided out of the project.

BJS asked if they ascertained who owned up to the frontage?

SJW stated that yes, they do.

RVD asked if it was still part of the Special Permit if it states it's being divided out of the project?

There was discussion on how the parcel should be worded to maintain that it is still part of the Special Permit.

RVD stated that project should be changed to parcel.

RVD asked, "What does it do if we change the verbiage on it? Is it that much of a change between project and parcel?"

SJW stated yes, that it would only be dividing the parcel not the project. She stated that she could ask Lee for better wording on this. If you say it's being divided out of the project then you're saying it's an entirely different project.

RRL: Don't they have to do that anyway, since it's a drive-thru?

RVD: Didn't they already do that?

SJW stated that the decision indicated that parcel was approved for a Special Permit for a Drive-thru.

RVD stated he thought we were all on the same page. He wasn't sure if they (Dunkin Donuts needed to come in for a development plan for their project.)

A consensus of the board felt the 81-P should wait until there was clarification on the wording and intent.

Paul Fournier, representing Larry's Liquors, stated they've changed the parking. They're presenting the parking to the Zoning Board, as they do not meet the parking requirements. He spoke with Denis Fraine, the Town Administrator. DF had no objections to the owner using the front strip on the parcel that is owned by the town. The ZBA stated they didn't think DF had the authority to approve the use of the front strip of the parcel that the owner should go to the Board of Selectmen. PF stated they went before the BOS and they all went down to the parcel and the BOS had no problem with the owner using the front strip of the parcel for the project. It will soon follow in writing. Other than having the letter that is forthcoming and getting a letter from the Conservation Commission regarding the wetlands.

RRL stated the BOS was not aware of the retail sales being made on the front of the property. He feels they should get permission from the BOS before they do so. I'm not saying they can't, I know the Boy Scouts sell Christmas trees there in the winter, but I just feel they should have permission from the BOS first.

RVD didn't know why the ZB would object to parking, that's the Planning Board's jurisdiction.

RRL: You didn't go to the ZBA for parking; it must have been for setbacks.

BJS asked if there is going to be a sign for the overflow parking for the Outback?

RRL: Except for the "no retail outside the building" I don't have a problem with this. Can we act on it?

RVD: We can state it's contingent upon those conditions.

BJS: My concern is that whatever we do, it should be specific because there are a lot of spaces they could put the outside retail.

RRL: My concern was the traffic. If they put the retail where the parking spaces were going to be, it could affect the traffic as well. I know we can restrict the retail on the town's property, but I don't think we can on their own property.

EWG: I think you should.

SJW: Well, if they came into the BOS for permits and it was specific.

RVD: Let's be clear, RRL was talking about not using the Town's strip of the parcel, not the owner's own property.

TG stated that if we're talking about outside retail, the Fire Department could control that as well.

RVD asked why the BOS?

RRL said because they do the common victualler's license.

PF: To make it clear on my end, you don't want him to use any of the town property to use any outside vendors, but if it's him, as long as he doesn't affect any parking, than it's allowable.

TG stated that if it were close to the door, the Fire Department would have a problem.

RRL: Motion to approve the site plan for Larry's Liquors with the statement restricting outside sales of distributors to the land of the owner's and with special permission from the Board of Selectmen.

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

**Volta Oil, Development Plan Review, Special Permit for a Drive-thru, continued public hearing.**

Joe Antonellis, we're going to ask for a continuance tonight. Our engineers were not able to meet with Mass Highway regarding the curb cuts. You cannot get a permit from Mass Highway without an approved plan. When we sit and discuss traffic patterns, it's on a consultant basis. Bruce's traffic people were not able to get definitive answer from them. I know it's the major concern of the board, as well as other concerns of the Board as well. We feel we should ask for a continuance. I'd like to ask for a full and complete continuance. We're not prepared to discuss it in a way that is beneficial to the Board. We really believe your questions are most focused on curb cuts and traffic.

RVD stated he would not be here at the next meeting. If they wait until May, then Roland or myself might not be here because of elections.

EWG: I feel we should move this project along.

BJS: My concern is that we should have time to allow the consultants to look at the information. I don't want to feel pressured one way or the other, but in all fairness, I would like our consultant's to see the material.

JA stated that Meridian didn't get the plans because someone didn't drop them off.

RRL asked if Glenn had ever sat in a project in the middle of a project. Ed you might know this...

Ed Moore: It's better if they're at all the meetings; the only one who might have an objective is the applicant.

BJS: Will the information be able to get to our consultants so they'll have time to look at it.

JA: Mr. Sutherland, I would not be sitting here asking you tonight to meet that night, knowing you're schedule. It's dependent upon our meeting with Mass Highway. I recognize that you're consultant's need that information.

Bruce Garrett: Our traffic consultant got the information to Mass Highway. The counts are going to change. We need to get the ultimate curb cut layout and any street changes. We've been sending plans over there for they're review. Hopefully, we'll be able to resolve this issue next week and get the information to the traffic consultants.

RVD: Who dictates what? Is Mass Highway waiting on what we decide to decide where the curb cuts go, or does Mass Highway decide where they go and then come to us.

BG: It depends on the project. Obviously based on the comments from the last meeting and with meetings with SJW and DD, then we obviously need to go before the decision is made. In the cases where traffic is a main concern, it is important to go to Mass Highway beforehand. If I get approval here, then go to Mass Highway and they change the curb cuts, then I have to come back in here for a modification. My hope is that we can get that resolved.

JA: Frankly, having experience with this board and the thoroughness of your decisions, it will be approved with contingents. I apologize that we're not prepared to go forward tonight.

BJS: Our consultant is here. Does he have any particular concerns besides curb cuts that need to be addressed now?

Paul Bannon, representing Beta Group. Looking at the plans, they are far different, than what we have in house.

RVD: What date did you receive them?

PB: It was Fed-exed to our office last week, in the middle of the week, Wednesday. He would like to have a little more time to digest the information so they have an idea where the Board is coming from as well as Mass Highway, so that we can have a consensus prior to the next meeting.

BJ: So the approach they're taking is not out of the ordinary from what you've seen.

PB: This type of project needs to be coordinated with Mass Highway and it's essential the information get out. You do have control over the size of the proposal and the scope of the proposal, but the Mass Highway has the control over the access.

RRL, there was an issue that the entrances were not 250' apart, is that going to be an issue with Mass Highway.

BG: I'm not sure if that's going to be an issue with them or not.

PB: Typically, you want to limit the closeness of accesses, but with fuelling sites, because of the type of traffic, then it should be okay.

RVD: Now because of the location of this Dunkin Donuts, could it change the flow of the traffic in the area? Because a lot of people go through the center or down toward south. Main Street to go to Honey Dew or Dunkin Donuts, will this pull traffic from the other sites? Is there a traffic study that accounts for that?

SJW: We met with the applicant and discussed that they didn't look at the center as it was far enough away from the center.

RVD: I've probably looked at 400 traffic studies over the years on this Board and we've seen consultants arrive at completely opposite findings on the same studies. I don't think we need any more traffic studies.

Ed Moore, wouldn't the board think that having a gas station on this end of the town doesn't it think that it would take traffic away from the center of town because of the nature of the business?

PB: Those factors do factor in. Is this going to be a high-end facility because there isn't the competition to facilitate the business on this end of town?

BG: You had asked is there a way to do a study to see how much traffic will be pulled away from the center of town. One of the things I said to my consultant was, "Is there a way you can scientifically tell me, or put a percentage of the business this will do?" He basically told me that it isn't possible to tell.

Neil Faulkner, you can't answer the question you're asking, until they open up. We can ask exit interviews, Where did you get your coffee before this one opened, where are you from? We saw that the stores in Franklin leveled out once we went from 1 to 3 in one year. The one on 140 went from \$40K a week to 38K.

EWG stated the coffee on 140 is better than the one on No. Main. They're cheap with the cream.

RVD: If I'm going to race like a bat out of hell to get here at the next meeting, then I'd like to make sure all the traffic information is done.

EWG: Mr. Chairman, I've read a lot of traffic surveys over the last four years. They've all said that they're giving a level of service D or E or F telling us what we already know. The only thing they're waiting on is Mass Highway. I don't see why we can't vote on this issue at the next hearing.

PB: I have issues with safety at this intersection with the entrances and exits.

EWG: I have issues with this intersection as well. One accident and this road is shut down. That intersection doesn't work.

PB: That's why this project is so important to address these issues. It will affect the widening of this road down the road.

SJW asked whom they're talking to at Mass Highway.

BG stated that his traffic guy is handling it; they're talking to the chief permit person in district 3.

RRL: We should meet on Tuesday the 20<sup>th</sup>.

SJW: Also, Don meets with them quite frequently. If you're going to meet next week, we'll still need time to get the information to our consultants and be able to digest the information.

BJS: Motion to continue the public hearing for Volta Oil to April 22 at 8:30pm.

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

RVD: Realize that we have Dunkin Donuts ahead of you.

- **Bellingham Shopping Center, South Main Street, Modification to Development Plan, Gerry Lorusso**

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

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

Bruce Babcock, Engineer for the project. They are changing the drainage on the project as the drainage for the previously approved project was indicated incorrectly. The drainage for Westin Estates takes on the water for South Main Street. The changes

being made relate to Con Com and they would like them to handle the issues, in no disrespect to this board, but because it pertains to Con Com. Fire Hydrants are in the same relative locations. The existing water goes under the building; we are bringing it around the building so that it doesn't end up in the foundation. We can put wall-mounted hydrants in the back of the building so that it can provide the same fire protection. The lighting is indicated for phase one and phase two. The landscaping is indicated, some of the islands have been moved, but the intent is the same and meets the guidelines of the town. We are not looking for approval of this plan tonight. We are looking for approval of the 81-P. We're going to create a cutout for when a truck is unloading in case an emergency vehicle needs to get by when a truck is unloading. We want to work with Con Com on the drainage.

EWG: What do you have for a building coming in the big building?

Gerry Lorusso: It's confidential, but we've talked to Big Y and the Roche Brothers. We're going to sit tight right now. A lot of grocery stores have gone up; they're in recovery right now. With the swales not being needed, we could push the building back.

BB: We're trying to go with a typical size for a shopping store. We've met with Conservation, the Fire Department, and the Police Department

RVD: It would be nice to have correspondence on the project.

TG: Yes, I did meet with them and feel comfortable with this project.

RRL: Stacey's letter states differently.

SJW: George and Mr. Lorusso and myself all met. We discussed that George Holmes was the representative for the Con Com and at that meeting we discussed that we would have Meridian review the drainage for the projects. At this point, Con Com does not have the authority to hire outside consultants, so we said that we would have Meridian look at it as an outside consultant. This is the first I've heard of the septic system under the Dunkin Donuts, do we have approval of this?

GL: I can give you an answer to why we did that; if I gave it to outside review, our Engineer's were still changing the design and until the building was moved then we didn't want it to go to peer review.

RVD: You do realize that with elections that the board could be changing.

GL: That's why we're asking for approval for the 81-P

RVD: The concern on the 81-P, the verbiage indicates that you're pulling that parcel away from the project.

BB: The intent is that this is divided out of the lot not the project.

RVD: Can you change the language on there?

BB: Yes.

BJS: That language doesn't make it clear.

RVD: Parcel and probably that it should be indicated that the previous special permit should bind this. What are we going to do with the Con Com? If the Con Com is going to request changes be made, it makes sense to wait until they're done, rather than approving this, then waiting until Con Com approves it, makes changes and then you have to come back to us.

BB: I see layout, parking, the building as part of this board's jurisdiction. I see Con Com being concerned with drainage.

SJW: It's laid out in the Zoning regulations that it comes under the jurisdiction of this board. We didn't come away from the meeting that you were coming for approval of that site after the 81-P. I'm not confident now in saying that this should be approved without the drainage being looked at by our outside consultants.

BB: The issue we have is that it will take several months to go through Con Com.

GCW: You're changing the plans and our peer review consultant has not reviewed them.

BB: We have an approval from five years ago. It's the basic layout only smaller.

GCW: You're coming in with changes that have not been reviewed.

GL: I think basically everyone is just confused.

SJW: It was never clear that you only wanted to do Dunkin Donuts. You had wanted to focus on Dunkin Donuts, but you were working on the entire parcel.

BB: The Building's gotten smaller and the drive thru-has been changed. The primary reason for the modification is two reasons: one, that we're cutting a piece of property out, and the other is that the drainage has changed. We'd like to go to Con Com on the drainage.

RRL: If you build the approved plan, then you can begin building.

RRL: You might be better off doing the Form A as indicated and then come in with a special permit afterward. It's unfortunate, you have a better plan in mind, but it has to go through the approval process.

GL: This project has been going on for a long long long time.



Neil Faulkner: The only changes from what was originally approved from what was approved five years ago, if we build it that way it creates a traffic problem. The only changes made are because we've learned about drive-thru's, making two lanes all the way around. It makes sense for everyone. You're saying we can build it the way it was approved which is a poor design.

RRL: Unfortunately, we have regulations that we have to follow.

RVD: Personally, I'm not in favor of doing it that way. I believe we have leeway to allow for flexibility of the plans.

RRL: You're modifying a Special Permit.

EWG: I don't have a problem with having a Dunkin Donuts there. I think you have to find a way to do it, whether it is through Board or another. What do the Fire Department, DPW and legal counsel say?

GL: We've done all that.

RVD read from the original decision.

GL: That is consistent. IT doesn't say exact.

RVD: I think that we're saying intent. The intent of the Board was to approve

GL: Believe me, I would like to lease this parcel, but now businesses have the opportunity to buy property, that's why we live in America.

APM: God Bless America.

RVD: I want this project to move forward as much as anyone.

BJS: If it's within the building envelope, if the parking isn't being decreased, I don't think that modifying something for safety criteria, if there are no other changes as far as the drainage is concerned on that site, I have no problems with that.

RVD: (read again from the decision)

BJS: My interpretation from what you read Rick, is that they can build the Dunkin Donuts within the envelope.

RVD: They couldn't move buildings vertically, that's why they made it so big, to protect themselves down the road.

BB: Based on this discussion; I'd say they go get the septic approved, start construction and we come back.

GCW: My only concern is that you're changing the drainage.

SJW: I don't see it that way, but if the Board feels it's a red-line change, than so-be-it.

BB: We're over designed right now.

GCW: That's your word. Everything you're saying, the traffic is being improved. We don't have proof of it.

RVD: Please bring the letters for the next time we meet.

GL: We tried to get the feedback.

RRL: Motion to withdraw without prejudice the Bellingham Shopping Center Development Plan Approval.

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

- **Dunkin Donuts Distribution Center Development Plan Approval, Special Permit for Major Business Center Complex, Depot Street**

Ted Tye: At the last meeting, there were a couple of things that were asked for. The Board asked for some traffic analysis as far as trucks enter and exit the site. The study that was provided showed all of the trucks coming right out of the site, proceeding down Depot Street and going through the center of town. Four different alternatives were looked at.

1. 100% going toward the center down Depot St, then 50 % going north and south on North Main Street.
2. Then 100% going left on Depot to Hartford.
3. Trucks going on Depot with 50% going left on Depot and 50% going right on Depot.

All of the generation basically works. Instead of putting the traffic all in one direction, it disperses it. You can regulate it any way you want, or not regulate it at all and let the trucks seek the route that makes most sense to them. The second was an analysis of mitigation and different pricing. There were four major alternatives that were evaluated and we've given you cost estimates for. The first is the improvements of the town center. It can be built, we've reviewed it with Mass Highway and they feel it can be put in place. The cost of that is 250K. The second is the repaving of Depot Street. We agreed the best way to do that is to let the town do that, setting the price at 130K. The third item, which was brought up at the last meeting was to dedicate a turning lane at the intersection of North Main St. and Depot Street. When you do work like this, you're required to upgrade the handicap access and that has been done, that has a 66K price tag. The final mitigation being indicated is Riverbrook Road, which runs from North

Main Street. To make it a usable road in a one-way direction, it would be from Depot Street to North Main, which is \$466K to make it a travelable road. The other item discussed was the item of sidewalks on Depot Street. The conclusion we reached is that it's just not feasible. It's a very narrow depth; there are retaining walls, guardrails. It just doesn't seem to be feasible. That is the information we've been asked to provide.

BJS: We have a letter from DD, dated April 2, of only \$300K but it's considerable to \$426K.

TT: Yes, we had a contractor look at the figures. DD stated that he did the estimate quickly and the figures are off. The work on the railroad is tricky. There is admittedly some guesswork involved, but we tried to be realistic in our calculations.

EWG: our safety officer Lee Rolls proposed it so that the traffic wouldn't go by some of the houses on Depot Court. It's too bad the concept didn't work; we're trying to get the traffic away from some of those houses up in there.

RRL: I think if there is any other development in that area, I think that would be a good idea to have them look at. The sidewalks are nice but not a hundred percent necessary.

BJS: On the dedicated left turn, what would the impact be on the businesses across the street from there.

TT: It would have no impact on the businesses there. I know on the taking, this does fit with the ultimate improvement of that area. It's the same plan that was submitted for the town center design. This is part of that.

BJS: My concern is that it will affect people turning into the Dairy Queen or Honey Dew.

EWG: The alternative is that someone will rear-end

RRL: Mr. Chairman, I'd like a consensus on how we're going to send the traffic. I like the random traffic.

EWG: I think that's something you're going to have to work out.

RVD: I think that's something we talked about at the last meeting, possibly bankrolling some money for a study down the road.

TT: It's in the best interest of Dunkin Donuts to go with the least amount of traffic. It doesn't do them any good.

RVD: For clarification, I would like to see our traffic consultant do the survey, not Dunkin Donuts.

BJS: I understand the Riverbrook Road is an expensive proposal, but one of the residents' concerns is that we're sending all this noise and traffic past their houses. I think that Riverbrook is an alternative to be explored even though it is expensive. I don't see how you can mitigate that. You're talking about all these trucks going by and at unsociable hours. Granted, this is zoned industrial, but the first one coming in is going to present an incredible amount of impact.

RVD: Mr. Fraine, why was Riverbrook Road closed?

Denis Fraine: Basically, because there was trash dumped there, including hazardous waste. It was an attempt to stop that.

APM: I appreciate Mr. Sutherland's concern for the residents at Depot Court, but I also have concerns for the residents on Depot Street.

RRL: I can't imagine this project would support all of this. I think we're going to have to make trade-offs.

EWG: Who owns the land on either side of Riverbrook?

BJS: Well, it's a private owner on the North side, but on the other side it's a major landowner in the town.

APM: I feel I'm in support of making it one way out because if they're going to move traffic at 2am, it would wake up a lot less people.

TT: The project can't do it all. We started with the premise that it was an industrial road and it was improved with government funds. We have to start with that base, not to say that we're not sympathetic.

APM: I don't think all the dollars have to come from the development company. There might be some private landowners willing to make some donations in this area.

TT: You've got Dunkin Donuts before you. Our lawyer is here and we feel this is an approvable plan in an Industrial Zone.

RVD: That's the hardest thing to look at, is that this road was improved under funds that indicated this would be an industrial road.

EWG: So you're willing to mitigate a total of \$450K.

RVD: Are you satisfied with that Ed?

EWG: I'm satisfied with that. I feel that Dunkin Donuts has been willing. Do you lease or own your trucks.

Brian Hartnett: We lease.

EWG: Where do the taxes go? We had a memo from Mr. Van Helden, and the Franklin Assessor's office stated that they had no excise taxes received from Dunkin Donuts.

BH: We pay excise taxes to Franklin. We lease out of AMI in Worcester and they pay the taxes to Franklin. It's a law that the excise taxes are paid in the town of the place of business.

BJS: JPI is going to bring in revenues for their 300 cars. Maybe the monies there could be used for other types of roadway improvements. Riverbrook would also improve the distribution in general. It's only near one residence as opposed to let's say 60 people. I'm not ready to say, it's going to cost a lot, let's say discount it. It has everything to do with trying to minimize the impacts.

RVD: I'm against that project for several reasons, we're focusing on one section of one street, focusing on Depot Court, and I can't be convinced that there won't be illegal dumping on that road. As Mr. Guzowski said, there are landowners possibly sitting back and waiting for someone like Dunkin Donuts to develop that road and then go and bring in more development.

GCW: You're concern about opening that up, what if it's only one way?

RVD: Yeah, it could still be dumped on and still be opened up for all kinds of development. Fixing that road would be a development would only be a benefit for those people right at the end of Depot Street.

PD, Beta Group, traffic consultant for the town, it's not a high volume, hourly, relative to the truck traffic that travels along. It's not a matter of capacity, but a matter of what routes you want them to take.

RVD: I guess we're back to Roland's question of which way we want them to go. I would think we should let them go the way the traffic goes – spread it out naturally. If we have to look at it again in a year, than we have that option.

APM: I'm not in agreement they should build the place. I'm not so sure it ought to be built down there. I know it's industrial, but you're changing the quality of the citizen's lives.

TT: I can't let that statement go by. We have our attorney, who can confirm. You have a by-law that we are holding to. This is an approvable plan and we have done everything you've asked. We have offered mitigation to improve the center of town and the length of the entire road.

BJS: This is a Special Permit; it's not a by-right.

RVD: Hopkinton had a development plan that they dragged out and then denied and were dragged into court. If we deny this; on what grounds? How can it be defended?

Then it will cost the town, it will be appealed and come back with an approval with no conditions and no mitigation, hurting us all in the long run.

Paul Van Helden: based on what Mr. Tye said, you have the right to deny this project because their numbers do not match up to their submittal. Right at the very get go, they've got 410 employees, not counting the second shift or weekend shifts. Those numbers are going to increase 56 percent. If you look at the graph given by Mr. Scarneo, there are 200 people coming into the second shift. He only lists 60 vehicles coming in. There are 257 employees leaving, he only lists 57 cars leaving. The numbers don't add up as far as the by-laws for adding traffic. Their current employees will rise by 40%, which totally contradicts what the application says. Having said that, this warehouse is three times as large as their current facility.

TT: These are all items we've covered. Both the population of the facility, the existing and projecting were reviewed. In addition to that, we've spent a lot of time with Beta; I believe they do work.

The numbers were based on the counts at the existing facility. The operation is the same, there are just going to be an increase in square footage.

Jeff Scias, 44 Box Pond Road, if you look at when they come off 495, that set of lights will not be able to handle any truck traffic. Those lights are so close together. I can't see how that many trucks can come that way without creating a problem.

BJS: I understand this is industrial land; there is other industrial land closer to 495 for this project. If we're going to talk about re-distributing traffic and now we're talking about changing that, there is industrial land behind Home Depot. I'm not telling you where to build; I've been asked why it hasn't been considered down there. You would have no residents disturbed. There's very little impact as far as residential impact and quality of life issues.

TT: Representing Dunkin Donuts, we've looked at a lot of sites, not a lot of sites, as there isn't a ton of site available. It's no secret; we looked at two other sites. We looked at the EMC Maple Street site, which is more complicated than that. We looked at a site on Mechanic Street, but because of the topography and ledge that site was just not feasible. That site was not made available to us and there are existing problems with access to that parcel.

RRL: So we're back to the question of which way.

RVD: These projects are tough. We try to keep the best interest of the town in mind. It's been discussed before of what can go in there. There can be legal impacts and exorbitant legal costs for the town if it was appealed.

BJS: If you're making the right decision, it can be defended.

RVD: Are you talking morally right or legally right?

BJS: Legally.

RVD: Then give me what grounds it can be denied on that are legally binding.

RRL: If it's denied and then appealed, then we lose all mitigation and any conditions, which would have been listed, are now unable to be attached to the proposal.

EWG: I've seen some of the worst proposals come in, such as the shopping center down near Stallbrook School and the Dunkin Donuts down near Charlie's Tire and this one isn't as bad as those.

APM: Mr. Chairman, I think Dunkin Donuts would make a great neighbor. I am truly concerned with the folks that live down there. Many of them signed my nomination papers, although there wasn't a lot of opposition.

RRL: You were elected to make sure projects adhere to the town's bylaws.

APM: I look at it that we're here to serve the town.

RVD: The by-laws of the town.

Jeff Scias, where do we stop the issue of traffic, now to add that many more cars and trucks. This is major truck traffic issue here. It's not just development, but it's the safety of the town. How much can we take in on traffic?

RVD: To answer your question on that, the money that's taken in on the taxes on this project are supposed to go to the maintenance of the town. The center of town is in dire need of help. Hopefully the mitigation will address the needs of the town. It comes down to like what Ed said, "The devil that you know is better than the devil that you don't know."

EWG: What do you say to the developers who have been willing to do what we've asked them in mitigation?

Paul Van Helden: read from the by-law, section 4700, 4721.

RRL: I'm not saying you don't do the mitigation. If you don't fix it, four years down the road, it will even be worse.

RVD: Before you address their numbers, that's why we have traffic consultants.

SJW: The traffic consultants have our by-laws and they review the figures submitted and say they work.

PD: Their shift relation may be staggered. They based it on actual counts that currently exist based on a similar work schedule.

APM: What is the percentage of increase?

RRL: On Hartford Ave? 3%

PD: Depot Street is an underdeveloped road.

APM: My question is what is the percentage of increase on Depot Street? I'd like to know what that is; I don't think it's unreasonable.

BJS: (To Mr. Van Helden) If the numbers don't jive, from what I've seen, I don't think there's any subterfuge here. Like with the noise consultant, he asked, why did you choose this? The general outcome may not be different, but if there's an inconsistency. I don't think anyone can paint these people as being ominous or terrible or misrepresenting things. They came forward in good faith. We're trying to look at this situation and make an evaluation. We're trying to respect what they're saying.

APM: I'm certainly not questioning anybody's veracity on his or her team.

Mary McKenzie feels the sidewalks are important. There are a lot of children that live down on Box Pond Road. I wouldn't want to see any kids get hurt.

RVD: Nor would we.

MM: I just would think that is should still be a consideration for the quality of life.

APM: I still think that if we have to have this project, I think we should still open up Riverbrook Road so they're not waking up people at 2am.

GCW: I think we're going to definitely need a study a year from now. Everyone shows due diligence. I have yet to see a traffic study where they come in with the numbers that they're close to what exists. What those models are based upon, the numbers are very flawed.

TT: I'd like to just remind this board that this is a phased project and in a year, you'll still be looking at a facility that is not at full build-out.

RRL: The horrible thing is that this is only the tip of the iceberg as far as that area goes. It could be.

BJS: Motion to continue to April 22, 2004 at 8:00PM.

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

APM: Motion to adjourn.

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



MINUTES OF THE PLANNING BOARD

APRIL 8, 2004

Minutes Accepted on: 4/22/2004  
(date)

(prepared by: Beth E. Partington)

Richard V. Dill

Brian J. Sutherland  
Brian J. Sutherland

Edward W. Guzowski  
Edward W. Guzowski

Arthur P. MacNeil  
Arthur P. MacNeil

Roland R. Laprade  
Roland R. Laprade