



BELLINGHAM PLANNING BOARD

5 COMMON STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 966-0991; FAX (508) 966-2317

August 26, 2004 Meeting Minutes

- **Present at the meeting:**

Roland R. Laprade (RRL), Chair
Edward W. Guzowski, (EWG), Vice Chair
Thomas J. Guerin (TJG), Secretary
Brian J. Sutherland (BJS)
Arthur P. MacNeil (APM) not present
Glenn C. Wocjik (GCW), Alternate, not present

Other officials: Stacey J. Wetstein, (SJW) Town Planner
Amy Cook, (AC), Commission on Disabilities

General Business:

RRL: Opened meeting at 7 pm.

BJS: Motion to sign the minutes for July 8, 2004.

TJG: Second.

Vote: 3-0, approved.

RRL: Abstained, not present on that date.

BJS: Motion to sign the minutes as amended for Executive Session July 8, 2004.

TJG: Second.

Vote: 3-0, approved.

RRL: Abstained, not present on that date.

BJS: Motion to sign the minutes for July 22, 2004

TJG: Second.

Vote: 4-0, approved.

BJS: Motion to sign the vouchers.

RRL: Second.

Vote: 4-0, approved.

SJW initiated discussion regarding petition from residents of Maddie Way (Blackstone Fields) requesting board give developer deadline to finish road and sidewalks or town will use their bond to finish the work. It's been two years since the developer, William Eagon, said he would finish the road. Board felt that it was unreasonable to expect the residents to wait much longer. SJW had feedback from Don DiMartino at DPW who suggested Nov. 1, 2004 as deadline. Planning Board thought that was too late to

ensure that DPW would have enough time to do work on the road before weather got too cold for roadwork.

TJG: Motion to send developer certified letter stating that if the road was not finished by October 1, 2004 the town would take the bond and finish the road.

EEG: Second.

Vote: 4-0, approved.

SJW advised board that finance committee is meeting to discuss zoning on Sept. 14, 2004. SJW and RRL will attend. SJW will have time to draft comments from planning board meeting Sept. 9, 2004 for Zoning Board to have ahead of their meeting.

SJW briefed board on upcoming meeting agenda. Board agreed that Varney should present, not just submit, at 9-23-04 meeting for preliminary subdivision.

Home Depot Public Hearing

RRL: Open public hearing.

BJS: Motion to waive reading of public notice.

TJG: Second.

Vote: 4-0, approved .

RRL: 5 minute recess to repair microphones.

Frank Kelly of Greenberg Farrow Engineers, development coordinators for Home Depot, present to address issues regarding site plan violations. Expressed Home Depot's concern for safe operating procedures and suggested Home Depot post restrictions for parking lot usage for all departments and make sure these restrictions are enforced by management.

Board discussion centered around improper use of parking spaces, use of access road and public safety. Board agreed they could not grant permission for Home Depot to use access road area. Discussion on number of parking spots required for the shopping center and Home Depot's use of some of those spaces for retail purposes.

Plans submitted were not updated showing existing use of parking lot. Board suggested that Home Depot revise their plan showing access road and which spaces they propose to use and how they will be used. Board wants the access road entrance restriped as well. RRL suggested continuance until October 28, 2004

BJS: Motion to continue to October 28, 2004 at 7:15.

EWG: Second.

Vote: 4-0, approved

BJS: Motion to extend decision for plan modification until November 11, 2004.

EWG: Second.

Vote: 4-0, approved.

Bellingham Business Center Public Hearing

RRL: Opened discussion and public hearing.

BJS: Motion to waive reading of notice.

EWG: Second.

Vote: 4-0, approved.

Michael Snow, Project Engineer (Meridian Assoc.); Joe Lynch, Conroy Development; and Atty. Joseph Antonellis representing Conroy Development.

Conroy Development requesting an extension of the approved 2002 development plan and water resource district special permit based on good faith. Development Plan permit had not expired; Special Permit expired 11 months ago. Developer felt they have good cause in not beginning project as project was embroiled in litigation with property seller. Although recently settled in court, before final transaction took place, Conroy wanted to make sure they could still develop as planned.

Board discussed the implication of just considering the special permit, since that was the only permit expired and the questioned benefit of another public hearing for the development plan since there were no changes to the development plan or water resource plan. Discussed changes in the area including road construction and additional housing and possible affect on area based on existing plan. Board agreed that although there may benefit to some changes based on current conditions, the extension was applied for in timely manner, and developer showed good cause for not having construction underway. Consensus was that it makes sense to grant extension of the existing development plan, but the special permit process had to be re-reviewed since the permit had lapsed.

BJS: Motion to grant extension of development plan for Bellingham Business Center until August 26, 2006.

EWG: Second.

Vote: 4-0, approved

Atty. Antonellis requested withdrawal without prejudice for public hearing for the development plan and leave in place special permit.

BJS: Motion to accept withdrawal without prejudice.

EWG: Second.

Vote: 4-0, approved.

Discussion of water resource special permit-

Mike Snow, Meridian Assoc., reviewed water resource plan to the satisfaction of the Board. Bellingham Business Center or whomever should own that property would be required to maintain the water resource system.

RRL: No new comments from DPW.

TJG: Motion to grant special permit under water resource district including provisions from original dated Sept. 16, 2002.

EWG: Second.

Vote: 4-0, approved.

Mill Overlay Discussion

Judy Barrett of the Community Opportunities Group, discussed her work on Mill District overlay for redevelopment zoning. She tried to connect as much to existing zoning as possible. This is written for Pearl St Mill specifically, which is not to say it could not be applied to another property, which could be easily done if the name of the overlay district were change (possibly could be called the Redevelopment Overlay District). It is essentially a layout of set of definitions needed in bylaw for implementation to allow a certain amount of development of the Pearl St. Mill. Discussed number of possible scenarios and units and reasoning behind her recommendations.

SJW recommended Board accept warrant as written and to change the name at a later town meeting if the Board so chooses.

RLL: Judy will prepare a brief presentation at September 9, 2004 Planning Board zoning meeting.

RRL: Motion to adjourn.

EWG: Second.

Vote: 4-0, approved.

Minutes Accepted on: 8-9-04
(date)

Mary Chaves
(prepared by: Mary Chaves)

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