



BELLINGHAM PLANNING BOARD

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

October 14, 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)
Glenn C. Wocjik (GCW), Alternate

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

General Business:

RRL: Opened meeting at 7:00 pm.
TJG: Motion to sign the minutes for September 23, 2004.
APM: Second.
Vote: 4-0, Approved

BJS: Motion to sign the vouchers.
APM: Second.
Vote: 5-0, Approved.

Brian Cook Special Permit Back Lot Division, Decision Signing

APM: Motion to sign Cook Special Permit.
EWG: Second.
Vote: 5-0, Approved.

Dunkin Donuts Special Permit Drive Thru, Decision Signing

APM: Motion to Sign Dunkin Donut Special Permit.
TJG: Second.
Vote: 5-0, Approved.

Bellingham Estates Phase I Lot Release Request

Bill Keaton representing Toll Brothers appeared to request lot releases for Phase 1 of Bellingham Estates. SJW read statement from Don DiMartino, stating that sewer and water lines are in and tested and that they should be finished by November 1, 2004. Don further stated that the binder course for the sidewalks would likely be complete by November 15, 2004. Planning Board had questions as to the extent of the sewer installation. Bill Keaton advised that the sewer lines have been extended past wetland.

APM: Motion to release Phase 1 Lots 41,42,43,63,64,65,66,67 and 69.

TJG: Second.

Vote: 5-0, Approved.

Letorneau-Corsi Street- Re-Endorse 81P

Bill Halsing from Land Planning appeared before board to have plans resigned to be submitted in land court. Plan that was originally signed by Board did not have enough information for submission to land court and required new, more detailed plans to be signed and submitted.

APM: Motion to sign the 81P on Corsi St Bellingham as updated.

BJS: Second.

Vote: 5-0, Approved.

Lake Street Resident Discussion

Richard Dill spoke on his sister's behalf and voiced concerns of many of the other Lake Street residents present: unfinished roadway, inadequate signage, drainage and other water problems caused by developer of High Ridge Estates. He said that a special permit was issued upon condition that the developer of the property (High Ridge and Tim Jones) take care of drainage along Claire's Way and Lake St., but driveway washout is still a problem, so conditions have not been met. Residents on Lake Street were on hand and stated that they had contacted the DPW to complain about road conditions, damages and damages to their property by the developer of High Ridge, but received no response. Mr. Dill spoke on behalf of residents when he requested that in the future Planning Board take action to ensure that off site improvements are complete and permit conditions be met before permits or lot releases are given. He also asked that the Planning Board review all future projects and ensure these conditions do not reoccur. He was told that Bellingham Estate lot release schedule were modified

Debbie Burr, Lake Street, stated her home sustained over \$50,000.00 worth of damage due to water pressure testing for the development. She said she immediately contacted the DPW inspector, but he declined to see damages first hand. Carolyn Decass, Lake Street, stated that her front lawn and driveway had been destroyed by heavy equipment driving on her property.

Board empathized with residents and understood their frustration, but RRL advised group that since these complaints were about Lake Street, a public roadway, the Planning Board had no jurisdiction. He further explained that the Board of Selectmen have the bond for off-site roadwork on Lake Street and therefore non-enforcement of agreement comes under the jurisdiction of the Board of Selectmen. EWG suggested that some compensation was due the Lake Street residents for all the inconvenience and frustration during Lake Street roadway work.

Mrs. Sullivan of Lake Street submitted information stating the initial sewer fee would be \$100 when the project started, but recent correspondence from DPW stated it would be \$500. She and other residents felt there should be relief of some kind, i.e. no fee, as compensation for putting up with their difficulties.

EWG: Motion that letter be drafted to BOS that requests that the \$500 sewer inspection fee be waived due to inconvenience to the residents.

APM: Second.

Vote: 5-0, Approved.

Isaac Cummings Definitive Subdivision

RRL: Opened Public Hearing.

BJS: Motion to waive reading of public notice.

TJG: Second.

Vote: 5-0, Approved.

Bill Halsing, Land Planning stated that the existing building 1167 South Main Street has sewer capacity that could be reallocated to other buildings. He requested a number of waivers relative to having private way:

Profile for new Street (The existing street profile done in 1998)

Drainage calculations (Not changing any drainage)

Test pits (Not constructing under road)

Erosion control (No disturbance of soil is proposed)

Construction details (none proposed)

Street planning (small parcel)

Right of way

Pavement (22 ft required, 20 ft existing)

Cross slope

Berms (Drainage could not get to detention basins)

Storm water management (met requirement in 1998 when originally constructed)

Sidewalks (Private property)

Discussion with about use of property, would buildings be residential or commercial. Bill stated he was aware that if one of the buildings is used for business, they would have to come back before the Board for site plan approval. TJG advised that if any of the

buildings are used for business, applicant would be responsible for installation of new water main on property extending from South Main Street to Mechanic

EWG asked if developer would put in the deed that this would remain a private way for perpetuity. Applicant stated that he would be willing to do so.

RRL suggested that consultant reviews the drainage design. Mr. Halsing stated that consultant was there on Tuesday, October 12, 2004. RRL also recommended that sidewalk be installed in front of first lot in case it ends up being developed as business. Mr. Halsing answered they would wait to see how it was developed and should it become a business property that the sidewalk was an excellent idea. He further stated that they are awaiting drainage calculations.

BJS: Motion to continue hearing until October 28, 2004 at 7:25 PM.

APM: Second.

Vote: 5-0, Approved.

Hunter Development, Development Plan Review

RRL: Opened Public Hearing.

BJS: Motion to waive reading of public notice.

Vote: 5-0, Approved.

Michael Frisbee, Hunter Development, stated that he received comments from MDM on Traffic Peer Review, but he advised Board that he intended to discuss traffic at next meeting because Town's consultant (MDM) and applicant's consultant (GPI) were meeting the next day (Friday) to go over MDM's comments. He felt it would be more efficient to have all comments when discussing the traffic issues.

Project is a proposed 12 fueling positions gas station, 4000 sq ft store convenience store and automated car wash at back of store. There are two entrances proposed, a widening of the roadway to allow for left hand turn lane from the northbound lane of Hartford Avenue. There would be four double-walled, aboveground fuel storage tanks, due to site being in a water resource district, a canopy and fire suppression and fire hydrant. The site is situated next to residences and site is designed with buffer zone including a fence and line of arborvitaes. Applicant suggested the elimination of approximately 75 parking spaces in order to keep wood line between site and abutters. This would still leave 45 parking spaces which applicant believes would be ample for the type of businesses on site. Board suggested that some of this area be cleared for snow storage as well as the possibility of some of the wooded lot being taken for parking spaces if needed.

EWG stated concern over roadway and safety concerns due to the heavy volume on Hartford Avenue. Mark Smith, Civil Engineer, stated that they were aware that the road was in need of substantial improvements to accommodate this project. SJW advised Board that she had been in communication with Hunter Development and agreed that Traffic considerations could be addressed at the next public hearing, as the Peer review

study was not complete until yesterday, October 13, 2004. She was aware that Hunter Development would be meeting with MDM tomorrow, Friday October 15, 2004.

Board expressed concern over the safety of aboveground storage tanks. Mark Smith, civil engineer, presented an overview of how the tanks were protected and how the water resource district would be protected in event of spillage was outlined for the Board. Board also discussed placement of vacuum cleaners and proposed hours of operation. Applicant stated that they were thinking of a 24-hour operation. Board suggested that this would create too much noise for abutters, and that hours for vacuum stations be reduced. Board also discussed traffic flow within site. There were some concerned residents present.

Doug Keely, 19 Hartford Ave., lives across the road and is concerned about traffic. He stated that it is often impossible for him to take a left turn on to Hartford Avenue from his driveway due to the volume and speed of traffic. He believes that taking a left turn out of proposed site would create traffic hazard.

Steve Dexter, direct abutter, is concerned about noise and hours of operation. Noise during construction is also a concern. Wanted assurances that construction would be during regular business hours and not on Sunday. He also asked that the Board allow as much of the wood line preserved as possible. Board felt that a vinyl fence and keeping more of the wood line would be appropriate solution for privacy and noise reduction.

Debbie Scanzion, abutter, asked about any plans for future development, including a detail shop or service station. She was advised that there were no plans for further development other than what was proposed. Residents concerned about off site runoff on to Hartford Ave. They were advised that there would be none with this development.

Karen Dexter, Abutter, asked to see lighting plan, which is available for viewing at the Planning Board Offices.

The Board requested signage as to limiting noise is included on plans. Applicant will return with changes to overflow parking area, car wash vacuums and whatever was discussed at the traffic meeting.

BJS: Motion to continue public hearing until October 28, 2004, 8:00 PM.

APM: Second

Vote: 5-0, Approved

Hunter Development, Special Permit Drive Thru

BJS: Motion to continue for Special Permit Drive Thru until October 28, 2004 at 8:00PM.

APM: Second.

Vote: 5-0, Approved.

Planning Discussion

Board discussed newsletter, timeframe and proposed articles. Family apartment Bylaw was mentioned as an ideal topic since it was apparent during Town Meeting that there is confusion and misinformation about regarding this bylaw. Newsletter release is scheduled just prior to the May 2005 Town Meeting.

Board discussed plans to review GeoTMS software with all departments that have their own modules. The Board recognizes the importance of effective communication and follow up between departments and is hopeful that proper utilization of GeoTMS may help to streamline communication and ensure that conditions are met with regards to Planning Board decisions.

SJW informed Board that we are utilizing a volunteer to help organize the filing system, this will free up time for work on the Newsletter and Historical Preservation Plan. Board discussed formation of off site improvement committee. Committee will be made up of members several departments and boards including Planning Board, Board of Selectmen, DPW, and Building Inspection with the intent of improving processes so that another situation like the one on Lake Street does not reoccur. RRL and EJG to represent Planning Board on that committee.

BJS: Motion to adjourn.

APM: Second.

Vote: 5-0, Approved.

Minutes Accepted on: 10-28-04
(date)

Mary Chaves
(prepared by: Mary Chaves)

Roland R. Laprade
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