



BELLINGHAM PLANNING BOARD

5 COMMON STREET
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December 9, 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

Other officials: Stacey J. Wetstein, (SJW) Town Planner
Amy Cook, (AC), Commission on Disabilities
Mary Chaves, (MC) Planning Coordinator

RRL: Opened meeting at 7:00 PM

General Business:

TJG: Motion to sign minutes of October 28, 2004, November 4, 2004, and November 29, 2004.

EWG: Second.

Vote: 4-0, Approved.

BJS: Motion to sign vouchers.

EWG: Second.

Vote: 4-0, Approved.

81P Guerriere and Halnon

Donald Neilson, Guerriere and Halnon requested signature on revised plans. Franklin and Bellingham Planning boards had signed original plans in February 2004, but Land Court made changes that require plans to be resigned by Planning Board. Franklin Planning Board resigned plans on December 8, 2004.

TJG: Motion to sign revised plan date of November 15, 2004

BJS: Second.

Vote: 4-0, Approved.

Marchand Subdivision, Informal Discussion

Gerald Marchand appeared informally before Board to ask if the waivers approved in his preliminary subdivision plan still stand as it has been some time since the waivers were granted. Board agreed that that were still okay. SJW advised Mr. Marchand to see her before plans for definitive subdivision were submitted.

Home Depot Development Plan Modification, Continued Public Hearing

RRL: Opened public hearing at 7:15 PM.

Frank Kelly appeared before Board with revised plans incorporating changes suggested by Board. An operating restriction sheet was drafted which will be posted in the store in various departments. Board asked for assurance that all seasonal sales will be conducted in the seasonal sales area as shown on plan. Mr. Kelly replied that the store will have to receive permits for tent sales etc., and these would be held as shown on plan in the seasonal sales area. Notes will be added to small plans as reflected on large scale of plan.

TJG: Motion to approval the development plan modification for Home Depot dated October 11, 2004.

EWG: Second.

Vote: 4-0, Approved.

Bellingham Estates, Toll Brothers Lot Release Request

Bill Keaton, Toll Brothers appeared before board to release lots in the revised Phase III of Bellingham Estates. Some work still remains on inverts on manholes that are currently under construction and will take 5-7 days to complete. RRL suggested that the lot releases be approved on condition that work is completed. Actual document will be released when Don DiMartino informs SWG that work is completed.

BJS: Motion to approve lot release of lots 39,40,47, 46, 45, 44, 3,4,5,6, 33,34,35,36,37 conditional upon SJW receipt of work-completed certification from Don DiMartino.

TJG: Second.

Vote: 4-0, Approved.

Hunter Development, Continued Public Hearing, Decision date 1.28.05

RRL: Opened public hearing at 7:30 PM.

Mike Frisbee, Hunter Development, requested that GCW act as alternate for APM. The town's engineers have had their issues addressed by Hunter's civil engineer and the traffic consultants have met and agreed on outstanding issues.

Art Scarneo, GPI Traffic Consultants, addressed driveway access. After reviewing comments from MDM, proposed Northern drive will be entrance only with exclusive turn lane for a safer situation and South side exit only with left and right turn. Sidewalk will extend to signal at Maple Street. They propose to upgrade the signal to improve operations beyond a no-build situation. There was much discussion about the impact of the Guild of St. Agnes Daycare and the traffic flow. RRL suggested that they contact the town Safety officer to request the Guild change the flow of their driveway drop off and exit.

Discussion about the difficulty in making left turns out of the facility. Proponent stated that facility is built to hold queue on site and not extend into street. This is true both for Drive-Thru and traffic exiting on to Hartford Avenue. EWG objects to the project because of safety issues. TJG questioned proponent about fire hydrant that was agreed to, but is not shown on plan. Hydrant is intended and will be indicated on plan.

Board discussion on how signal looping will improve entry factor into day care. Resident comments: Doug Kelly, 319 Hartford Ave, disagrees that the problem is volume, not signal looping. Steve Dexter questioned the impact of a drive thru vs. none, and is also concerned about the 24-hour operation. There was discussion on which board governs this decision. Robert Manning was concerned about configuration of driveway impeding on their driveway also concerned about above ground tanks and potential environmental and safety issue. 24-hour operation was also a great concern as well as additional noise and traffic.

Mark Smith, civil engineer for the applicant, addressed residents about safety issues regarding the above ground storage tanks. Proponent had offered to redo the Manning driveway so that a vehicle could turn and pullout into traffic, rather than back out. Proponent also mentioned that the Manning driveway is not on Manning property, and that they designed their entrance and exits to accommodate the Mannings.

RRL reviewed criteria for development plan from notes SWG had prepared for Board.

Special Permit discussion:

Hours of operation discussed- Board agreed that a 24-hour station would not be in best interest of area. Board suggested that 5 AM to 11 PM would be more appropriate as there are residences abutting property. Drive thru set up so that it could hold 15 vehicles in queue inside the facility.

BJS: Motion to close public hearing.

TJG: Second.

Vote: 4-0, Approved.

Board had additional discussion about the service levels at the Maple/Hartford Street intersection. BJS noted that at times service level was worsened. BJS and GCW spent a good deal of time reading the traffic study. BJS stated he felt that the report contradicted what he heard from the applicant's traffic consultant, Art Scarneo, and that the level of service should not go down after proposed mitigation. SJW advised Board

that according to regulations, if the level of service on impacted street goes below no build level of service, the Town could request mitigation to bring it up to the no build level of service.

TJG recommended hours for discussion reflect entire facility, not just the drive-thru with the understanding that the proponent does all things they promised.

TJG: Motion to approve Hunter Development plan, but limit hours of operation for entire facility to 5 am-11 pm and conditioned upon mitigation as proposed.

RRL: Second.

Vote: 2-2, Defeated

Voted to Approve: RRL, TJG

Opposed: BJS, EWG

Discussion of numbers in the traffic study, which demonstrate worst-case scenario including a facility with a car wash.

BJS: Motion to deny Drive Thru Special Permit due to traffic flow.

EWG: Second.

Vote: 3-2, Approved

Voted to Approve: EWG, BJS, GCW

Opposed: RRL and TJG

EWG: Motion to draft a denial for the development for Hunter Development project on Hartford Avenue based on pedestrian and vehicle safety, failure to meet 250' between driveways regulation and decrease in level of service for traffic.

BJS: Second.

Vote: 2-2, Approved.

Voted to Approve: EWG, BJS

Opposed: RRL and TJG

SWG advised abutters that they could come to the Planning Office any time during business and review plans.

Planner's Report, 40B Development, FY '06 Budget

Regarding FY 2005 budget, office can operate at the same level of funding on proposed budget. There is a salary increase included for the Planning Coordinator to bring the position up to a more appropriate level.

TJG: Motion to adopt town planner's recommendation.

EWG: Second.

Vote: 4-0, Approved.

RRL advised that Board of Selectmen has requested Zoning Board deny new 40B proposed on South Main Street due to a local initiative to bring affordable housing units up to the 10% level (another 40 units).

RRL asked for the Board's support in requesting that Zoning not approve this project. The Town has its own RFP going out in December. Discussion on whether the state's goal is to support affordable housing or to allow developers to overdevelop in a community. The Board discussed best way to proceed, as affordable housing is an important issue. There was general agreement among Planning Board members that a letter of support for the Board of Selectmen's request to the Zoning Board would state the reason for the request to deny 40B on South Main St. is that there is another initiative for affordable housing that is more in keeping with the Planning Board's Master Plan.

Conroy Development wants to make some changes to development plan in parking spaces and retention basin. Meridian is employed by Conroy on this project, so SJW will contact alternate engineering firm for peer review.

BJS: Motion to cancel the December 23, 2004 meeting.

EWG: Second.

Vote: 4-0, Approved.

TJG: Motion to Adjourn.

BJS: Second.

Vote: 4-0, Approved.

Minutes Accepted on: _____

1-27-05
(date)

(prepared by Mary Chaves)

Roland R. Laprade

Brian J. Sutherland

Edward W. Guzowski

Arthur P. MacNeil

Thomas J. Guerin