



BELLINGHAM PLANNING BOARD

5 COMMON STREET
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April 14, 2005 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)
Glenn C. Wocjik (GCW),
Kate Buyuk (KB) Associate

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

RRL opened meeting at 7 PM.

Old Business:

BJS: Motion to sign minutes of March 10, 2005 with amendments.
TJG: Second.
Vote: 4-0, Approved.

BJS: Motion to sign vouchers.
EJG: Second.
Vote: 4-0, Approved.

New Business:

Isaac Cummings Definitive Subdivision Plan Signing

Wes Garner came to Planning Board office and asked this be rescheduled until April 28, 2005 meeting, as they were unable to get the plan copies ready in time for the meeting.

Gareau 81P, 64 Locust Street

Emile Gareau appeared before the board requesting that they redistribute parcel with garage and add it to the parcel with their house.

BJS: Motion to accept 81P for 64 Locust Street.
TJG: Second.
Vote: 5-0 Approved.

Bellingham Estates Lot release request

Bill Keaton appeared for Toll Brothers requesting 22 lot releases 16 in Phase II and 6 in Phase IV. Don DiMartino remarked that their mitigation for traffic signals had already been paid to town and that roads were paved as shown.

EWG: Motion to release lots 12, 13, 14, 15, 16, 32, 54, 55, 56, 57, 58, 59, 60, 61, 63, 68, 70, 71, 72, 73, 74, 75.

BJS: Second.

Vote: 5-0, Approved.

Volta Oil Special Permit Extension Request

Bruce Garrett appeared for Volta Oil to request extension of special permit for drive thru window. Approvals took longer than anticipated and they did not want to undertake project in winter months and decided to hold construction until spring. Special permit only lasts for one year and development plan two years. Work for drive thru special permits from Planning Board usually does not begin until final phases of development project.

Joseph Antonellis, Attorney for Volta, explained the "good cause" for the extension the construction was pushed back, negotiations and permits from Mass Highway caused delay. As a sign of "good faith" on the applicant's part that they were proceeding with the project, the request was for an extension of one year only.

EWG: Motion to extend special permit to Volta Oil until April 29, 2006.

BJS: Second.

Vote 5-0, Approved.

Town Meeting Warrants

RRL opened Public Hearing for Spring Town Meeting warrant at 7:15 P.M.

BJS Motion to waive reading of public Notice.

TJG Second

Vote: 5-0, Approved

Don DiMartino, DPW, appeared before Planning Board to discuss amendments for Articles 26, a Water Resource Bylaw and Article 18, regarding underground construction.

Don explained that Article 26 basic draft is from the Department of Environmental Protection (DEP) website. Section 4930 records the MGL laws that the WRD bylaw references. If subsequent changes are made to the MGL, those changes would not impact the town's WRD bylaw because the bylaw references a specific MGL date.

Additional changes include a requirement that any work done in WRD will be authorized only after appearing before planning board to determine if special permit is necessary. The bylaw will also prohibit gasoline motor vehicle filling stations, motor vehicle repair, and car washes with the exception of 100% reclamation systems in a water resource area.

BJS: Motion to accept wording of Article 26 to update zoning bylaw.

EWG: Second.

Vote: 5-0, approved.

Article 18 addresses adding a level of assurance that projects are built in accordance with approved plan. This would allow DPW inspectors on site during the development process to ensure that work is done correctly.

BJS: Motion to accept Article 18 for Town Warrant to amend Zoning Bylaw for underground construction assurances.

EWG: Second.

Vote: 5-0, Approved.

Pine Acres Definitive Subdivision and Major Residential Special Permit

R RL continued Pine Acres Public Hearing at 7:30 PM. RRL then recused himself from discussion and sat in audience. Vice chair Edward Guzowski presided over meeting.

Attorney Richard Cornetta appeared for the Dalpes. Engineer, Jerry Brisson, appeared to address outstanding issues with DPW. Mr. Brisson addressed all DPW comments and reviewed changes to plans that DPW had requested.. Don DiMartino stated that he was satisfied with the plan details, except for a few changes to reflect the most recent changes.

EWG asked about the installation of culvert on Wrentham Road. This was no cost effective solution so the applicant made an arrangement to use the Bellingham Housing Authority Pumping Station. Applicant has agreed to pay \$22,000.00 as gift to Board of Selectmen to pay for easement. This will be a condition of approval.

SJW asked about applicant reconstructing the culvert. Don DiMartino stated the town will pay for materials and applicant will provide the labor. Also, Don DiMartino stated that the town has budgeted to install new drainage in the roadway on Wrentham Road and it made no sense to have the developer pave the road and the town to tear it up again next year. The DPW and the applicant have worked out a solution that works for both parties. The developer will completely reconstruct the Bungay Book Culvert including Conservation Commission filing new head wall, new guard rails. Town would pave roadway on Wrentham Road as the install new drainage. Don felt that this was a fair exchange of work.

EWG mentioned that landscaping should be a condition of approval and a landscaping plan must be submitted when the binder course is put down.

SJW advised applicant they would need to submit most recent plan to the Conservation Commission. After discussion of expiration of approvals it was decided that two years for the Definitive subdivision plan and one year for Special Permit. Date would be calculated from the signing of the plan.

BJS: Motion to draft a decision approving Pine Acres Definitive Subdivision Plan with conditions.

TJG: Second.

Vote: 4-0, Approved.

BJS: Motion to draft a decision to approve Pine Acres Major Residential Special Permit with conditions.

TJG: Second.

Vote: 4-0, Approved.

Subdivision Regulation Changes

RRL opened Public Hearing on Bellingham Subdivision Regulations.

BJS Motion to waive reading of public notice.

TJG: Second

Vote: 5-0, Approved

Traffic Regulation Discussion

Dan Mills, MDM Transpiration Consultants reviewed proposed Traffic regulations. The Regulations are broken down into 9 sections. The first, states purpose and goals of study. The second, applicability and thresholds, defines triggers which would require a traffic study. It was determined that a reasonable trigger would be 25 trips in any given hour. Some examples of what would constitute the 25 trips per one-hour trigger are: 25 home subdivision, 15,000-sq ft office space, any retail food establishment, or 20,000 sq ft retail space. Section III deals with the scope of a study. Any project requiring a traffic study would meet with the town's consultants to determine the appropriate study area. Section IV covers the technical aspects that include, speed, level of service, parking, traffic volumes, trip generations and distribution and sight line evaluations. Analysis and mitigation measures are also covered in this section. This section also puts into place a monitoring program should the mitigation measures prove ineffective upon completion of a project. Section V deals with the Planning Board decision, incorporating level of service and volume as factors of approval as well as other conditions of approval. Section VI deals with projects that impact streets in another municipality or impact a state highway. Section VII concern the Planning Board's right to bring developers into compliance if conditions are not being met. Section VII allows for the waiver of any of the conditions as deemed appropriate by the Planning Board. Section IX states that

should one of these sections be declared invalid it will not invalidate any other section of the Regulations.

Don DiMartino reviewed some of the changes he's recommended in the subdivision regulations.

Roadway sub drains-buried sub drain and requirement of developers to do soil tests to see if drains are needed.

Adopting MassHighway standard that would require curb inlets that provide wide throat and help to keep catch basins working. Also no driveways will be allowed within 10 ft of the catch basin. Section amended to allow use of plastic-corrugated pipe to be included.

Regulation regarding chain link fence for detention basin. Don would like when possible would like to see fence 10 feet off the slope in dike area.

Section 436, Roadway sub drains. Buried sub drain require that developers do soil test and shallow testing to ensure proper drainage Use of swales not as desirable but another option to save roadway.

In order to deal with dead end water mains, Don proposes 3 options:

1. Secures easement connecting it to another subdivision or main.
2. Install pipe to limit of their property-give town an easement to put in pipe and fund work required to hook into water main.
3. Dual water main with gate valve to create loop-least desirable option as it could leak in the future.

Rewording of description of inspecting agent-adds detail about wages for billing purposes.

SJW asked if the Board was interested in revising the regulations on landscaping. Also reviewed her changes in subdivision regulations section 469, and deleted Section 469.2 to reflect the way the Planning Board currently conducts its process. Other changes include Article 2- Page 2.3. An important change was to bring the fees up to within a reasonable level according to area standards. Updated Form A filing fee changed from \$10.00 to \$100.00 and four paper plans instead of three. Section 3 –Submittal changed to reflect to reflect current Form K. Preliminary subdivision filing fee changed from \$20.00 to \$500.00 plus \$25.00 per lot. Fee for definitive subdivision changed to \$1,000.00 plus \$50.00 per lot. Monies collected from preliminary submission will be credited towards submission of a definitive plan New requirement added that applicant's meet with Town Planner before any formal submission is made. Page 3-4 reformatted paragraph for clarification.

SWJ added two things to submittal section. Traffic Analysis if required and indication that the applicant had met with the Conservation Commission for a determination that a

notice of intent has been filed. Also only one copy needs to be submitted to Planning Board. Peer review policy changed to reflect current policies.

Section 3-12 added conservation commission to list to reinforce the fact we want concurrent reviews with the Conservation Commission.

Updated Form K, required for all submittals. Clarified what each department needs from applicant and added the Historical Commission.

BJS: Motion to accept amendments to the Bellingham Subdivision Rules and Regulations regarding Traffic, Form K, Fees, Sections 42, 43, 44 and 51.

TJG: Second.

Vote 5-0, Approved.

Wes Garner came into the meeting room and asked to be heard on the matter of his intended installation of a sprinkler system for his wife's residential business. There was discussion about the type of sprinkler system and potential use of the property as a commercial entity. It was concluded that Mr. Garner could use an available sprinkler system if it exceeded the capacity for the stated use of the building. However, he could not and should not anticipate a change to commercial from residential as primary use of the building, nor should he attempt to design a universal sprinkler system for such a use change.

RRL informed Board that the Chestnut Estates never had release of covenants. Scott Ambler has requested that the board release all lots.

After discussion it was decided that since the Board does not possess the referenced plan, it will be moved to the agenda of next meeting pending receiving the plan from the applicant.

BJS: Motion to adjourn.

TJG: Second.

Vote: 5-0, Approved.

Minutes Accepted on: 5-28-05
(date)

Mary Chaves
(prepared by: Mary Chaves)

Roland R. Laprade
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Brian J. Sutherland
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Glen Wojcik
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