



BELLINGHAM PLANNING BOARD

5 COMMON STREET
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September 8, 2005 Meeting Minutes

- **Present at the meeting:**

Roland R. Laprade (RRL), Chair
Brian J. Sutherland (BJS) Vice Chair
Glenn C. Wojcik (GCW), Secretary
Edward W. Guzowski, (EWG),
Thomas J. Guerin (TJG),
Kate Buyuk (KB) Alternate

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

RRL opened meeting at 7:00 PM

BJS: Motion to sign minutes of August 25, 2005
TJG: Second
Vote: 5-0, Approved

BJS: Motion to sign vouchers
TJG: Second
Vote: 5-0, Approved

SJW advised the Board that she would be engaging Graves Engineering out of Worcester for engineering peer review. She was especially pleased that Graves would not do private business in the towns in which they provide peer review.

Tim Jones, Highridge update

Tim Jones addressed board on off site work. Lake Street is done and Railroad Street is almost completed, but they are still waiting for vortechincs unit that could be a few more weeks. Center Street is done with the exception of seeding the berm, which has been scheduled for next week.

The inside project update addressed some problems with expanding a retention pond. He is working with Conservation on an alternative pond site. The problem is due to the gas line issues on the pumping station side. Although they were approved for drainage line in close proximity to the gas line, it turned out that gas line is at the same height.

This was unknown until the trenches were dug. The flow is unchanged, but needs to be redirected. The Conservation Commission will oversee the new drainage plans.

Tim Jones addressed the board regarding release of bond. According to the Subdivision Rules and Regulations the policy is to hold 20% of the total project's bond until the town accepts the streets. Don DiMartino told Tim that this was a Planning Board decision. Mr. Jones hinted he would come formally before the Board to ask for a decrease in the bond being held. EWG asked if he had paid his mitigation monies. He replied that that would be forthcoming when bond was released. RRL suggest SJW meet with Don DiMartino to seek his opinion on what would be reasonable for a phased development.

Tim also advised the Board on the progress of the Boy Scout land. They are working to put a water line in before the land is finished with blue stone and a post & rail fence. Other parties in town are working on getting the necessary permits.

Bellingham Estates Lot Release

Bill Keaton appeared representing Toll Brothers for lot 2, their parking lot.

There was some discussion about Bellingham residents having a problem with the sales office of Toll Brothers. Bill Keaton replied he would take the information from BJS and investigate.

TJG Motion to release Lot 2 of Bellingham Estates
GCW: Second
Vote: 5-0, Approved

Daprato, Irene Court Two Lot Subdivision Public Hearing

RRL opened Public Hearing at 7:15 and asked it be continued until after the old business was finished.

BJS: Motion to waive reading of Public Hearing notice
TJG: Second
Vote: 5-0, Approved

Attorney Rob Knapik, represented the applicant for a one-lot subdivision. The land is referred to as Lot A on Irene Court. On June 2, 2005 the Zoning Board of Appeals voted to grant variances to allow development on this lot. One variance was for frontage on Irene Court. Due to the fact the lot does not have the minimum amount of frontage it did not qualify as an 81P and had to be reviewed as a subdivision.

The applicant is requesting a waiver of the frontage requirement under Section 81R of the Subdivision Rules and Regulations. RRL pointed out that the number of dwellings allowed on a dead end street is already over the 12 dwelling limit and an additional lot would require another waiver. Attorney Knapik responded that they would seek this waiver as well.

EWG asked if the current owner of the lot has a clear title to the land. There had been some problem with the ownership of land in that area. Attorney Knapik replied that this particular lot was not in dispute and he could produce evidence to that affect. The Board asked about the type of dwelling that would be built and indicated that they would not grant a waiver for anything but a single family dwelling.

Dave Karakeian of 28 Irene Court was concerned about wetlands at the entrance to where the driveway would be located.

RRL advised Attorney Knapik that the Planning Board requires concurrent hearings with the Conservation Commission when wetlands are involved. He suggested that the Public Hearing be continued until the Board got the final report from the Conservation Commission.

Stephen Canan asked about the location of dwelling, as he was concerned about the house being built too close to the gas line. Attorney Knapik thought the house would be built far enough away from the gas line that proximity wouldn't be an issue.

BJS: Motion to continue public hearing for Daprato Irene Court Subdivision to October 27, 2005 at 7:15

TJG: Second

Vote 5-0, Approved

South Maple Street Business Center Development Plan Review Public Hearing

RRL opened Public Hearing at 7:30 PM

BJS: Motion to waive reading of Public Hearing notice

TJG: Second

Vote: 5-0, Approved

RRL continued public hearing until old business was finished,

Paul Maggiore proposed to build a 25,830 sq ft business condominium building, 9 units approximately 2900 sq ft each. They don't have any clients and are building on speculation. He believes they have calculated parking and traffic conservatively and stated that typically, they do not create a lot of traffic with their projects. Mr. Maggiore addressed comments by MDM peer review traffic study, which suggested that the intersection be studied further. Mr. Maggiore suggested the money could be put to better use in road repair or something similar. The Board discussed the existing failure of the intersection and there was some question of the benefit generated by doing another study RRL suggested that SJW contact Don DiMartino, DPW, for his opinion on traffic mitigation for this project.

Don Neilson presented the plan for Mr. Maggiore They have met with the Fire Chief, DPW, Conservation Commission and Board of Health, but have not made the changes detailed on the plan. They did not receive comments for peer review in time to change their plans before the meeting. He reviewed the drainage, septic plans and snow storage. They asked the Board for lenience when consider a Fire department requirement that calls for an 18 ft fire lane around the entire building. The present plan shows only 12 feet in front of the building. Mr. Neilson asked the Board if they would consider granting a waiver of the 20-foot frontage requirement so they could move the building back 3 feet and take an additional 3 feet of the green space in front for the fire lane. The Board suggested the applicant simply make the building smaller.

There was some discussion about the number of parking spaces, especially since there is no known use for the units. Since this building would be a condominium, there would be deeded spaces per unit and enforcing parking would be an issue for the condo association.

RRL suggested their traffic consultant meet with Don DiMartino before they decide on another study or monies in a fund (for future studies) and report back to SJW,

BJS: Motion to continue public hearing to October 13, 2005 at 7:15 Pm
TJG: Second
Vote: 5-0, Approved

BJS: Motion to accept extension of decision of South Maple Street Business Center to October 28, 2005
TJG: Second
Vote: 5-0, approved

Zoning Fall Town Meeting Public Hearing

RRL Opened Public Hearing art 7:30 PM and continued to previous business was finished

BJS: Motion to waive reading of public notice for Zoning Articles
TJG Second
Vote: 5-0

SJW reviewed Article 11 to increase the trigger for a development plan review for additions from 1,000 sq ft to 2,500 sq ft. SJW met with the Inspector of Buildings for a recommendation and 2,500 sq ft was agreed upon.

BJS: Motion to recommend amendment of Zoning Bylaw Section 1421, Article 11
TJG: Second
Vote 5-0, Approved

Article 12, Correction of site plan review from reading 10,000 dollars not 10,000 sq ft. It was read into the record incorrectly.

BJS: Motion to recommend Article 12, correction of amend Zoning bylaw section 1431
TJG Second
Vote; 5-0 approved

Article 13, Repetitive petitions.

Attorney Ambler will make a motion on the floor that it would be repetitive petitions for appeals, special permits and applications.

BJS: Motion to amend Zoning Bylaw Section 1450, repetitive petitions for appeals, special permits and applications.
TJG: Second
Vote: 5-0, Approved

Article 14 Amendment to footnote 15 for Drive-Thru

Motion to be made on the floor to direct people to the Planning Board rules and regulations

TJG: Motion to pass over Article 14
BJS Second
Vote 5-0, Approved

Article 15, Maximum Lot Coverage

The Board discussed coverage for multi-family zoning and decided to recommend 30% lot coverage, the same as residential zoning.

BJS: Motion to amend Zoning Bylaws Section 2600 as follows: Section I to add the following line and footnote to the Intensity of Use Schedule, Maximum Lot Coverage 30%, 30%. 30%, 30%, 70% 70% and 60% with asterisk noting 10% open space

TJG Second

RRL suggested the entire bylaw be read aloud so people will understand which zone each percentage refers to ie

Residential: 30%, Suburban: 30%. Agricultural: 30%, Business 1:70%,
Business 2: 70%, Industrial 60%*

Vote 5-0, Approved

Article 16, Drive-Thru

Attorney Ambler will make a motion to move that the Town vote to authorize the Planning Board to adopt new rules and regulations relative to the Special Permit authorized for Drive-Thrus.

BJS: Motion to continue public hearing for Drive-Thru to October 27, 2005 at 7:30 PM

TJG Second

Vote: 5-0, Approved

Article 17 Noise

BJS: Motion to continue public hearing for Zoning Bylaw, Section 3220 until October 27, 2005 at 7:30 PM

TJG Second

Vote: 5-0, Approved

Finance committee asked for the Board's comments on Article 6 for a temporary easement to complete roadwork to the new, Town Hall.

BJS Motion to recommend Article 6

TJG Second

Vote 5-0, Approved

Michael Civiitarese asked SJW to find out if the Board would allow him to put up cash bond and then get cash back when an insurance bond is attained. Board advised SJW that they felt that would be appropriate since most of the work had already been completed.

BJS updated the Board on the Water Resource Committee meeting of August 16, 2005 regarding the sewer project in S Bellingham. The committee decided that the Board of Selectmen should sponsor the article at the Town Meeting .

BJS: Motion to adjourn

TJG Second

Vote 5-0 Approved

Minutes Accepted on: Sept. 22, 2005
(Date)

Mary Chaves
(Prepared by: Mary Chaves)

Roland R. Laprade
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Brian J. Sutherland
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