



# BELLINGHAM PLANNING BOARD

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5 COMMON STREET  
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## January 26, 2006 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 the meeting at 7:00 PM.

BJS: Motion to sign the minutes of January 12, 2006 as amended.

TJG: Second

Vote: 4-aye 1 abstain, Approved

### **Bellingham Business Center, Decision signing and discussion**

Matthew Maggiore appeared on behalf of the applicant, Maggiore Companies SJW advised the Board on some changes requested by the applicant as well as comments from the Conservation Commission. The applicant had requested that the decision name the association for responsibilities. RRL suggested that the language reflect the applicant and its successors and assigns.

The applicant also asked that the decision state that association will not allow exceed of parking as depicted in the Bellingham by-law. SJW advised the Board that the language here could result in having a deficient number of parking spaces available on this site. After some discussion a majority of the Board agreed that the decision language should stay as is.

BJS stated that he felt the language should stay as is especially after the comments from Conservation and the Board of Health.

EWG asked about a complaint from an abutter, Mr. Moore. The applicant is working with the abutter to resolve the issues.

The applicant and the Board agreed to continue decision signing to February 9, 2006.

**High Ridge Estates, bond release request**

Tim Jones appeared before the Board to request a reduction of Bond. Don DiMartino suggested the Board release \$90,000.00 to Mr. Jones. Mr. Jones disagrees with the amount of money being held by the town and will not pay outstanding debts to the Town until he feels satisfied with the withheld amount. The Conservation Commission had some concerns with the drainage, specifically the retention ponds. Mr. Jones replied that the DPW had raised his bond on the ponds.

He further stated that he has "given millions in bond money and it is returned in pennies". He wants to square this issue away before he pays any monies to the town.

Mr. Jones pointed the Board to the last page of the Form J for Highridge Road which states the Town wants the applicant to finish all the work and the Town will still retain 179,000.00 dollars, 20% of the road cost.

Form J for Rhodes Way states the DPW would like to finish road but cannot release any more bond money. Mr. Jones has an issue with the time frame of his completing a road and the town's acceptance of the road.

RRL suggested a meeting between Denis Fraine, Town Counsel and the Don DiMartino, RRL and SJW to discuss options.

TJG: Motion to reduce bond on Phase One of Highridge from \$310,000.00 to \$220,000.00

EWG: Second

Vote: 5-0, Approved

**Colonial Estates, 3-lot subdivision**

Paul DiSimone appeared for the applicant. He had just received the comments from peer review, Graves Engineering, yesterday. RRL commented that there were over 8 pages of comments regarding the plans and that the submitted plans were based on the preliminary plans. New regulations have gone into effects that were never addressed on the definitive plan.

SJW reviewed comments from Graves Engineering. She will get clarification on comment #39 for the applicant.

They will file an ANRAD with conservation next week. They will be doing the percolation of the lots next week.

The DPW stated that none of their comments from December 6, 2005 had been addressed.. Mr. DiMartino wanted a looped water main. Mr. DiSimone replied that at a previous meeting Mr. DiMartino had no objection with their plan to run two separate water lines.

SJW reviewed a list of waivers to see if the Board was in favor granting

Section 4234-cul de sac  
Section 4241-18 roadway width  
Section 4451-no sidewalks  
Section 4255-elimination of roadway crown  
Section 4424 permanent dead end main  
Section 4442-no street lighting  
Section 414-catch basin  
Section 427 for Cape Cod berm

After discussion on each of these items, the waivers were granted.

BJS: Motion to continue public hearing for Colonial Estates to February 25, 2006 at 7:30 PM

TJG: Second

Vote: 5-0, Approved.

BJS: Motion to accept request for extension of decision deadline to March 10, 2006

TJG: Second.

Vote 5-0, Approved.

### **Lakeview Estates, 40B discussion**

Jack Gillom of Gillom Associates, traffic engineer for the applicant, addressed traffic peer review. He stated that MDM had agreed with the volume but not with the directional traffic. He reviewed the MDM comments and talked about the traffic volume, pattern and direction.

Don Seaberg, Benchmark Engineering, talked about mitigating traffic impacts. He stated the proponent has agreed to widen the Silver Lake Road at Crystal Pond and install a new culvert. They will also repave, as sewer would be going up that road as well. The applicant will pay for a traffic signal at the intersection of Center Street and South Main Street. They suggested they would consider a bypass on South Main Street to allow for a left turn from southbound traffic lane on to Easy Street. EWG suggested they put a dedicated turn lane there and at Douglas Road.

Mr. Seaburg all stated that they have met with the Conservation Commission and will be making changes to the plans to address wetlands. The DPW has asked them to remove 2 pump stations and run the sewer lines down Silver Lake Road. A small group

of homes will have their own pumps, which the owners will have to maintain. The Board questioned how these people would be compensated for their increased cost of maintaining and running these pumps.

BJS stated that it was unacceptable for the roads to remain private as maintenance and repair would put a substantial financial burden on the owners, especially the low-income components. He felt that this defeats the purpose of "affordable housing".

Many residents of the area were present and voiced their concerns for safety of their families, especially school-aged children waiting for the school bus. BJS pointed out that if the development roads remained private, all the families from those 164 residences would be bringing their children to an already congested area to meet the school bus and there would be no room for vehicles to stop or pass safely at Potter Circle.

Dawn Coldewith of Douglas Drive asked if the next project would be emptying into the acres or if it would be rerouted. There was no clear response to that question, as the adjoining parcel's development had not been fully planned.

Mary Healy of South Center Street asked about where children will be getting on school busses. BJS stated he felt the roads should be public as it would be too much a burden for the residents especially the low income.

Paul Rainey of Douglas Drive questioned one of the peak hour figures.

RRL stated that the project was simply too big for this spot.

Donna Johnson, Lakeview Avenue, commented that since the adjoining development by the same applicant is not connected, it represents snob zoning, which is what the 40B is supposed to represent, anti-snob zoning.

Peter Clark asked about a left turn lane off of Easy Street and suggested that a sidewalk be installed on Easy Street

After much discussion and disagreement with the proponent's findings, it was agreed that perhaps the best method to evaluate the traffic in these area was to visit it during peak hours with representatives from different departments, boards and the neighborhood. SJW will coordinate a meeting for morning and evening peak hours.

### **May Town Meeting proposed zoning changes discussion**

SJW advised the Board on the feedback she received from the Pearl Street Mill Committee about proposing a redevelopment reuse overlay district. Although they agreed with it in theory, it needs more work to make it more specific. They also wanted to avoid the perception of spot zoning. SJW recommended they not bring this forward at the next town meeting.

The major business complex special permit for larger scale industrial subdivisions will have language changed to reflect the language in the major residential special permit regarding submission of completed plans for development.

SJW addressed the Board about the Dunkin Donut noise mitigation monies. The Board cannot legally distribute the monies directly to residents. Dunkin Donuts will be contacted to see if they will hold and distribute these funds as needed. SJW will contact them, as the decision would need to be amended which would require a public hearing.

BJS: Motion to adjourn

TJG: Second

Vote; 5-0, Approved

Minutes Accepted on: \_\_\_\_\_

(date)

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(prepared by: Mary Chaves)

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Roland R. Laprade

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