



BELLINGHAM PLANNING BOARD

5 COMMON STREET
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June 22, 2006 Meeting Minutes

- **Present at the meeting:**

Brian J. Sutherland (BJS) Chair
Glenn C. Wojcik (GCW), Vice Chair
David Brown (DB) Secretary
Thomas J. Guerin (TJG),
Roland R. Laprade (RRL),
Stephen Bartha (SB) not present

Other officials: Stacey J. Wetstein, (SJW) Town Planner (not present)
Amy Cook, (AC), Commission on Disabilities
Mary Chaves, (MC) Coordinator

BJS opened the meeting at 7:00 PM

TJG: Motion to accept the minutes of June 8, 2006.

DB: Second

Vote: 5-0, Approved

TJG: Motion to accept May 11, 2006 minutes

DB: Second.

Vote: 5-0, Approved.

TJG: Motion to sign vouchers.

DB: Second.

Vote: 5-0, Approved.

Hidden Pines Bond Release Discussion

MC advised the Board that a meeting had been held with Don DiMartino, Denis Fraine, Brian Sutherland and Michael Civitarese regarding a bond reduction for this 3-lot subdivision. The roadwork has been completed; the homes have been built. There was general agreement that a substantial portion of the bond could be released before the streets were accepted at Town Meeting. She further advised the Board that she had heard from the Conservation Commission regarding Hidden Pines and they had the following comments. They proponent has not filed an as-built plan of the roads with the Conservation Commission, they have not filed for a certificate of compliance and there

is a \$2,000.00 storm water bond which has not been posted. No one was there to represent the proponent to address these comments.

Michael Tobin, who lives in the development asked to address the Board regarding his concerns on the bond release. He has seen puddling in the cul-de-sac and is concerned about what will happen in the winter months. The berm is very steep and is serving as a retaining wall. The steepness of the berm makes it extremely difficult to maintain their lawns. Also the proponent had damaged his property during the finish work on the grading. He had expressed concern that the bounds for the property lines were installed high above the finish grade. They were unsightly and looked to be installed improperly. He had not gotten response from his attempts to contact the developer.

RRL suggested the Mr. Tobin meet with the DPW inspector to discuss his concerns and hold off on releasing the bond until these issues are resolved

RRL: Motion to deny release of bond at this time.

TJG: Second.

Vote: 5-0, Approved.

Lakeview Estates Discussion

The Zoning Board of Appeals requested the Board comment on the mitigation offered by the proponent of Lakeview Estates. The Board was reluctant to respond due to the pending law suit against the Board by the proponent for the Shores of Silver Lake III on the adjoining property. Town counsel advised that they should still comment on the Lakeview Estates submission.

The Board reviewed the list of mitigation items. There had been one change since the Board had reviewed these items at a Planning Board public hearing, the addition of a bus stop at the end of the private roadway. The Board still felt that the roads should be public in the development. The Board still held their previous position that the project was far too dense and that the amount of mitigation proposed would not alleviate the impact caused by the development. Public safety was a major concern in regards to drop off and pick up of school children.

There were several abutters present who opposed to the size of the project as they felt it would jeopardize the safety of their children. Muriel Cyr expressed concern for the design of Potter Circle and the proposed elimination of the grassy circle. RRL suggested they look into the history of the circle to see if it was a town monument.

TJG: Motion to draft letter reiterating to the Board of Appeals that the traffic mitigation suggested is not sufficient to overcome the public safety issues for the project as proposed.

DB: Second.

Vote: 5-0, Approved.

EMC Definitive Subdivision, Maple Street

Dan Feeney of Beals and Thomas, Attorney Chris Toomey representing EMC and Dave Streeter of EMC appeared before the Board. They had considered the comments of the Board and the community made at the first meeting and had made changes to the plan that they wanted to run by the Board before engineering had begun on the new concept plan. Attorney Toomey restated his position that a new traffic study was not required as there is no proposed development of the site at this time. MC advised the Board that the Town's counsel, Attorney Lee Ambler had advised that the Board had the right to request a study at highest and best use and that potential mitigation could be worded into the decision. The Board agreed that the money spent on a traffic study for highest and best use would be better used as mitigation. The traffic study included in the application was done for the MEPA study. Any increase in use other than what was stated in the MEPA would call for a new traffic study. GCW expressed concern that by mitigating individual lots, the level of service factor used as a mitigation trigger would be diminished. Attorney Toomey countered that it may play in the Board's favor, as they would see the actual impacts as the site was developed and could mitigate accordingly. The plan called out an alternate Maple Street drawing traffic through the subdivision and away from the homes across from the site. This road would be public and the suggestion was made to cut off the current end of High Street between the subdivision and Maple Street as it doesn't serve a purpose with the new roadway. The Board was receptive to the idea and advised that that change would be up to the Board of Selectmen. Barbara Chase of Maple Street asked that the planned roadway be changed so that traffic would be diverted from her home. Dave Streeter suggested they could leave an area of green space to buffer the home from the site. Dan Feeney explained that due to the property lines and the rules of engineering roadways that this was not possible. Doug Porter of Stonehenge Road asked about the access to Maple Street for residents. He stated that the proposed plan was an improvement to current conditions.

The suggestion was made for an all boards meeting to review the EMC conceptual plan prior to the engineering work being completed. MC will set up a time.

RRL: Motion to continue public hearing for EMC Maple Street Definitive Subdivision to August 24, 2006 at 7:15 PM.

TJG: Second.

Vote: 5-0, Approved.

RRL: Motion to accept request for extension of decision to September 1, 2006.

TJG: Second.

Vote: 5-0, Approved.

Old Business

MC advised the Board that she was in the process of writing a proposal for a technical assistance grant from the Commonwealth. The grant would be to get assistance in drafting and advocating a new Village District bylaw for Crooks Corner/Pulaski Boulevard area and the Town Center.

On another matter she advised the Board that a great deal of time needed to be spent on going through the files for discovery for the Shores at Silver Lake III and that she did not want to run over her approved contract hours. RRL suggested they confer with Marilyn Mathieu and Denis Fraine for the best way to handle this issue.

TJG: Motion to adjourn.

DB: Second.

Vote: 5-0, Approved.

Minutes Accepted on:

July 13, 2006
(date)

Mary Chaves
(prepared by: Mary Chaves)

Roland R. Laprade
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