



# BELLINGHAM PLANNING BOARD

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5 COMMON STREET  
BELLINGHAM, MASSACHUSETTS 02019  
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## December 28, 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)

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

BJS opened the meeting at 7:00 PM.

RRL: Motion to accept minutes of November 9, 2006 as amended.

DB: Second.

Vote: 5-0, Approved.

RRL: Motion to accept minutes of December 14, 2006.

TJG: Second.

Vote: 5-0, Approved.

RRL: Motion to sign vouchers.

DB: Second.

Vote: 5-0, Approved.

### **Woodbury Ridge Definitive Subdivision Sign Planning**

BJS advised the Board they would sign the plans at the end of the meeting since there was no person there waiting and it would take some time. This would allow them to move forward with their agenda.

**81P, Maggiore, South Maple Street**

Paul Atwood, Guerierre and Halnon, appeared for applicant. Plans were submitted for an 81P for the Maggiore property on South Maple Street. All improvements for Goddard School are contained on lot 13. The drainage easement is contained on lot 14. The lot shape factor and frontage requirements were met.

TJG: Motion to accept plans for South. Maple Street dated subdivision plan of land, lot 12, number 15673G.

RRL: Second.

Vote: 4-1 Approved (GCW voted against).

**81P Dalpe, Wrentham Road**

Leo Dalpe appeared before the Board. He had previously had an 81P approved for an easement, however the topography did not support the utilities intended for the easement and it needs to be relocated for more dirt cover.

RRL: Motion to accept 81P for easement plan for lot 12 on Pine Acres Drive.

GCW: Second.

Vote: 5-0, Approved.

**W/S Development Preliminary Subdivision Plan Review**

SJW advised the Board that W/S Development had contacted her and would like to withdraw without prejudice. After a meeting with Town counsel, Town Administrator and Jerald Mahew from the Board of Selectmen it was determined that there is no statute regarding access of industrial land through residential land. There is case law that supports a Planning Board's decision to deny based on this, however. They felt they had two options. Option 1 would be a zoning change of the roadway area and Option 2 would be not to do a subdivision but do a town road that goes through the Board of Selectmen and then for town meeting acceptance. They will propose road to the Board of Selectmen for next fall's town meeting at which time it will be forwarded to Planning for a recommendation.

RRL: Motion to accept withdrawal without prejudice for W/S Development Preliminary Subdivision.

DB: Second.

Vote: 5-0, Approved.

BJS opened questions to the floor. Peter Morelli asked if this was their way of circumventing the Planning Process. MC stated that in a conversation with the town administrator, she heard that the state would not fund the \$6,000,000.00 needed for the 495 interchange without a secondary access from the complex, so they need to make sure that access is feasible before they invest any more resources. RRL stated it was not meant to circumvent Planning and they would need to appear before the Planning

Board with their Development plans, but do not want to invest too much before they know they have a commitment from the state.

### **Cumberland Farms Development Plan Review and Special Permit**

Peter Paulowski appeared on behalf of Cumberland Farms. Comments from Graves Engineering have been responded to, as have comments from MDM Traffic.

Nick Piampiano addressed the issues from the peer review and reviewed plan modifications. The pump islands and canopy had been moved a little further to the north to allow for better flow. A stockade fence extends full length on the west side of the property. The water department had comments about service that were reviewed. Changes to the plans included these comments.

The response to the Conservation Commission comments was that Conservation had requested a control structure for flood control and additional arborvitae screening that had been added to plans. An additional trench drain was added at Elm St.

BJS asked that a fence from the building to the perimeter fence be put back on plans. BJS also advised the Board that he had spoken with Sgt. Rolls, safety officer, and he had no issue with the plans as presented.

Steven Antonino, neighbor, asked about pedestrian access on South Main Street. TJG asked about a crosswalk. Street crossing will be done at the signal.

BJS reviewed comments from MDM regarding the mitigation with changes to the signal. GCW pointed out that the improvements are minimal and that he felt the mitigation too low. SB pointed out that with the mitigation proposed, the intersection does not get worse with this development versus a no build situation.

Giles Ham stated that they were adding safety features that are not present today, including a turning signal, signage, and emergency vehicle controls. Steven Antonino asked how the traffic analysis calculations are configured and did the numbers work in favor of the developer. BJS advised him that we have our own consultants that work for the town review these numbers.

The Board will recommend the hours of operation from 5am to 11 pm to the Board of Selectmen.

RRL: Motion to draft a favorable decision for Cumberland Farms Development Plan Review, 340 South Main St. The decision will include the red cedar fence with lattice top as submitted in photo and fence from building to the stockade fence as discussed. The parking waiver would be granted as requested and all mitigation discussed regarding the intersection and abutting properties included.

TJG: Second.

Discussion: Canopy was discussed. Dawn Rondo, planning Dept Cumberland Farms, showed an illustration of the proposed canopy.

Steven Antonino made a statement that he and abutters wished that the Board would not approve the development as it upsets the character of the area and it's a disruption to the neighborhood. BJS advised that this project as submitted was in keeping with the Planning Board's Rules and Regulations. He also stated that Cumberland Farms has worked to make the project work for the neighborhood.

Vote: 4-1, Approved (GCW voted against.)

RRL: Motion to continue public hearing to January 25, 2007 at 7:10 PM.

DB: Second.

Vote: 5-0, Approved.

### **Planer's Report**

SJW brought the Boards up to date on the Pulaski Boulevard Overlay District meetings. A January 10, 2007 meeting will be held for Board members throughout the town. Their input will be used for the next citizen's meeting on January 31, 2007.

SJW has tentatively scheduled the Dunkin Donuts Noise Mitigation public hearing for February 22, 2007. Residents have until January 31, 2007 to submit as per the letter.


GCW: Motion to adjourn.

DB: Second.

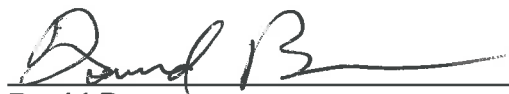
Vote: 5-0, Approved.

Minutes Accepted on: 1-11-07  
(date)

(prepared by: Mary Chaves)

  
Roland R. Laprade

  
Brian J. Sutherland

  
David Brown

  
Glenn Wojcik

  
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