



BELLINGHAM PLANNING BOARD

5 COMMON STREET
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April 12, 2007 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.

TJG: Motion to sign minutes of 3.22.07.

DB: Second.

Vote: 4-0, Approved. RRL abstained, absent at 3.22.07 meeting.

RRL: Motion to sign vouchers.

TJG: Second.

Vote: 5-0, Approved.

EMC Scenic Road Special Permit Decision Signing

TJG: Motion to sign EMC Scenic Road Special Permit Decision as amended.

DB: Second.

Vote: 5-0, Approved. RRL abstained (missed hearing).

EMC Shade Tree Removal Special Permit Decision Signing

TJG: Motion to sign EMC Shade Tree Special Permit as amended.

GCE: Second.

Vote: 5-0, Approved RRL abstained (missed hearing).

High Ridge Estates Lot Release

SJW advised the Board that a lot had not been released that has been built and is ready to be sold and that after checking the files there were four lots for which she could not locate the release.

RRL: Motion to sign lot release for lot 16, 31 High Ridge Road, of High Ridge Estates
DB: Second.

Vote: 4-1, Approved. GCW voted nay.

Marty's Auto Development Plan Review and Water Resource Special Permit

SJW advised that an engineering peer review was underway at the request of the Conservation Commission. RRL stated that he would be more comfortable waiting until there is a new Board in place before hearing the application. TJG felt that they may be far enough along to hear the application

Nathan Mahonan of Hannigan Engineering updated that Board on where they were in their peer review. They have gone back to pre and post condition analysis. Meridian has provided a list of comments. Sean Pepper, Contractor, told the Board they were aware of the possibility of having to resubmit, but felt they were far enough along to move forward this evening.

Nathan reviewed the present and post building conditions. He indicated that after development there would be less impervious surface at the site. He reviewed each of Meridian's peer review comments and their responses to those comments. Most of the comments had been resolved but still needed to be notated on the plans. No waivers were requested

SJW advised the Board that Conservation Commission has indicated they were comfortable with the review and expect to issue an order of conditions at the next Conservation meeting.

The Board then that they would need to submit landscape plans, Operation and Maintenance Procedures and address all of Meridian's comments before any decision could be signed.

RRL Motion to draft favorable decision for Marty's Auto Water Resource Special Permit conditional upon all the plans and changes being done as discussed.

TJG: Second.

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

TJG: Motion to draft favorable decision for Marty's Auto Development Plan conditional upon all requests being met prior to next meeting on April 28, 2007.

DB: Second.

Vote: 5-0, Approved.

Zoning Proposals for May Town Meeting

RRL: Motion to waive reading of public Notice.

DB: Second.

Vote: 5-0, Approved.

Pulaski Blvd. Overlay District

Guy Fleurette, Vice Chairman of the committee, reviewed the purpose of the overlay, and gave an overview of the steps taken to develop bylaw. RRL advised the Board that he felt that although the density allowed was conservative by mixed use standards it was all he was comfortable with as the surrounding area is already dense. He further stated that having this alternative would help the area become revitalized and hopefully reverse the spiraling decline of the area. TJG asked "why anyone wouldn't vote in favor" of the overlay. MC responded that this was a new idea for the area and any change, even a positive change, can be a scary proposition. Fear of change, fear of the area becoming inundated with new homes, or with people being forced out of their homes seemed to be a factor. Fear is not always rational but exists just the same said MC. Attorney Ambler stated that he felt that the density allowed was too great and asked the Board look carefully at the bylaw. He also commented that only a few parcels would be able to take advantage of the overlay due to lot size requirements. Jerry Mayhew, Board of Selectmen representative to the Overlay Committee, stated that there were spirited arguments made during the drafting of the bylaw, but none mean spirited and suggested that not everyone on the committee agreed totally with every aspect of the bylaw but that it had many good aspects. DB commented that the restriction for sign height to 13 feet over driveways and access points would not allow delivery trucks access. The standard delivery truck requires 14 feet clearance.

RRL: Motion to amend sign height to maximum of 14 feet on the Town Meeting floor.

DB: Second.

Vote: 5-0, Approved

Andy Bisante Jr., Franklin resident and Pulaski area property owner and small scale developer, pointed out to the Board this type of overlay is badly needed in many towns, but few towns take the initiative. He said he sees overlay as adding cohesiveness to the area.

RRL: Motion to recommend the Pulaski Boulevard Overlay District Bylaw with the sign height to be amended to "14 feet maximum" on the Town Meeting floor.

TJG: Second.

Vote: 5-0, Approved.

As-Built bylaw amendment

SJW advised the Board that she had been working with Don DiMartino regarding new As- built certificates which is currently under the jurisdiction of Inspectional Services.

The change would have the authority for inspection and sign off of as-builts go to the DPW instead of Inspection Services.

RRL: Motion to recommend As-Built bylaw.

DB: Second.

Vote: 5-0, Approved.

Hartford Village Concept Plan

Attorney Joseph Antonellis represented K & S Realty Trust, principal Bradley Wright, on the proposed zoning article required under bylaw major residential proposal in a multifamily area. Hartford Village is designated over 55 Development. Currently there are 48 units and the proposal is for an additional 18 units. The present development is owned by Condo Association. The next phase would have a separate association. The concept plan called for the present septic system, on property retained by K & S with an easement to the condo association, is relocated. The two phases would share a common septic system.

Frank Corvane, 4 Beaver Pond Rd., asked if the proposed septic system will be larger. Mr. Wright said it would have to conform to Title V. regulations. He also is concerned about Hixson Street in terms of trucking and emergency vehicle access because it is so narrow. Area residents were upset about the thought of heavy equipment in the small surrounding roads while the development was being built. BJS asked Mr. Wright for the approximate timeframe for completion and how long he expects trucks and equipment to utilize the side roads around the development site. Mr. Wright said it would be about 18 months or more of heavy equipment in residential neighborhood.

Mike Disario asked about construction and no sidewalks and complained about problems with his unit. Audrey Disario commented that they would be barricaded in their home during construction with the construction vehicles and dust and debris created during construction.

RRL asked about sidewalks. Instead of sidewalks there is a walking path around 48 units was built in lieu of sidewalks.

Edna Johnson, 403 Village Lane asked if he could dig up the leeching field and what will happen to all the contaminated materials. BJS advised that he would be forced to comply with regulations of the town and state for disposal of materials.

Alfred Milgram, 703 Village Lane, when new additions to complexes are added value is added and a new bigger septic system would last longer than existing systems and that Title V would be more likely to pass with new, bigger system. Parking gets congested mainly around the holiday season not daily.

Edna Johnson asked how a larger system is less expensive in the long run. Mr. Milgram replied that there would be longer time for the need to replace it. Typically septic

systems have a failure in about 15-20 years. He would rather the contractor pay for the reconstruction now.

Christine ? from the last house on Village Lane, bought home with understanding that theirs would be the last unit upon advice of the realtor. She feels that their resale value and lifestyle would be negatively affected with the placement of the units as shown on the concept plan. They were led to believe they bought in to a small complex with an end unit.

Abby Cirrione, 501 Village Lane said when she was looking to buy she asked Mr. Wright if more units would be built and they were advised it would happen when Town sewer was available. Town sewer is not available and he is intending to build.

Judith Katz ,904 Village Lane, does not like the concept plan. She asked that is the septic system was to be replaced would they need an amendment to their permit since it is not the scenario on the approved plan? BJS stated that they would need to amend the existing permit. She also stated that Mr. Wright would undersell the units by lowering the maintenance fees and therefore make the existing units less desirable for resale. She is opposed to sharing a septic system with another association. She further stated that it was recently published that fine dust particles can be extremely dangerous to the elderly and those with respiratory issues. This construction is proposed to be right against the existing housing and places unnecessary health risks on the residents. She has no issue with Mr. Wright building somewhere else on his 6 acre lot but does not want those units tied into their existing association. She said that it is the duty of the Board to protect their rights and well being.

Scott Sutcliffe is concerned with temporary access using Hixson Street and large vehicles negotiating corners on 12 ft wide roadway is virtually impossible. A Hixson St abutter would like to see permanent open space. Attorney Antonellis stated that that was the intention. She asked a zoning question regarding the definition of a townhouse and that it required 10000 sq ft per bedroom. BJS stated that the area is zoned multifamily. SJW said that she asked Attorney Ambler's advice on that point and that he felt that the plan as presented was appropriate under the bylaws.

Density is an issue and open space is important to the abutters and current residents.

Walter Kelly, 19 Walter Morse Rd, stated that the road won't support heavy equipment- Helen Kelly stated that there are no sidewalks on Hixson or R Belanger Rd and they are not built to support heavy equipment.

Abby Cirrione asked the Board how many have driven through or walked the area. BJS has but the other members were not that familiar with the development.

Donna Moran, 24 Hixson Street was concerned with density and for family safety with heavy trucking. She asked about the impact to her well and if a larger septic system would affect her wells were changes to water quality after the blasting for the septic system.

Harry Hamjian, Hixson Street stated that the whole parcel is a delicate geographical structure-poorly drained-water spilling on Hixson St and Hartford Ave. Any slight modification of the grade will add more ground water to his property.

James Cotter, 207 Village Way, stated that he felt it best to "kill the issue of sidewalks" SB asked why the new units would not be part of the association. Attorney Antonellis replied because the ownership was separate.

GCW: Motion that the Board not recommend Hartford Village II Concept plan

BJS: Second.

Discussion: RRL does not like the plan but this is merely a concept plan which could change dramatically in the PB process.

Attorney Antonellis stated that the only points to consider in the concept plan were the number of units, age restriction and type of units.

BJS countered that he disagreed with Attorney Antonellis' opinion. The plan indicated the placement of the units and the removal and replacement of the existing septic system and the impact to the existing units should be considered.

GCW replied that there could be an impact on the wells and the community.

SB commented that there are options beyond the concept plan. If the vote is only about the bullet points of the plan, should the concept pass at town meeting it would have to come to the board.

BJS stated he agreed with Mrs. Katz statement and the density is an issue with this development and would continue to be an issue.

BJS said it was the whole package not just the "bullet point" words.

Vote: 3-2, Approved.

High Street Scenic Road Discussion

SJW advised the Board that the Finance Committee asked for an opinion. Jim Dunlea presented an overview of the reasons to preserve High Street as a Scenic Road.

TJG stated that as a member of the fire department he has had to respond to emergencies in the High Street area and that he would rather have the area serviceable by emergency vehicles that force replacement of trees and stone walls.

RRL said that there had been much discussion over the years about making High Street a scenic road.

RRL: Motion to advise Finance Committee that it recommended by PB.

DB: Second.

Vote: 4-1, Approved. TJG voted against.

EMC Definitive Subdivision

Dan Feeney of Beals and Thomas, Attorney Chris Toomey of Carter English, addressed the Board on outstanding issues for EMC. Chris Toomey updated the board on the plans and the peer review process

Dan Feeney recapped for the Board the events of the December 14, 2006 public hearing. A recommendation was made by the public safety officer for the alignment of the roadway. Based on the direction given at that meeting, the Board advised EMC to revise the proposed roadway layout. The subdivision roadway was back to horseshoe shape. With one entrance at Stonehedge Road- and the other moved further north to improve sight distance along Maple Street. There are a total of 9 lots and approximately 3200 linear feet of public roadway. All work on roadway outside of 100 ft buffer zone. They have submitted revised plans and have been working with Graves Engineering on the peer review of the drainage design and some other technical issues. There are some minor issues outstanding but no further plans or calculations would be required for the review.

Area residents voiced their concerns and questions to the Board. Susan Silvia is concerned about school busses and closing off High St. Jeff Prescott 314 Maple St concerned about traffic on the roadway as well. Jim Dunlea and Brian Hall wanted to restate their position that High Street should remain open through to Maple Street.

The Board discussed the roadway at length. It was agreed that should the Board of Selectmen agree to closing off High Street from Maple Street to the subdivision roadway as it is the safest alternative, that signage remain as indicated on the plan. Also, RRL would like to see that portion remain accessible for a public park with a parking area. Should the Selectmen elect to leave the roadway open; the applicant will come back before the Board for a review of signage at the High Street intersection.

RRL: Motion to draft favorable decision with conditions made earlier that the intersection of High and Maple St.

Parkway created and maintained by subdivision owner;

Proponent goes to Board of Selectmen before the roadway is built as discussed;

4 way stop if High Street remains open to Maple Street.

TJG: Second

Discussion: Conditions to include that traffic study is done when first build out; planner's review of plans and all peer review engineering issues resolved

Vote: 4-1 GCW voted nay. Approved

SJW asked the Board's approval to formalize a committee to work on developing an overlay district for the Town Center.

RRL: Motion to create Town Center Overlay District Committee.

TJG: Second.

Vote: 5-0, Approved.

RRL: Motion to adjourn.

TJG: Second.

Vote 5-0 Approved.

Minutes Accepted on: April 26, 2007
Mary Chaves
(date)

(prepared by: Mary Chaves)

Roland R. Laprade

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