



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
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October 9, 2008 Meeting Minutes

- **Present at the meeting:**

Patricia Buckley (PMB), Chairman
Glenn C. Wojcik (GCW), Vice Chairman
Stephen Bartha (SB), Secretary
David Brown (DB)
Brian J. Sutherland (BJS)
John Sexton (JS), Associate Member

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

PMB opens the meeting at 7:00pm.

800 Pulaski Blvd / Omar Wenger 81P

Justin Lapham, Shea Engineering, representing the applicant, advised that there are three pieces of land being broken up. Lot 1 is being conveyed to A&E Realty Trust; Lot 3 is where the existing building is and is currently being used as a farm stand. Mr. Lapham advised that Lot 2 would be the new building which wraps around towards the back. The existing barn is on Lot 2 and would be removed. SJW advised that lot 2 has a lot of wetlands on it but does meet the frontage requirements.

AS advised the Board that the Conservation Commission believes that some of the wetlands on Lot 2 were destroyed. SJW advised the Board that this is an 81P and meets the requirements.

BJS: Motion to sign the 81P for the plan of land in Bellingham prepared for Omar Wenger on 800 Pulaski Blvd dated October 6, 2008.

DB: Second.

Vote: 5-0 Approved.

Dwyer Business Park, 316 Hartford Avenue, Development Plan Review, Decision Signing

No one from Dwyer was present for the decision signing. SJW advised the Board that after reading the Zoning Board of Appeals (ZBA) decision there was an issue with item number B1 and the condition with it. SJW advised there are contradictory sentences

which she believes could be a typo. SJW asked Jay Talerman, Town Counsel, and he advised that the best thing to do is put it in the decision and explain it and write a condition saying before they can do anything with the approval they have to get it corrected by the ZBA.

BJS: Motion to sign the Development Plan for Dwyer Business Park, 316 Hartford Avenue, Bellingham, MA.

SB: Second.

Vote: 4-0 Approved.

LIG Athletic Fields, Maple and High Street, Development Plan Review, Continued Public Hearing, Decision Deadline: 10/10/08, Major Business Complex Special Permit, Continued Public Hearing, Decision Deadline: 10/10/08

Joe Antonellis, Attorney for client, Ed SanClemente and Ted Doyle, LIG, Dan Feeney, Beals and Thomas, Scott Thornton, Vanasse and Associates.

Mr. Feeney advised that they have addressed Meridian's comments and are requesting a waiver for the Locust plan requirement due to the size of the site. Mr. Feeney advised there are two drainage items; the first is the dry detention basin for the new Stormwater policy which is draining within the required 24 hours and is virtually dry. Another Meridian comment they have addressed is with the trash interceptor and that it should be provided for all basins. Mr. Feeney advised that they will clarify this on the plans to show that it would include all 4 basins.

Mr. Feeney advised that the final item that Meridian noted was with landscaping. He advised that per the Zoning Regulations it requires 690 shrubs and the Site Plans shows 567 shrubs with approximately 650 ornamental grass plantings adjacent to the parking lot. Stantec, the Landscape Architect for the project, advised their reasoning behind using the ornamental plantings was to try to keep intact its historic feel of the site.

Mr. Feeney advised that Don DiMartino's, director of DPW, issues were not traffic related. Mr. DiMartino was issued a letter stating that they were showing six Quick Couplers and wanted to know if this was a proposed drinking water source. Mr. Feeney advised it will not be used for drinking water.

Mr. Antonellis advised they will now be discussing traffic. It is the opinion of their traffic consultant that it is impossible to design for traffic impact based on the limited amount of tournaments which only amounts to about 9 days per year. Mr. Antonellis advised that LIG would hire a police detail during these tournaments to direct traffic and they will not allow parking on Maple or High Street. During tournaments LIG would offer an offsite parking lot(s) with shuttle service and would submit this plan to the Board. Attorney Antonellis reiterated that their impact is not intensive on many days of the year.

Attorney Antonellis read a letter that was handed out to the Board advising that LIG offered \$60,000 in mitigation for traffic impact. He believes that his client has picked a use that is much less impacting than other businesses would be. Attorney Antonellis advised he knows that they cannot close the public hearing due to their Con Com

issues. He knows that they will have conditions but hope the Board will look favorably on their project.

PMB advised that she will not be present at the October 23, 2008 meeting but JS has been present for all meetings and will be available to vote on the Special Permit. Attorney Antonellis advised that he is ok with JS voting on this project. PMB advised that the Board is not prepared to discuss mitigation at this meeting. BJS asked what the estimated value of the land being donated is. Mr. SanClemente advised that land being offered to the Town is not a buildable lot and is approximately 11.5 acres which is valued at under \$100,000.

SB questioned if we received a traffic study with the new counts. Mr. Thornton advised that the rate per field during their initial traffic estimates were lower than what they originally observed. He advised that when you put the two total trips together you end up with a 15-20% higher trip generation. SB would like to see that number again to base the mitigation. Attorney Antonellis advised he knows that certain improvements will need to be made to the Maple St. and 140 intersections that have been talked about for quite some time. He advised that the mitigation money could be used for the purpose of starting the signalization of this intersection instead of repaving the road. SJW asked if they had their signage plans. Mr. Feeney advised that they would provide those for the Board before the next meeting.

SJW advised that she received an MDM memo regarding item numbers 7 & 8 where they ask about the amount of the parking spaces. Mr. SanClemente advised that based on the occupancy that has been designed for the building for the interior fields at capacity they would be using 418 parking spaces and for outdoor activities at capacity they would be at 207 parking spaces. He advised that when tournaments go on, it is just the outdoor fields being used not the indoor fields so that the majority of the spaces can accommodate these events. Mr. Thornton advised that the Lancaster facility bases their overflow parking trigger on if nine of their fields are in use then the off site parking is used. PMB questioned the use of the shuttle. Mr. Doyle advised that they do plan to have a shuttle for hotels, and they may use school and church parking lots as the location of the off site parking so they could also earn extra money. PMB advised them to include the trigger or synopsis for full parking in their comments.

SJW questioned why they applied for a Special Permit. Mr. Antonellis advised it is for their outside recreation, lot shape factor, the height of the building, and the lighting. Mr. Feeney advised is on sheet 2.5. SJW advised him to make it clearer on the plan.

SJW advised that she had a meeting earlier in the week for the potential baseball fields for the other lot. SJW advised that because it ties into this plan, they will need to have some conditions in their decision which would include a shared drive and entrance so that they are aware that they need additional access for the fire and police department. SJW advised that they would need to change their island to accommodate for the shared drive now so they will not need to come back with new plans after the approval.

PMB questioned how many baseball fields will be proposed. Mr. Antonellis advised that it is limited to small fields, batting cages and a small office space. It will be for ages 18

and under so there will be no adult softball leagues. SJW discussed the coordination of the tournament schedules between the soccer and baseball complexes ahead of time so the Board will know those times and schedules. SJW wanted to advise LIG of this project and its impact. The baseball fields will be using a PA system also and asked if they would provide them with their noise study. Mr. SanClemente advised they do have a noise study and will provide it to them.

SB questioned the truck turn from last time and that it seemed to be an awkward movement. Mr. Feeney advised that it would be for FedEx and food service type trucks and that the larger trucks could in fact make the turn.

Doug Porter, 3 Stonehedge Road, advised that Maple Street is not an industrial road but is a scenic road, also questioned if there would be no parking on his street as well. Attorney Antonellis advised that street parking would not be permitted on any public road.

PMB questioned how they would make it clear that there is no offstreet parking. Mr. Doyle advised it would be known on their website, and by posted signs.

Jim Dunlea, 57 High Street, questioned the jamboree or tournament days and how many there would be. Mr. Doyle advised there would be 15-18 days and 8-9 tournaments per year. Mr. Dunlea questioned how many officers would be directing traffic during the tournaments and also asked exactly how many trips there would be. Mr. Thornton advised there would be 232 during a weekday and 350 on the weekends. Mr. Dunlea asked if those streets are currently no parking streets. GCW questioned how many buses would actually be on High Street. Mr. Dunlea wants a barricade up on High Street. PMB advised High Street is a public road and cannot barricade it because police and/or fire vehicles need to get down the street in case of an emergency.

PMB questioned the gravel road and what is going on with it. Mr. Feeney advised it is in a buffer zone but has been approved by the Con Com.

BJS: Motion to continue the public hearing of LIG Athletic Fields, Maple and High Street, Development Plan Review until October 23, 2008 at 7:30pm.

DB: Second.

Vote: 5-0 Approved.

BJS: Motion to continue the public hearing of LIG Athletic Fields, Maple and High Street, Major Business Complex Special Permit until October 23, 2008 at 7:30pm.

DB: Second.

Vote: 5-0 Approved.

BJS: Motion to accept the request for an extension for the the decision deadline for the Development Plan Review and the Major Business Complex Special Permit for LIG Athletic Fields, Maple and High Street, until until Nov 14, 2008.

DB: Second.

Vote: 5-0 Approved.

A brief recess was requested.

PMB Called the meeting back to order.

MX365 Motocross Arena, 169 Maple Street, Development Plan Review, Scenic Road Permit

Joe Antonellis, attorney for the applicant, Russ Cobb, owner, Steve Karan, B.E.R., Don Neilson, Guerriere & Halnon and Don DiCristofaro, a certified air quality meteorologist for Blue Sky Environmental LLC.

Attorney Antonellis advised that this is a unique facility and they are still working out the traffic issues and mitigation. He advised that they have hired Mr. DiCristofaro to study the issue of air quality leaving the building. Mr. DiCristofaro was asked to look at the air quality leaving the building and mixing inside air with the outside air. PMB questioned on a windless day, will it affect the air quality. Mr. DiCristofaro advised that it is a very minor affect.

PMB questioned what happens if the fans break. Attorney Antonellis advised that the air quality is closely monitored and if the balance of air is changed then they will shut the facility down. GCW questioned the filter and if it is new to the plans. Mr. Carballeira advised after the last meeting they came up with it.

Steve Kohler, 26 Stonehedge Road, questioned if it is an all or nothing venting system and what the minimum number of fans that it takes to vent the building properly. Mr. Carballeira advised you do not need all the fans running at high speed to properly vent the building.

Steve Kohler, 26 Stonehedge Road, questioned how Mr. DiCristofaro came about their numbers with different types of bikes. Mr. Carballeira advised is all based on the sensors.

Doug Porter, 3 Stonehedge Road, asked where the fans are. Mr. Carballeira advised they are built into the duct work in the inside of the building.

Mr. Neilson advised that the entrance point would change and be moved to the Cobb entrance which provides a better site distance. Mr. Neilson advised that the fuel storage was moved after two discussions with the fire chief to the east side of the building and put it in a quieter section. They have designed the fuel area to be just like a gas station. Mr. Neilson advised that the tanks are double walled. There will also be ribs in the pavement that would capture the gasoline in case of a spill. Mr. Neilson advised that an employee would escort the bike owner to the refueling area.

Mr. Neilson advised that the dumpster has been moved 95 feet away from the wetlands due to concerns or the Con Com.

Mr. Neilson advised that MDM commented that they didn't think that the bikes should be in the same pathway as cars. He showed the Board that they took 5 spaces away to accommodate the bikes and established this area as 10 minute parking. He advised the Board that they are currently in the Con Com process and they are waiting for the Board to make the same order of conditions before they sign off on it. Mr. Neilson received an email from Don DiMartino, Director of DPW, advising that his issues have all been addressed.

Mr. Neilson mentioned that the scenic road is another issue: The Town Bylaw states that for every 30 inch pine removed three evergreens which are at least 4 inches in diameter need to be planted. Mr. Neilson advised that all the abutters have been notified by mail. Mr. Neilson advised that the wall behind the property is dilapidated and rundown and that Mr. Cobb wants to fix that. Mr. Cobb also advised that he would like to trim down the dead branches as supervised by Mr. Burr the tree warden. BJS questioned the clearing of the branches and if it is to enhance the site of the building. Mr. Cobb advised that the clearing of the branches will protect the integrity of the tree. BJS does not want the neighbors to have an unpleasant site of the building.

BJS questioned the fuel storage and why they were moving it closer to the nearest abutter and if they could smell the fumes. BJS stated he wants minimal impact to that abutter. Mr. Neilson will check with the manufacturer on the air filter for the next meeting.

JS asked if the bikes are walked or driven out to get fuel. Mr. Neilson advised that no bikes can be operated outside the building so it will be walked there.

SJW questioned which plans show where the vents are. Mr. Neilson advised is on the elevation plan.

PMB questioned the hours of operation. Mr. Cobb advised 6am-9pm, but would like to not be restricted so they may make it a 24 hour facility.

Jim Dunlea, 57 High Street, questioned when the fuel would be delivered, he is concerned with parking lot noise, and is happy to see the repairs to the stone wall on a scenic road.

PMB questioned if they will permit overnight parking. Mr. Cobb advised that there will be no overnight parking and that the rules will be posted on the signs. They will also make provisions for when you are able to bring your bikes in and out of the facility.

BJS: Motion to continue the public hearing of MX365 Motocross Arena, 169 Maple Street, Development Plan Review until October 23, 2008 at 8:00pm.

DB: Second.

Vote: 5-0 Approved.

BJS: Motion to continue the public hearing of MX365 Motocross Arena, 169 Maple Street, Scenic Road Permit to October 23, 2008 at 8:00pm.

DB: Second.

Vote: 5-0 Approved.

Discussion with Town Counsel on High Ridge Estates

Jay Talerman, Town Counsel, advised that he had a conversation with the bank this morning. He advised that former Town Counsel, Attorney Ambler, did some work to interface with the bank. It became clear that with the remaining money left that Mr. Jones could finish the work and still give the \$150,000 as promised to the schools. If the Town has to do the work itself, we would not be able to do it for the same cost. We have remaining interest in the tripartite agreement, and then the town can put a freeze on the remaining three lots so the work can get done. The bank has the 1st security interest in it. The building department will not issue permits if the work is not being

completed and Mr. Jones will receive notice of violation of permits. Attorney Talerman will keep working with the bank and Don DiMartino has made a lengthy list of infrastructure that needs to get done. SB commented that he agrees with the course of action. BJS also agreed with this course of action.

Dawn Davies, 116 Grove Street, wanted to know if the detention pond issues were taken care of. Attorney Talerman advised that the detention basins are on Mr. DiMartino's list.

General Business

Stonehedge Road Street Acceptance Request

PMB questioned if the deed looks ok. Attorney Talerman advised that it does. PMB advised that the Board is concerned that the Town should have an easement to be able to turn their plows around. Attorney Talerman advised that it looks like there is still work that needs to be done. BJS advised that the Board has issues with the fact that the town has been plowing it. Attorney Talerman advised that just because we are plowing the street it does not mean that we have to accept it.

SJW advised that it is a bad precedence to start accepting roads if they are not finished. DB questioned if there is liability for when damage occurs to the road.

Steve Kohler, 26 Stonehedge Road, advised this situation is truly unique because it is over 15 years old and designed by the civil engineer of the town at the time. Do they have the right to go to the Town of Franklin and say no more buses or plows on the road? No one had any knowledge of the fact that the street was not a public road. Mr. Kohler questioned why the developer was never pushed to finish the road.

Dawn Davies, 116 Grove Street, advised that there are at least 20-30 streets that are private, she is on the Road Improvement Committee and advised that it is tough to decide which roads will get work done. The more heavily traveled roads get precedence.

Attorney Talerman advised the residents that it may be in their best interest to hold off before going to Town Meeting until the spring so they have more time to look into some of their concerns.

Sign Vouchers

BJS: Motion to sign the vouchers.

DB: Second.

Vote: 5-0 Approved.

BJS: Motion to adjourn.

DB: Second.

Vote: 5-0 Approved.

AS polled members to adjourn into an Executive Session:

JS: Agreed

BJS: Agreed

PMB: Agreed

MINUTES OF THE PLANNING BOARD

October 9, 2008

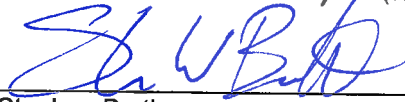
GCW: Agreed

DB: Agreed

SB: Agreed

Minutes Accepted on: _____

11/13/2008
(date)



Stephen Bartha

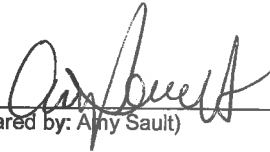


David Brown



Patricia M. Buckley

(prepared by: Amy Sault)





Brian J. Sutherland



Glenn Wojcik