



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
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PlanningBoard@bellinghamma.org

March 26, 2009 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 (absent)
Amy Sault (AS), Coordinator

PMB opens the meeting at 7:05pm.

New Business

Stall Brook Farm Street Lot 2 Decision Signing

Bill Halsing was present to represent Stall Brook Lot 2 RC&D.

SJW advised that the Con Com did not sign the order of conditions at their meeting last night. She believes that there is no reason why the Board should not sign this decision. BJS commented that it seems as if the Con Com is in the same position that the Board was in when this project was two lots.

SJW advised that Town Council put condition #8 into the decision which states that the applicant will need to come back in front of the Board once they have registered this property with the Norfolk County Registry of Deeds as one lot. Then at that point the Board can amend the decision to the updated plan, however, nothing should change in the plans. Mr. Halsing agreed. SJW advised Mr. Halsing that the decision is valid only once everything is recorded.

PMB opens the public hearing for the Zoning Amendments Public Hearing, Article #22 Water Resource District; Discussions on Articles #18, 19, 21, 25, 26 and 27.

BJS: Motion to waive the reading of the public notice.

SB: Second.

Vote: 5-0 Approved. (PMB, GCW, BJS, SB and DB)

PMB advised the board would continue discussion after the current business was completed.

PMB questioned why the 81P and purchase and sale agreements have not been filed yet. Mr. Halsing advised that the purchase and sale agreement is in place but the deed has not been conveyed yet but will be within 30 days and the deed will go on file with the 81P. He also advised that this should solve the different ownership situation at which point they will get the deed to the Board and to the Con Com. BJS commented that he is concerned with the delay and that the Board has tried very hard to be accommodating. Mr. Halsing advised he would convey this message to the applicant.

BJS: Motion to approve the decision for Stall Brook Business Park Lot 2, RC&D, Water Resource District Special Permit and the Development Plan Review dated March 26th 2009 as amended.

DB: Second.

Vote: 5-0 Approved. (PMB, GCW, BJS, SB and DB)

Zoning Amendments Public Hearing:

Article #22 Water Resource District; Discussions on Articles #18, 19, 21, 25, 26, 27

Don DiMartino, DPW Director, advised that this article was passed over at the October 2008 Town Meeting. He advised that this is an amendment to a Water Resource District Bylaw to be able to change the trigger for a special permit from 15% impervious surface or 2,500 square feet or whichever is greater.

Mr. DiMartino advised that this is an impact study on whether or not this will affect the smaller projects. He wants to see what the impact will be on the residents. Mr. DiMartino questioned if it would be worth it to comply with the State to be able to get a discount or not because it would negatively impact the residents.

BJS wants to see if he can figure out what the threshold would be, would it be possible to exempt the smallest residential lots or come up with wording to protect the smaller landowners. Mr. DiMartino confirmed the change would not affect the process for commercial property owners. PMB questioned if the people that already own their land could be grandfathered in. Mr. DiMartino advised that it is difficult to do. He recommends that we close the public hearing. SJW advised that they cannot close the public hearing if new information will be added to the amendment. The board wanted to be sure that the town benefited from the change and did not get lost in discussion over

the smaller lot issue.

SJW advised that the Board can put a new public hearing on the April 23rd agenda before the Shoppes hearing.

BJS: Motion to continue the public hearing of Article #22 until April 23, 2009 at 7:00pm.
SB: Second.

Vote: 5-0 Approved. (PMB, GCW, BJS, SB and DB)

The board discussed Articles# 18, 19, 21 and 25. Mr. DiMartino reiterated his earlier comments that the "takings" for Pulaski Boulevard were all agreed upon by the effected residents. The term "takings" did not imply there was no agreement or compensation.

BJS: Motion to send a letter to the finance committee recommending approval for Articles #18, 19, 21, 25 and recommending passing over Article 26 and 27.

SB: Second.

Vote: 5-0 Approved. (PMB, GCW, BJS, SB and DB)

The Board and Mr. DiMartino discussed that Tim Jones has promised to start completing the work on Stonehedge Road. Mr. DiMartino advised that if he does not do the work then Town can take the land through an order of taking. Mr. DiMartino advised that by law the Town is required to have them sign a certificate of donation where by they waive the right to an appraisal and any fees or we could get an appraisal done and pay them the value.

Mr. DiMartino advised that the Best Buy warehouse has broken ground and they should be ready for occupancy around June. He also advised that Walgreen's has about 60% of their drainage installed and they should get into the ground by April 15th to work on the foundation.

Old Business

GCW: Motion to sign the vouchers.

SB: Second.

Vote: 5-0 Approved. (PMB, GCW, BJS, SB and DB)

BJS: Motion to accept the Planning Board minutes of February 26, 2009.

SB: Second.

Vote: 5-0 Approved. (PMB, GCW, BJS, SB and DB)

BJS: Motion to accept the Planning Board minutes of March 12, 2009.

SB: Second.

Vote: 5-0 Approved. (PMB, GCW, BJS, SB and DB)

Planners Report

SJW advised that WS Development let Marc Lavoie go and she is currently dealing with Bob Frasier of WS regarding the Shoppes. She advised that the last time that Graves has seen any new plans was about a year ago. SJW advised that she had Graves make up a new work plan for about \$20,000 because they would have to start a review from almost the beginning as there have been so many changes. Bob Frasier advised that it is a duplication of what the Con Com is reviewing and does not want to pay for Graves' review.

Graves was working with Mainstream when they reviewed the October plans. Bob Frasier does not want Graves to review. PMB commented that it is not Bob Frasier's choice and that he signed an agreement stating that he would have to pay Graves' for all reviews the Board feels is necessary. SJW compared all of Graves' and Mainstream's comments trying to see what duplication there was. She did not see many and advised that Mainstream is looking at a larger picture at the state level and Graves' is focused on the details of the plans and making sure there are no discrepancies on their plans. SJW believes that they are more complimentary towards each rather than duplication. SJW's recommendation is to have Graves continue with their review and advised that WS Development did agree to both reviews initially and per Town Council, the Board does have the right to deny the project if not reviewed by Graves. SJW advised to let the Con Com also continue their review with Mainstream and then Graves will get involved when Mainstream has finished their review.

SJW cannot recommend to the Board that Graves has no purpose. PMB thinks that Mr. Frasier still should come on April 23rd to let him know that he needs to pay the fee for Graves to review the project. BJS would not like to give Graves the impression that we are not using them because of their work and that we are waiting for Mainstream to complete their review. SJW advised that the proposal she has from Graves can be paid in increments instead of all up front, however she would like to have the first portion of \$9,300 paid upfront.

BJS questioned if they would have updated work to talk about at the meeting. PMB commented that the economy is not favoring this type of project right now. BJS commented that they have to move forward with their plans right now and not waste the Board or the public's time. SJW advised that the plans show shovel ready by August 2010.

SJW advised that the Board has not talked about traffic in a while and advised that we need money for MDM's review. BJS questioned if they have a timeline to submit to Mass Highway. SB advised that if they move forward to get the interchange that Mass Highway will fast track if stimulus money is available. If the interchange is done before the Shoppes go in then the Town has what it wants. SJW commented that the interchange is out of the Boards hands because we do not handle that, the state does. SJW commented that the plans have changed so much that it does not make sense for the Board to review Graves' comments from the last set of plans.

MINUTES OF THE PLANNING BOARD

March 26, 2009

DB: Motion to adjourn.

SB: Second.

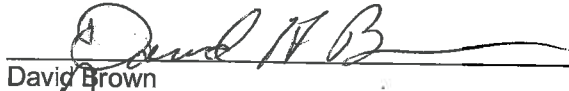
Vote: 5-0 Approved. (PMB, GCW, BJS, SB and DB)

Minutes Accepted on: 4/23/2009
(Date)

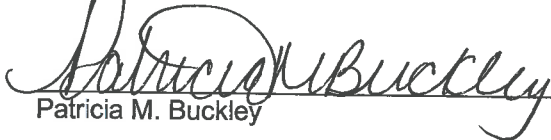

Stephen Bartha

(prepared by: Amy Sault)


Brian J. Sutherland


David Brown


Glenn Wojcik


Patricia M. Buckley