



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 657-2892 FAX (508) 966-2317
PlanningBoard@bellinghamma.org

April 23, 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 Sault (AS), Coordinator
George Rezendes (GS)

PMB opens the meeting at 7:00pm.

New Business

Zoning Amendments Public Hearing, Article #22 Water Resource District, Continued Public Hearing

Don DiMartino, Director of DPW, advised the Board of the properties in Town that would trigger the Special Permit due to the specifications of Article #22 and stated it would be about 618 total properties. Mr. DiMartino stated that well #12 would be an asset to the town, and that to get it accepted through the permit procedure at the state level we needed to comply with the new regulations. The DPW is looking to increase the pumping from well #12, the amount of the additional pumping is being treated as if the town would be starting a new well. Well #12 is the best producing well and the additional capacity would be greater than any other in town by itself. The town cannot increase the capacity of #12 without Article #22. He received info from other area towns that have adapted the Water Resource District Bylaw and some examples of how they make it work. Mr. DiMartino is suggesting that any changes/permits be applied for as a Special Permit or a Prohibition; the advantage of the Special Permit is it will go before the Board and the Prohibition will go in to the Building Inspector. PMB questioned who

they would appeal to if they disagreed with The Building Inspector. SJW advised that they would then go before the ZBA.

General discussion of the board centered on the benefits/drawbacks of each option, special permit vs. prohibition. Concerns were raised about making homeowners go through the special permit process and expense for adding a pool or deck. The consensus was special permits would be too great a burden on the average homeowner, as well as tie up the Planning Board meeting time over simple additions. A prohibition, enforced by the Building Inspector, would make more sense. When a homeowner came to the Building Department and applied for a permit, they would be informed as to the process for complying with the regulations. If there was a disagreement with the Building Inspector as the Zoning Agent, then the homeowner could appeal to the ZBA.

Mr. DiMartino advised that he is recommending Article #22.

BJS questioned what the wording would be in this article. Mr. DiMartino advised that it would most likely be the same as it states now and stated that what the Board recommends is what he will bring before the Finance Committee.

PMB questioned if the Board would need to notify the 618 people of this change and she is also concerned in how this will affect them. Mr. DiMartino advised that the affected lots will not need to do anything after it passes, only if they apply for a permit to add on or make changes to their property, then they will have to pay the associated fees. Some remedies for homeowners included simple things such as directing roof runoff onto a lawn instead of a driveway to increase the potential for recharge.

PMB questioned the Board and their thoughts. BJS stated that it shows good faith to put this process in place although the State is not requiring it right now. GCW commented that it is not that much of a burden for the residents and a low cost fix for the average home owner that falls within this category. It was agreed that the process include a procedure for the Building Inspector to get assistance from the DWP in reviewing plans to meet the new requirements.

BJS: Motion to make a recommendation to the Finance Committee approving the languages submitted by the Director of the DPW with regard to section 4970 Water Resource District Zoning Bylaw deleting the information changing it to prohibited uses.
DB: Second.

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

BJS: Motion to close the public hearing.

SB: Second.

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

300 Hartford Avenue, Irving Gas Station, Drive Thru Special Permit, 1st Public Hearing

Mike Frisbee, property owner, John Christopher, Developer for the property and Neil Faulkner, Dunkin Donuts owner.

PMB stated that there are some procedural things that need to be done and that they will need to file a modification of the existing Development Plan Review as they are adding windows and making other changes that trigger the modification. PMB also advised that they will need a traffic study due to the impact of a drive thru lane. She stated that the drainage of the ponds do not seem to be working properly and she wanted to know if anyone has gone out to look at this as this needs to be complied with. Mr. Christopher claims there is always supposed to be some standing water in the pond, it was designed this way. BJS advised that according to the Con Com it is not filtering and draining as it should. SJW advised that they do have an annual Storm Water Management agreement. PMB also advised that the Board needs to see their striping on the plans.

Mr. Frisbee questioned why he needs a modification, PMB explained that it was not permitted for a Drive Thru. Mr. Frisbee stated that they do have a traffic study that should encompass the Drive Thru. Mr. Faulkner stated that there is an identical site to this one on the other side of Town and this one is doing $\frac{1}{4}$ of the volume as the other site with more traffic on the other road. GCW wants to understand the traffic difference from what there is now compared to after the Drive Thru. BJS stated that it will be an impact and it should not be glossed over and it does change the numbers significantly. Mr. Frisbee stated that they are not trying to get around it and that all the traffic studies performed for the original project are on file and stated that they are not adding anything more than a window. PMB stated that the traffic study that was done years ago and with more residents and business she feels that it is a good idea to have it done based on today's traffic.

Discussion put on hold to open next public hearing:

Calarese Professional Building, 2 South Main Street, Development Plan Modification, 1st Public Hearing

PMB opens up the public hearing for the Calarese Professional Building, 2 South Maple Street, Development Plan Modification, 1st Public Hearing.

PMB and DB noted that the address should be 2 South Maple Street not 2 South Main Street.

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

SB: Second.

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

Discussion put on hold until completion of 300 Hartford Ave hearing.

300 Hartford Ave discussion continued

Significant discussion revolved around the original traffic study with the drive-thru added, the second traffic study without the drive-thru on the plan, and the associated traffic counts and mitigation. It was noted that one of the original studies had a decrease in the level of service at two of the turns on the Maple Street/ Hartford Avenue

intersection. The decrease in the level of service and traffic flow continued to be a concern, as well as the age of the study, approximately 4 years. The Board wanted confirmation that the traffic conditions did not exceed the predictions made in the study. SB proposed directional traffic counts at the intersection to establish current levels, and a comparison could be drawn regarding the projected impacts. Mr. Frisbee planned on taking counts into/out of his site as well.

SB questioned what time of day the original traffic study was conducted. Mr. Faulkner advised that it was performed during various times; weekday morning, weekday afternoon and weekend mornings.

Mr. Frisbee stated that they are trying to work with the Town and he believes that this project is well designed and they will make sure it works to the Boards satisfaction. BJS stated that the Dunkin Donuts that Mr. Faulkner owns on the corner of Hartford Ave and North Main Street is a very dangerous egress even with the signs that have been added. Mr. Faulkner also agreed to look at the egress issue again, noting he had put up signs as requested the last time he was before the Board. He would see if it could be made safer by stopping traffic making a left turn into exit lane by cutting across traffic traveling through the intersection at Harford Avenue and North Main Street.

Mr. Frisbee wanted clarification as to what the Board was looking for from them at their next meeting: 1) a determination by the Board as to whether a modification needs to be done, 2) he will provide to the Board a copy of the traffic impact study that was originally performed and he also wants to be clear in what the Board wants from them on the Maple Street intersection. SB and PMB reiterated the traffic count locations and comparisons needed. PMB stated they would also need to get the plans stamped.

Jim Dunlea, 57 High Street, raised a general public safety issue stating that when people exit coffee shops they are not paying attention to cyclists.

BJS: Motion to continue the public hearing for 300 Hartford Ave (Irving Gas Station), Drive Thru Special Permit until May 14th, 2009 at 7:15pm.

SB: Second.

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

The Shoppes at Bellingham, Continued Public Hearing, Development Plan Review, Water Resource District Special Permit and Major Business Complex Special Permit

This hearing was moved to the end of the new business as the applicant was not present.

Calarese Professional Building, 2 South Main Street, Development Plan Modification, 1st Public Hearing

Attorney Richard Cornetta, representing the applicant, and Don Neilson, engineer for the project. Mr. Cornetta advised that this is a modification to the existing project. Currently the applicant has an offer for a 3,000 square foot beauty salon. Mr. Cornetta advised that due to the economic climate the applicant would like the opportunity to

allow him to entertain any comers into the building. The site itself would need some modification due to the Town's bylaw. Mr. Cornetta advised that this property is located in Bellingham and Franklin as the parking lot is in Franklin. After meeting informally with the Town of Franklin, they believe that they would grant them this relief and is asking for the same courtesy of this Board.

BJS is concerned with the proximity of the new parking spaces to the building, Mr. Cornetta advised that they had addressed this with the Board and the walkway. BJS noted the walkway did not extend to the new spaces and asked that the modification be made to reflect this. PMB suggested adding a light pole to the parking lot, the pole should be installed at the end of the existing pavement and in-line with the light post. She also requested a photometric survey plan to show compliance of the new lighting. Mr. Neilson advised that they took up the parking spaces with office space which eliminated the need for a Special Permit at that time and they withdrew without prejudice. SJW stated that the amended plan was for a 2,000 square foot building and 2,000 square feet of parking space. GCW questioned what the monetary mitigation for this project was. Mr. Neilson advised that they got their property reassessed and it values about \$800,000 ±.

GCW concerned with the fact of where this property sits and that now they want it to be used for retail. Mr. Cornetta advised that they are only asking for the option due to the economic climate. PMB advised that the modification will have to include all the prohibited issues as stated in the original decision.

Jim Dunlea, 57 High Street, commented that the building adds a nice touch to the Town.

BJS: Motion to draft an approval of the modification to the plan for Calarese Professional Building, Bellingham and Franklin Massachusetts, with the pending receipt of a plan outlining the addition of the sidewalk adjacent to the reserved parking area and additional light standard with the photometrics to confirm that the lights don't shine off the property and with the conditions for the original projects still stand.

DB: Second.

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

BJS: Motion to close the public hearing for the Calarese Professional Building, Development Plan Review Modification.

DB: Second.

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

Shoppes at Bellingham continued

SJW advised that she spoke with Bob Frasier earlier in the day and he mentioned that he wanted to continue this discussion to a later date as Steve Sylvan, Graves Engineering, has not had a chance to respond to their comments. SJW was hoping that the applicant would have been present tonight so that he may answer any of the Board's questions.

SB: Motion to continue the public hearing of The Shoppes at Bellingham, Development Plan Review, Water Resource District Special Permit and Major Business Complex Special Permit until June 11th, 2009 7:15pm.

SB: Second.

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

Old Business

BJS: Motion to sign the March 26, 2009 meeting minutes.

DB: Second.

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

BJS: Motion to sign the April 9, 2009 meeting minutes.

DB: Second.

Vote: 4-0 Approved. (PMB, BJS, SB and DB) (GCW did not sign the meeting minutes as he was not present at the April 9th meeting)

BJS: Motion to sign the vouchers.

DB: Second.

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

DB: Motion to adjourn.

SB: Second.

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

Minutes Accepted on: 5/14/2009
(Date)

(prepared by: Amy Sault)



Stephen Bartha



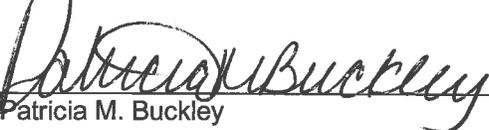
Brian J. Sutherland



David Brown



Glenn Wojcik



Patricia M. Buckley