



BELLINGHAM PLANNING BOARD

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

May 28, 2009 Meeting Minutes

- **Present at the Meeting**

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

Other Officials: Stacey J. Wetstein (SJW), Town Planner
Amy Sault (AS), Coordinator

GCW opens the meeting at 7:00pm.

New Business

300 Hartford Avenue, Irving Gas Station, Drive Thru Special Permit and Development Plan Review Modification Decision Signing

SJW advised that there are some wording changes in the decision under section C1 of the conditions as the gas station is in a Water Resource District; SJW advised that this will help remind the applicant that they are in this district and to be mindful of that when constructing the Drive Thru.

SJW spoke with the Parks Commission who advised that the baseball committee is not in charge of where these donated trees are planted, it is the decision of the Parks Commission and the Tree Warden. The Parks Commissioner advised that the trees cannot be planted on the island between the road, they also advised that there should be no less than 10 trees planted and that the Tree Warden advised that they want to plant Maples not less than 3 inches in diameter. SJW advised that the trees will be

inspected after one year's time and if they are not doing well and/or need to be replaced that it is the applicant's responsibility to replace the trees.

SJW also advised of that under section C3 of the conditions that the applicant also remains bound to the maintenance plan.

The applicant asked that section C11 of the conditions be removed. SJW advised that the applicant is not here as she asked them to be. SB found a correction that needs to be made in section 2D. SJW advised that on the final copy it is corrected.

BJS asked about signing the decision and posting it, and if they would have enough time before the appeal period to plant the trees. SB had a question on the Development Plan Review Modification and why there are only 4 required votes. SJW advised that it takes 4 votes to approve a Development Plan Review and 5 votes to approve a Special Permit.

BJS: Motion to sign the approval for the Drive Thru Special Permit for 300 Hartford Avenue, Irving Gas Station.

SB: Second.

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

BJS: Motion to sign the approval for the Development Plan Review Modification for 300 Hartford Avenue, Irving Gas Station.

SB: Second.

Vote: 4-0 Approved. (GCW, BJS, SB and DB)

D&N Estates, 1474 Pulaski Blvd, Major Residential Development Special Permit, 1st Public Hearing; Decision Deadline: 7/5/09

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

SB: Second.

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

Bill Halsing from Land Planning representing the applicant Larry Duhamel of D & N Estates. Mr. Halsing advised that this was a Subdivision approved by the Board back in 2007, a Definitive Subdivision and a Special Permit. He advised that the Special Permit has lapsed although the Subdivision has been extended until May 29, 2010. Mr. Halsing advised that they are here to reapply for the Special Permit with a Major Residential Subdivision. Mr. Halsing advised that nothing in the Subdivision has changed, the roads are in the same place, the drainage is the same, etc. SJW advised that nothing has changed regarding this project, it has just expired.

BJS questioned if anything under the rules and guidelines have changed. SJW advised that they are in compliance with Storm Water Management guidelines even though the guidelines have been updated since this project. They have also done a full Storm Water plan and had arranged with the DPW about what the bond would be during the first application process. Mr. Halsing advised that the only thing that has changed

since the original application regarding Storm Water is State regulation but the Town of Bellingham is still the same. SJW advised that the Subdivision has been extended within the deadlines for one year only so even if they get started within the one year they will need to come back before the Board before it expires again so that they can get an extension. She also advised that if work has been started the Board will be able to determine exactly how many more years they will need for the permit. GCW advised that his concerns were the same as BJS'.

BJS: Motion to draft an approval for D & N Estates Subdivision, 1474 Pulaski Blvd, Major Residential Development Special Permit, with the applicable conditions at the time of the original approval.

DB: Second.

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

BJS: Motion to close the public hearing for D & N Estates Subdivision, 1474 Pulaski Blvd, Major Residential Development Special Permit.

SB: Second.

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

Old Business

Due to the Board running ahead of schedule, some of the Old Business was taken care of during the New Business.

BJS: Motion to sign the May 14, 2009 meeting minutes.

SB: Second.

Vote: 4-0 Approved. (GCW, BJS, SB and DB)

SB: Motion to sign the vouchers.

BJS: Second.

Vote: 4-0 Approved. (GCW, BJS, SB and DB)

New Business Continued

Donald Seaberg, Benchmark Engineering Corp., advised that they are cutting out 2 lots from this large parcel; they have created Lot 2B and Lot 25 which is the larger lot.

GCW questioned why he plans to split it this way. Mr. Seaberg advised that it is just part of the old Subdivision (Shores at Silver Lake) plan that is still under appeal but they are just cutting out Lot 25 but have kept the access points in. GCW questioned if they are doing this because it is still under appeal. Mr. Seaberg advised that he believes so. SJW advised that the Zoning Regulations allow them to put a square into here to get there minimum lot shape factor. GCW questioned if it would be minimum lot as opposed to a square. SJW read the definition that states "that shape factor equals the square of the lot perimeter divided by the lot area in excess of the required lot area maybe excluded from the computation of the shape factor using an imaginary line, provided that the required frontage is included in the portion used for the calculations".

Mr. Seaberg advised that there are two lots that are going to be recorded at the Registry of Deeds when the plan gets signed and basically that is it.

SJW questioned the applicant as to when they will be coming before the Board for the Subdivision for either of the lots. Mr. Seaberg advised that they should be back in front of the Board soon with Lot 2B, he is not certain on the timeframe. GCW advised the Board that it looks like 2 things are happening here compared to what the Board has seen before for this lot. BJS stated that by signing the 81P the Board is in no way implying that there is any approval for the Zoning.

SB: Motion to sign the 81P for the plan of land in Bellingham for Bellingham Residential #2 Realty LLC, Property bounded by South Main Street, Cross Street and Silver Lake Road

SB read the following statement as advised by Jay Talerma, Town Council, "The endorsement of this Plan is not a determination of conformance with either the Bellingham Zoning Bylaws or the Bellingham Rules and Regulations for the Subdivision of Land as they may apply to definitive plan approval for the parcels shown hereon."

BJS: Second.

Vote: 4-0 Approved. (GCW, BJS, SB and DB)

Old Business

Calarese Development Plan Modification, 2 South Maple Street, Decision Signing

SJW advised that she forgot to have the decision signed at the last Planning Board Meeting. SB advised that the header and the footer on the second page say May 14, 2009.

BJS: Motion to sign the Development Plan Review Modification for the Calarese Professional Building, 2 South Maple Street as amended.

SB: Second.

Vote: 4-0 Approved. (GCW, BJS, SB and DB)

Planners Report

SJW advised the Board that it is time for the Board to review and fill out the annual reviews for SJW and AS. She asked that they do this and have it ready for them for the next meeting.

SJW advised the Board that on June 18th it is the first visioning session or the Master Plan the topic will be housing visioning which is being run by MAPC with a grant, it is going to be at the Senior Center: 5:30 BBQ, and at 6:30 the session will begin. SJW advised that they are trying to get 100 people to attend.

BJS advised the Board that last night was the Town Meeting and the Article #22 did not pass with the 2/3 majority. He stated that the Planning Board members should have been there to support the proposed change to the Water Resource District.

BJS believes that either this Board or the Conservation Commission should try and put it forward at the next Town Meeting in the fall. SJW advised that at this point changing it to the 15% isn't an option; the State is already making the Town do this. She further advised that if the Board does not make this known to everyone then as a Town then we will be penalized. BJS advised that the finance committee did not support it and there was no one from the Board there to support it. He believes that Article #22 would have taken the cost burden away from the home owner.

SB advised that Bellingham is under a water ban right now and Don DiMartino made it very clear that we needed the additional capacity. BJS said that Mr. DiMartino advised at Town Meeting that the current treatment plant requires \$300,000 worth of maintenance that the Town is now going to have to spend the money for eventually and if we had this well we wouldn't have to worry about that cost.

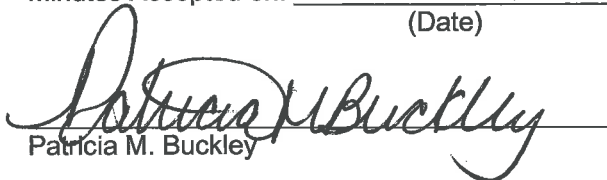
BJS advised the Board that he would like to see some success on their part with something that goes before the Town. BJS was thinking that if the Conservation Commission put Article #22 forward for the next Town Meeting then Planning Board could support them.

SB: Motion to adjourn.

DB: Second.

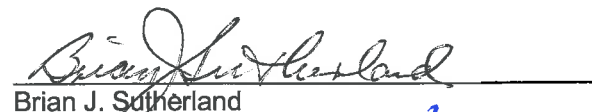
Vote: 5-0 Approved. (PMB, GCW, BJS, SB and DB)


Minutes Accepted on: 6-11-2009
(Date)

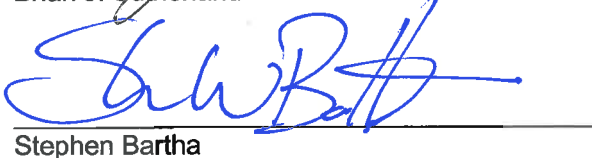

Patricia M. Buckley

(Prepared by: Amy Sault)


Glenn Wojcik


Brian J. Sutherland


Dave Brown


Stephen Bartha