



# BELLINGHAM PLANNING BOARD

2 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
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## August 27, 2009 Meeting Minutes

- **Present at the Meeting**

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

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

PMB opens the meeting at 7:05pm.

### **New Business**

#### **Cowell Back Lot Special Permit Decision Signing**

Sam Cowell, owner / applicant. PMB advised that the Board has the decision prepared; however, two Board members are missing. There are still four total (members) to vote for the special permit (JS can vote). SJW advised that Mr. Taleran wants to add one sentence to the decision; there are no special conditions, that it is just standard wording. Mr. Cowell advised that they were before Con Com last evening and it passed favorably. Mr. Cowell advised the Board that he would like a vote tonight; BJS took a few minutes to review the submitted application and plans.

DB: Motion to sign the decision for Cowell Back Lot Special Permit, 485 Hartford Ave, Bellingham, as amended.

BJS: Second.

Vote: 4-0 Approved. (PMB, BJS, JS and DB)

Mr. Cowell had questions about the appeal period, SJW advised Mr. Cowell that there is a 20 day appeal period and she will put them on the agenda for the plan signing for September 24<sup>th</sup> at 7pm.

**Zoning Hearing, 1<sup>st</sup> Public Hearing, October Special Town Meeting Warrant Articles:**

**#4 Zoning Amendments to rezone the following parcels from split Residential and Business 1 to all Business 1: Map 94, Lots 182, 184A, and 185; Request to pass over at Town Meeting.**

**and**

**#5-7 Changes to the Water Resource District Bylaw and Map Section 4900 regarding stockpiling of snow and impervious surface. Request to continue to September 10, 2009 at 7:00 PM.**

PMB advised that the people have requested to pass this item (#4 Zoning Amendments) over for Town Meeting she advised that that item will be taken off.

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

DB: Second.

Vote: 3-0 Approved. (PMB, BJS, and DB)

BJs: Motion to waive the reading of the public notice for the changes to the Water Resource District Bylaw.

DB: Second.

Vote: 3-0 Approved. (PMB, BJS, and DB)

BJs: Motion to send the recommendation to the Finance Committee that the Board passed over Article #4, the Zoning Amendment to change the parcels from split to business.

DB: Second.

Vote: 3-0 Approved. (PMB, BJS, and DB)

PMB advised that Don DiMartino cannot be at tonight's meeting for the discussion for the Water Resource; he will be able to be in attendance for the September 10<sup>th</sup> meeting.

BJs: Motion to continue the public hearing for the Changes to the Water Resource District Bylaw and Map Section 4900 regarding stockpiling of snow and impervious surface to September 10<sup>th</sup>, 2009 at 7:00pm.

DB: Second.

Vote: 3-0 Approved. (PMB, BJS, and DB)

**Rocco Garage, 146 Maple Street, Development Plan Review, 1<sup>st</sup> Public Hearing**

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

DB: Second.

Vote: 3-0 Approved. (PMB, BJS, and DB)

Alan Quaglieri, Rocco Realty II, LLC / owner and Bob Vey, Norfolk Engineering. PMB advised that two Board members are missing tonight. PMB explained the rules of missed meetings; PB members are allowed to miss one meeting and then they can catch up on the project via tape or minutes, then they can participate in the decision signing. But if a PB member has to miss another meeting then that member cannot vote, she left the decision to the applicant as to whether they want to go forward tonight since two Board members are missing.

Mr. Quaglieri advised the Board that he would like to go forward with tonight's meeting as he is just resubmitting the same application and that nothing has changed with the plans. He also mentioned that he thought that his approval / permit were good for 5 years and that it was not expired. PMB advised that it might not be the same this time because there is a question as to whether his property is going to fall within the confines of the Bylaws 2570 and the Board has questions about it. PMB advised that the Board is awaiting a response from Town Council and the Building Inspector as to whether they think that this Zoning Bylaw is going to be applicable to this project and the problem they are going to have with that. PMB made sure that Mr. Vey had had a chance to look at this Zoning Bylaw and how it could affect this.

PMB advised that the problem the Board has is that this similar issue came before the Board a while back and those people opted to withdraw without prejudice and go before the Zoning Board because in an instance like this where they are looking to have more than one principle building in an area that does not have the square footage required by the Town, you really need a Zoning variance before you can come before the Planning Board.

Mr. Quaglieri advised that this building on the site is pre existing and questioned if the Bylaw has changed since the five years past that he was before the Board. SJW advised that the Board may not have known about this Zoning issue during the last meeting. Mr. Quaglieri thought that this issue was brought up during the last approval; SJW advised that after looking through the minutes and the file, she did not see that it was but it is being looked into. Mr. Quaglieri advised that he had an approval for this project and wonders why it is an issue now, BJS commented that it was not brought to the Board's attention last time, now it is and it needs to be reviewed. PMB explained to Mr. Quaglieri that this is being reviewed by Town Council and unfortunately he cannot be at tonight's meeting. PMB advised that SJW tried to get the answers needed for tonight's meeting but it did not work out that way.

Mr. Quaglieri advised that he does not want to have the Board vote on it tonight but he would like to present to them with the project and they are also short two Board members.

Mr. Quaglieri advised that this is currently a building used commercially on his property. He received approval by the board for a 6,000 square foot building on a 2+ acre property. He is asking for approval of the same plan, where the existing building will be torn down (it is currently a 48x30 existing building behind an existing house) and the office is in the garage. Mr. Quaglieri will probably try and rent out a portion of the building for rental income potential. They received approval and an order of conditions; they have received a new order of conditions through Con Com and have filed with the Registry of Deeds. There is a stone used by the original inhabitants of the area that is considered to be historic; it is marked on the plans. It has been protected and will continue to be protected as the Board required four years ago.

SJW asked what is being stored and if there is office space in the new building. Mr. Quaglieri advised that it is proposed as a high ceiling building to be able to pull trucks in for storage so they will not get damaged and also office space is a possibility. PMB questioned if there were hazardous material on the property, Mr. Quaglieri advised that there is not and would not be.

PMB questioned if there is lighting in/out the building. Mr. Quaglieri advised that there would be lights and would also be heated by gas, have concrete floors, it is a metal building, and a bathroom will be added via Mr. DiMartino hooking the building up to Town sewer. The house is on sewer not on septic and the building will also be hooked up to Town sewer. PMB asked what the hours of operation will be. Mr. Quaglieri advised they will be open @ 7am and closed @ 6pm. PMB advised that the Board will need some waivers including landscaping and a letter stating compliance of the environmental controls.

SJW questioned that if there is an office that the parking calculations will change for future use. Mr. Quaglieri advised that there is parking inside the building. BJS explained why parking is a Planning Board issue; it is to be addressed prior to approval/building on the site. Mr. Quaglieri had planned to take ½ of the building and rent the other ½ out and he would want it approved and rented for just storage. PMB explained that if they had more than 10 parking spaces then they run into Stormwater issues. Mr. Quaglieri advised that the extra space found on the plan is for truck turnaround.

BJS questioned the runoff. Mr. Quaglieri advised that the building going up will be better for the runoff and vegetation. JS asked if the sewer hook up can be shown on the plans and remove the cesspool as currently shown on the plans. SJW wanted to put the Stormwater operation and maintenance on the actual plan.

BJS: Motion to continue the public hearing for Rocco Garage, 146 Maple Street, until September 10, 2009 at 7:15pm.

Wally Frank, 385 Maple Street, wanted to clarify when the sewer was approved in Town in relation to the power plant going in. Mr. Quaglieri advised that the manhole is on his property and he was supposed to be allowed to hook up to the sewer as part of the power plant as a matter of right when the power plant was approved. Mr. Frank advised that he was told there was no gallongage there for sewer. Mr. Quaglieri advised he

thought that Mr. DiMartino went to the Board of Selectmen and they agreed with him and he was granted permission.

Mr. Frank asked what the building height and elevation are, Mr. Quaglieri advised maybe 18-20 feet to allow for room to park his equipment in.

DB: Second.

Vote: 3-0 Approved. (PMB, BJS and DB)

### **High Ridge Estates Security Release Discussion**

PMB advised that they requested to continue to October 8<sup>th</sup>, SJW advised that she will move it to the agenda, there was no motion needed. The permanent fencing was planned to be installed the next day, according to Mr. Jones.

### **Old Business**

The Board will sign the August 13<sup>th</sup> meeting minutes at the next meeting due to lack of signatures.

BJS: Motion to sign the vouchers.

DB: Second.

Vote: 3-0 Approved. (PMB, BJS and DB)

### **Planners Report**

SJW advised that Bob Frasier had requested that the Shoppes meeting be moved from Sept 10<sup>th</sup> due to the fact that SB will not be at the PB meeting that night. The Board agreed the Shoppes will be scheduled for the October 22<sup>nd</sup> meeting at 7:15pm.

SJW advised the Board that Paul Iorio of Low Impact Stormwater Solutions is on the agenda for the September 24<sup>th</sup> meeting where he will present it to the Board what his company can offer the Town if the Town decides to do low impact projects or for other projects in Town. SJW advised this company does the kind of environmentally safe projects that WS is proposing for the Shoppes for their tree plantings.

SJW advised that she has heard that Faffard has resubmitted a 40B project near the Shores of Silver Lake for 250 units.

BJS questioned to see if anyone made it to the Town of Mendon CPTC meeting, SJW advised that we received a \$200 bill and AS is following up with them to find out a business to make the check out to. BJS mentioned that he would like to be able to attend the next meeting; SJW advised she would let him know when it will be.

SJW advised that the Master Plan meetings will start up again in the fall.

SJW advised that AS is seeking reimbursement from the MAPC for the bike racks installed throughout the Town. She also advised that she and AS are working on

getting free babysitting offered to parents who want to attend this fall's Town Meeting at the High School on Oct 14<sup>th</sup> through the Girl Scouts. PMB advised that from a lawyer's standpoint, that might raise some liability issues.

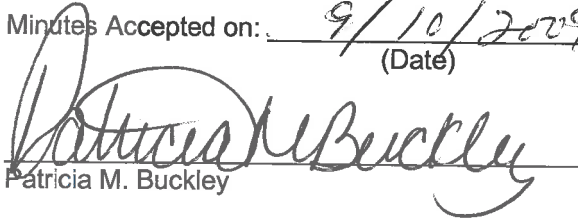
SJW also advised her and AS are working on getting the middle and high schools involved in Town government in the way of an essay / poster contest and / or Town Government day and that they would keep the Board informed.

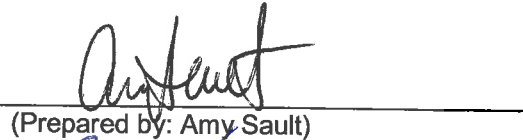
DB: Motion to adjourn.

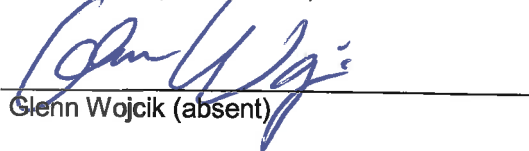
SB: Second.

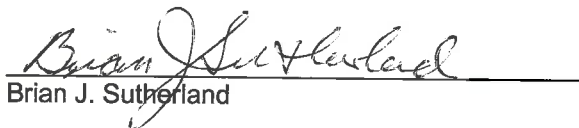
Vote: 3-0 Approved. (PMB, BJS and DB)

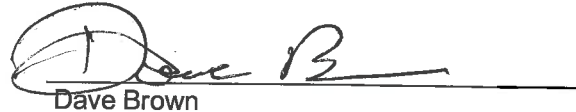
Minutes Accepted on: 9/10/2009  
(Date)

  
Patricia M. Buckley

  
(Prepared by: Amy Sault)

  
Glenn Wojcik (absent)

  
Brian J. Sutherland

  
Dave Brown

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Stephen Bartha (absent)