



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
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November 12, 2009 Meeting Minutes

- **Present at the Meeting**

Patricia M. Buckley (PMB), Chairman
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 (absent)

PMB opens the meeting at 7:05pm.

New Business

Bellingham Estates Tree Discussion

Alex Renzi, Toll Brothers, advised that they put 94 trees in out of 110, and there are 16 left to install, which should be done within the next week. Mr. Renzi advised that lots 10 and 11 have five trees that were not planted due to the homeowner's refusal. PMB questioned if they would be planted somewhere else, Mr. Renzi advised that they will plant them as part of the remaining 16. He will give the Board another plan reflecting the plantings.

GCW questioned the amount of street lights and if that was all there was. Mr. Renzi advised he will look into it and get back to the Board, but he thinks that is it. He also mentioned that the roads will be dedicated in the spring of 2010. BJS had a question with the trees shown in the right of way by lot(s) 37 and the lot adjacent to it, Mr. Renzi advised that he will look into that and have it reflected on the final plans. Mr. Renzi advised that he met with the tree warden and he will go back to inspect the trees once installed.

Cedar Hill Estates Subdivision Extension Request, Sharpe Drive off of Cedar Hill Road

Alfred Daprato, developer and owner, requested a 2-year extension of the subdivision. Initially, he couldn't get it built because of the economy, so he decided to market it and has only recently found a buyer. The 2-year extension should give the new developer time to construct the project.

GCW: Motion to accept the extension request for 2 years until May 1, 2012.

DB: Second.

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

Bellingham Residential Realty #2 81P off of Silver Lake Road, Canale Drive and Vina Street

Paul Atwood, engineer, stated that there was a mix-up for the last meeting and he thought the applicant would be attending the meeting and the applicant thought he would be attending the last meeting. PMB questioned the 150' of frontage. Mr. Atwood stated that there was a 150' from the Rule of 22 (Lot Shape Factor) line.

SB: Motion to sign the 81P for Bellingham Residential Realty #2 off of Silver Lake Road, Canale Drive and Vina Street dated October 13, 2009.

DB: Second.

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

Swift 81P, 64 Mellen Street

Paul Atwood, engineer, stated that this was a land swap only with no buildable lots being created. The owner of 64 Mellon Street was swapping some rear yard for some side yard from 62 Mellon Street. The rear land exchange is in Milford and was endorsed by the Milford Planning Board.

Paul Atwood will come back before the Board on December 10, 2009 because the land is in two counties so an additional Mylar is required.

SB: Motion to sign the 81P for 62 and 64 Mellon Street dated October 5, 2009.

DB: Second.

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

Blake 81P, 159 Lake Street

The engineer could not attend the meeting due to a family illness, so the Planning Board continued until December 10, 2009.

LIG Athletic Complex, Maple and High Streets, Major Business Complex Special Permit Extension Request, 1st Public Hearing.

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

SB: Second.

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

Joseph Antonellis, attorney, and Ed SanClemente, developer for the project. Mr. Antonellis stated that they are requesting a one year extension of the Major Business Complex Special Permit to run concurrent with the existing Development Plan permit.

Mr. Antonellis stated that although they feel that they could have made an argument that the "substantial use" requirement for the Special Permit to be valid could exist, they feel that it would be better to make the argument that there was "good cause" for not starting the project within the one year due to financial constraints of the current market. Mr. Antonellis stated that although they received the local permits, it took a year to receive the state MEPA permits that they needed and that put a delay in their financing.

BS asked if the traffic mitigation plan required by MEPA for the intersection of Route 140 and Maple Street was consistent with the traffic master plan that the Town's consultant MDM had prepared. Mr. SanClemente stated that his engineers did take into account the plan and that their proposed improvements are a partial construction of the plan.

GCW: Motion to extend the LIG Athletic Complex Major Business Complex Special Permit for one year until November 13, 2010.

DB: Second.

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

North Street Preliminary Subdivision Discussion

Mark Anderson, engineer with Heritage Design Group representing Marinella Development Corp, making the presentation. This parcel of land is currently owned by Varney Bros. concrete company. This parcel is 40 acres in an agricultural zone; the proposed project is for a 21-lot subdivision on North Street near Blackstone Street. All the lots conform to zoning (80,000 sf) with about 2,300 feet of road. Mr. Anderson prepared two plans: a conventional plan and cluster plan. The cluster plan is the developer's preferred option. Mr. Anderson stated that they would be looking for a waiver for pavement reduction to 20' and that it would be private water and septic systems with rain gardens and swales. They are preserving 29 acres of permanently protected open space with this plan after reducing the lot sizes to 25,000 sf.

After consulting with the Town Planner, they are looking to see how they could fully utilize this site and do low impact development with the drainage and Stormwater and how it would affect this particular site. Mr. Anderson advised that this site is relatively flat and the soil samples show that the quality is very good and conducive to doing Stormwater management in low impact development. They are proposing to do more grass swales and Bioretention areas in the rear of the lots. He advised that they are small shallow basins and are only 1-2' deep and they are planted with tree species that could handle water coming into them. Some of the water stays in the basin for a period of time then recharging back into the ground.

Mr. Anderson advised that they are proposing 20' of pavement to reduce the amount of impervious surface and utilizing grass swales 6" to 1' deep. Mr. Anderson explained

that with this design, there would be no wetlands impact; the only wetland disturbance would be to create the vegetated Bioretention areas.

Mr. Anderson advised that the drainage around the houses they are proposing is recharged gutters and downspouts and also utilizing rain garden systems. The lots would be serviced by public water but also would have private septic systems. Mr. Anderson reiterated that the land is very suitable for this and it will preserve a lot of land around this neighborhood.

PMB advised that she believes the lots are configured wrong, on the plan it shows 21 lots. SJW commented that there are 40.2 acres which would allow them 20 lots, she pointed out that there must be a calculation error.

PMB advised that with the emergency access path on the conventional layout, it is a gravel road and the Town intends to pave this so lots 8 and 9 shown on the plan would not be buildable lots because there is going to be a road through there. SJW agreed with PMB that lots 8 and 9 are not valid lots. Mr. Anderson stated that the title was showing a lot of vagueness and they will be looking into that as this is just preliminary and they understand that access was put in there for a purpose and they will further look into that.

SJW advised that if they built the conventional plan then they really wouldn't have been able to have a lot 8 or possibly lot 9 because they would have had a roadway there. Mr. Anderson commented that if that were the case then wouldn't their roadway connecting to Maddy Way eliminate that, SJW commented that it is an emergency access road not an accepted road. SJW advised that in addition to figuring where their calculations are wrong they are might also be down another lot because they will not meet zoning. SB commented that if Mr. Anderson wanted to pave the emergency access road and have it run through his subdivision, would that be allowed? SJW advised that Jay Taleran, Town Council, would be able to answer that question.

Mr. Laprade, previous Board member during the time of the approved emergency access road, advised that access to that land was cut up because the development was ongoing and if there was a forest fire, they could get through and this was the only reason at the time it was put in. Mr. Laprade advised that they did plan on adding a roadway onto the property and at the time they needed it for the fire access road and that it was never meant to be paved it was just an access for fire trucks. SJW advised that the decision states something different. Mr. Anderson stated that there was never any easement recorded on this land.

PMB advised that the Board would like to see a couple of different versions other than cluster layouts they had submitted so that all the open space does not have to be on the back of the lot. She also stated that there has been some concern from the public that the field will be gone and replaced with this development.

PMB advised that the DPW will to connect Maddy Way to North Street instead of having this u-shape loop for the cluster. PMB also sated that the fire dept. would be satisfied with that too because then they would have access from North St. to Maddy Way to

Blackstone St. SB advised that that would only give one additional intersection with North St. which could be another benefit.

SB advised that the cluster plan shows the houses right up on the street, he suggested putting the new houses as far back as the existing houses. Mr. Anderson advised they would be moving the new houses back and the septic systems upfront and the reason they were shown like that on the plan was for true low impact design, the houses are closer to the street with shorter driveways. BJS agreed that they are unnecessarily compacted, there could be a better lay out.

GCW advised that trying to get out of North St. in the morning hours are tough, his issue is there needs to be another egress rather than North Street through Blackstone Street. Mr. Anderson stated that if they are going to connect it through and have the expense of crossing the gas line (which is a \$100,000 expense) then maybe the conventional plan is a better option. PMB advised that if they do the conventional plan, the fire department does not like cul-de-sacs because it is an issue with the fire apparatus and in an emergency situation there is not enough mobility for them to operate their equipment. Mr. Anderson assured the Board that they will look into a couple more cluster designs. SJW and SB discussed that they would not need to do a traffic study (North St.) but they will need to do a traffic analysis to check for safety issues.

SJW commented that the Con Com suggested that they would need to do an ANRAD for the back lots to figure out where the wetland delineation is because they were concerned about lots 18 and 2 as possibly not meeting the 90% upland for lot area which means that they could possibly be down another couple of lots. Mr. Anderson advised that they have since had the wetlands delineated by their botanist; SJW advised they should have that confirmed with the Con Com.

Sandy Higgins, 135 North Street, questioned how these new lots would effect their wells and septic systems. Mr. Anderson advised the lots would be Town water and private septic and all the testing would be witnessed and inspected by the BOH agent. SJ advised that septic has to be 100 feet from a well.

Charlie Thadden, 131 North St, thanked the Board for their consideration of not having the driveway egresses onto North Street because it is very busy as it is. She believes it is a safety issue for the people that live there.

Dawn Davies, 116 Grove Street, questioned what will happen with that open space. PMB advised that that question is premature right now because it is not certain that that area will be the open space. Mr. Anderson added that they have no plans for the land now but said they do not plan to disturb it in any way. Ms. Davies asked if there would be a home owners association, Mr. Anderson advised they have not planned that far yet.

BJS: Motion to continue the public hearing for the North Street Preliminary Subdivision to January 28, 2010 at 7:15 PM.

SB: Second.

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

BJS: Motion to accept the extension request for the decision deadline of North Street Preliminary Subdivision to February 26, 2010.

SB: Second.

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

MAPC Housing discussion:

- Comparison of anticipated housing with desired housing as determined by the needs analysis.
- Map of preliminary locations for new housing that are most appropriate for each type of housing and the relationship of housing opportunities to transportation and water infrastructure, environmental resources and employment opportunities.
- Preliminary draft list of potential barriers and enablers, such as potential zoning changes, programs, and resource needs.

Old Business

DB: Motion to sign the October 22, 2009 meeting minutes.

SB: Second.

Vote: 4-0 Approved. (GCW, PMB, DB, and SB) 1abstain (BS)

SB: Motion to sign the vouchers.

DB: Second.

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

DB: Motion to adjourn.

GCW: Second.

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

Minutes Accepted on: _____

(Date)

(Prepared by: Amy Sault) (absent)

Patricia M. Buckley

Glenn Wojcik

Brian J. Sutherland (absent)

Dave Brown

Stephen Bartha