



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
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January 28, 2010 Meeting Minutes

- **Present at the Meeting**

Patricia M. Buckley (PMB), Chairman
Glenn C. Wojcik (GCW), Vice Chairman
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 7:00pm.

New Business

Rick Dill discussion concerning High Ridge Estates

Rick Dill advised that he wants to bring some things to the attention of the Board. He questioned if the \$250,000 was ever given to the school committee as part of the decision as well as the open space donation to the Con Corn that was supposed to be given. Mr. Dill advised that he knows Mr. Jones is looking for Bond reduction and questioned if the Board would release the money with these standing issues. He is coming before the Board for an update.

Mr. Dill advised that the road is deplorable and he is sick of putting out his own money to fix something Mr. Jones should have done. He advised the Board that if Claire's Way including his driveway were graded he would have paid to have it paved himself. PMB claimed that the Board would take this under advisement. Carol Dill advised that the drainage problems have not been fixed. Mr. Dill thought that they (Mr. Jones) had to repave as part of the decision and wants know where that comes from. PMB does not see anything in the decision that he needs to pave it; he just needs to put it back in the same condition he found it in. BJS mentioned that the Board would need to talk to Mr. DiMartino as to what is considered the drainage issue – he mentioned that the work done at the bottom of Claire's Way might be what Don considers to be the drainage issues.

PMB referenced an email dated January 28, 2010 from Don DiMartino. Mrs. Dill advised that Claire's way washes out all the time. BJS advised that the Board needs to find out from Mr. DiMartino what is going on and the details. Mr. Dill wants answers from the Board. PMB advised that this Board as well as Mr. Dill were not privy to this conversation that has gone on between Mr. Jones and Mr. DiMartino; the Board will talk to Mr. DiMartino to answer Mr. Dill's questions. Mr. Dill claimed that he heard that the DPW told Tim Jones he did not have to do work on Claire's Way as some sort of deal made between them.

PMB advised that the Planning staff will look into and focus on the issue of the grading and what they are able to find from the 2007 Planning Board and Con Com meeting minutes and get back to Mr. Dill and the Board.

North Street Preliminary Subdivision Continued Discussion (Request to Withdraw Without Prejudice)

-and-

Marinella Development, North Street 81P (8 lots)

SJW advised the Board that a phone message was received after hours at the Planning office stating that the applicant wanted to continue their hearing and 81P application to the next meeting, they needed more time to go over what SJW and Mr. Anderson, Heritage Design, had discussed. No one was present to represent this project.

SJW explained to the public (quite a few abutters showed up for the meeting) where the project stands now with the number of egresses proposed, they were supposed to reconfigure the plans to come up with new ideas for cluster and conventional plans as the Board was not satisfied with the plans shown at their earlier meeting in November. The engineer came in last week to go over an 81P plan instead for the lots on North Street.

SJW advised they were going to withdraw the preliminary subdivision because they decided against the cluster development, they were leaning towards the conventional plan because they figured if they were going to cross over the gas easement anyway to connect to Maddie Way then they would just go ahead and do the conventional plan. She advised that Board that 81P's are not deniable, after doing research she found case law that prevents the Board from denying it even if there are safety issues. She had a meeting with Lee Rolls, the safety officer, and he agreed that that reducing the egress points on North Street from the proposed seven to four is a safer option.

SJW advised that instead of throwing out the cluster plan, she thought they could push the cluster U shape roadway back so that the front lots have a larger square footage so the houses could be set back a little more. She also proposed they do shared driveways for the center lots which would bring down the egress points from four to two for the roadway. SJW sent this info to the engineer who said he would go over it with the developer. She said the developer is looking to minimize roadways and maximize

their profits. SJW advised that they are going to take a look at what she presented to them and get back to her. PMB explained the plans to the public.

Dan Houston, 319 Blackstone St, Bob Conroy, address unknown, Trisha Gonthier, 8 Irene Court, Joe Neville, 7 Maddie Way and Angela Kane, 19 Lynn Ct. were at the meeting. These abutters had some concerns and suggestions, GCW questioned why they decided to withdraw without prejudice. GCW is concerned with the egresses onto North Street and the safety issues. The Board discussed different egress options and listened to the abutters ideas.

GCW stated that the developer is going to do whatever option is cheaper whether it be cluster or conventional, if he does conventional the cost will be the crossing of the gas line. SJW advised that the fire dept is fine with either option as long as there are fire hydrants.

BJS advised that if he does the additional roadway connecting Maddie Way it would be better to reduce the driveways on North Street. Mr. Houston advised that the cost of conventional vs. cluster would cost him a fortune and the changes he would need to make on his property. Ms. Kane had some concerns about the number of houses and cars between the new light on North St. Mr. Neville questioned the Board and if there is anything that could required of them if the subdivision is approved to reduce the number if driveways on North Street.

Dave Karakeian, 28 Irene Ct., asked who owned the land and if it is owned by Varney Bros and he also questioned if the developer would need approval to cut through on Maddie Way.

Old Business

BJS: Motion to sign the vouchers.

GCW: Second.

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

BJS: Motion to sign the January 14, 2010 meeting minutes.

DB: Second.

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

Planner's Report:

SJW brought up potential warrant articles for the Spring Town Meeting.

- Remove Section 3400 Major Proposals and Section 4451 Major Development (Special Residential Uses) due to court ruling that those sections are illegal.
- Amend Section 2110 to include Mill Reuse Overlay District.

- Renumber Section 3334 as 3224.
- Revise the Water Resource District Map to include area from Franklin Drinking Water Supply Well #7 Zone II.
- Revise Section 4500 Floodplain based on new federal requirements. SJW is still waiting from Jay concerning the updated regulations.

Other zoning changes that should be undertaken, but perhaps not this spring include:

- Amending Section 2130 to clarify parcels divided by a zoning district.
- Amend Section 1431 to correct the typo.
- Amend Section 4300 Major Residential Development to accommodate recent court decisions.

In addition, SJW asked the Board to discuss how to approach the issue in the Charter that does not require the Board to go before the Finance Committee if warrant articles do not involve appropriations. BJS suggested a letter to the Finance Committee stating that while the Board is not required to go before the Finance Committee, but if they would like, the Board would be happy to discuss the articles with them at the Planning Board hearings. The Board agreed.

Other Business:

BJS gave his resignation to the Board effective immediately. Due to personal work constraints, BJS would no longer be able to attend meetings and participate fully with the Board.

The Board recognized BJS's long service to the Town, and although they expressed sadness at BJS's decision, they understood the situation.

BJS: Motion to adjourn.

GCW: Second.

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

Minutes Accepted on: 2-25-10
(Date)

Patricia M. Buckley

John D. Sexton
John Sexton

Stephen Bartha
Stephen Bartha (absent)

Amy Sault
(Prepared by: Amy Sault)

Glenn Wojcik
Glenn Wojcik

Dave Brown
Dave Brown