



BELLINGHAM PLANNING BOARD

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March 10, 2011 Meeting Minutes

- **Present at the Meeting**

Patricia M. Buckley (PMB), Chairman (absent)
Glenn C. Wojcik (GCW), Vice Chairman (absent)
Dave Brown (DB)
Peter M. Morelli (PMM)
Peter Pappas (PP) (Secretary)
Roger Oakley (RO), Associate Member

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

PP opened the meeting at 7:00pm.

Bellingham Business Center, 190 Mechanic Street, Development Plan and Water Resource District Special Permit Decision Modifications, 1st Public Hearing

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

DB: Second.

Vote: 3-0 Approved (DB, PMM and PP)

Bellingham Business Center continued their discussion after general business.

General Business

DB: Motion to sign February 24, 2011 meeting minutes.

PMM: Second.

Vote: 3-0 Approved (DB, PMM and PP)

DB: Motion to sign the vouchers.

PMM: Second.

Vote: 3-0 Approved (DB, PMM and PP)

PMM: Motion to sign the Cranberry Meadows decision dated February 24, 2011.

DB: Second.

Vote: 3-0 Approved (DB, PMM and PP)

Planners Report

SJW advised that she has received several inquiries for the request of volunteers to sign up for the Master Plan Committee and asked for the Board's OK to take the posting off of the website. SJW polled the Board to see if they would like to meet some applicants and get their background. SJW advised she could have them come in during the next meeting and advised that she has explained to the applicants that when they commit, it would be helpful if they could stay on the committee.

SJW advised the Board that she has explained to the applicants that it is not an elected position. PP advised that his wife is on the senior op-grad committee at the high school and knows what type of commitment it can be. RO wants to make sure the Board knows who they are appointing and what their thought of the process about the Master Plan will be.

SJW advised that Mr. Talerma has a couple of changes to the Bylaws including the one from Don DiMartino. SJW reminded the Board that Lee Ambler submitted two for Zoning: The first one is a request to change two sections of the parking bylaw and the second is for a zoning change for a parcel located down at Pulaski Blvd.

SJW advised that the normal process is to have the Planning Board hold their hearings then this Board invites the Finance Committee to one of our hearings. SJW advised that the Finance Committee scheduled their hearing before the Planning Board's meeting prior to Town Meeting. SJW advised that she does not think they are going to change it and advised the Board that someone from this Board should attend their meeting on April 4th to either ask for a continuance or to support the articles. She advised that some of the changes include the LEED amendment.

Bellingham Business Center Discussion Continued

Thomas Woods, Paradigm Capital Advisors representing the owners of 190 Mechanic Street. Also present at the meeting F. Giles Ham, Vanesse & Assoc., Clark Jocelyn, Advantage Construction, Eric (last name unknown), Meridian Associates and Joe Antonellis, attorney for project.

Mr. Woods advised that he is before the Board to seek approval for an office space at 190 Mechanic Street. They were sought out by a paper company to take up 120 office spaces. Ethan Allen and the 99 Distribution Center has left. Linden Meyer Munroe, a paper company, would look to move in as soon as possible.

Mr. Woods advised that they have engaged consultants to show that the traffic counts will actually be lower than what they are at today. He also advised that Meridian Associates is looking at the parking and water usage. Mr. Woods advised that Linden Meyer will have about 50-80 employees on site with a traveling sales team and truck drivers. The amount of parking at the site will require a waiver. SJW advised that the building is already constructed and they are requesting no exterior changes to the

building. SJW advised that the condition advises them to return if any changes take place which is why they are before the Board tonight.

PP polled the Board for questions. PMM asked about the numbers of the office space and if 24,300 sf is total for the whole building. Mr. Woods advised that 4,500sf is for the warehouse and the total office area is 19,000sf. RO asked why it is limited to 10,500, DB advised it is because of the Water Resource District and septic.

The Board had some discussion on the capacity of the septic system. PP had questions regarding the septic system report, due to the report they have to cut back and not exceed quota. Mr. Woods advised that it would not, PP wanted clarification on how the Board would know this. Mr. Woods advised that as of now, the office space it is vacant.

PP asked how many warehouse employees there are currently. PP asked how many total employees there are, Mr. Woods advised that it should be no more than 81. Eric from Meridian explained the flow rates for the office. SJW advised that it is based upon employees per space. PP claimed that you cannot compare the people in the office to the people in the warehouse. PP questioned if the septic would survive with it being overloaded.

PMM advised that the system could be overtaxed by having more people in the office area with the original 10,000 sf. RO asked how many employees were aloud in the 10,500sf at the time the building was done. RO asked what difference it makes; it is being based on square footage, he thinks it makes a big difference. He claimed that you are still allowing 411 in the warehouse and 80 employees in office area. Mr. Woods clarified that there will be 20-25 in the office area and if you break it down further there will be 50-56 associated with the warehouse. RO finds it interesting that if you had 411 to start with why does the Board care about this. PP stated that they are not even close to the amount of people in the warehouse that could tax the system. PP stated the question he has is the office system going to be overtaxed.

SJW advised that their new tenant is going to have 80 people total. PMM stated that the septic was designed to have a capacity of 411 total and if they keep under that amount, then they should be fine. PP advised he wants an answer to how many people would overtax the system. Mr. Eric advised that if the calculation was based solely on warehouse sizing then the total would be 532 employees would overtax the system and they do not come close. PP again asked what the threshold is that would bust the system ; Eric advised that he cannot figure that out that way, because different uses are calculated with different flow rates based on different criteria.

Mr. Woods advised that he would gladly cap the maximum employees allowed into the lease and submit it to the Board annually. PMM advised that any future tenants would need to agree to the lease agreements and not exceed the maximum. SJW advised that they are reasonable and a condition could be put on it if the office space changed conditions for future assessment.

Joe Antonellis, attorney for project, apologized for being late. Mr. Antonellis advised he was involved in the original permitting. He stated that this building is in a Water Resource District and is an extremely sensitive area of the Town. He advised that the system was over designed as well as the drainage and runoff system not knowing what

was going to happen at this site and between other abutting properties so that there would not be a runoff issue. Mr. Antonellis thinks that the intention of the BOH at the time was if it were loaded up at a higher intensity user with multiple employees as was envisioned when the EMC campus was on the drawing board. Mr. Antonellis advised that also at the time there were talks of a significant portion of this site was to be set aside for refrigeration which did not occur.

Mr. Antonellis advised that the distinction between square footage for warehousing and office was based on what everyone perceived to be a good blend of users at the time. He advised that the warehouse has not been fully leased out but it is a good opportunity to put some more employees in there and it will not be overtaxed. SJW asked about the 10,500 originally permitted was that just because they were guessing at what office might be, Mr. Antonellis advised it was never the intention to be used as an independent office and primarily warehouse space or office space related to warehouse space.

PP asked about the traffic. PMM advised that he does not understand the traffic counts, how many trucks will be delivering and picking up deliveries. Mr. Ham, advised that within the numbers are the total traffic counts, there will be 52 trucks over the course of the day; this info was not included in the Board's packages but was in the email he sent out.

PMM commented that the driveway counts are showing the east and west driveways, but the majority is on the east driveway. PMM asked if it included deliveries. Mr. Ham advised it was for tenants coming in with their on trucks. PMM asked where they park their trucks on site. Mr. Woods advised there will be trucks on site; PMM asked how many trucks will be on the site overnight. Mr. Woods advised that he is unsure and would need to get back to the Board on that.

PMM asked how many trucks this client has, Mr. Antonellis advised that they will be left on site. PMM asked about the proposed parking that his tenant has on site. They clarified where on site and placed on certain positions designed to be there during the original permitting process. PP asked how many employees; Mr. Woods advised that it will be between 50-80. PP asked how many employees there were in the old business; Mr. Woods advised probably less than what is proposed.

RO asked if they are planning to have 52 delivery trucks. Mr. Woods advised that the tenant will have 26 trucks coming and going throughout the day, which adds up to the 52 trips. RO stated that that is the tenant's trucks; he asked about the tenants getting supplies and wanted to know about the delivery trucks. RO advised that PMM's question was not answered and asked again, how many of these delivery trucks will be coming out. Mr. Jocelyn advised that he wasn't trying not to answer, he advised that the tenant provided this info for them: they expect 10 (roundtrip 20) inbound and 16 (roundtrip 32) trucks. RO mentioned that the 16 is probably included in the 52. RO is looking for the 20 trips which the 10 are coming in and out along with the 52. Mr. Jocelyn reiterated that it is 10 trucks incoming and outbound which are 20 and then there are the 16 outbound trucks which come in and out, this totals 32. The 20 and the 32 total are 52. RO pointed out that it was said incorrectly the 1st time. RO advised the next time they come before the Board to get it straight. RO commented that Mr. Jocelyn's numbers are incorrect and per PMM suggestion, there will be 72 trucks in and out.

PMM advised the easiest way to break this down is to determine how many trucks the tenant will have come, Mr. Jocelyn advised 16. Mr. Antonellis advised that these trucks will be left on site. PMM asked about the other 10 trucks that will make up the 20 trips, these will be vendor type trucks. Mr. Antonellis clarified that the 16 trucks that will remain on site will go out in the morning and back in the evening. RO will understand when he sees the number of trucks sitting in that lot that is when he will know for sure.

PMM referred to the sketch that was provided to the Board and asked where they proposed to park the 16 trucks that the tenant has on site and if it will be in the reserved area shown. Mr. Woods pointed out where on the plan which is on the North side of the building. PMM asked if the reserved parking is also located there, Mr. Woods advised it is. PP asked where the trucks will be parked. Mr. Antonellis advised that these areas where part of the original permitting process, they were placed in certain positions after the Board had reviewed it relative to how they would be located so they wouldn't be out front.

PP asked how many employees there will be, Mr. Woods advised 58 employees. PP clarified that the trucks will be on site and not leaving until @ 8-9 in the morning. PP asked how many prior tenants there were, Mr. Woods advised he does not have a definite answer but roughly the same amount maybe a little less.

PP asked about when the trucks start making deliveries, SJW advised it is only that pertains to construction so there are no restrictions. SJW advised that they are in industrial/business zone; there is only an idling law.

Mr. Antonellis brought a waiver for section 3320 regarding parking and showed that the plan can accommodate it. He claimed that it is overburdened with impervious surface as is due to being in a Water Resource District. Mr. Antonellis advise that this Board has complete authority to do so, and by not having to build these spaces now it is obvious that there is enough parking and they request the waiver. PMM asked if the reserve is paved right now, Mr. Woods advised that it is not. PMM advised that they are asking for a 27 space waiver.

RO advised that he has some hesitation and they are no going with more office space and it seems that everything is being changed. RO believes that when this permit is issued there has to be some stipulation; this is the only way it can be controlled. PP advised that given the flexibility with their space, it is probably going to reflect similar language that the other decision did where if anything is going to change they need to come back before the Board to prove that the site can handle the changes. PP stated that if they increase office space over warehouse space, it will affect the parking, septic, etc. PMM with asked if there were a waiver already given; the office calculation changes the parking calculation. RO wants to make sure the waiver is valid.

Mr. Antonellis advised that the Board at the time had discussion on this as well. PMM advised that it sounds like these engineers understand the parking bylaws and will of course come back before the Board to get adjusted. PP questioned the 14 truck spaces in the back and wanted to know where the extra 2 trucks of the 16 will park. Mr. Antonellis advised that they are tractor trailer spaces and can piggy back to fit them in.

PMM asked Mr. Jocelyn if they plan to put site trailers on the job. Mr. Jocelyn advised that they do their work from inside the building and a temporary office will be set up inside.

DB mentioned that because they are limited on truck parking in the back, the loading trucks might get backed up like they did for the past tenant. DB advised that when Ethan Allen and the 99 were there, 90% of the time they were being used overnight and were not an eyesore, they were shielded from the road. Mr. Antonellis reminded that the original permitting included that concept of the shielding it with the building. Mr. Antonellis advised that the building was turned from its original position and brought closer to Rt. 140, which is about 18 inches outside of the zoning requirement. It was a shift to provide more access and less visibility to the back.

RO read allowed "the design flow for an office building is 75 GPD per 1,000 sf; they had 10,500 now we are going to 24. It would appear to him that you could go larger if they wanted to with that calculation. RO advised that he feels more comfortable seeing this information. PMM asked about the employees lunch room and asked if it will all it will be. Mr. Jocelyn advised that it is a break room with a refrigerator, microwave, etc.

Mr. Antonellis apologized again for being late and thanked the Board for the opportunity to explain the updates to this project to the Board. Mr. Antonellis advised that being involved in this project since the beginning, a lot has gone into it and he doesn't think that this particular application is too much of a variance from the original approval. He stated that bringing a company into this relatively empty space is another positive for the Town and will bring in a significant amount of tax revenue.

PMM asked about the modification of the waiver, SJW advised the decision will reflect back on each other. Mr. Antonellis advised that they anticipated that, the first ones were reciprocal in their conditions so that they overlapped because they are different kinds of permits. SJW advised that the request is the same for the both of them in this case. Mr. Antonellis advised that the waiver request is of the Development Plan Review but this review could be subject to Water Resource so he suggested you cross reference them.

PP advised Mr. Antonellis of the missing Board members; Mr. Antonellis advised that they feel they are set for the vote.

PMM asked if the waiver for parking is granted before or after the closing of the public hearing. PP advised that it is before the public hearing is closed. RO agreed.

PMM: Motion to grant the waiver as requested by GRE Mechanic Street, LLC in a letter dated March 10, 2011 from attorney Antonellis for the parking waiver.

DB: Second.

RO mentioned that the Board is setting precedence. PMM advised that with the understanding of these gentlemen before the Board tonight, we are giving a waiver based on this tenant that is coming in. PMM stated that anything that would change in the future they would have to come back for a modification, therefore maybe we are setting a precedence but he does not think that it is something that is going to be a big deal because it is in the decision. RO advised he has no problem with what they are

doing, he is looking at the future and if someone else comes before the Board and states "well you did it for them". PP advised that every project that appears before the Board is separate and distinct from any other one. PP claims that he looks at every project with no history attached to it because every scenario is different unlike other individuals that feel this Board does not tend to do that. PMM advised he also does not like waivers, the rules are the rules, but in this case it seems to him that this site is different with all the different types of tenants. PMM advised that it will be put in the decision similar language as before, which is the Board's decision is based on flash point of time and how it looks today. If it changes we expect to have them come before the Board again with these requirements.

Vote: 3-0 Approved (DB, PMM and PP)

PMM: Based on the information the Board has heard tonight, PMM made a motion that we modify the Development Plan for 190 Mechanic Street as presented tonight by GRE Assoc, Mechanic Street LLC and Mr. Antonellis and the other gentlemen.

PP asked for a second, DB pointed out that we need to close the public hearing. PMM withdrew his motion.

PMM: Motion to close the public hearing on just the Development Plan Modification.

DB: Second.

Vote: 3-0 Approved (DB, PMM and PP)

PMM: Motion to grant a Development Plan Review Modification for 190 Mechanic Street property under GRE Mechanic Street LLC with conditions if building changes in any significant manner or uses they come back for further modifications and add the waiver for the parking requirements including Article 3312. (PP and RO advised it should include and change in use to cap the employees at 411, and the office square footage at 24,300. PP stated we should cap the parking at its current size, use and location, and any changes to those uses will require them a modification) SJW and PP had discussion on whether or not there should be an annual inspection to see if these requirements are being met. PMM suggested we ask for a yearly report when they get inspections by Inspectional Services Dept.

PMM amended his motion to include PP's comments.

DB: Second.

Vote: 3-0 Approved (DB, PMM and PP)

Mr. Antonellis advised that the public hearing for the Water Resource District needs to be closed.

PMM: Motion to close the public hearing on the Water Resource District Special Permit Modification for 190 Mechanic Street, GRE Mechanic Street LLC property.

DB: Second.

Vote: 4-0 Approved (DB, PMM, PP and RO)

MINUTES OF THE PLANNING BOARD

March 10, 2011

PMM: Motion to grant the Resource District Special Permit Modification for the property at 190 Mechanic Street, GRE Mechanic Street LLC and add the waiver with the same stipulations as previously mentioned.

DB: Second.

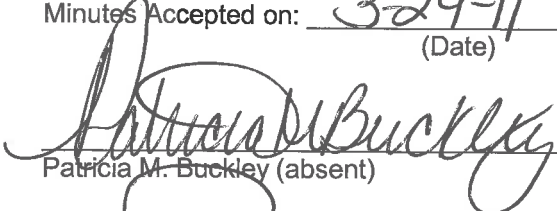
Vote: 4-0 Approved (DB, PMM, PP and RO)

DB: Motion to adjourn.

PMM: Second.

Vote: 3-0 Approved (DB, PMM and PP)

Minutes Accepted on: 3-24-11
(Date)


Patricia M. Buckley (absent)


Peter Pappas


Peter M. Morelli


(Prepared by: Amy Sault)


Glenn C. Wojcik (absent)


Dave Brown