



BELLINGHAM PLANNING BOARD

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September 8, 2011 Meeting Minutes

• Present at the Meeting

Patricia M. Buckley (PMB), Chairman (absent)
Glenn C. Wojcik (GCW), Vice Chairman
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

GCW opened the meeting at 7:00pm.

Pine Hollows Estates, off of Countryside Road (between Bellwood and Brooks Estates) Special Permit for Multi Family Development and Development Plan Review, Continued Public Hearing

Doug Errico, attorney for the condo association for Bellwood and Brook Estates advised that they no longer wish to ask for a withdrawal without prejudice; he advised that they are looking for a continuance. Mr. Errico advised that the current purchase and sale agreement with Mr. Corey will expire as of tomorrow night at midnight. Mr. Errico presented a letter to the Board that stated that they want to pick up the ball on this, they can finish this project.

Mr. Errico advised that as of tomorrow, this property will be under their exclusive control. They will go back to the engineers to work on the secondary egress and try and find another developer to come forward, this is their request. Mr. Errico advised that the letter to the Board states all of this, he confirmed with Town Council and that is where they stand.

Mr. Errico advised that they don't want to start from scratch, they are aware of the one major issue and he believes they can tackle the issue of the egress. He asked that they are the successor applicant and they would like to move forward, he again advised that they would like a continuance.

PMM noticed on the agenda that it states that the decision deadline is not until September 23, 2011, which is Mr. Corey's extension. PMM would like to see them come and back next meeting to ask for a decision deadline extension.

PMM asked if this is a bit premature since tomorrow is the drop dead date for Mr. Corey, PMM would like to see this expire with Mr. Corey then Mr. Errico can come back before the Board to ask for a continuance. Mr. Errico advised that Town Council pointed out that an extension is not necessary, PMM advised that the Board is used to dealing with Mr. Corey, PMM does not feel comfortable making a decision until Mr. Corey is no longer the owner of the property.

PP advised that Mr. Corey's rights have not expired until tomorrow night at midnight. PMM would like to hold off on granting the extension until the next meeting when Mr. Corey is not the owner. PMM advised that Mr. Errico write a letter to the Planning Board to advise the Board of the changes and what is going on.

PP advised it is not legally correct for the Board to rule on this until tomorrow at midnight. RO asked if the documents that Mr. Corey submitted to us would be resubmitted again. PP advised that they would just take over the plans and it reverts back to ownership of the property by the P&S.

RO asked that Mr. Errico be fair with the Board's time, and be timely with submittals and listen to what the Board has already had to say. RO wanted to be sure that they will not start from scratch. PMM read from a letter submitted by Jay Talerma, Town Council, to the Board. PP clarified that the Board cannot hear from Mr. Errico until they have the authority to speak on this matter.

The Board had some discussion about moving this hearing to September 22, 2011.

PP: Motion to move the public hearing of Pine Hollows Estates, off of Countryside Road (between Bellwood and Brooks Estates) Special Permit for Multi Family Development and Development Plan Review until September 22, 2011

PMM: Second.

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

Mr. Errico agreed with moving the public hearing. PP and Mr. Errico had some further discussion on the legality of the paperwork and closing.

GCW summarized the hearing for an abutter that showed up late to the meeting.

General Business

PP: Motion to sign the August 25, 2011 meeting minutes.

DB: Second.

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

DB: Motion to sign the vouchers.

PMM: Second.

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

SJW advised that PP gave an update at the Fin Com meeting which ultimately was unsuccessful. SJW scheduled a public hearing for September 22, 2011. SJW sat down over the course of 11 months and went through and edited with Jay Talerman and Don DiMartino, DPW Director. She has done a lot of research on this.

PP advised that Article 11 was passed over; Article 12 was a split vote of 2/2.

PP advised that the Fin Com wanted Article 13 changed, so it would go before the Zoning Board not the Planning Board.

PP advised that Article 14 was accepted by the Fin Com, they stated that the Planning Board has been given enough time to make the proper changes to the Parking Bylaw, so they voted to accept Mr. Ambler's changes. PP advised the Fin Com from the Board's perspective that editing the Bylaw is not a simple change.

PP advised that Fin Com that SJW and the Board are working hard on changing the Bylaws, which takes a lot of time and research. PP explained that the SWAP grant is helping to determine what changes need to be made and Mr. Ambler and the Fin Com's position was a short term fix until the grant/changes comes around and will be fixed after that.

PP further explained that Mr. Ambler advised that the Planning Board is the problem; he argued that the current bylaw takes into account too much space. PP argued with him that this is not a fix and is a Band-Aid for the Town's parking issues. PP advised to the Fin Com that the Board decided to table Mr. Ambler's proposed changes until they hear more from SWAP, people are suffering under the current bylaw.

SJW advised that there is no need to rehash this argument right now and advised that Mr. Ambler was Town Council when the current bylaw was signed but now as a private attorney he believes it is not suiting the Town's needs for his individual clients. SJW advised that tenants and floor layouts will need to be presented before the Board and show what customer floor area is for each project. PP and SJW advised that this article needs to be thoroughly explained at Town Meeting so the Planning Board's point is heard. PP also advised that the Fin Com is requesting a clearer definition of bulk storage.

Parking Bylaw Discussion

SJW read through the Bylaws with the Board and collaboratively they came up with some changes that need to be made to the Bylaws.

The Board had some discussion on how to classify certain types of eating establishments including:

- **Restaurants**
- **Coffee and donut shops**

- **Fast food**
- **Convenient store**
- **Fine dining discussion**
- **General retail**
- **Free standing discount or superstore**

The Board also had some discussion on how to calculate gross floor area. SJW advised she will continue to work on writing the Parking Bylaw and will include the changes made at tonight's meeting as well as from Town Council. She will discuss these changes at the next meeting on September 22, 2011.

DB: Motion to adjourn.

PMM: Second.

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

Minutes Accepted on:

9-22-11
(Date)

Patricia M. Buckley (absent)

(Prepared by: Amy Sault)

Peter Pappas

Glenn C. Wojcik

Dave Brown

Peter M. Morelli