



# BELLINGHAM PLANNING BOARD

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## Meeting Minutes April 26, 2012

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

### Present at the Meeting

Patricia M. Buckley (PMB), Chairman  
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  
Jean Keyes (JK), Planning Board Coordinator

PMB opened the meeting at 7:00 p.m.

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**7:00 p.m. Informal Discussion North Woods II.** Mark Anderson called the office today at 3:00 p.m. and cancelled his appearance at the meeting. No discussion held between Board members.

### **Medway Mulch and Loam, 287 Hartford Avenue, Bulk Storage Special Permit, Continued Public Hearing; Decision Deadline: 5/25/12**

Present: Paul Kenney, Attorney for Applicant, Matt Fasolino, Applicant

PMB questioned if the Applicant had completed the traffic study and Attorney Kenney replied that it was not done as there was not enough notice. He stated that he did receive the letter from Police Safety Officer Sergeant Lee Rolls and drafted a memo to address his concerns. Attorney Kenney gave a copy of memo to the Board.

PMB explained that the Board has to determine if the concrete bins are structures. If defined as a structure then there are setback requirements, which are to protect abutters, and the applicant would need to obtain a variance from the Zoning Board. SJW explained that Town Counsel Jay Talerman informed her that that the definition of structure could be interpreted as yes or no in this case. It is the Board's decision and the Board would not be setting a precedent or subverting the bylaw. Attorney Kenney and the Applicant met with the Army Corps of Engineers, who is the abutter, and said that they were encouraged that the bins were present and were happy with them. He can obtain a letter from them if necessary.

PMB stated that the Board has leeway to make this type of decision and that putting the bins up is the best thing for the town instead of having just mounds of mulch which is messy.

PP and PMM voted yes that the bins are structures.

DB, PMB, and GCW voted no that the bins are not structures.

PMB explained that there are not enough votes to determine if the bins are structures and the applicant will have to go to the Zoning Board if he wants to use the 8' bins to hold the mulch. If the applicant can build the bins 6' high then the bins are not structures and the applicant can put bins anywhere as long as they are 6' or less. Attorney Kenny and Matt Fasolino agreed to build bins only 6' high or less. So the Board's vote does not apply and the applicant can go forward with the 6' high bins.

PMB initiated discussion about delivery issues and Attorney Kenney clarified that the delivery schedule is 6-7 a.m., 3-4 times per week by a 10-wheeler truck.

SJW asked for parking clarification. Attorney Kenney gave the Board a site plan that shows the parking spaces. The applicant is also installing a decorative fence with a gate that will close the site. PMM suggested that a KNOX Box be installed so that the fire department can have access to the site in case of an emergency. Deputy Fire Chief Poirer was present and agreed that this should be done and informed the applicant to come to the Fire Department to obtain the necessary forms.

Mr. Fasolino explained further that 95% of business is delivery of product from his Medway site. The Bellingham site will be used for viewing the material - for marketing purposes - but customers can call Medway to get product. Mainly the customer will be a person buying small amounts of product in pickup trucks.

PMB expressed that the Police Department is worried about dust blowing or mud being tracked onto Hartford Ave. Mr. Fasolino stated that a 50' stone driveway will be installed from the street to the parking area. It will be compacted gravel and all cars and truck will be driving on gravel. They are also installing sprinklers on top of all the bins for dust control.

Deputy Fire Chief Poirier stated that there are specific fire rules and regulations for mulch. The applicant agreed that they won't be storing stash as it will be all finished product. Deputy Poirier stated that according to Chapter 527 for outside storage of combustible materials, the piles have to be restricted to 6', can't be less than 25' from the lot line or from a dwelling, and cannot exceed 2500 cubic feet of product or a fine could be imposed. Mr. Fasolino stated that the bins are on lot line. Deputy Poirier will discuss all issues with the Fire Chief. Mr. Fasolino reiterated that the piles will have sprinklers on top of the bins. Deputy Poirier informed the Board that there is a hydrant across the street from the site.

The Board agreed that there should be a right turn only sign installed for traffic exiting the site. PMM would like to see a sign on Hartford Ave, west of the site entrance, that warns the traffic that cars and trucks will be entering and exiting the site. In addition, the applicant will discuss sign placement with police safety officer Lee Rolls.

PMB asked the Board if there is really a need for a traffic study. The Board agreed that the business will not increase traffic but will only interfere with current traffic. Consequently, the Board agreed that the applicant can skip the traffic study.

RO cited a letter from Police Sergeant Rolls Police that explained his concerns about traffic hazards as a result of this business. PP, GCW and PMB restated that the applicant has made attempts to address and remedy all the concerns of the Board and the police. RO reiterated that has worked with these materials for 30 years and is very concerned with the dust and that there is no barrier. He is not opposed to the business but is just trying to protect the interest of the public. RO stated that this is not the proper spot for this business.

GCW: Motion to continue the Medway Mulch and Loam, 289 Hartford Avenue, Special Permit Public Hearing until May 10, 2012 at 7:00 p.m.

DB: Second.

Vote: Carried 5-0. (PMB, GCW, DB, PP, PMM).

GCW: Motion to waive reading of the public hearing.

DB: Second.

Vote: Carried 5-0. (PMB, GCW, DB, PP, PMM).

**176 Mechanic Street, Development Plan Review, 1st Public Hearing; Decision Deadline: 5/29/12**

Present: Bill Halsing, Land Planning, Scott Gessin, Applicant

Mr. Halsing gave an overview of 176 Mechanic Street. It is currently a single family house on the property. The proposal is to modify the house to an Alcoholic Anonymous meeting place by converting the building to a meeting room and adding a restroom. There will be one handicap spot and they are proposing 18 parking spaces for a maximum of 54 people. SJW stated that the parking meets current parking regulations. Mr. Gessin explained that the hours will be 6:45 a.m. to 9:00 or 9:30 p.m. Mr. Halsing further explained the traffic and that peak travel will be between 7-9:00 p.m. and the site distance is great. The drainage system was explained and he has engineered the plan to decrease runoff according to current stormwater management regulations. A landscaping plan was also presented.

SJW stated that she is expecting the peer review results on April 27, 2012. PMM asked for an explanation of the drainage for the storm septic and underground infiltration. Mr. Halsing stated that he engineered the plan for a 100-year storm for all underground drainage and also calculated for 10 and 25-year storms as well. There is an operational maintenance plan for the owner to clean out the storm septic every few years.

Deputy Poirier questioned how this building and use was classified as Fire code regulations may be generated. Mr. Halsing stated that it is classified as a meeting space place of assembly. Deputy Poirier advised that the applicant needs to submit a set of plans to fire department so that their engineer can review them. SJW advised that the Planning Board permit is not reliant upon FD permits.

PMB asked if the public had questions or concerns and none were raised.

GCW: Motion to continue 176 Mechanic Street, Development Plan Review to May 10, 2012 at 7:00 p.m., 1st Public Hearing; Decision Deadline: 5/29/12

DB: Second.

Vote: Carried 5-0. (PMB, GCW, DB, PP, PMM)

**Article 18 - CVS Easement request**

SJW explained that the Board could make a recommendation to the Finance Committee regarding the easement request from CVS at the Town Meeting.

The Board agreed that they cannot make a recommendation at this time because they still have a Public Hearing before the Planning Board.

GCW: Motion that the Planning Board cannot make a recommendation at this time because CVS still has a Public Hearing before the Planning Board.

DB: Second.

Vote: Carried 5-0. (PMB, GCW, DB, PP, PMM)

**Continued Public Hearing on Subdivision Rules and Regulations**

PMB explained that SJW has requested a special meeting to finish the Subdivision Rules and Regulations. The Board agreed that they will meet May 3, 2012 in the Planning Board office from 6-8 p.m. Three board members must be preset to vote. Stacey will post a public hearing.

SJW reminded the Board to attend the May 7, 2012 Finance Committee meeting at 7:15 p.m.

**General Business:**

**Old Business**

- 4/12/12 Minutes
- Sign Vouchers
- Cranberry Meadows Development Plan Modification Decision Signing

GCW: Motion to sign the April 12, 2012 Meeting Minutes.

DB: Second.

Vote: Carried 5-0. (PMB, GCW, DB, PP, PMM)

GCW: Motion to sign the vouchers.

DB: Second.

Discussion: SJW explained the vouchers.

Vote: Carried 5-0. (PMB, GCW, DB, PP, PMM)

GCW: Motion to sign the payroll.

DB: Second.

Discussion: SJW explained the payroll.

Vote: Carried 5-0. (PMB, GCW, DB, PP, PMM)

**Cranberry Meadows Development Plan Modification Decision Signing**

GCW: Motion to sign the Cranberry Meadows Development Plan Modification Decision

DB: Second.

Discussion: SJW explained concerns that Attorney Ambler had submitted previously.

Vote: Carried 5-0. (PMB, GCW, DB, PP, PMM)

**New Business (81-P's)**

SJW presented a gift to Dave Brown from the Board to thank him for his service to the Planning Board as this the end of his term.

DB: Motion to adjourn.

PP: Second.

Vote: Carried 5-0. (PMB, GCW, DB, PP, PMM)

Meeting Adjourned: 8:30 p.m.

Minutes Accepted on: 5-10-12  
(Date)

Patricia M. Buckley  
Patricia M. Buckley

Peter Pappas  
Peter Pappas

Peter M. Morelli  
Peter M. Morelli

Jean Keyes  
(Prepared by: Jean Keyes)

Glenn C. Wojcik  
Glenn C. Wojcik

Roger Oakley  
~~David Brown~~ Roger Oakley