



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 657-2892; FAX (508) 966-2317
PlanningBoard@bellinghamma.org

Meeting Minutes May 10, 2012

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting

Patricia M. Buckley (PMB), Chairman
Glenn C. Wojcik (GCW), Vice Chairman
Peter M. Morelli (PMM)
Roger H. Oakley (RHO)
Peter Pappas (PP), Secretary

Other Officials:

Stacey J. Wetstein (SJW), Town Planner
Jean Keyes (JK), Planning Board Coordinator
Jay Talerman (JT), Town Counsel

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

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

7:00 p.m.

Reorganization of Board

GCW: Made a motion to nominate PMB as chairman of the Planning Board.

PMM: Second.

JK polled the Board members to obtain their vote for or against PMB for Chairman of the Board:

Member	Yes	No	Abstain
Glenn C. Wojcik	X		
Roger H. Oakley			X
Peter M. Morelli	X		
Peter Pappas	X		

Vote: 3-0 to Approve PMB as Chairman of the Planning Board.

PMB: Made a motion to nominate GCW as Vice Chairman of the Planning Board.

Second: PMM.

Member	Yes	No	Abstain
Patricia M. Buckley	X		
Roger H. Oakley			X
Peter M. Morelli	X		
Peter Pappas	X		

Vote: 3-0 to Approve GCW as Vice Chairman of the Planning Board.

PMB: Made a motion to nominate PP as Secretary of the Planning Board
Second: PMM.

Member	Yes	No	Abstain
Patricia M. Buckley	X		
Glenn C. Wojcik	X		
Roger H. Oakley	X		
Peter M. Morelli	X		

Vote: 3-0 to Approve PP as Secretary of the Planning Board.

176 Mechanic Street, Development Plan Review, Continued Public Hearing; decision Deadline: 5/29/12

Bill Halsing from Land Planning, Inc. requested a Continuance of the Public Hearing by email today.

GCW: Motion to accept the request for a Continuance of the 176 Mechanic Street Development Plan Review to May 24, 2012 at 7:00 p.m.

RHO: Second.

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

GCW: Motion to sign the April 26, 2012 Meeting Minutes as amended.

RHO: Second.

Discussion: PMM explained that changes were made to one paragraph in the Minutes concerning Medway Mulch and Loam regarding the placement of a sign and discussion with Safety Officer Rolls.

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

7:05 p.m. CVS, 370 and 400 Pulaski Boulevard, Development Plan Review, Drive Thru Special Permit and Stormwater Management Permit, Continued Public Hearing; Decision Deadlines: 10/31/2012 and 10/31/2012

Attorney Joseph Antonellis was present on behalf of the Applicant and requested a Continuance.

GCW: Motion to accept the request for a Continuance for CVS, 370 and 400 Pulaski Boulevard, Development Plan Review, Drive Thru Special Permit and Stormwater Management Permit Review to June 14, 2012 at 7:00 p.m.

PP: Second.

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

PMB explained to the public present about the Continuance and that they can come back on June 14, 2012. They can call the Planning Office or check the website prior to the meeting to be sure that CVS will be appearing on that date.

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

Present were Attorney Paul Kenney and Applicant Matt Fasolino.

Attorney Kenney presents a new plan to the Board that shows the parking and the right turn only sign that the Board requested previously. SJW reminds Attorney Kenney that all documentation must be given to the Planning office the Friday before the meeting as the Board needs adequate time to review the documentation before the meeting.

PMM asked if the Applicant had contacted the Fire Department about all issues discussed at the previous meeting and if he has applied for the KNOX Box. Mr. Fasolino explained that he has done everything that the Board requested and has applied for the KNOX Box. Mr. Fasolino further explained that there will not be an actual box but the padlock on the gate at the entrance of the site will be the KNOX Box. The Fire Department will have a key to this padlock.

RHO asked the following questions:

1. The new drawing shows a trailer. Are there setback requirements?
2. The property is located on an AT&T easement. Asked if the Applicant has received permission from them. Mr. Fasolino stated that AT&T gave him a verbal okay. The Board would like a letter from AT&T stating that they give permission.
3. Parking is shown on the plan and he questions the parking setback requirement. SJW explains that the setback requirement really pertains to large parking lots and not to a situation like this. RHO is trying to clarify this information so the Applicant doesn't have issues in the future.
4. Did the applicant ask the state to get permission for the curb cut? Mr. Fasolino said that they did not cut the curb as the opening was already present.
5. Does not see the 50' of stone on the plan at the entrance of the site. This should be shown on the plan. Mr. Fasolino explained where the stone would be but agreed to show this on the plan.
6. Questioned if Mr. Fasolino has an answer regarding the NFPA 572 issue with the Fire Department concerning the requirement to locate the mulch piles 25' away from the property line. Mr. Fasolino stated that the Fire Department told them there would not be a problem with the location of the piles. RHO would like to get this in writing.
7. Crossing a suburban zone to get to an industrial zone. SJW discussed this with JT who explained that Bellingham's zoning bylaws state that the Applicant can go 30' into the more restricted district. So the Applicant is allowed to do this and is all set.

PP questions the placement of "truck entering and exiting" signs. PMM states that it is not necessary when heading westbound because the line of sight to the site is fine.

GCW: Motion to close the Public Hearing for Medway Mulch and Loam, 287 Hartford Avenue.

PMM: Second.

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

The Board would like the Applicant to submit the following documentation to SJW prior to her drafting the favorable decision:

1. The plans must show the 50' of stone.
2. The Applicant must obtain a letter from the Fire Department that states that the Fire Department has relieved the Applicant of requirement to place the mulch piles 25' from the property line.
3. The Applicant must obtain a letter from AT&T that gives permission to the Applicant to use this property that is on the AT&T easement.

Once this documentation has been provided, the decision will not have provisions. If any of the documents are not provided, then it will be listed as a condition in the decision.

GCW: Motion for Stacey Wetstein, Town Planner, to draft a favorable decision for Medway Mulch and Loam, 287 Hartford Avenue, Bulk Storage Special Permit.

PMM: Second.

Vote: Motion Carried 4-1. Yes - PMB, GCW, PMM, PP and No - RHO.

Toll Brothers, Bellingham Estates, Bond reduction request; Decision Deadline: 5/20/12

Present was Michael Fee, Attorney for Toll Brothers

Attorney Fee requested a reduction of the Bond to \$253,000 and has also detailed this request in a letter to Town Counsel Jay Talerma. He and his client believe that \$253,000 is an adequate amount of money to deal with roadway degradation over the next year and one-half until the 3-year bond holding period is over.

PMB asked JT about the Board's right to hold the full \$720,000 bond. JT explained that it is within the Board's rights to hold 20% of the roadway cost for 3 years or until public acceptance of the road. The Board can consider other numbers but the Board is entitled to hold the full amount. JT is not concerned about the mistake in interpretation of the bond amount by the Board at a previous meeting. This was clarified in a subsequent meeting and the Board is not bound by the mistake they made in that initial meeting.

PMB asked the public if they have any questions or concerns about the bond issue only:

Anne Morse, 200 Center Street, is concerned about the drainage on the property. It is not working properly and is still in need of repair. To date, nothing has been done about this by Toll Brothers.

Brian Mohondros, 78 Whitehall Way, is concerned about the drainage issue and the detention basin that is in need of repair now. PMB has no notes from DPW Director, Don DiMartino about this. The Board advises Mr. Mohondros to contact the DPW and inform them of this issue. The drainage issue is currently eroding the end of Whitehall Way and the DPW is aware of this. Toll Brothers was made aware of this in the fall and today the homeowners received a note from them stating that as of today the surveying and topographical study have been completed and they will discuss it with the homeowners. Mr. Mohondros believes, based on his experience with Toll Brothers, that this is just another stalling tactic. PMB strongly suggests that the homeowners contact the DPW.

PMB addressed Mr. Fee and stated that Toll Brothers has had numerous issues that have not been resolved. Toll Brothers does not follow through with the promises made about work that will be done and issued corrected. PMB stated that she is not inclined to reduce the bond.

GCW stated that the town should continue to hold the 20% of the total cost of the roadway. Attorney Fee stated that the next step would be for Toll Brothers to take the Town to court to get the reduction.

GCW: Motion to deny the Toll Brothers, Bellingham Estates, Bond reduction request.

PMM: Second.

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

General Business:**Old Business**

- Sign Vouchers

GCW: Motion to sign the vouchers.

PMM: Second.

Discussion: SJW explained the vouchers.

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

GCW: Motion to sign the payroll.

PMM: Second.

Discussion: SJW explained the payroll was for Dave Brown for April 2012.

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

SJW explained that the Finance Committee approved the copier purchase. They will also recommend the parking bylaw and FEMA. All items will be presented at Town Meeting. Subdivision Rules and Regulations are almost completed and she will try to have it to the Board at the May 24th meeting. Babysitting will be held at the Annual Town Meeting.

New Business (81-P's)

RHO: Motion to adjourn.

PP: Second.

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

Meeting Adjourned: 8:00 p.m.

Minutes Accepted on: _____

5-24-12

(Date)

Patricia M. Buckley

Patricia M. Buckley

Jean Keyes

(Prepared by: Jean Keyes)

Glenn C. Wojcik

Glenn C. Wojcik

Peter Pappas

Roger H. Oakley

Roger H. Oakley

Peter M. Morelli

Peter M. Morelli