



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
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Meeting Minutes August 23, 2012

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting

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

Other Officials:

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

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

Highridge Estates II Definitive Subdivision Modification and Major Residential Special Permit off of Highridge Road, Continued Public Hearing; Decision Deadlines: 9/30/12 and 9/30/12.

Tim Jones, the Applicant was present and he explained that everything is squared away with the tax situation and the bank. He is scheduled to appear before the Zoning Board on September 6, 2012 to apply for relief to be able to make the subdivision 10 lots or less. He further explained that he will not be bringing town water to the site. He has discussed this with DPW Director Don DiMartino and Don is fine with it. PMB asked if he has talked to the Fire Department. Mr. Jones said no but when they come back in the Fire Department will see that the situation is okay.

Mr. Jones stated that he would like to withdraw without prejudice. He further stated that he has paid a lot of money to Meridian, the peer reviewer, and hopes they will not make him start from the beginning. PMB stated that the Board cannot guarantee what Meridian will or will not do as it is out of the Board's control. SJW explained that the money Mr. Jones has paid to the town will stay with the town. Meridian will have to determine what work is necessary when the Applicant reapplies with the Planning Board.

Mr. Jones then asked when a new Planning Board member and Associate member will be appointed. PMB responded that the Board hopes to resolve this as soon as possible with the Board of Selectmen (BOS) but nothing is certain at this point.

GCW: Motion to accept the withdrawal without prejudice for the Highridge Estates II Definitive Subdivision Modification.

PP: Second.

Vote: Carried 3-0. (PMB, GCW, PP)

There was a question from the public in attendance to explain what the vote meant. PMB explained the withdrawal and that the Applicant cannot go forward because of zoning issues. After the Zoning Board hearing, the Applicant can come back to the Planning Board. The Board cannot keep continuing the project so the Applicant had to withdraw.

The second question from the public was if abutters get new notice when the Applicant reapplies. PMB explained that all abutters will get full notice as the Applicant has to start the process over again.

GCW: Motion to continue the Highridge Estate II Major Residential Special Permit.

PP: Second.

Vote: 3-0. (PMB, GCW, PP)

Zoning Amendment Public Hearing for Special Town Meeting October 2012: Petitioner, Kevin J. Lombard to rezone 157 Mendon Street as B-1.

Mr. Kevin J. Lombard, the petitioner is not present at 7:11 p.m.

GCW: Motion to waive the reading of the Zoning Amendment public notice to rezone 157 Mendon Street as B-1.

PP: Second.

Vote: Carried 3-0. (PMB, GCW, PP)

GCW: Motion to continue the Zoning Amendment public hearing to rezone 157 Mendon Street as B-1 to September 13, 2012 at 7:00 p.m.

PP: Second.

Vote: Carried 3-0. (PMB, GCW, PP)

Informal Discussion with Mark Allen concerning minor modification to Crystal Springs Phase III

Mark Allen, engineer for the Applicant was present. Mr. Allen informed the Board that he received a request in July from the contractor working on the project to review the swap of one stormceptor unit for a different type. It is virtually the same unit and there is only one unit on the whole project. It is unique and there should not be another one and technically it is the same item. He has cleared the swap with the Conservation Commission and the DPW. This is the only change. PMB clarified that this is just a part swap and Mr. Allen stated that is correct and there is no need to modify the plan. SJW will write a letter to Conservation Commission stating that the Planning Board discussed this with Mark Allen and has no objection.

Miscellaneous Discussion:

1. Board of Selectmen Chairman Mike Sotor was present and spoke briefly concerning the Planner and Coordinator contracts. Mr. Sotor said that the contracts do not need to be approved at Town Meeting but SJW stated that that is what she was told. Due to the confusion, he will have Denis send Stacey a memo clarifying everything.
2. Board of Selectmen Chairman Mike Sotor was present to discuss the issue of the filling of Peter Morelli's vacant Planning Board position and the appointment of an alternate Planning Board member. Mr. Sotor explained that there is a protocol to follow for the elected position as was followed when the school committee position was open. The protocol is:
 - a. Once the elected position is vacated, the Planning Board must give written notice to the Board of Selectmen about the opening.
 - b. The vacant position must be advertised.
 - c. Applicants must submit applications to the Planning Board office and those must be stamped by the Town Clerk. Copies of the stamped applications must then be given to the applicants.
 - d. The BOS and Planning Board, according to the Town bylaw, must have a joint session within 30 days and all members must be present. Both boards will interview all of the applicants and then each board will vote for the applicant they feel is best qualified for the position.

SJW explained that no one explained all of these steps to her. She had spoken with Denis Fraine prior to starting the search for the alternate and for the elected position. Denis informed her of the process; however, it did not include all the steps that Mr. Sotor is now describing. GCW stated that in all the years he has been on the Board and there have been vacancies, they have never followed this process. Additionally he stated that the vacant elected position has currently not been advertised. SJW and PMB stated that they are more than happy to follow this protocol but they wished someone had explained this process earlier.

Mr. Sotor stated that knowing the circumstances (Peter's death) the BOS should have called a joint session.

PP asked if this protocol was confirmed with Town Counsel Jay Talerma. Mr. Sotor said yes it was confirmed with Jay and they had gone through a very deliberate process with him about the school committee position.

PMB questioned whether they open a joint hearing and then both boards vote at the same time and because the BOS has more members, the candidate they choose gets the position. Or does each board vote separately and if they don't agree then there is a stalemate. Mr. Sotor suggested that they do a card vote so that no one hears the vote of other members. The Town Clerk will be present and will then compile and read the vote. There has to be a clear majority vote. PMB stated that then BOS could put forth candidates that they recommend and vote them in because they have the majority but it may not necessarily be who the Planning Board wants. PMB prefers the card vote.

Mr. Sotor said that applicants should fill out new applications, have town clerk stamp them, and they should be submitted by August 31st. SJW will write a formal letter to the Board of Selectmen and to all three candidates. SJW will ask all candidates again and she will advertise for the vacant elected position. PMB asked if the BOS attend the Planning Board meeting on September 13th for the joint meeting. Mr. Sotor will ask the BOS. Mr. Sotor also explained that he anticipates that the Planning Board will ask the bulk of the questions.

SJW asked if both the elected position and the alternate position will be filled at the same meeting. Mr. Sotor agreed that both positions should be filled at that meeting and he will ask Denis to get the exact wording for the advertisement to SJW. PMB reiterated that the Board is more than happy to comply and would have done so from the beginning had they been aware of the protocol.

General Business:

- 8/9/12 Minutes
- Sign Vouchers/Payroll/Memorandum for Contracts for Planner and Coordinator

GCW: Motion to sign the 8/9/12 Meeting Minutes.

PP: Second.

Vote: Carried 3-0. (PMB, GCW, PP)

GCW: Motion to sign the vouchers/payroll/Memorandum for the Planner and Coordinator contracts.

PP: Second.

Discussion: SJW explained the vouchers/payroll and the Memorandum for the Planner and Coordinator contracts.

Vote: Carried 3-0. (PMB, GCW, PP)

MINUTES OF THE PLANNING BOARD MEETING

August 23, 2012

GCW: Motion to adjourn.

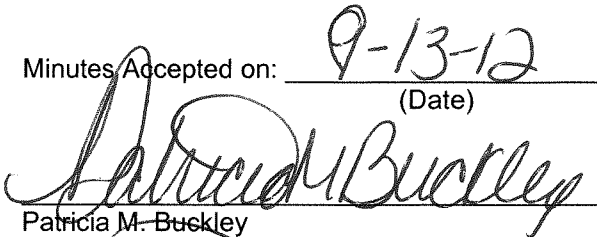
PP: Second.

Vote: Carried 3-0. (PMB, GCW, PP)

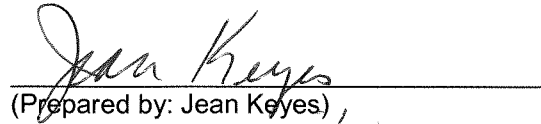
Meeting Adjourned at 7:42 p.m.

Minutes Accepted on: _____

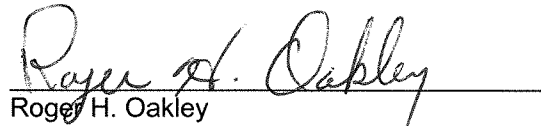
(Date)


Patricia M. Buckley


Peter Pappas


(Prepared by: Jean Keyes)


Glenn C. Wojcik


Roger H. Oakley