



BELLINGHAM PLANNING BOARD

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Meeting Minutes November 8, 2012

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting

Patricia M. Murphy (PMM), Chairman
Glenn C. Wojcik (GCW), Vice Chairman
Amber S. Griffiths (ASG)
Roger H. Oakley (RHO) - absent
Peter Pappas (PP), Secretary
Andrew T. Greene (ATG), Alternate

Other Officials:

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

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

Northwoods II Bond Reduction Request

Present:

Attorney Michael Doherty of Doherty, Ciechanowski, Dugan & Cannon, P.C. for the Applicant
Mark Anderson, Engineer from Heritage Design Group for the Applicant.

Attorney Doherty addressed the Board and requested a bond reduction. He stated that he is basing his request in accordance with Mass General Law Chapter 41, Section 81U that states "The Planning Board shall from time to time reduce bond so that it reflects the actual cost of work remaining to be completed." Additionally, he refers to the letter from DPW Director Don DiMartino stating that the bond could be reduced to \$187,000.00.

PMM and GCW stated that they do not want to reduce the bond any lower than \$240,000.00. This amount would cover the cost of finishing the project should the developer not complete it. GCW further reiterated that the Town has to protect itself from rising costs of construction if the project is abandoned and has to be completed by the Town 2-3 years in the future. PMM further stated that the Board is entitled to hold onto the bond until street acceptance.

Attorney Doherty stated that there is only \$74,000.00 left of work to be done based upon Form J. PMM stated that DiMartino's letter is based upon Form J and those are only projected numbers and there are a lot of items that remain to be completed that are not actually on the Form J.

The Board and Attorney Doherty disagreed with the amount of bond that is being held by the Town. The Board was of the belief that the Town held \$240,000.00 and Attorney Doherty was told by the Applicant that the bond being held was \$500,000.00. SJW said the passbook account copy she had showed a balance of \$490,000.00 but she is not completely sure of the actual amount of the bond. SJW apologized for not having a copy of the bank's passbook account showing the current bond balance. GCW suggested that the Board agree to reduce the bond to no less than \$240,000.00 if the Town is holding more.

PMM stated that SJW will get clarification of the amount tomorrow and suggested that the Board make a motion to reduce the bond amount to \$240,000.00 but to no less than that amount.

Mr. Anderson again referenced Mr. DiMartino's suggestion that the Board reduce the bond to \$186,000.00. SJW and PMM stated that this is not a completion request but it is a bond reduction request. When the Board receives a completion request the Board will reduce the bond to \$186,000.00. Attorney Doherty disagreed and stated that he thinks the Board is wrong according to the statute. PMM stated that the Board already accommodated the Applicant by not collecting the total amount of the bond at the beginning of the project. Recently it was discovered that the bounds of the project were completely wrong and the open space was not in compliance with the provisions of the Special Permit.

SJW will check on the bond amount tomorrow and get back to Attorney Doherty and Mr. Anderson. If amount is due the Applicant, SJW will submit a reduction request.

GCW: Motion that if the bond exceeds \$240,000.00, the Board will reduce the bond to \$240,000.00 for Northwoods II.

PP: Second.

Vote: Carried 4-0. (PMM, GCW, PP, ASG)

General Business:

Old Business:

GCW: Motion to sign the October 25, 2012 Meeting Minutes.

PP: Second.

Vote: Carried 4-0. (PMM, GCW, ASG, PP)

GCW: Motion to sign the vouchers and payroll.

ASG: Second.

Discussion: SJW explained the vouchers and payroll.

Vote: Carried 4-0. (PMM, GCW, ASG, PP)

New Business (81-P)

PP attended the Zoning Board meeting as an abutter regarding the 40B project called Taft Estates that will be built on Pulaski Blvd at the old drive-in site. The project will contain 20 houses to be built in two phases with a ground breaking in the Spring of 2013. The price range will be \$215,000.00 to \$309,000.00 and the square footage of the houses will range from 1400 square feet to 1700 square feet. According to the developer, Tim Jones, there will be no change in traffic so there is no proposal to install a light at Harpin Street.

There are wetlands at the back of the property so the Con Com will be involved. The Zoning Board would like all Town Boards and Committees to provide comments by the next meeting which is December 6, 2012. SJW advised the Board that they should get their comments to her before that meeting and she will submit them.

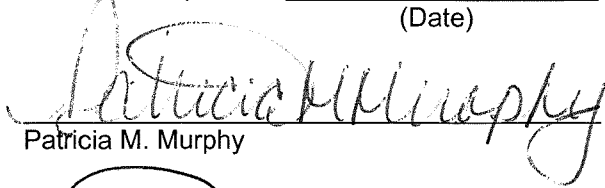
GCW: Motion to adjourn.

ASG: Second.

Vote: Carried 4-0. (PMM, GCW, ASG, PP)

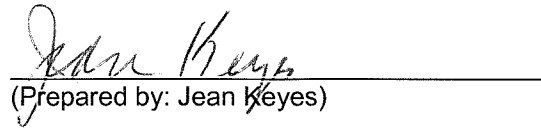
Meeting adjourned at 7:45 p.m.

Minutes Accepted on: 12-13-12
(Date)


Patricia M. Murphy


Peter Pappas


Amber S. Griffiths


(Prepared by: Jean Keyes)

Glenn C. Wojcik

Roger H. Oakley