



BELLINGHAM PLANNING BOARD

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Meeting Minutes December 12, 2013

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting

Patricia M. Murphy (PMM), Chairman
Glenn C. Wojcik (GCW), Vice Chairman
Peter C. Pappas (PCP), Secretary
Andrew T. Greene (ATG), Member
Brian T. Salisbury (BTS), Member
Nikyda Resto (NR), Alternate

Other Officials:

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

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

7:00 p.m. Pine Hollow Estates, off Countryside Road, Special Residential Use Special Permit and Development Plan Review; Continued Public Hearing; Decision Deadlines: Special Permit: 3/14/14 and Development Plan: 3/14/14.

Present: Bob Poxon, Guerrier & Halnon, Alan Nash, Applicant, William Sack, attorney for the Applicants

Attorney Sack explained that the Applicants understand the Board's desire to have a second egress from the site. The Applicants tried to create a second egress to Brooks Street; however, their environmental consultant, Brian Madden, explained that Natural Heritage would not grant approval to egress this way because of the sensitive habitat for salamanders.

Attorney Sack then explained that the Applicants are now proposing that they build the second egress where the previously proposed emergency egress was and then built a road connecting Bellwood Circle to Brookside Road. Both roads will be completely paved, not gravel, and be built in accordance with the Town's regulations. Attorney Sack then presented a plan showing the newly proposed roads. The Applicants have spoken to the Bellwood Condo trustees and have a tentative approval to make a road connection from Bellwood Circle to Brookside Road.

PMM expressed significant disapproval that this plan was being shown to the Board at this meeting and was not submitted prior to the meeting so that the Board would have had time to review it. PMM further reiterated that documents are not accepted at meetings and any submissions must be provided prior to the day of the meeting so the Board members have time to review and prepare questions. Additionally, PMM explained that the Fire Department has not seen this plan and has been unable to prepare for this meeting.

PMM, PCP and GCW all expressed their opinion that this new connection from Bellwood Circle to Brookside Road is not a second egress to a main road as they requested in the previous public hearing on October 24, 2013.

Bob Poxon explained that they met with residents of Brook Estates several years ago to reach some kind of agreement on several egress scenarios. However, all proposals were turned down by the trustees of Brook Estates.

Deputy Fire Chief Mark Poirier had several questions/points:

1. Asked how many units will be built: Answer - 36 units. Each building will contain 3 units.
2. Stated that each unit must have a sprinkler system.
3. The development must have 2 means of egress per Fire Department code and there is no way the Applicants can skirt around this.
4. Questioned if the proposed road will be paved. Mr. Poxon replied that it would be paved and maintained by the trustees of Pine Hollow Estates. Deputy Poirier was very concerned about this road because it would be privately maintained. He further stressed that the road must be at the proper grade as higher grades a concern when the road is privately maintained. He would also like the road as wide as possible to avoid a stacking effect with the apparatus. Deputy Poirier strongly stated that the development needs two egresses for safety reasons. The road as proposed in the plans presented tonight does not seem to provide two means of egress as it the development is a circle that goes back to the same entrance. Mr. Poxon stated that the residents and future buyers accept that these are private roads and will be privately maintained.

PMM asked if the Applicant has obtained an agreement with Bellwood Condos. Walter Mirrione, attorney for the Bellwood Condominium Trust and Bellwood II Realty Trust stated that they have agreed in principle with the Applicant's proposal but the trustees have not voted on it.

GCW strongly disagreed with the assertion by the Applicant that the second egress to Brookside is a full egress. He believes that the residents will only use the existing Bellwood egress. He further stated that the construction of Pine Hollow Estates will put too much traffic into one entrance and that using private roads for two access points is contrary to having two full egresses. He is not in favor of granting a continuance.

PMM explained to the public that SJW contacted Mr. Poxon on December 10th to see if the Applicants would have any new documentation or information for this meeting. At that time, the Applicants said they did not want to continue and will have new information. However, nothing was submitted to the Board prior to the meeting and PMM reiterated that is it unacceptable for the Applicant to present new information regarding the second road egress at this meeting and not submit it prior to it.

BTS, ATG, NR, PCP and PMM agreed that one more continuance should be allowed to give the Applicants the opportunity to present the properly engineered second egress to the Board and the Fire Department and to get the proper agreement with Bellwood Condos.

BTS: Motion to continue the public hearing to January 23, 2014 at 7:00 p.m. for Pine Hollow Estates, off Countryside Road, Special Residential Use Special Permit and Development Plan.

PCP: Second.

Discussion: None.

Vote: 4-1. Motion Carried. (PMM, BTS, PCP, ATG – Yes; GCW - No)

7:00 p.m. Bellingham Estates Bond Release Request

PMM explained that the Board has no legal grounds to hold bond any longer.

GCW: Motion to approve the Bellingham Estates Bond Release

ATG: Second.

Discussion: None.

Vote: 5-0. Motion Carried. (PMM, GCW, BTS, PCP, ATG)

General Business:

Old Business:

GCW: Motion to sign the 11/14/13 Meeting Minutes

ATG: Second.

Discussion: None.

Vote: 5-0. Motion Carried. (PMM, GCW, BTS, PCP, ATG)

GCW: Motion to sign the Vouchers/Payroll

GCW: Second.

Discussion: SJW explained the vouchers.

Vote: 5-0. Motion Carried. (PMM, GCW, BTS, PCP, ATG)

New Business (81-P)

Planning Board Budget FY15

PMM explained that SJW intended to explain how the new budget process will work for the next fiscal year but since she is sick, she will explain it later. The Board agreed that if approval or a vote is needed, they will convene a special meeting next week. JK will speak with SJW to determine if a vote is required and will email the Board with the information.

GCW: Motion to adjourn.

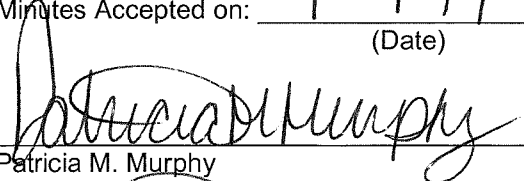
ATG: Second.

Discussion:

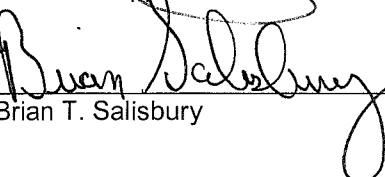
Vote: 5-0. Motion Carried. (PMM, GCW, BTS, PCP, ATG)

Meeting Adjourned at 8:00 p.m.

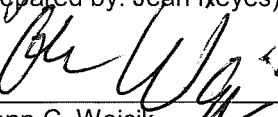
Minutes Accepted on: 1-9-14
(Date)

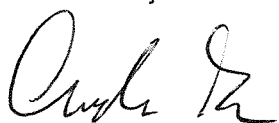

Patricia M. Murphy


Peter C. Pappas


Brian T. Salisbury


(Prepared by: Jean Keyes)


Glenn C. Wojcik


Andrew T. Greene