



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
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Meeting Minutes December 11, 2014

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting

Patricia M. Murphy (PMM), Chairman
Brian T. Salisbury (BTS), Vice Chairman
Peter C. Pappas (PCP), Secretary
William F. O'Connell Jr. (WFO), Member
Glenn C. Wojcik (GCW), Member
Nikyda Resto (NR), Alternate

Other Officials:

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

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

7:00 p.m. Land off High Street, Town Well, 81P, Land Court Revisions

Paul Robinson, engineer explained the reason for the ANR Plan and the Land Court issue. The lot numbers were changed and the southerly bound of Lot 180 was changed. Land court follows the monuments rather than the descriptions. These are non-buildable lots that are being deeded to the Town for the town well. Owner Richard C. Hill Revocable Trust will keep lot 179 and 180.

WFO: Motion to sign the revised 81P for Land off High Street, Town Well, 81P due to the Land Court Revisions.

BTS: Second.

Discussion: None.

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

7:00 p.m. Hillside Estates, Novus Homes LLC, Inclusionary Housing Special Permit, Continued Public Hearing; Decision Deadline: 3/1/15

Mounier Tayara, of Novus Homes who is the Applicant is present. He explained that he has a lottery agent for the inclusionary housing unit and he is looking at some properties. Right now just the road is completed and no houses have been built.

WFO: Motion to continue the Public Hearing for the Hillside Estates, Novus Homes LLC, Inclusionary Housing Special Permit until February 26, 2015 at 7:00 p.m.

BTS: Second.

Discussion: None.

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

7:00 p.m. Crystal Springs Off-Site Inclusionary Housing Special Permit, Benelli Street and Indian Run Road, 1st Public Hearing; Decision Deadline: 1/17/15**BTS: Motion to waive the reading of the the Public Notice for the Crystal Springs Off-Site Inclusionary Housing Special Permit, Benelli Street and Indian Run Road.**

GCW: Second.

Discussion: None.

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

Kevin Lobisser the Applicant and his attorney Stephen Greenwald are present. Mr. Lobisser stated that they have been very active in getting lots for the Inclusionary Housing (IH). The first house is ready for occupancy but it will not be ready for sale for 60-90 days due to the DCHD process. He bought two other lots at auction recently. In addition, Mr. Lobisser signed a purchase and sale agreement for the last unit of four on the corner of Fleetwood Street and Glenbrook Road.

Mr. Lobisser stated that Fleetwood Street will be the unit for Crystal Springs IH as it works well for a two bedroom home. The Benelli Street unit will be an affordable unit for the Woodland Hills IH Special Permit. He then summarized all the IH units as follows:

1. 1141 South Main Street: IH unit for Woodland Hills and will be a 3 bedroom home
2. Benelli Street: IH unit for Woodland Hills and will be a 3 bedroom home with 1 and ½ baths
3. Indian Run: IH unit for Crystal Springs and will be a 2-bedroom home
4. Fleetwood Street: IH unit for Crystal Springs and will be a 2-bedroom home

SJW stated that a new public hearing must be opened to advertise the Fleetwood Road unit for Crystal Springs.

PMM opened the meeting to questions from the public:

Bruce Dubeau of 33 Andrew Street stated that he is concerned about what type of home is being built there. SJW gave him a plan to look at and explained that the affordable unit is for a buyer with 80% of the median income in Bellingham \$64-65K. This is not low income or subsidized housing. SJW further explained that he can drive by and look at 1141 South Main as an example of the type of house that Mr. Lobisser is building for the affordable units. Mr. Lobisser explained that he is trying to design a house that goes with the neighborhood. Mr. Dubeau stated that the terms of the auction at which Mr. Lobisser purchased the house on Fleetwood Street were that the house had to be torn down w/in 90 days. Mr. Lobisser stated that he will begin demolition right away.

Linda Dubeau of 33 Andrew Street stated that the bulkhead of the Fleetwood Street has been open and that it is a bad hazard and the house is in very bad state. She is concerned about safety in the neighborhood and was wondering how soon this house can get torn down. Mr. Lobisser replied that he wants to tear it down soon and will make sure the bulkhead is secured in the meantime.

Ron Lussier was present and stated that his land abuts the Benelli Street location. Mr. Lussier was concerned that this new house is on land that is one-quarter of acre and he is concerned about putting a 3-bedroom home there. Where will the septic go and will the developer need a variance for septic. His land is down gradient from that property and he is also concerned that the septic will leach onto his property. Mr. Lobisser responded that the new home will be connected to town sewer as the DPW told him that he has the ability to hook up to sewer. However, if for some reason he cannot hook up to town sewer, there is plenty of room for a town-approved septic system on the property.

Allan Woods of 24 Andrews street is an abutter to the rear of the property and stated that the current house is very close to his house. He wanted to know what the location of the new house would be. Attorney Greenwald, for the Applicant, responded that his client cannot push the house further back on the lot due to setback issues. The only option they have is to build the new home in the original footprint of the house. SJW stated that if the developer stays within the original footprint, then he will not have setback issues.

Bryan Poist of 1 Walnut Street wanted to see a plot plan for the Benelli Street property. Mr. Lobisser did not have it with him; however he stated that the new house will look like 1141 South Main Street property and he showed Mr. Poist the plan for that house.

BTS: Motion to close the Public Hearing for the Crystal Springs Off-Site Inclusionary Housing Special Permit.

WFO: Second.

Discussion: None.

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

BTS: Motion to approve the 2-bedroom affordable unit on Indian Run Road as required for the Crystal Springs Off-Site Inclusionary Housing Special Permit.

WFO: Second.

Discussion: None.

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

WFO: Motion to approve the 3-bedroom affordable unit on Benelli Street for the Woodland Hills Definitive Subdivision Off-Site Inclusionary Housing Special Permit with timing as per the Woodland Hills Definitive Subdivision Off-Site Inclusionary Housing Special Permit Decision for 1141 South Main Street affordable unit.

BTS: Second.

Discussion: None.

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

1141 South Main Street 3-Bedroom basement plan discussion for the Woodland Hills Off-Site Inclusionary Housing Special Permit

Mr. Lobisser stated that they went ahead with plans to build an off-site 4-bedroom home, but DHCD said that the 4-bedroom home will not sell and to change the plans to a 3-bedroom. So he is requesting that the Board approve the change from the 4-bedroom affordable unit to a 3-bedroom affordable unit for the off-site affordable unit.

WFO: Motion to approve the modification of the plan for the 1141 South Main Street off-site affordable unit for the Woodland Hills Off-Site Inclusionary Housing Special Permit from a 4-bedroom unit to a 3-bedroom unit.

GCW: Second

Discussion:

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

7:15 p.m. Strawberry Estates Definitive Subdivision off of Hartford Ave, 1st Public Hearing; Decision Deadline: 1/15/15

WFO: Motion to waive the reading of the public notice for the Strawberry Estates Definitive Subdivision.

BTS: Second.

Discussion: None.

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

Present: Joe Antonellis, Attorney for the Applicant, Stephen O'Connell of Andrews Survey & Engineering, Inc.

Mr. O'Connell explained that the subdivision road will be 300' long and will have 3-lots, and he will be submitting a waiver request. The Applicant will comply with all the subdivision regulations. The stormwater will be handled by conventional system with an infiltration basin. The soils in the area are fantastic and as a result, no water overflows the basin even in a 100-year storm. PSC (the Board's peer reviewer) has reviewed the plans and the Applicant has addressed 98-99% of their comments. They have filed with Conservation Commission (Con Com) who has approved the wetland boundary. The Con

Com was prepared to close their public hearing at last night's meeting, but they wanted to wait until the Planning Board public hearing was closed just in case other things come up. In a previous conversation, the DPW Director, Don DiMartino told the Applicant that a \$6000 bond will cover the project. Unfortunately, the Applicant cannot keep the one large tree as it will be in the middle of the road and they have no budge room to shift the road. Additionally, the Con Com has stated that they will approve the septic for lots and the septic has already been approved by Board of Health.

The Board discussed and voted on the requested waivers:

1. Waiver from Section 245-11 D and Appendix B – Typical Section for a Lane - Cross section for lane: The Applicant would like to place the sidewalk directly next to the curb and eliminate the 3-foot wide grass strip. SJW explained to the Applicant where the trees will be planted and that they would be in a tree easement that is 10" off the edge of the pavement. Comments from DPW Director, Don DiMartino state that he has no issue with this waiver.

Vote for Waiver:

Yes: PMM, BTS, GCW, PCP, WFO

No: zero votes

Waiver Granted.

2. Waiver from Section 245-15(D)(2) Street Lighting: The Applicant would like to install individual lamp posts with dusk to dawn sensors at the end of each driveway. GCW was very concerned about who will be responsible for maintaining the lights and replacing the bulbs. The Applicant stated that it will be the individual homeowners who will be responsible. GCW and BTS both agree with the memo from Police Safety Office Rolls in which he stated that for safety reasons he would not grant the waiver and would like to see traditional street lights installed. Applicant Brad Wright responded that he will be living there and he will be sure that the light poles are maintained.

Vote for Waiver:

Yes: PMM, PCP, WFO

No: BTS, GCW

Waiver Granted.

Mr. O'Connell explained that the Applicant would like to install bushes/hedge around the infiltration basin. He further explained that the Subdivision Regulations state that either a fence or hedge can be used around an infiltration/detention basin. Since he does not expect the basin to hold water, he does not see this as a hazard and for aesthetic purposes, he thought shrubs with thorns would be better. PMM responded that she is opposed to not having a fence. It is better to take steps to protect children than to make it aesthetically pleasing.

Vote for Bushes/Hedge instead of a fence:

Yes: zero votes

No: PMM, BTS, GCW, PCP, WFO

SJW asked the Applicant if the Con Com discussed the installation of monuments at the rear of property. According to the Subdivision Regulations the monuments must be installed at rear corners of each property. However, since the rear of the properties is in wetlands, SJW wanted to know what the Con Com decided. Mr. Wright said that the Con Com does not want the monuments installed in the wetlands. Attorney Antonellis suggested that a small sign on the property demark the level of disturbance and not the property bounds. The sign must make it clearly know that the homeowner cannot clear beyond that point. He further suggested making this a Condition of the Decision. All Board members agreed that the signs could be used in place of the monuments at the rear of the properties.

Questions from the public:

Jane Brown of 204 North Main Street questioned why she received an abutter notice and SJW explained how abutter notifications work.

Mr. Long of 8 Monique Drive asked the Board if the subdivision will have septic or sewer. Mr. O'Connell stated that they will have on-site septic. Mr. Long was concerned with drainage issues with septic and groundwater. SJW explained that he should take pictures of his yard and basement in the current existing conditions and include the date. He can also keep a log and, if anything happens, he should bring it to the attention of the Town and the Board. Mr. O'Connell explained that because of the natural runoff from the site, the water will not flow towards Mr. Long's property. PMM agreed and stated that there is no reason for the Board to believe that Mr. Long will have an issue on his property. She instructed Mr. Long that he can go to Con Com meetings as well.

Dave Sanderson of PSC (the Town's peer reviewer) discussed the nature of his final comments specific to:

- Item 17: Site distances and easements should be put into place for the future
- Item 19: 400' site distances on either side of road. Would like the Applicant to add site distances to the plan and discern bet intersection and stopping site distances
- Item 34: Zone 2 of the water protection zone doesn't extend on to the buildable area, but does go up toward the site. The infiltration basin is outside of Zone 2 in and he would like to request that the Applicant add a structural oil-water separator. Mr. O'Connell does not agree and PMM instructed them to talk to the Con Com about this
- Item 44: Asked if fire flow testing data was available. Even though the DPW is confident that the water pressure is fine, Mr. Sanderson would like the Applicant to add the data if it is available.

WFO: Motion to continue the Public Hearing for the Strawberry Estates Definitive Subdivision until January 8, 2015 at 7:05 p.m.

GCW: Second.

Discussion: None.

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

Victory Warehouse Informal Discussion: Parapet Height Reduction

Present: Sean Terrell of Seefried Properties and Mark Pross, Architect from Pross Design Group

Mr. Pross explained the request and that they discovered that the higher parapet could be lowered and still maintain the line-of sight screening. We consider this a minor change as they are not changing anything on the site; they are just brining the parapet down and think the neighbors will like it as well because it is not so high. GCW was concerned with snow sheeting off the roof and Mr. Pross said that they have deflectors that prevent this. They also have to decrease the parapet height to decrease the snow load.

GCW: Motion to accept that the reduction in parapet height is a minor change for the Victory Packaging Warehouse Development Plan.

WFO: Second

Discussion: None.

Vote: 5-0. (PMM, BTS, GCW, PCP, WFO)

General Business:

Old Business:

BTS: Motion to sign the November 13, 2014 Meeting Minutes

WFO: Second.

Discussion: None.

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

BTS: Motion to sign the Vouchers/Payroll

WFO: Second.

Discussion: SJW explained the vouchers.

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

WFO: Motion to sign the Post Office Place Definitive Subdivision Modification Decision

BTS: Second.

Discussion: None.

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

New Business: FY2016 Budget

SJW explained that she will level fund the budget for FY2016. The only correction is to SJW's salary which does not reflect what was approved for FY2015.

WFO discussed:

1. Has been informed that large Fafard development signs were removed and would like to know who to talk to about that. SJW stated that he should talk to Inspectional Services and Denis Fraine
2. Has received complaints that CVS on Pulaski Boulevard is open until midnight and the lights are on until then. PMM stated that we told them that they could not have lights on after 10:40 pm. WFO stated that the Board put in the Decision that the lights had to be off at approximately 10:40 p.m. and if CVS is extending their hours, it defeats the purpose of this condition. SJW explained this is Inspectional Services issue and she will send them an email with a copy of the Modification Decision.

GCW: Motion to adjourn.

BTS: Second.

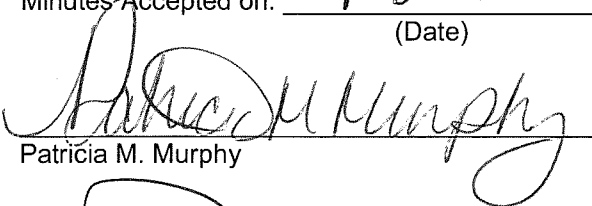
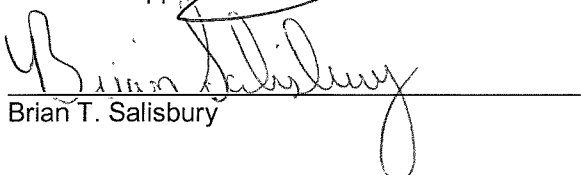
Discussion: None.

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

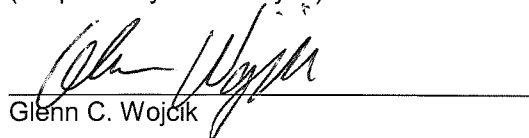
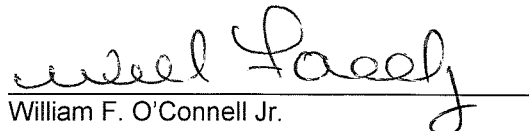
Meeting Adjourned at 8:40 p.m.

Minutes Accepted on: 1-8-15

(Date)


Patricia M. Murphy
Peter C. Pappas
Brian T. Salisbury

(Prepared by: Jean Keyes)


Glenn C. Wojcik
William F. O'Connell Jr.