



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
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Meeting Minutes August 27, 2015

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting

Brian T. Salisbury (BTS), Chairman
William F. O'Connell Jr. (WFO), Vice Chairman
Peter C. Pappas (PCP), Secretary
Patricia M. Murphy (PMM), Member
Dennis J. Trebino (DJT), Member
Nikyda Resto (NR), Alternate - absent

Other Officials:

Jay Talerman (JT), Town Counsel
Jean Keyes (JK), Planning Board Coordinator

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

New Business (81-P)

7:00 p.m. Hartford Avenue 81P – Varney Brothers Sand & Gravel

Mark Allen of Allen Engineering explained the ANR plan. Attorney Joe Antonellis, representing the Applicant, explained what is to be done with the concrete plant and that this parcel will not be used for the concrete plant. JT stated that there are no concerns and the plan meets all ANR criteria.

WFO: Motion to sign the ANR Plan for Hartford Avenue 81P – Varney Brothers Sand & Gravel.

PCP: Second.

Discussion: None.

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

7:00 p.m. 54-58 Box Pond Road - Continued 81P – Jason P. Meehan

Attorney Joe Antonellis and Mr. Bob Poxon from Guerriere and Halnon were present on behalf of the applicant. Mr. Poxon gave the Board copies of the plan in 11x17 format. This plan is already on file with the Planning office.

Attorney Antonellis explained that he instructed his client to provide additional turning areas on Lot 1 and Mr. Poxon added the areas for safety vehicles to ANR plan. Attorney Antonellis will prepare the deed restriction and submit it to JT for his review. Mr. Poxon explained that the design changes that comply with turning radius standards for emergency vehicles in Bellingham.

JT explained that the Police and Fire Department approved the turnaround shown on the plan with the provision that it meets subdivision regulation requirements and Mr. Poxon stated that it does. JT will hold Mylar at the Planning office to ensure that the Town receives an agreement from the property owner that there will be a deed restriction on Lot 1 that states that the property owner has to maintain the turnaround. Attorney Antonellis will create this agreement and will work with JT. Once the agreement is received and finalized, the Board can release the Mylar.

BTS: Motion to sign the ANR Plan for 54-58 Box Pond Road subject to holding the signed Mylar in escrow pending the receipt of an agreement for the maintenance of the turnaround on Lot 1 and the roadway.

WFO: Second.

Discussion: None.

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

7:15 p.m. Bellingham Solar Array and Development Plan Review and Stormwater Management Permit, Landfill Site, 119 South Maple Street, 1st Public Hearing; Decision Deadline: 9/28/15

WFO: Motion to waive the reading of the public notice for Bellingham Solar Array and Development Plan Review and Stormwater Management Permit, Landfill Site, 119 South Maple Street.

DJT: Second.

Discussion: None.

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

Present: Mike Lotti of Innovative Engineering Solutions Inc. (IESI), Edward Tatelbaum of Kearsarge Energy, Richard McCarthy of IESI

Mr. Lotti explained the project and explained the Plans dated June 2015 and that they have also filed with the Conservation Commission (Con Com) and the Environmental protection Agency (EPA). They will also have a decommissioning agreement and will work with JT to draft and finalize.

PMM was concerned about the lack of lighting on the site especially at night and for safety vehicles. Mr. Lotti responded that there will be a locked 8' chain link fences installed around the entire perimeter of the arrays. Mr. McCarthy stated that research has shown that once lights are installed on a site, it becomes a magnet and without lights it doesn't draw the attention. Mr. Lotti reassured the Board that there will be someone on site once a month to check the site.

Barbara Bowen of 22 Sandcastle Lane explained about ATV's running unchecked around and on the site and that the fence in the back is completely down. She can see the landfill mound from her backyard and does not want lights on that site. She does not hear kids walking around at night and the only problem is the ATV's which are mostly on the weekends.

Tom Houston, of Professional Services Corporation (PSC), and the Town's peer reviewer for project explained that he has not completed his initial peer review and has no written comments for the Board at this time. Mr. Houston spoke about several issues that he will be addressing in his comments that he will be submitting in writing to the Board.

Town Administrator Denis Fraine gave an overview of the project from the Town's perspective and stated that the land is steep for construction vehicles but not too steep to walk up. The recycle center will remain and the shooting range remains. The Town entered an agreement with Kearsarge and it was approved at the May 2015 Town Meeting. The solar project will generate \$200,000 per year in lease payments to the Town. The Board of Selectmen previously approved the location, the Town Meeting approved the tax agreement, and the next step is the Planning review process and to address abutter concerns. Mr. Fraine will follow up to get the fence repaired near abutter Bowen and will follow up with the Police Department about ATV's on that site.

Mike Lotti explained the construction timeline.

Don Martinis of the Board of Selectmen asked if the Applicant could maybe let abutters know when the pile driving will be done.

Roger Griffin of 404 Prospect Street, Franklin, MA asked if any trees will be taken down along Maple Street.

WFO would like any decision to have a condition that the construction work hours should be 7:00 am to 5:00 pm.

PMM: Motion to continue the public hearing for Bellingham Solar Array and Development Plan Review and Stormwater Management Permit, Landfill Site, 119 South Maple Street to September 24, 2015 at 7:15 p.m.

WFO: Second.

Discussion: None.

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

7:30 p.m. Discussion – Victory Packaging Warehouse fencing change request, work hours violations, bus stop issue.

Present: Sean Tyrrell, Seefried, Jeff Demarco and Mark Pilotte of Campanelli Construction

JT - Discussed all outstanding issues and explained that Seefried has submitted a plan showing how they are addressing the outstanding issues. Complaints are being addressed.

Mr. Pilotte explained the status of the construction and roadway paving.

PMM was concerned about the school bus pickup and would like construction work to not start until after 8:30 a.m.

Public questions:

Peter Gabrielle of 6 Stonehedge Road explained that the school bus pickup is being affected now and is concerned about the safety of the children. In addition he questioned why work is starting at 6:24 a.m. and why the road entrance allows trucks to possibly head north on Maple Street. Mr. Demarco responded that Campanelli has tried to address the issue and has tried to do a better job at monitoring the work hours but this is not working well. He suggested that the changes they presented on the Plan submitted to the Board on August 20, 2015 will make a difference. Specifically the on-site holding pen for trucks will alleviate trucks parking on the street. Campanelli has given their superintendents the authority to send people home who start work before 7:00 a.m. JT read aloud the Decision concerning the roadway entrance and there is no condition about the entrance being constructed to prevent northbound truck traffic. The Decision was conditioned that the Applicant must provide instructions and signage directing trucks to head south on Maple Street to leave the property and to reach Route 495.

BTS stated his concern about the construction workers disregarding Bellingham police instructions. Mr. Demarco responded that he would hope that this will not happen again and will send the workers home for the day.

Paul Babin of 342 Maple Street expressed his concern about the constant truck traffic on Stonehedge Rd. Mr. Pilotte explained he has driven the site many times and has taken pictures of trucks going into the section of the neighborhood where there is currently new residential construction and that it is not just Victory contractors traveling on Stonehedge Rd. He has spoken to the subcontractors about not parking on Stonehedge Rd.

Don Martinis of 334 Maple Street was concerned about the recent road construction and the inadequate repair of the road. He was also concerned with large chunks of cement being buried inside the berms and the plantings not thriving on them. Mr. Tyrrell explained that Columbia gas was paid to bring gas to site and it is part of their contract to open the road and finish the road. Denis Fraine, Town Administrator will contact DPW Director Don DiMartino to contact the gas company to correct issue road issue.

JT stated that the Board is not qualified to answer the question about the cement in the berms. Mr. Demarco responded that they are responsible for establishing the plantings in an environment that will encourage healthy plant growth and will have to replace any dead plants.

Jim Dunlea of 57 High Street further explained that on Maple Street the potholes coming up now and it is not even winter yet. He was also concerned that the northeast sector of property has been completely trod on the sensitive wetlands area. Mr. Pilotte responded that a fire hydrant was relocated in accordance with a request from the Fire Department and the Con Com and that area will be heavily landscaped. JT explained that he does not want the Board to take action that may affect the drainage, etc. He asked the Applicant to look at the approved plans and be sure the construction matches that.

Erin Bengiovanni 346 Maple Street explained that the trash from their site has increased 10-fold onto her property and just wanted to bring to the Applicant's attention.

Eric Newman of 338 Maple Street stated that there is a lot of beeping for constructions equipment and he thought that a condition of the Decision was to have the trucks use the whooshing noise when backing up. PMM explained that it was a condition of the Decision and that prior to them receiving a Certificate of Occupancy, the Town's inspector can check the trucks to be sure they have the whooshing noise. JT will try to incorporate that into the checklist of compliance before the issuance of the Certificate of Occupancy.

Maryellen Gabrielle of 6 Stonehenge Rd expressed her dissatisfaction with the flaws in this process. The Bylaws are here to protect the residents but she doesn't feel that everyone is protected. It takes so long for problems to be addressed and Campanelli is not accountable for rules that they broke. BTS agreed that rule infractions have to be enforced and he encouraged Ms. Gabrielle to get involved in the Town to change the bylaws. The enforcement mechanism is managed by the Inspectional Department.

There was short discussion by the Board and Mr. Pilotte and Mr. Tyrrell about their request for a relocation of the 12' high white vinyl fence on the southern end of the property.

WFO: Motion to approve the relocation of the 12' high fence for the Meehan residents as indicated on the updated Landscape Plan CSK-03 dated August 11, 2015 for the Victory Packaging Warehouse on Maple and High Streets.

PCP: Second.

Discussion: None.

Vote: 4-0. Motion Carried. (BTS, WFO, PCP, PMM, DJT)

7:30 p.m. Discussion – Zoning changes for October 14, 2015 Town Meeting

Present: Jim Dunlea and Don Martinis of the Bylaw Review Committee

JT explained that the Board is not discussing the bylaw changes they should just be scheduling a public hearing date.

Mr. Dunlea gave a brief overview of the proposed sign and noise bylaw updates.

The Board agreed to hold a public hearing on September 24, 2015 at 7:30 p.m.

General Business:

Old Business:

WFO: Motion to sign the August 13, 2015 Meeting Minutes.

DTS: Second.

Discussion: None.

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

WFO: Motion to sign the Vouchers and Payroll.

PMM: Second.

Discussion: JK explained the vouchers and payroll.

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

BTS: Motion to sign the Decision for the Hillside Estates Definitive Subdivision Inclusionary Housing Special Permit for the off-site unit at 70 Moody Street.

PMM: Second.

Discussion: None.

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

DTS: Motion to adjourn.

WFO: Second.

Discussion:

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

Meeting Adjourned at 10:00 p.m.

Minutes Accepted on: 9/10/15
(Date)

Jean Keyes
(Prepared by: Jean Keyes)

Brian T. Salisbury
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