



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
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Meeting Minutes November 12, 2015

MEETING LOCATION: ARCAD 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 - absent
Dennis J. Trebino (DJT), Member
Nikyda Resto (NR), Alternate

Other Officials:

James S. Kupfer (JSK), Town Planner and Zoning Compliance Officer
Jay Taleran (JT), Town Counsel
Jean Keyes (JK), Planning Board Coordinator
BTS opened the meeting at 7:00 p.m.

7:00 p.m.

890 South Main Street – Daigle – ANR Plan

Present: Paul DeSimone of Colonial Engineering who explained the plan. The lots do not meet the shape factor so he has to go to the Zoning Board of Appeals for a waiver. JSK explained that the lots have plenty of frontage and no motion or vote is required.

The Board signed the Mylar and four copies of the paper plans.

Bellingham Shores, South Main/Center/Cross Streets, Preliminary Subdivision, Discussion: Decision Deadline: 2/1/16

BTS: Motion to continue the Bellingham Shores, South Main/Center/Cross Streets, Preliminary Subdivision, Discussion to December 10, 2015 at 7:00 p.m.

WFO: Second.

Discussion: JSK explained why the Applicant is asking for a continuance. He also recommended that at the December 10, 2015 meeting, the Board ask the Applicant to continue the discussion for six months and then re-notice the abutters.

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

316 Hartford Ave Solar, Development Plan Review and Stormwater Management Permit Large-Scale Ground-Mounted Solar Photovoltaic Installation, 316 Hartford Ave, 1st Public Hearing, Decision Date: 12/15/15

Present: Brian Geaudreau of Hancock Associates and Tom Joseph Pellegrino of 385 Solar LLC. Mr. Geaudreau explained that he just received the Peer Review comments from PSC today and has not had time to respond. Consequently, he will just be providing an overview today. The access to the site is through a parking lot they will also use a 600' section of town-owned right-of-way. If the Applicant cannot come to an agreement with the Town regarding the access road, the Applicant would just build a road next to the existing Town access road. Once the project is constructed, maintenance will only happen 4-5 times per year. The project will not be installed on school property in any way and will only use the existing access road or build new road. If permitted, the time frame to start construction is the summer of 2016.

WFO questioned who owns land. Mr. Geaudreau explained that one lot is owned by Tom Pellegrino and the second lot is owned by the 1st Baptist Church. BTS questioned if any electrical poles will be installed. Mr. Pellegrino responded that all poles will be located on the site and nothing outside. Electrical connections will be trenched and the Applicant will need an easement on the existing electrical easement.

BTS expressed initial concern about the possible impact to the nearby school from the construction trucks. Mr. Pellegrino responded that the Applicant will access the site by way of the road and not through the school.

WFO asked if it is possible for truck traffic to be during school hours and Mr. Pellegrino responded that his is possible because there will be a maximum of six trucks.

DJT was concerned about road maintenance in the winter. Mr. Pellegrino responded that since the road is owned by the Town, the Town would continue to maintain the access road and if the Applicant needed to access the site, they would plow. BTS explained that the Fire Department wants the road plowed within 24 hours after a snow storm. Mr. Pellegrino said that the Applicant will talk to the Fire Department about this issue. PCP added that the Fire Department wants two locks on the gate and keys to the gate put in a Knox box and Mr. Pellegrino agreed.

JSK informed the Applicant that the Town requires documentation showing that the electrical company has granted access across their easement. In addition, the Applicant must also be granted access by the Town of Bellingham to use the right-of-way. JT added that the Board of Selectmen vote is needed to grant a license; however, if easement is required from the Town, then approval at Town Meeting is required.

The Town's peer reviewer, Tom Houston of PSC gave a brief overview of his comments and a more thorough, written review will be forthcoming:

1. Lot ownership of rear parcel is unclear as the documentation state that ownership is unknown. Clarification needed.
2. Zoning bylaw for Large-Scale Solar states that a minimum of 20 acres is required. This project is substantially under that and the mechanism of relief is a variance. JT explained that he is not too worried about the solar bylaw because it can be a solar exemption. The Board can blend a development plan and the solar bylaw to reasonably regulate. Access issues: The Applicant could gain access by its own road, but currently access begins on the site itself and passes through a right-of-way controlled by the water dept. Likely a license or easement is needed. Then access passes under high tension wires within Algonquin gas easement and segments of that access will have to be upgraded to an all-weather surface.
3. Access road may actually be on school department property and the Applicant may need an easement over that property.
4. Stormwater management system is not designed in accordance with current DEP practices. Area should be modeled in accordance with an unconnected impervious surface. Formula adjustment is needed. The net effect is that the small stormwater basins that have been proposed will have to be increased in size.

5. The existing 316 Hartford Ave parcel is non-conforming with respect to frontage. May need Zoning Board of Appeals approval for modification of a prior non-conforming use. JT explained that the Applicant can apply for an exemption for this issue. However, the Applicant must plan the site so that access to the property will be safe for maintenance and safety vehicles.
6. Does the Applicant have permission to connect to the grid? PSC would like to see this approval as soon as possible.
7. The proposed fence 6' and an 8' high fence is required.
8. A Knox box must be installed at the gate.
9. Submission of all documents must be made to the Fire Dept., Police, Dept., School Dept., and the DPW
10. The proposed project location is in a DEP Zone 2 and so the Applicant must coordinate with the DPW concerning this issue.
11. Details needed to be added to the plans.
12. The Applicant must provide a grading plan for the site.
13. Questioned who is controlling overall access to area. Access must be available to the Town as it has to access water department facilities but must be restricted for all others to these facilities.
14. The Planning Board must decide whether a performance surety is required to secure completion of the approved plans.

BTS: Motion to continue the Hartford Ave Solar, Development Plan Review and Stormwater Management Permit Large-Scale Ground-Mounted Solar Photovoltaic Installation, 316 Hartford Ave to December 10, 2015 at 7:00 p.m.

DJT: Second.

Discussion: None.

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

Bellingham Landfill Solar Array Development Plan Review and Stormwater Management Permit, Landfill Site, 119 South Maple Street, Continued Public Hearing, Decision Deadline: 7/30/16

Mike Lotti of IESI described the changes to the plans and Stormwater plans. In addition, he stated that the Conservation Commission is essentially done with them and are ready to close their hearing pending the results of the Planning Board meeting tonight. Mr. Lotti will give a copy of their new DEP submission to JSK. The plan has been revised so that there is one smaller detention basin and one larger basin instead of one large basin. They have reduced the amount of grading to reduce the amount of earth that has to be moved.

Tom Houston of PSC provided a synopsis of his written comments dated November 11, 2015:

1. The Stormwater Management Plan is modeled as unconnected impervious. All changes are now compatible and are completely and satisfactorily addressed.
2. There are several mop-up issues that are minor changes and are nothing that would preclude the Board from preparing a draft decision and then reviewing the final plans.
3. The performance guarantee (surety) issue is within PB's discretion. Surety must be posted to decommission the site and the Applicant must provide a plan to restore the site and cost to remove the equipment.
4. Item #47 in the comments – name should be changed to Kearsage Bellingham LLC and not Denis Fraine.

Denis Fraine, Town Administrator stated that he would defer to JT for any surety issues. JT explained that the Town does not need a performance bond on the construction of the arrays, but does need a surety bond on the future decommissioning and that this can be drafted after the Decision has been signed.

BTS: Motion to continue the Bellingham Landfill Solar Array Development Plan Review and Stormwater Management Permit, Landfill Site, 119 South Maple Street to December 10, 2015 at 7:00 p.m.

WFO: Second.

Discussion: None.

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

Master Plan Implementation Committee (MPIC) – Priority List Discussion

Larry Sposato of MPIC provided the following priorities that the MPIC has identified:

1. Pulaski Blvd Corridor Revitalization – would be important to revitalize this committee and restart the process
2. 300 Anniversary Committee – D. Fraine explained that in the past, the committee was formed by the Board of Selectmen it will probably do the same for this anniversary. JSK reminded those present that the committee cannot receive donations. JT explained that the Town cannot fund-raise but gifts can be made to the Town. Larry Sposato stated that the MPIC is willing to take a lead role in this process.
3. MPIC Committee – needs to expand as the committee is too small and they are looking to recruit new members. JSK offered to help with meeting minutes and posting meeting notices at least 48 hours prior to each meeting notice. Mr. Sposato agreed to accept this help.
4. SNETT Update and Plans – JSK suggested that the MPIC meet with him and JK about the status and to make updates. Mr. Fraine explained that it is exciting that the SNETT is getting finished and that both Don DiMartino and JK stuck with it to get it done. The Route 126 Bridge is coming down and a culvert is being installed for the trail by MassDOT. In addition, Harpin St. parking and trail access have been proposed and so the next step would be to work on the Fox Run to South Main Street section.

Miscellaneous:

- ☐ **Victory Packaging Warehouse – Landscape Abutter Mitigation Release** - JSK explained the situation and that the voucher must be signed to release the funds to each abutter in accordance with the Decision.

WFO: Motion to release the Victory Packaging Warehouse Landscape Abutter Mitigation from account #6585-42400 in the amounts of \$5,000.00 to Paul Babin at 342 Maple Street and \$5,000.00 to Joseph and Erin Bengiovanni of 346 Maple Street.

DJT: Second.

Discussion: None.

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

- ☐ **Discussion regarding Public Hearing Ads in The Call newspaper** – JSK – explained that the Planning Department would like to place ads only in one newspaper to save money for the Applicants. By placing ads in two separate papers, the Planning Department is going beyond the requirements of Mass General Law. JSK would like to place the public hearing ads only in the Milford Daily News and would like to discontinue using The Call in Woonsocket, RI.

WFO: Motion to approve the Milford Daily News as the sole newspaper in which the public hearing ads will be placed.

PCP: Second.

Discussion: None.

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

General Business:

Old Business:

PCP: Motion to sign the October 22, 2015 Meeting Minutes.

BTS: Second.

Discussion: None.

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

BTS: Motion to sign the Vouchers.

WFO: Second.

Discussion: JK explained the vouchers and payroll.

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

WFO: Motion to adjourn.

BTS: Second.

Discussion:

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

Meeting Adjourned at 8:30 p.m.

Minutes Accepted on: 12/10/15
(Date)

Jean Keyes
(Prepared by: Jean Keyes)

Brian T. Salisbury
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William F. O'Connell Jr.
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Peter C. Pappas
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