



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
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Meeting Minutes December 10, 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 - absent
Dennis J. Trebino (DJT), Member
Nikyda Resto (NR), Alternate

Other Officials:

James S. Kupfer (JSK), Town Planner and Zoning Compliance Officer
Jay Talerman (JT), Town Counsel
Jean Keyes (JK), Planning Board Coordinator

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

7:00 p.m.

Cook 3-Lot Subdivision Discussion: Brian Cook to request a Waiver from Section 245-16G, Record of Plans of the Subdivision Regulations.

The Applicant, Brian Cook is present. JSK explained the request from Mr. Cook who is looking for approval of Lot 2 & 3 and a waiver from the requirement to provide As-Built Certification and Plan. JSK explained that the Board can waive the regulation as it is a small subdivision with a private way and the infrastructure is in place and is certified. There is a substantial cost to have the As-Built Plan drawn.

Mr. Cook has no future plans to build on the other and lots and DPW Director, Don DiMartino is okay with waiving the As-Built requirements.

BTS and the Board understand Mr. Cook's point of view, but did not want to waive the As-Built certification as it is a requirement for all subdivisions. JT explained that he is not worried about setting a precedent by granting a waiver and it would not be unreasonable to do so but it is the Board's decision. Having the As-Built Certification would ensure that what was built was inspected and certified.

BTS: Motion to require the As-Built Certification for the Cook 3-Lot Subdivision.

WFO: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

Victory Packaging: Request for determination of a minor or major change to the approved plan.

Present: Dan Feeney of Beals and Thomas, Sean Tyrrell of Seefried Properties, Jeff Trelegan of Victory Packaging

Mr. Feeney explained that during construction, the entrance has to be changed because Verizon would not move a telephone pole. This created a truck turning issue whereby trucks leaving the property and heading south on Maple Street had to enter the northbound lane to make the turn. The Applicant went back to Verizon and Verizon agreed to move the pole but it will not be done for six months. After the pole is moved, the Applicant would like to change the entrance back in accordance with the original design that was approved by the Planning Board which will correct the truck turning situation.

BTS and JSK went to the site and observed the situation. They both believe that this is a minor change to restore it to the way it was originally designed. WFO agrees that it is a minor change.

Public Question:

Erin Bengiovanni of 346 Maple Street explained that the telephone pole is next to her mailbox and wanted to know how this would affect her. D. Fraine, Town Administrator explained that he and JSK can work with the Post Office to help find a new location for her box.

Jim Dunlea of 57 High Street stated that he thought north-turning traffic was supposed to be limited but it is flagrantly being disregarded by employees. The sign is supposed to say no traffic turning left not just trucks. Jeff Trelegan of Victory Packaging responded by reading from the Decision and it only states that only trucks are prohibited from exiting left out of the property.

Steven Kohler of 26 Stonehedge Road asked when the redesign will be completed. BTS responded that it is dependent upon Verizon and their conservative estimate is 6 months.

Peter Gabrielle of 6 Stonehedge Rd explained that he has observed Victory trucks working to stay in that south-bound lane but it is the vendor trucks that make the wide turn into the northbound lane. In addition, he has observed trucks coming from Route 126. JSK explained the As-Built process, the reason why the entrance was changed, and the reason for the requested modification. Mr. Trelegan said he would review their security tape and then contact the vendors who are making a left turn out of the property.

Police Safety Office Rolls explained that trucks do not have to cross center line to make that right turn out of the property. He took measurements and watched the trucks and hopefully, until the entrance is corrected, he will see trucks making correct turns into the southbound lane. The Town may be able to put up temporary signs warning the public of possible oncoming trucks on Maple St.

BTS spoke with Mr. Trelegan and asked if they would they be open to signage to discourage all cars and trucks from turning left when exiting the property. Mr. Trelegan said yes.

Laly Viera 60 High Street explained that continuous trucks are driving down High Street even at 3:00 am. She asked what the public can do in case a tractor trailer is blocking High Street. She then asked why the emergency gate is always open and why trucks are parked on High Street waiting for that gate to open in the morning. JSK told Mr. Viera to contact him with times and dates and he will work with Mr. Trelegan at Victory to discourage this. Mr. Trelegan stated that the gate has to remain unlocked when they are working on the front entrance.

Sargent Rolls stated that the police cannot stop trucks from High Street as it is a public way but he can contact JSK and discuss. Additionally, there is a bridge weight limit on High Street and overweight trucks should not be crossing it. The police can site trucks for that. BTS explained that these type of issues have to be reported to the police and it is the only way to stop it. Mr. Trelegan added that when he checks GPS for directions to Victory, it provided directions going by way of High Street.

BTS: Motion to approve this request as a Minor change subject to the Applicant removing the telephone pole within 6 months and if this has not been done the Applicant must come back before the Board. In addition, the signs the Applicant has agreed to must be installed within 4 weeks but no later than January 7, 2016 and if the front entrance must be restored back to the original design.

WFO: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

EMC Solar Array: Request for determination of a minor or major change to the approved plan

Present: Jeff Plante and Paul Fitzgerald from EMC and Dan Feeney from Beals and Thomas

Dan Feeney explained the requests:

1. The Applicant would like to have one fence around the perimeter of the entire array site and not fence each array individually. The stormwater basin would still have its own fencing. Sargent Rolls and the Fire Department have no issues with this modification.

OR

2. The second option the Applicant proposed was to have one fence around the entire array site but no fencing around the basin.

The Board agreed to option 1 stated above.

WFO: Motion to approve as a Minor change one fence around the perimeter of the entire site that includes both solar arrays but the stormwater basin would retain its individual fence.

DJT: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

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

JSK explained situation and informed the Board that the Conservation Commission hearing was continued.

WFO: Motion to continue the Bellingham Shores, South Main/Center/Cross Streets, Preliminary Subdivision, Discussion to January 28, 2016 at 7:00 p.m.

DJT: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, 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 explained current status of the project and that all issues are resolved. JSK explained further clarified the current status and referred the Board to the draft decision he has given them in:

1. Plans will reflect separation between the two arrays to allow for the future water line installation by the DPW.
2. Sargent Rolls stated that he is okay with project and the police and fire department will have portable lighting that can be used on site if needed in an emergency. He suggested that the Applicant must plow the site within 24 hours of a snowstorm but would be okay with 48 hours.
3. The Decision holds applicant to providing a surety agreement and money for future decommissioning. JT stated that the Applicant will work with Town on this issue and it will be conditioned in the decision. Peer reviewer, Tom Houston of PSC was concerned that the 1 ½% escalation costs included by the Applicant would not cover the actual future demolition costs. He suggests that the Town look for \$210,000.00 for decommissioning and no value for salvage materials. Mr. Lotti added that because the arrays are not cemented into the ground, it may be more costly to remove because they have to be more careful of landfill.

BTS: Motion to close the public hearing for the Bellingham Landfill Solar Array Development Plan Review and Stormwater Management Permit, Landfill Site, 119 South Maple Street.

WFO: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

BTS: Motion to approve the Bellingham Landfill Solar Array Development Plan Review and Stormwater Management Permit, Landfill Site, 119 South Maple Street.

WFO: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

WFO: Motion to sign the Decision for the Bellingham Landfill Solar Array Development Plan Review and Stormwater Management Permit, Landfill Site, 119 South Maple Street.

DJT: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

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

BTS: Motion to continue the 316 Hartford Ave Solar, Development Plan Review and Stormwater Management Permit Large-Scale Ground-Mounted Solar Photovoltaic Installation, 316 Hartford Ave to January 14, 2016 at 7:00 p.m.

WFO: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

160 High Street Lot 1 Development Plan Review, Stormwater Management Permit, Major Business Complex Special Permit, Flexible Parking Special Permit, Scenic Road Special Permit, 160 High Street, 1st Public Hearing, Decision Deadline: 1/16/16

BTS: Motion to open the public hearing for 160 High Street Lot 1 & Lot 2 Development Plan Review, Stormwater Management Permit, Major Business Complex Special Permit, Flexible Parking Special Permit, Scenic Road Special Permit, 160 High Street.

WFO: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

BTS: Motion to waive the reading of the public hearing for 160 High Street Lot 1 & Lot 2 Development Plan Review, Stormwater Management Permit, Major Business Complex Special Permit, Flexible Parking Special Permit, Scenic Road Special Permit, 160 High Street.

WFO: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

BST explained to NR that as the Alternate she is eligible to vote at on this project and is appointed to do so.

JSK explained that they will be hearing the review of Lot 1 and Lot 2 in a combined hearing for tonight and going forward. The impacts are as a whole and want to review both as one to avoid any confusion.

Present: Robert DeMarco, Jeff DeMarco, Molly Kelly, and Mark Pilotte of Campanelli, Katharine Bachman of WilmerHale, David Kelly of Kelly Engineering Group, Inc., Scott Thornton of Vanasse Associates.

JSK explained the memos and comments submitted to the Planning Department prior to this hearing.

David Kelly gave a detailed description of the project and asked if a new 5th member of the Board will review the minutes and will be present at future meeting. BTS replied yes. Kelly explained the requested permits and that this is an industrial project in an industrial zone and it is a use allowed by right. The site needs to be arranged in a certain way to protect the many resource areas of isolated wetlands and buffer zones and it is designed to be very vigilant to many neighbors and conscious of them to limit impacts to them.

It will be a boulevard type, high end entry to the site and main entrance to the park. A second driveway will provide access to the rear of building. If this is approved, they will return to the Board for an ANR plan to create the actual lots. The buildings are designed for cross docking (on either side of the building) and parking has been provided for 300 spaces which is a reduction from the required amount. The secondary access is for trucking access to the rear of the site. The exit to High Street is an emergency exit only and will be gated with key to the fire department. Loading areas are located away from residents who are quite a distance away from them. The Applicant has tried to maintain the natural, existing buffer on Maple Street. There is an Adams Homestead on the site and they will apply to Massachusetts Historic Commission to try to preserve that area and will protect that resource.

The stormwater management system will comply with Mass DEP and wetlands requirements and Charles River requirements. They have added a berm along the south border near High Street and it will be planted with evergreens to add to the natural buffer that is already there.

All utilities are available on the site and there is a water line on the street already as well as gas and electric. There is no sewer and so there will be an on-site sewage disposal system but they will need to further investigate that system. However, these building will not be big water users or sewer generators. There will be approximately 450 employees for both buildings. Parking is trying to reduce number of spaces needed.

They have filed with the Conservation Commission (Con Com) and are scheduled for the January 13, 2016 hearing. They are confident of wetlands locations as in 2008 Con Com issued a permit for that site and so they expect that line will not change. They have filed a project change with Mass Environmental Protection Agency (MEPA) for previous permitting on site.

The Applicant expects to be able to deal with BETA's comments and suggestions and has met with the fire department regarding hydrant changes.

Scott Thornton of Vanasse Associates described the Traffic Impact Assessment in an overview. They have proposed improvements to the Route 140/Maple Street intersection by adding left turning lanes to head south on Route 140. They have increased the queuing area which would process traffic more efficiently by providing two lanes of storage. MassDOT has jurisdiction over this intersection but they are looking at it their proposal.

At the entrance to the site they would widen Maple to create left turning lanes and still maintain buffer. They are providing site distances of 300-400' of site distances.

Mr. Robert DeMarco added that they are designing it as a modern industrial site. They do not have tenants in mind yet but tenants could include a traditional or e-commerce retailer and he would like a single user in the large building.

BTS explained that this is a scenic road with residential and industrial zones and the Applicant must try to be sensitive to abutters. BTS's concerns include:

- The width of Maple Street being able to accommodate the additional traffic especially at the Route 140/Maple Street intersection;
- Concerned about the width of road heading northbound and specifically that it has drainage problems;

- Concerned about all traffic – employees, trucks, vendors – and what can be done to prevent use of High Street a cut-through.
- Aesthetics must be kept as scenic as possible and considerations for sound and noise generation. Would like to have a sound study done by the Applicant.
- Since the future tenants are unknown it is hard to discuss what the impacts of their operation will be on the hours of operation, intensity of truck usage, noise, etc.
- Does not want a repeat of the construction issues that happened at Victory Packaging by Campanelli Construction.
- Any decision will state that once a tenant is selected they come back to Board and see if any adjustments are required. DeMarco offered that the buildings could be constructed in phases.

Board of Health Agent, Mike Catalano said that Mass DEP peer review will be used but he has to know what type of tenant will be in the buildings. If there will be a cafeteria in either building, additional review will be required. Also, he noted that the groundwater is very high on that side of Maple Street.

Sargent Rolls has been meeting with the Applicant and the Applicant is very receptive to solving the traffic problems. The Maple Street/Hartford Ave traffic light is very old and the Town would be looking for new lights at that intersection along with cameras, etc.

Phil Paradis of BETA is performing the stormwater and zoning peer review and Jaklyn Centracchio of Beta is doing traffic peer review. At this point, there are several issues that have to be reviewed and many items that have to be worked out.

WFO asked if will drones be used by the new tenant and will it impact neighbors. Mr. Robert DeMarco stated that they have not considered drone usage.

Public Questions:

Peter Gabrielle questioned if the Applicant took into consideration for traffic, the 40B development in Franklin which will also affect the Route 140/Maple St Intersection. Additionally, he stated that two tractor trailers cannot pass each other on Maple Street. BTS responded that the traffic report factored in that development. Mr. Gabrielle then asked the Applicant to please be sensitive to residents. Finally, Mr. Gabriel asked about tree removal on a scenic road and where the trees are located to. JSK explained that there is a process to follow and he and the Board will be working with the Tree Warden.

Art Paturzo of 10 Stonehedge Road questioned the height of building and the number of truck bays. Mr. Kelly explained that the larger building will be approximately 42' high and the exact number of bays has not been determined. Mr. Paturzo questions the number of additional trips that would be generated from the site and Mr. Thornton referred to the Traffic Report. BTS would like the Applicant to create a rendering of what building will look like from Maple Street.

Lally Viera of 60 High Street questioned number of parking spots. Her concern is what type of business is ultimately located on that site and the traffic it will generate. She stated that she understands that this is an industrial area and they cannot stop the development, but stated that this large-scale project does not make sense for the road.

Stephen Kohler of 26 Stonehedge Road questioned the widening of Maple Street if it is a scenic road. JT explained that there is no proposal to widen the road, but to work within the existing layout and configure it properly. JSK said that scenic road status would not be lost as anything removed would be replaced and there is a formula to replace/rebuilt. Mr. Kohler was also concerned about snow storage and snow melt migrating into Charles River as the snow storage locations are not identified on the plans. Mr. Kohler then listed many issues from the Victory construction project and their personnel. In addition, there are speed issues on Maple Street and overnight parking at neighboring business. Groundwater is very high and has already changed in that area. Mr. Kelly explained that there are adequate site distances in that area and the truck will be physically perpendicular to roadway at both entrances/exits so they can exit properly. Mr. Kohler further explained that there have been fatalities on that section of the Maple Street. Sargent Rolls confirmed but that there have been 2 fatalities on that road. There are serious problems on that road and it needs to be upgraded and widened and both intersections at either end of Maple Street need to be upgraded.

Jim Dunlea of 6 High Street had several comments:

- Campanelli had a lot of issues during the construction of Victory Packaging and does not want it repeated here.
- Traffic trips calculations – absolute minimums were used by the Applicant.
- Towns have gotten stuck with intersection improvements and he does not want that to happen here.
- Previous proposals for this land (EMC/LIG developments) had included conservation spaces but not so with this project.
- Discussed permitted uses vs appropriate uses on a property. The residents should expect a lot of pressure by our Town Boards to put industrial into this neighborhood. However, this facility is in a de facto residential neighborhood.
- Aesthetics should be considered for an attractive building and not just a huge monolithic slab. The Board has powers to respect scenic values of our neighborhoods.

Cindy Prescott 314 Maple Street asked what are the outside dimensions of big building and if it will be huge and ugly and is concerned about trees replacement. She questioned if the building could be divided into several smaller buildings. She does not want e-commerce in her neighborhood. There is a lot of truck traffic that is speeding on this road especially the trucks from Cob.

Erin Bengiovanni of 346 Maple St is very concerned about trucks traveling on that road 24 hours a day, 7 days a week and stated that fencing does not block the noise. Victory has been very agreeable with their requests; however, not knowing what type of business will be there is bothering her the most.

BTS: Motion to continue the public hearing for 160 High Street Lot 1 and Lot 2 Development Plan Review, Stormwater Management Permit, Major Business Complex Special Permit, Flexible Parking Special Permit, Scenic Road Special Permit, 160 High Street to January 28, 2016 at 7:00 p.m.

DJT: Second.

Discussion: None.

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

Miscellaneous:

Vacancy on the Board – JSK explained that Patricia Murphy has resigned and that the town clerk must receive a letter from her. The Board has to notify the Board of Selectmen and it is joint appointment by both Boards. BTS officially thanked Patricia Murphy for her many years of service and dedication to the Town.

Grant Letter for Waterway and Water Quality Certification – JSK that this is required to notify the Board of this application for the grant but no vote or approval is required.

Peer Review Consultant RFP – JSK explained that an RFP was issued to get more peer reviewers for the projects that come before the Board. He asked if any Board members could be in attendance and BTS said he will attend.

General Business:

- ☐ **ANR's**
- ☐ **As-Built Certifications – Cumberland Farms** – JSK explained. Outstanding item is ornamental lighting. Town and applicant agreed on a cash deposit of \$15,000.00 to hold in escrow once lighting has been completed.

WFO: Motion to submit a letter to the Building Inspector to approve the As-Built Certification for the Cumberland Farms Development Plan and Stormwater Management Permit, 297 Pulaski Blvd.

DJT: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

- ☐ **11/12/15 Minutes Signing**

BTS: Motion to sign the November 12, 2015 Meeting Minutes.

WFO: Second.

Discussion: None.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

- ☐ **Sign Vouchers**

BTS: Motion to sign the Vouchers.

WFO: Second.

Discussion: JK explained the vouchers and payroll.

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

BTS: Motion to adjourn.

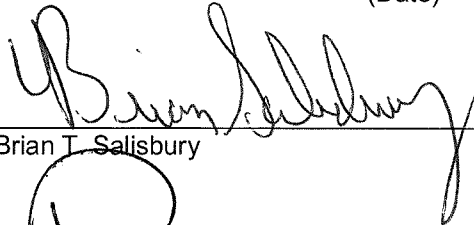
DJT: Second.

Discussion:

Vote: 3-0. Motion Carried. (BTS, WFO, DJT)

Meeting Adjourned at 10:00 p.m.

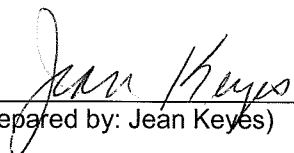
Minutes Accepted on: 1/14/2016
(Date)



Brian T. Salisbury



Peter C. Pappas



(Prepared by: Jean Keyes)



William F. O'Connell Jr.



Dennis J. Trebino