



# BELLINGHAM PLANNING BOARD

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## April 24, 2008 Meeting Minutes

- **Present at the meeting:**

Brian J. Sutherland (BJS), Chairman  
Glenn C. Wojcik (GCW), Vice Chairman  
Stephen Bartha (SB), Secretary  
David Brown (DB)  
Patricia Buckley (PMB)  
John Sexton (JS) Associate Member

**Other officials:** Stacey J. Wetstein, (SJW) Town Planner  
Amy Cook, (AC), Commission on Disabilities  
Amy Sault, (AS), Coordinator

BJS opened the meeting at 7:00PM.

DB: Motion to approve the minutes of April 10, 2008 as amended.  
SB: Second.  
Vote: 5-0 Approved.

### **Thundermist Car Wash Discussion**

Todd Rosenfield, Attorney for Ron Lussier, Ron Lussier, owner. BJS advised the reason they were asked to come before the Board was to discuss the left hand turn restriction. BJS advised that the curbing as modified has been approved by the DPW Inspector although it is not exactly what was reflected on the plan.

BJS mentioned that there is still an outstanding issue with the doors being opened when in operation. Mr. Rosenfield advised that he has not yet had time to review the issue of the doors with Mr. Lussier. Mr. Lussier advised that it is not productive because the public will think the wash is closed with the doors being closed during operation. Mr. Rosenfield asked if the request for the doors being closed is in violations of the noise bylaw. SJW advised that the carwash was in compliance with the bylaws when the doors were closed but were not when they were opened when the carwash is in operation.

Mr. Rosenfield advised that the original proposed plan Mr. Lussier applied for was a 24hour facility; he has since rescinded that request. PMB inquired about the hours of operation. Mr. Lussier advised that the system does not allow for the carwash to be

activated after 9pm. Mr. Rosenfield advised that the carwash cannot operate after the hours of 9pm and before 7am.

BJS advised that the lights spilling over to adjacent properties were a problem. Mr. Rosenfield advised that the building inspector had signed off on the shields for the lights for the spill over.

Kristen Wessels, 20 Arthur Street, asked if someone could come program the doors to close. BJS advised that is what they will be looking into.

Wayne Poitras, Arthur Street, advised that he has been by the carwash while in operation and the doors were closed and it was very quiet. Mr. Poitras also brought up from previous minutes that cars in the carwash could get out by the doors opening in the case of a power outage.

Mr. Rosenfield advised he spoke with the building department today and was advised it would not be an issue extending the temporary occupancy permit. Mr. Rosenfield asked if the only outstanding issues are the doors being closed and wanted to know what the next step is. BJS advised that all the issues were supposed to be resolved prior to this meeting and that the Board's goal has not been to delay the opening. BJS advised that the carwash will not receive its final occupancy permit until its operation has met any remaining issues and is in operation the way it was presented to the Board and the public.

SJW advised that the temporary occupancy can be extended to allow time for the correct landscaping and pavement to be completed. Also to give time for Dan Drake, DPW Inspector, to go to the site and confirm that everything is the way it should be and Mr. Lussier time to get the as-built plan to him.

PMB advised the public that the applicant needs to review the issue of the doors closing during operation with his attorney and that the public shouldn't expect an immediate result. SJW stated that it may take some time to reconfigure the door mechanisms.

**The Shoppes at Bellingham, Continued Public Hearing, Development Plan Review, Water Resource District Special Permit, Major Business Complex Special Permit**

Jeff Donohoe, Real Estate and Economic Consultant, advised that back in the fall he submitted a proposal for the town to review the fiscal impact analysis prepared by Connolly and Associates on behalf of the Shoppes at Bellingham. In general the analysis they used are broad assumptions as well as the information used to make up the calculations. Mr. Donohoe advised that there are conflicting or two different approaches used to estimate the value of the property. The value of the retail component is projected based on comparables in other communities and here in Bellingham the value of the office component is projected based on an income approach to value.

Mr. Donohoe advised that the revenues seem aggressive and tried to recreate the 10 year estimate which will reference conservative points in the report relative to the retail/office components.

Mr. Donohoe believes that the retail portion is valued at \$173 per square foot; the office component is valued at \$81 per square foot. The reports estimates that 2,300 jobs will be created and believes it is misleading because 650 of retail jobs will be part time jobs, he advised WS to look at all jobs part-time vs. full time.

Mr. Donohoe advised that there is a comment in the report about the value of land to be donated as an offset to the traffic impact issues. The proposed 13 acres are estimated at \$400,000 per/acre and \$5.2 million for the land donated to upgrade the access for the project. Advised there is no back up data for engineering and road costs which would be good appendix for the report. Mr. Donohoe advised that one of the biggest assumptions the analysts makes is that 18% of the cost of police and fire and highway expenditures are attributable to commercial and industrial uses. He questioned how they got to the reported 18% also advised the backup would be helpful.

Mr. Donohoe looked at one of the 10 year estimates which indicate the net revenues of at least \$10 million over a 10 year period and that he could not recreate it. The chart assumes 2 ½ percent revenue growth annually and holds the expenses constant so there are no increases in any of those service costs. Still the net total comes to less than \$9.4 million which when added on top of that the overall costs for police, fire and fixed costs such as healthcare have increased over 30% in a five year period. He needs a better understanding of how the numbers have been put together in order to say where the mistake is.

Mr. Donohoe advised that the evaluation on the office side needs more backup from where the numbers come from in the fiscal report.

Mr. Donohoe advised he could get an updated memo to the Board in a couple of weeks.

Dave Albrecht, project manager Tech & Tech Rizzo, Anne McMenemy, wetland scientist for Environmental Resources Management. Mr. Albrecht advised that the DEIR looks at what was submitted for the project which includes phase 1 retail center, phase 2 office park. The office phase is being proposed as a 600,000 square foot office development, with 12 buildings and 6,900 parking spaces. The next phase submitted to the Planning Board is The Shoppes which is 550,000 square foot of retail shops, a surface parking lot, and a parking deck. The remote parking lot for over flow was removed to reduce impervious surface by about 150 spaces at the request of the Historical Commission due to archaeological sensitivity near that area.

Mr. Albrecht advised that they are looking at ways for less impact development, for example using swales instead of catch basins and stormwater systems. They are looking at the use of white roofs which would be cooler in the summer months so it would use less energy for air-conditioning and heat transfer. The other proposal in the DEIR was to use some of the Stormwater runoff for irrigation of the property which the DPW agreed would be an appropriate use for the runoff.

Mr. Albrecht advised that they had discussed with the Conservation Commission to incorporate water quality swales along the bypass road that would help treat the runoff and the sediments would gather into a detention basin before discharged onto North

Main Street and/or the Charles River. They are also looking at larger medians to allow the runoff from the pavement with more quality swales as well.

Mr. Albrecht advised that in regard to stormwater they have gone through 2 processes, one through the Planning Board for the Special Permit and the other with the Conservation Commissions about the resource areas. Advised that both the Planning Board and the Conservation Commission have 2 separate peer reviews consultants that are reviewing the project. They are waiting to hear from both reviewers so they can incorporate all the comments together in one set of documents.

Mr. Albrecht advised that water waste water will be looking for water from the town of Bellingham. He advised they will be creating another loop in the town of Bellingham system by putting a 12 inch line into North Main Street and connecting it to Hartford Avenue. The town has no more capacity for waste water or sewer so they will be constructing a waste water center on site. The center will consist of a building, tanks and pumps that will be underground the parking lot and accessible via manholes. The system can handle approximately 100,000 gallons a day of water. Mr. Albright advised that they have been asked by the Conservation Commission to do a water budget.

Mr. Albrecht advised he is not an air quality or noise consultant however they did responds in the DEIR with their own sub consultants on both air quality and noise concerns. They are in an area that is remote to residences as far as noise. Mr. Albright advised that with regards to air quality and with the anticipation of cleaner cars the air quality will be better than it is today 10 years out. Mr. Albright advised that WS is looking for a transportation coordinator for the site which would look at how people get to and from work and those who carpool will get preferential parking.

Mr. Albrecht advised that they have not yet completed the final study and report requested by the Historical Commission.

In regards to the construction term effort, prior to any construction, there will need to be a notice of intent filed with the EPA for any land disturbances greater than 1 acre. Mr. Albright advised that both the owner and contractors will need to sign an agreement on the pollution with weekly records being kept, if these pollution agreements are not kept by the owner and the contractor they will be fined by the EPA. Mr. Albright advised that WS will encourage the contractors to use ultra-low sulfur fuel construction equipment. The noise levels will comply with the EPA regulations.

SJW wanted to know what pages the swales, water quality information and the white roofs were on. SJW also questioned why the Board does not have any current listing of what the waiver requests are for parking and a more detailed update on the requested waiver for the landscaping.

GCW mentioned special parking for vans, also suggested preferential parking for hybrid vehicles, and electric vehicles as well. Portable solar panels

BJS would like to see how a transportation coordinator would work using data from their existing lifestyle centers. He questioned the validity of the claim that air pollution quality would actually be better in 10 years with their development.

Ann McMenemy advised that the scope from the secretary for the DEIR required that they investigate and disclose wetland impacts and mitigation associated with the 3

projects they have which are Phase 1, Phase 2 and the Mass Highway interchange project. They are working on wetland investigation on the site with Conservation Commission as well as the Army Corps of Engineers to legally establish the state and federal wetland on the property. There is approximately 5,000 sf of wetlands impacted for all phases of this project.

BJS questioned if the sidewalk would be on the south side of the bypass road which is the same side of the road that the Shoppes will be on. SJW also questioned if the sidewalks would continue onto North Main Street. Mr. Albright advised there is only development on one side of the road which is where the sidewalks will be. BJS advised that the updated plans should reflect this change and it needs to be a continuous flow.

PMB questioned when the 5 year monitoring period will begin. Ms. McMenemy advised that after the first year of the growing season the review will begin.

BJS questioned whether there will be access off High Street. Mr. Albright advised there is no proposal for this even after the second phase.

Don Keller, Route 140 near Hartford Avenue, Mendon, questioned what the state requirement is for wetland setbacks. Ann McMenemy advised there is no setback state requirement and that Bellingham does not have a wetlands ordinance. Mr. Keller is concerned and requested that Ann McMenemy show the Board other projects worked on by her firm regarding the wetlands performance. Marc Lavoie, WS Development project manager, advised that the Conservation Commission will hire consultants to do long term maintenance inspections of this project after it is built and will be paid for by WS. They will be doing monthly inspections of the stormwater management systems and submitting the paperwork to the commonwealth. SJW advised that the Board needs to know what is being discussed with the Conservation Commission as it relates to stormwater because the Board has stormwater jurisdiction as well. Mr. Keller wanted to know when the deadline is to submit responses to the DEIR. BJS advised the deadline is tomorrow, April 25, 2008. The comments may be submitted via email.

Rob Daly, 129 North Main Street, owner of Circle CG Farm, questioned how they propose that the noise, air quality and dust will not affect his business? Mr. Albrecht advised that WS is developing a screen along the road, a high fence as a noise barrier. Mr. Albrecht advised that the dust will be controlled by using a water truck that waters the ground to reduce dust as the work is being done. BJS advised WS to provide a construction schedule so that the camp ground will know when the work will take place.

PMB questioned if the proposed fence could withstand the impact of a car in case of a crash. Mr. Lavoie advised that there will be a guardrail in case of vehicle impact in addition to the fence which meets Mass Highway standards. SJW questioned whether the road is to be built to town or state standards. Mr. Lavoie advised that the town requires that the guardrails are to be designed by Mass Highway standards.

Peter Morelli, Temi Road, quoted the DEIR regarding waste water and what kind of piping will be used on the forced main and what guarantee will there be that it will not leak. Mr. Albrecht advised it is part of the treatment plant not only the building but the controls and the pump stations. The forced main is seamless polyurethane tubing and heat seamed welded to prevent leaking. Mr. Morelli questioned the technology used for

the MBR system and what the track record is. Mr. Albrecht advised this material is commonly used in a water resource district such as this one.

Mr. Morelli questioned the site lighting, the spillage and the street lighting. Mr. Albrecht advised the lighting for the project is in the site plan review package. Mr. Morelli advised that by using solar lighting it would cut down on the carbon footprint of this property. Bob Frazier, WS development, advised they are looking into this for other projects such as Whole Foods, LL Bean and other properties. Advised good points and will consider. GCW advised that grant money is available for LEED projects.

James Dunlea, High Street, commented that the air quality will not be bettered because of this project. From a public safety perspective, he is concerned with the discontinuation of sidewalk. Mr. Albrecht advised it would continue and advised there will be crosswalks too. Mr. Dunlea questioned the lighting and if it would spill over onto the phase 2 properties because some wildlife could be affected by the lighting. Mr. Dunlea asked if the lights would turn off after a certain time. Mr. Albrecht advised most lighting would be turned down or turned off during the off hours. BJS advised this is the Board's first pass on all the parking, environmental and other stuff as well.

Dawn Davies, 116 Grove Street, questioned the time frame of the project. Mr. Lavoie advised it would take about 18-24 months for phase 1. She questioned when the bypass road will be constructed and if they will restrict construction traffic. Mr. Frasier advised that the traffic will be restricted.

SJW advised the Board will need a more detailed landscape plan that specifies where and what type of greenery will be put in. SBJ also reiterated the need for a noise barrier for the Circle K camp ground. SBJ advised would like to get more information on the site plan and architecture. Mr. Lavoie would like to hold off on the architecture style until after the permit is issued. BJS advised it would help the Board to visualize what the project will look like by seeing common samples. BJS suggested that the next meeting should discuss the site issues, parking and building layout, lighting and the fiscal impact and also advised to have their air quality consultant available to come to the meeting. Mr. Albrecht advised they would be ready to discuss all topics but the landscaping and architecture.

SB: Motion to continue the public hearing of the Shoppes at Bellingham, Development Plan Review until June 26, 2008 at 7:05pm.

DB: Second.

Vote: 5-0 Approved.

SB: Motion to continue the public hearing for the Water District Special Permit for the Shoppes at Bellingham until June 26, 2008 at 7:05pm.

DB: Second.

Vote: 5-0 Approved.

SB: Motion to continue the public hearing for the Major Business Complex Special District for the Shoppes at Bellingham until June 26, 2008, at 7:05pm

DB: Second.

Vote: 5-0 Approved.

DB: Motion to adjourn.

SB: Second.

Vote: 5-0 Approved.

Minutes Accepted on: \_\_\_\_\_  
(date)

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(prepared by: Amy Sault)

\_\_\_\_\_  
Stephen Bartha (Secretary)

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Brian J. Sutherland (Chairman)

\_\_\_\_\_  
David Brown

\_\_\_\_\_  
Glenn Wojcik (Vice-Chairman)

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Patricia M. Buckley