



BELLINGHAM PLANNING BOARD

10 Mechanic Street, Bellingham, Massachusetts 02019

MEETING MINUTES

Thursday, February 8, 2024, at 7:00 pm
Bellingham Municipal Center
Arcand Meeting Room and Via Zoom

MEMBERS PRESENT:

William F. O'Connell, Jr.	Chairman
Brian T. Salisbury	Vice Chairman
Philip M. Devine	Member
Dennis J. Trebino	Member
Nick Mobilia	Member
Robert Lussier	Alternate Member

ADDITIONAL OFFICIALS PRESENT:

Amy Sutherland, Assistant Town Planner
Tim Aicardi, Building Commissioner
Tina Griffin, Recording Secretary – via Zoom

The Chairman called the meeting to order at 7:00 pm.

CONTINUATION OF PUBLIC HEARING

306 Maple Street:

The applicant, 306 Maple Street LLC, and owner, Andrew Sacher, the project will consist of a single-story warehouse building containing 59,400 sq. ft. which includes approximately 4,950 sq. ft. of accessory office space at 306 Maple Street in Bellingham, approximately 11.5 acres of land, shown on Assessors Map 37, Parcel 6B Zoned Industrial.

The applicant has requested a continuation for 306 Maple Street, until the February 22, 2024, meeting, as they are currently working with the consultant regarding some peer review comments.

Mr. Salisbury made a motion to continue this Public Hearing until Thursday, February 22, 2024. Motion was seconded by Mr. Mobilia and the voice vote passes unanimously.

PUBLIC HEARING

Scenic Road Permit 306 Maple Street:

The applicant, 306 Maple Street LLC, and owner, Andrew Sacher, the project will consist of a single-story warehouse building containing 59,400 sq. ft. which includes approximately 4,950 sq. ft. of accessory office space at 306 Maple Street in Bellingham, approximately 11.5 acres of land, shown on Assessors Map 37, Parcel 6A Zoned Industrial. The plans were approved by Allen Engineering & Associates, 140 Hartford Ave., Hopedale, MA 01747.

The applicant and Board members discussed needing a continuation for this Public Hearing, until the applicant has more information to provide to the Board.

Mr. Salisbury made a motion to continue this Public Hearing until Thursday, February 22, 2024. Motion was seconded by Mr. Devine and the voice vote passes unanimously.

CONTINUATION OF PUBLIC HEARING

Maple Street, LLC. (Parcel 3):

The applicant, Maple Street Solar, LLC, and owner, Maplegate Realty Trust, propose a solar array which consists of 65 +/- acres of land to be redeveloped for a proposed solar array of which only 3.77 acres is in Bellingham (Parcel 3). The current access road is provided through Parcel #2 and Parcel #1 located to the North, and services the existing golf course located through the Bellingham parcel 26-0009 and is proposed to remain and function at the primary access drive for the Solar Array project. The Solar Array project is in the Town of Franklin and will be for the construction of a new 15,000 +/- KW solar field along the new gravel access drives, associated utilities, and stormwater management components located in the northern portion of the existing Maplegate Country Club property at 160 Maple Street Bellingham, shown on Assessor's Map 26-0009, zoned suburban. The plans were prepared by Bohler Engineering.

The applicant's representatives had contacted the Board to request a meeting extension until the February 22, 2024, Planning Board Meeting. The applicant's representatives are meeting with the Conservation Commission next week and would like to continue with comments from the Board after the Conservation meeting takes place.

Mr. Salisbury made a motion to continue this Public Hearing until Thursday, March 28, 2024. Motion was seconded by Mr. Devine and the voice vote passes unanimously.

CONTINUATION OF PUBLIC HEARING

North & Blackstone Street:

The applicant, Ravens Homes, Inc, and owner, Raven Homes, propose to construct (12) 3-unit townhouses with associated improvements at North/Blackstone Street in Bellingham, approximately 20.8 +/- acres of land, shown on Assessor's Map 59-Lot 60A, zoned Agriculture.

This application falls under the Town of Bellingham's Zoning By-Laws §240-101, Special Residential Use – Townhouse Dwellings, §240-16, Development Plan Approval, § 240-54 and Stormwater Management, and §240-60.

The applicant's representatives were present to request a meeting extension until February 22nd, in order to allow the engineers time to discuss information with the peer review before the next meeting.

Mr. Salisbury made a motion to continue this Public Hearing until Thursday, February 22, 2024. Motion was seconded by Mr. Devine and the voice vote passes unanimously.

CONTINUATION OF PUBLIC HEARING

WS Development:

The applicant, W/S Bellingham IV Associates LLC, and owner, Bellingham N Main Street II LLC, Hartford Av. Associates LTD, W/S Bellingham IV Associates LLC, & Varney Bros Sand & Gravel propose to construct a 700,000-sf industrial building for warehouse and distribution use with associated improvements on approximately 175.6 +/- acres of land in Bellingham, shown on Assessor's Map 24 Lot 12 and 10, Map 30 Lot 73-1, and Map 31 Lot 3, zoned Industrial. This application falls under the Zoning By- Laws §240-16, Development Plan Approval, §240-54, Stormwater Management, §240-138, Water Resource District Special Permit, §240-60, Flexible Parking Options Special Permit and §240-119, Major Business Complex Special Permit. The plans were prepared by Bohler Engineering.

Jeff Curley from WS Development and Austin Turner from Bohler Engineering were both present at tonight's meeting to give an update on some of the previous project questions and concerns that Board Members had.

Mr. Devine let the applicant's representatives know that he agrees that the project is dependent on improvements of Hartford Avenue, but he is concerned about the construction piece of it. The way that the improvements are written up wouldn't be in place when construction would be starting. Mr. Devine also asked for information regarding if construction at the proposed location would continue to be done on Saturday's, in addition to weekdays.

Mr. Curley agreed that the operation wouldn't begin until the offsite roadway improvements are completed. There isn't confirmation on how it will come together, but there's a possibility that they could align completion of the roadway and opening the project. Also, the construction on Saturday's would be expected to be possible. Mr. Curley stated that they would make sure the shopping centers are functioning correctly and safely. During the time of construction, there would be ongoing Police Details, to the extent that the Police Department judges them to be necessary for safe operations of the entrance. The applicant would work closely with the Police Department to make sure that Details are posted, traffic is maintained, and access is safe for anyone using the shopping center as well as the contractors that would be bringing employees or equipment to the site.

The Chairman stated that the 5-year timeframe was initially envisioned of happening, since it isn't known when the Hartford Avenue changes are going to take place. It has been known from the beginning that the proposed building will not be operational until Hartford Avenue is completed. The Police Detail will need to be at the site on certain days and hours once the construction times go into place. There is also going to have to be time spent with determining the traffic once it comes into the parking and proceeds to go to the back of that plaza location. These items will need to be done during the construction process so that those vehicles, as well as construction vehicles, or the few passenger vehicles will follow what the Board is requiring to be done. As construction vehicles come in, they are going to have to do a construction management program, transportation management program, and a traffic management plan to keep them separate from the parking lot. The impact of this Board was to try to control the traffic and not have this open until we have the changes happen.

Mr. Curley replied that expanding this condition to add in recommendations, and mitigation requirements such as limiting hours, and staggering deliveries will take place and can be discussed with the property owner and the contractor to make sure that the corridors function properly during

construction. The town is undertaking the roadway project, and this company will contribute money to it. The town is pursuing the approvals from DOT and has local approvals in place now and will be coming before the Conservation Commission.

The Chairman opened the meeting to the Public so that the town or applicant can address any questions or concerns that the Public may have. There were questions regarding what type of business would be inside this warehouse, in which Mr. Curley replied that it could be a manufacturing warehouse, but there aren't any businesses that have committed to using this location as of yet. The Public also had questions regarding if there would be additional traffic caused by this proposed building. Mr. O'Connell let the Public know that there are MassWorks Grants in place to widen a portion of Hartford Avenue from the proximity of the Market Basket Plaza and heading towards the Town of Medway. The applicant does have the right to build where they are, and if changes are being requested, the questions should also be brought before the Zoning Board.

Mr. Devine also let the residents know that this project makes the town eligible to get money from the State, in which the majority of that money will go towards Route 126 improvements. The project is coming forward and also making the town eligible to get Grants from the State, which then allows the town to improve Hartford Avenue.

The Chairman let the applicants know that some language with their proposal will need to be changed. The Board will do their Determinations and findings, and then finalize that information. The proposed project is moving forward but does need some additional information provided and discussed. The applicant stated that he will be meeting with the Police Department and Building Inspector to get a Draft of the construction phase traffic management.

Mr. Salisbury made a motion to continue this Public Hearing until Thursday, February 22, 2024. Motion was seconded by Mr. Devine and the voice vote passes unanimously.

PUBLIC HEARING

57 Mendon Street:

The applicant and owner, Hiawatha Properties, LTD submitted under Bellingham's Zoning By-Laws §240-16, Development Plan Approval and §240-54, Stormwater Management, and a site improvement plan dated May 20, 2019, to the existing commercial site which proposes a land disturbance of 15,000 sf. +/- at 57 Mendon Street, approximately 2.14 +/- acres of land, shown on Assessor's Map 44-69, Zoned Business 1 and Residential. The plans were prepared by Land Planning, Inc.

Mr. Salisbury made a motion to open this Public Hearing. Motion was seconded by Mr. Devine and the voice vote passes unanimously. Meeting is officially opened.

Mr. Halsing from Land Planning was present on behalf of the property owner to discuss a couple of items he would like to address tonight. The property owner would like to expand his work area in the back of the parking lot and change the drainage system. There is currently an open drainage basin that the applicant would like to change in order to make it part of an open drainage basin and then have an underground infiltration. This would allow more area to work with his business. The property owner does teach for crane operations in that area, which creates this proposal request in order to have a gravel area and sub-drainage calculations to support that area. The site plan that was approved almost 20 years

ago had ownership change after that. The current large building in the back of the property is continuing to be a repair shop, and an office building is in a classroom area. The property owner occasionally does teach at the site, but sometimes has to do it offsite at a customer's place of business. Therefore, we have recently sized up the parking area for the occupancy of the building. There is adequate parking for the 8 folks that are normally on site, and there are 40 parking spaces for that area. We would just be making the back of the area to be gravel, which is why that was accounted for in the drainage system.

Mr. Lussier stated that there isn't any information listed regarding the actual hydraulic soil group for that area. There would need to be soil testing in order to confirm the infiltration, and it would also need to be submitted to peer review.

Mr. Halsing asked if the Boards questions could be provided in writing so that he can have their concerns addressed in time for the next meeting.

A resident was present and had questions regarding the area of approximately 15,000 sf. of stormwater drainage that would be built when accepted, if trees would be removed within that construction area, and if there are other changes that would have to take place for this proposed project.

Mr. Halsing shared a map with everyone present so that questions could be answered. The area of approximately 15,000 sf. would have the request for changing the existing drainage system to be a different kind. The vegetation area would be disturbed during the site upgrades, but there would be a saltation barrier that wraps around so that no soil would go off this property and would be monitored during construction. There would be some existing foliage removed in that area. There is also a small berm being proposed in order to help water stay safe for drainage. The trees being taken down would be in the actual retention pond area and no others are expected to be removed.

Mr. O'Conner let residents know that their meeting participation is appreciated. He also asked Mr. Halsing asked if it would be possible for the applicant and his representatives to directly meet with the neighbors while the peer review is being done. This would help to educate them and address their concerns while in a different environment and should take place before the next meeting with the Planning Board.

Mr. Halsing agreed with Mr. O'Connell and said they would gladly set up a meeting at the site location in order to show the areas that might be requesting removal or replacement.

Mr. Salisbury made a motion to continue this Public Hearing until Thursday, March 28, 2024. Motion was seconded by Mr. Mobilia and the voice vote passes unanimously.

PUBLIC HEARING

175 North Street:

The applicants and owners James and Toni McGrath submitted an application for a Special Permit to create a back lot division. The premises are located at 175 North Street between Bates Street and Irene Court in Bellingham, approximately 20 +/- acres of land, shown on Assessor's Map 58 – Parcel 7, Zoned Agriculture. The plans were prepared by Land Planning, Inc.

Mr. Halsing was present at tonight's meeting to discuss the application for 175 North Street with Board Members. The purpose of this proposal is to divide this property into two separate properties. There is not adequate frontage for two Lots, which is why the property owner has asked to prepare for a Special Permit for a back Lot subdivision permit. 175 North Street meets all Zoning area frontage in the back lot. The Agricultural Zone has 160,000 sf. of area in approximately the 669,000 sf. area. The applicant has shown a potential house and barn and does have the space to construct them. There is a few wetlands in that area, which have been flagged and soil testing has been done on that property in order to check the viability to construct a home.

Mr. Halsing was asked to show where the houses would be located on the drawing that was brought this evening, in which the applicant did show the proposed area for the houses that had the soil testing done. This would also require the Conservation Commission approval in order to construct.

Mr. Salisbury made a motion to approve the Special Lot subdivision for 175 North Street. Motion was seconded by Mr. Mobilia and the voice vote passes unanimously.

Mr. Salisbury made a motion to close the Public Hearing for 175 North Street. Motion was seconded by Mr. Devine and the voice vote was unanimous.

GENERAL BUSINESS:

Bylaw – Livestock – Board of Health

Chairman, Vincent Forte Jr., from the Board of Health was present at tonight's meeting to request a Town Meeting to remove three words from an Article that is at least 6 months old, or older. This particular Article is for anyone that has more than three dogs or other large animals, which requires a Kennel License from the Zoning Board. With the animals that are 6 months or older, some of them have multiple births and have a short gestation period. This can change the actual number of animals owned to many additional animals. The current wording can be taken as not being able to go into the property and prove the age of animals. If that wording was removed from the Article, we would be able to go into the properties to see the actual number of animals. There is essentially too many loopholes with the way that the bylaw is currently worded. Therefore, we are looking to eliminate the shown words, in order to simplify the Article and be able to enforce any items that would show as being needed.

Mr. Salisbury made a motion to change the Livestock Article presented above for the Board of Health to present at Town Meeting. Motion was seconded by Mr. Devine and a Roll Call Vote was made, as follows:

Roll Call:

William F. O'Connell, Jr.	aye
Brian T. Salisbury	aye
Philip M. Devine	aye
Dennis J. Trebino	aye
Nick Mobilia	aye

ANR – Blackstone Street

Ms. Sutherland let the Board know that Mr. Kupfer has reviewed the ANR Plan for this location and has advised not to endorse it, based on the ability to access. Lou Petrozzi from Wall Street Development Corp. was present on behalf of the applicant and has a different interpretation for members to look at and to see where it is in front of council.

Mr. Petrozzi said there is an agreement to purchase 235 acres off Blackstone Street, that is owned by three property owners. The major access to the property is an area of Blackstone Street which the previously viewed town record shows as a public way. It is currently shown as an existing gravel road but was in existence prior to the adoption of the Subdivision Control Law. Mr. Petrozzi shared aerial plans with the Board to document the way that was in existence on the ground, prior to the adoption of the Subdivision Control Law. The significance of that is according to the definition of a subdivision, which exempts a way that was in existence prior to the adoption of the subdivision. The plan being shown doesn't constitute a subdivision with an ANR Plan. Mr. Petrozzi stated that he had asked to be on tonight's agenda in order to just have discussion of the area. He has filed a plan so that the first decision of the Planning Board is to determine if this Way was in existence at the time of adoption of the Subdivision Control Law. If the evidence does show that, it would then be eligible to be endorsed as an approval not being required. If that is confirmed, the second threshold is determined to be when does the adequate access get constructed. As owners of the property, they have the right to go into the property and construct the Way and make the access adequate. Mr. Petrozzi said the intent would be to construct the Way according to town standards if the area was a subdivision. On behalf of the owners, we could then enter into a covenant for a notation subject to a plan, and profile the construction of the Way that would accompany the ANR endorsement. The threshold is to determine that this is a Way that was in existence on the ground at the time that the Subdivision Control Law was adopted in the Town of Bellingham. There was history of approximately 25 years ago that the developer had come into a meeting and wanted to develop the subdivision called Maddie Way, at the end of Blackstone Street. We are not trying to say we were entitled to an endorsement based on the condition of the Way. Instead, we are trying to come up with a formula to construct a Way that would deserve the endorsement. Plans were brought to show that in 1999 the Planning Board endorsed a plan with approval not being required on Blackstone Street. The plan shows that Blackstone Street was in the same condition that it's in today. Then in 2001 when Maddie Way was approved, you can see the difference that they constructed the Way on a part of the subdivision where the ANR was approved by the Planning Board, as an approval not being required. Mr. Petrozzi is asking that the Board get Town Council's opinion, and he allows extra time for the Board to endorse the plan. Mr. Petrozzi also said that he will have a plan and profile for the construction standard in place of the roadway that can be reviewed by the town's peer review. Then once the plan is designed to the standards that would be wanted for a Public Way, if the project would move forward. At a previous departmental meeting a few months ago, the concept of development for that 230 acres of property was discussed. This would be a sizeable development, which makes the first part of the project as having a roadway be built. If the roadway is built, the owner would then become eligible for building permits the same way that a subdivision would be handled, but not require a Public Hearing or Subdivision process.

Building Commissioner, Tim Aicardi was present at tonight's meeting and suggested the Board wait on discussing until Town Council reviews and lets the Board know if there is a possibility for this proposal to move forward, after determining if the roadway could be built.

Mr. Salisbury made a motion to continue the Public Hearing until Thursday, April 11, 2024, at 7:00 pm, and to have a 60 day extension of the applicant's request. Motion was seconded by Mr. Mobilia and the voice vote was unanimous.

ANR – Mendon and William Way

Amanda Cavalieri with Guerriere & Halnon, Inc. was present on behalf of William Way Partners, regarding the ANR Plan Approval for the 5 Lots off of Mendon Street and William Way. The applicant has purchased all 5 Lots and is looking to combine them in order to create a larger Lot. The applicant is looking at Development Plans for the Lot but doesn't have anything scheduled for it at this time.

Mr. Salisbury made a motion to sign the ANR Plan provided for the William Way Partners request. Motion was seconded by Mr. Mobilia and the voice vote passes unanimously.

Minutes

Mr. Salisbury made a motion to approve the minutes from the December 28, 2023, Planning Board meeting, as submitted. Motion was seconded by Mr. Mobilia and the voice vote passes unanimously.

Next Meeting

The next Planning Board Meeting will be held on Thursday, February 22, 2024, at 7:00 pm. This meeting will take place both in-person and via Zoom.

Mr. Salisbury made a motion to adjourn the meeting at 10:03 pm. Mr. Devine seconded, and the motion passes unanimously.

Meeting adjourned.

Respectfully Submitted,

Tina M. Griffin
Recording Secretary