



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
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August 8, 2024

306 MAPLE STREET DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT DECISION

A. BACKGROUND

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BELLINGHAM TOWN CLERK

Applicant: 306 Maple, LLC
1881 Worcester Road, Suite 200
Framingham, MA 01701

Owner: 306 Maple, LLC
1881 Worcester Road, Suite 200
Framingham, MA 01701

Public Hearing: The Public Hearing opened October 12, 2023 at 7:00 PM. Notice for the public meeting was published in *The Milford Daily News* on September 28 and October 5, 2023. The Public Hearing was continued to January 11, 2024, January 25, 2024, February 8, 2024, February 22, 2024, March 28, 2024, April 11, 2024, April 25, 2024, May 9, 2024, June 6, 2024, June 13, 2024, and June 27, 2024, when the Public Hearing was closed.

Date of Vote: August 8, 2024

The Premises: The property, also referred to herein as the "Site", is proposed to be accessed from Maple Street, a public way. The project is located at Assessors Map 37, Parcel 6B approximately 11.50 Acres, in an Industrial Zoning District.

The By-law §240-16 Development Plan Review, and §240-54 Stormwater Management

The Proposal: To construct a 59,400 s.f. single-story warehouse building with accessory office space, outdoor screened storage area,

and associated parking and utilities accessed by Maple Street.

The Proposal was documented with the following materials:

1. Application for Development Plan & Stormwater Permit Application dated September 6, 2023
2. Plan Set entitled, "Site Plans for Proposed Warehouse Building - 306 Maple Street", prepared by Allen Engineering & Associates, dated September 6, 2023
3. Certificate of Ownership dated September 6, 2023
4. Abutters List - Certified dated August 24, 2023
5. Project Narrative, prepared by Allen Engineering & Associates, dated September 6, 2023
6. Traffic Impact & Access Study, prepared by Chappell Engineering Associates, dated August 31, 2023
7. Drainage Analysis Report, prepared by Allen Engineering & Associates, dated September 6, 2023
8. Public Hearing Notice dated October 12, 2023
9. Certification of Municipal Taxes & Charges Paid, dated August 30, 2023
10. Scenic Road Permit Application dated December 20, 2023
11. Scenic Road Permit Application Project Narrative, prepared by Allen Engineering & Associates, dated December 20, 2023.
12. Scenic Road Permit Public Hearing Notice, dated January 25, 2024
13. Sound Study, prepared by Tech Environmental, dated December 20, 2023
14. Layout and Materials Plan, prepared by Allen Engineering & Associates, dated September 6, 2023
15. Zoning/Civil Engineering Peer Review, prepared by Environmental Partners, dated January 12, 2024
16. Comment Response Letter, prepared by Allen Engineering & Associates, dated April 4, 2024
17. Zoning/Civil Engineering Peer Review #2, prepared by Environmental Partners, dated May 2, 2024
18. Comment Response Letter, prepared by Allen Engineering & Associates, dated May 17, 2024.
19. Traffic Peer Review, prepared by Environmental Partners, dated January 17, 2024
20. Traffic Comment Response Letter, prepared by Chappell Engineering, dated April 4, 2024

21. Traffic Peer Review #2, prepared by Environmental Partners, dated May 2, 2024
22. Traffic Comment Response Letter, prepared by Chappell Engineering, dated June 6, 2024
23. Traffic Peer Review #3, prepared by Environmental Partners, dated June 10, 2024
24. Sound Study Peer Review, prepared by Cavanaugh Tocci, dated March 8, 2024
25. Sound Study Peer Review #2, prepared by Cavanaugh Tocci, dated April 4, 2024
26. Revised Sound Study Letter, prepared by Tech Environmental, dated April 4, 2024
27. Correspondence email from Fire Chief Miller dated January 8, 2024
28. Plan Set entitled, "Proposed Warehouse Building – 306 Maple Street", prepared by Allen Engineering & Associates, revised May 17, 2024. (Approved Plan)
29. Drainage Analysis, prepared by Allen Engineering & Associates, revised April 4, 2024
30. Truck Maneuver Exhibit, prepared by Allen Engineering & Associates, dated May 7, 2024
31. Photometric Exhibit, prepared by Reflex Lighting, dated March 22, 2024
32. Other miscellaneous documents on file at the Planning Board offices.

B. DETERMINATIONS

Following its public hearing on the Applicant's proposal and requested relief, the Planning Board has made the following determinations:

1. It has been determined that based on the initial public meeting being held on October 12, 2023, this application precedes the recent Warehouse Warrant Article approved by the Town of Bellingham on May 2, 2024, at the Special Town Meeting.
2. The Bellingham Town Clerk received a preliminary sub-division application from the applicant for 306 Maple Street prior to the Warehouse Warrant Article approved by the Town of Bellingham on May 2, 2023.
3. That the application proposes a warehouse with accessory office. Any change in use shall be reviewed by the Building Commissioner for conformance with the Bellingham Zoning Bylaws.

4. That the Site disturbance area is not located within the Water Resource District.
5. A Scenic Road Permit Application, dated 12/20/2023, was filed with the Planning Department in accordance with §154-3 of the Town of Bellingham General Bylaws.
6. In accordance with §240-59 of the Town of Bellingham Zoning Bylaws, the applicant is providing the required 119 parking spaces and 5 ADA accessible parking spaces.
7. The performance requirements of this By-Law (e.g. Article IX Environmental Controls, Article X Parking and Loading Requirements, Article XI Landscaping Requirements) have been met.
 - a) §240.49 Light and Glare: A photometric plan has been prepared as part of the application (Document #31). The plan demonstrates that the illumination of the proposed lighting for the development shall not trespass on to abutting properties. Any exterior building and parking lot lighting shall be consistent with "dark sky" standards, shielded and directed downward to maintain lighting on to the Site and shall comply with the Zoning By-law.
 - b) § 240.50 Air Quality: The proposed uses do not involve emission of odorous gases in such quantities to be offensive and shall continue to adhere to the Zoning By-law. The only point source emissions identified to the air will be from the proposed heating systems and vehicles entering and exiting the Site. However, future tenants have not been identified. It shall be a condition of the permit that any uses involving impacts to air quality pursuant to § 240.50.B shall first seek relief from the Special Permit Granting Authority.
 - c) §240.51 Hazardous Materials: No hazardous materials, as defined in this section, are proposed to be used or stored on Site. Prior to issuance of a Certificate of Occupancy, the Applicant or Tenant shall deliver to the Building Commissioner a complete list of hazardous materials proposed to be used or stored at the building to the extent required under §240.51 of the Bellingham Zoning Bylaws or other applicable law.
 - d) §240.52 Vibration: The Applicant does not propose any use that produces vibration which is discernible to the human sense of feeling (except sound) at or beyond the boundaries of the premises for three minutes or more in any hour between 7:00 a.m. and 9:00 p.m. or for 30 seconds or more in any one hour between 9:00 p.m. and 7:00 a.m.

However, future tenants have not been identified. It shall be a condition of the permit that any uses involving discernable vibrations shall first seek relief from the Special Permit Granting Authority.

- e) §240.53 Electrical Disturbance: No electrical disturbance is proposed or will be permitted which adversely effects the operation of any equipment other than that of the creator of such disturbance.
- f) §240.54 Stormwater Management: The stormwater management shown on the Plan and drainage analysis has been designed to meet the Stormwater Management Standards set by the Massachusetts Department of Environmental Protection and Bellingham Zoning By-laws. The standards include removing solids from the stormwater, reducing rates of runoff from the site, and recharging the groundwater.
- g) §240.58 Noise: The use proposed was determined to not add noise concerns as all activities are conducted indoors and are sited within an industrial district. The Applicant provided a Sound Study, dated February 11, 2022, by Tech Environmental which confirmed compliance.

8. For the given location and type and extent of land use, the design of building form, building location, egress points, grading, and other elements of the development could not reasonably be altered to:

- a) improve pedestrian or vehicular safety within the site and egressing from it, as circulation has been reviewed by the Planning Board and emergency services and was deemed adequate;
- b) reduce the visual intrusion of parking areas viewed from public ways or abutting premises, by preserving vegetative buffers in the front and rear as well as landscaping and fencing added to priority areas;
- c) reduce the volume of cut or fill and the Site has been graded to match the cuts and fills, as much as possible and it is not anticipated that an Earth Removal Special Permit will be required;
- d) reduce the number of removed trees 8" trunk diameter and larger as mature vegetation shall be preserved to the front and rear of the Site;
- e) reduce soil erosion; and reduce hazard or inconvenience to pedestrians from storm water flow and ponding by engineering the Site to be designed to comply with the DEP Stormwater Handbook and the Town of Bellingham Stormwater Regulations as well as the inclusion of a

Stormwater Pollution Prevention Plan and Operation and Maintenance Plan consistent with the Town of Bellingham requirements.

- f) provide alternate access as emergency services has reviewed and approved the plan as proposed and deemed access to be adequate.
- g) provide alternate utility service and drainage as the DPW Director has reviewed and approved the plan as proposed and demonstrated in the Stormwater Management Report;
- h) The Traffic Impact Report notes minimal impacts to traffic operations within the study area along Maple Street. A peer review of the traffic report was conducted and concluded the Applicant's report sufficiently implements standard engineering practices which allow safe site access & egress, provide adequate sight distances along the site frontage, and deters traffic impacts at the intersections of Maple Street & Mechanic Street, as well as the intersection of Maple Street & Hartford Avenue.

9. The Board finds that compliance with the below conditions are necessary to mitigate impacts related to the construction and occupancy of the project.

C. DECISION

1. Approval is limited to the improvements as noted on the Approved Plan and as may be conditioned herein. Any changes to such Plan must be reviewed and approved in accordance with the Bellingham Zoning By-laws. All such changes shall be reviewed by the Board for determination as to whether or not the changes are considered a minor alteration to the Approved Plan or a major alteration to the Approved Plan. If the Planning Board determines that any change to the plan is a major alteration to the Approved Plan, a public hearing shall be required for a modification to this permit. A minor change shall be reviewed and approved at a regularly scheduled meeting of the Board. Any change in use shall be reviewed by the Building Commissioner for conformance with the Bellingham Zoning Bylaws.
2. The Applicant has provided proposed building elevations as part of the Approved Plan. The elevations present three "aluminum storefront entrances" along the front of the structure providing an "office" type style. The Board has determined strict adherence to the elevations presented shall be required. The Applicant shall construct the structure substantially in conformance with the elevations with close attention to the quality and character proposed. The variation in façade finishes along the frontage shall be constructed to implement the "office type style". The window locations along the facade shall be similar in location and quantity. Prior to a Building Permit the Applicant shall provide detailed specifications, including color and

façade material finishes, to the Building Commissioner & Town Planner for review and approval.

3. Applicant shall ensure that (i) all truck traffic enters the Site from the northbound lane on Maple Street, (ii) No trucks shall turn right from the Site on to Maple Street, with restrictive signage placed at the Maple Street driveway (iii) trucks owned by Tenants are equipped with back up alarms that broadcast a "white-noise, whooshing sound" instead of a conventional beeper, (iv) No stopping or idling on the public way. No idling on Site in accordance with the Anti Idling Law.

Applicant shall include in all leases to tenants that occupy the building that the tenant must abide by the conditions of this Approval by including in leases the following provision:

All tenants shall comply with the following provisions: (i) all truck traffic enters the Site from the northbound lane on Maple Street, (ii) No trucks shall turn right from the Site on to Maple Street, (iii) trucks owned by Tenants are equipped with back up alarms that broadcast a "white-noise, whooshing sound" instead of a conventional beeper, (iv) No stopping or idling on the public way. No idling on Site in accordance with the Anti Idling Law.

The above-mentioned conditions pertain to owner and tenant owned / leased truck operations. The applicant shall utilize best efforts to ensure non-related truck traffic conforms to the above conditions.

4. Outdoor storage of vehicles, equipment, and/or materials is limited to the owner and tenants of the building.
5. Prior to the issuance of a Building Permit, as mitigation to alleviate concerns regarding increased trash along roadways, the Applicant shall donate \$5,000.00 to the Town of Bellingham to support a general roadside cleanup fund. In addition, as part of the Site Operation and Maintenance Plan, the Applicant and their successors shall continuously monitor and maintain the Site's frontage on Maple Street for debris and rubbish and remove.
6. All landscaping that shall screen the Site shall be maintained and replaced in perpetuity.
7. The applicant has agreed to limit all outside operations, including deliveries, to the following hours:

Monday through Friday: 7:00 A.M to 9:00 PM
Saturday: 7:00 AM to 4:00 PM
Sunday & Legal Holidays: 12:00 PM to 3:00 PM

Any on-site business taking place outside of the hours listed above shall be located inside the structure with all dock bay doors closed to limit noise.

8. If a tenant is proposed which is not consistent with the anticipated warehouse and accessory office operations, the applicant shall notify the Building Commissioner of the difference in intended use to determine if a modification is required and if a traffic monitoring program shall be implemented depending on the anticipated traffic for the revised use.
9. Bulk storage of materials is not allowed under this approval. If the property owner and/or tenant(s) propose future bulk storage on the property, an application must be filed with the Board of Selectmen in accordance with §236 of the Bellingham General Bylaws.
10. The proposed stormwater infiltration basin will be utilized as a temporary sediment trap during construction per the Approved Plans. The bottom of the basin will be excavated to an elevation two (2) feet higher than the final bottom elevation during the construction phase of the project. Once the site is 90% stabilized with loam and seed and impervious surfaces, the basin will be fully excavated to accommodate the design elevations and storage volumes. Once the final two (2) feet of soil is excavated, the applicant shall perform infiltration testing to verify the basin is operating per the approved design.
11. Prior to the start of construction, sediment and erosion controls shall be installed and be subject to inspection and approval by the Town Planner and Conservation Agent.
12. The Limit of Work is the limit of grading and general excavation. The Limit of Work line shall be staked along the site frontage to properly delineate vegetation to remain in accordance with the Scenic Road Permit. No construction, staging, or stockpiling of equipment or materials shall be placed outside the Limit of Work.
13. The hours of operation for any construction or staging activities on-site shall be Monday through Friday, from 7:00 am to 6:00 pm. Construction activity shall also be permitted on Saturdays from 9:00 am to 6:00 pm. These activities shall include all equipment on site and shall not start up or remain on before or after the hours listed above. No construction activity shall take place outside the specified permitted hours or on Sunday or New Years' Day, Memorial Day, July Fourth, Labor Day, Thanksgiving, Christmas, or other legal holiday. No idling for longer than 5 minutes, if vehicles and equipment are not in operation.

14. All fencing to be installed on Site shall be constructed to allow for a six (6) inch gap from the ground surface to the bottom of the fence to allow for wildlife. This condition is limited to on-site fencing and does not apply to the proposed sound wall as shown on the approved plan.
15. An eight (8) foot high vinyl opaque perimeter fence with a six (6) inch gap from the ground surface to the bottom of the fence shall be installed around the "outdoor tenant storage area" if the property owner and/or tenants decide to utilize the outdoor storage area. No material or equipment storage within the "outdoor tenant storage area" shall be higher than the proposed perimeter fence or seen from the Maple Street right-of-way. Flammable and/or hazardous materials are prohibited from being stored in the outdoor storage area. No outdoor equipment and/or material storage is permitted outside of the screened "outdoor tenant storage area".
16. No vehicles, fleet storage, equipment, or trailers shall be stored in a way which hinders public safety's emergency access around the proposed structure.
17. The proposed fire lane located on the southern side of the structure shall be gated to deter vehicular traffic within proximity to the abutting residential parcels.
18. If construction activity ceases for longer than 30 days, for any reason, then written notice shall be provided by the Applicant to the Building Commissioner at least 48 hours before resuming work. The Building Commissioner may require that any foundation, trench, structure, equipment or other hazard be secured as necessary, in his opinion, including but not limited to installation of fencing and/or filling of trenches.
19. If construction is temporarily suspended, for any reason, during the growing season, all exposed areas shall be stabilized by seeding and/or mulching within 14 days of suspension of construction. If construction is temporarily suspended outside the growing season, all exposed areas shall be stabilized by mulching and tack within 14 days of suspension of construction. Slopes steeper than 3:1 shall be stabilized by netting and pinning during suspension of construction.
20. All exterior lighting at the Site shall be dark sky compliant and shall not allow spillover of light onto adjoining properties, in accordance with the Approved Plans and the Town's Zoning By-laws.

21. If applicable, prior to a pre-blast survey and the act of blasting on Site, the Applicant shall notify all direct abutters at minimum one week in advance by hand delivered mail by a representative of the Applicant.
22. The Applicant shall be permanently responsible for the following at the Site:
 - 1) all plowing, sanding, and snow removal; 2) all site maintenance and establishing a regular schedule for site maintenance; 3) repairing and maintaining all on-site ways, including drainage structures and utilities therein; 4) conducting annual inspection, maintenance and cleaning of all elements of the drainage system, including but not limited to catch basins, drain manholes, detention basins, swales and pipelines; and site lighting and landscaping.
23. The Stormwater Management Operation and Maintenance Plan (O&M), dated September 6, 2023, is hereby referenced and made part of this decision. The Applicant shall permit the Board or its agent to inspect the premises on reasonable notice to determine compliance with said O&M plan.
24. Snow and ice removal shall be the responsibility of the Applicant or a successor and in accordance with the approved O&M including snow and ice removal off commercial vehicles prior to leaving the Site. All on-site snow removal operations shall utilize the snow storage areas shown in the Approved Plan. Applicant shall install snow storage prohibition signs along the southern perimeter of the paved parking areas and proposed fire lane.
25. Phosphorous-based fertilizer shall not be used on the Site. Applicant shall endeavor to use "eco-friendly" products for such purposes.
26. Prior to issuance of a Certificate of Occupancy, the Applicant or Tenant shall deliver to the Building Commissioner a complete list of hazardous materials proposed to be used or stored at the building to the extent required under §240.51 of the Bellingham Zoning Bylaws or other applicable law.
27. Prior to the commencement of construction, the Applicant shall schedule a preconstruction meeting with the Town Planner and the Board's designated inspector. The Board's inspector shall be permitted to conduct routine inspections, as may be reasonably be determined by said inspector, while construction is ongoing relative to this permit and all corresponding Decisions for this Site. The Applicant shall deposit with the Town, sums necessary to fund the inspections contemplated hereunder. Such inspectional fund shall be governed under M.G.L. c. 44 §53G or such other applicable statutory method as may be appropriate. The Developer shall provide EPA and /or DEP approval confirmation of the proposed SWPPP for the Site.

28. In accordance with the Bellingham Department of Public Works, any and all access and utility easements that may be necessary shall be in a form approved by Town Counsel prior to the issuance of the Certificate of Completion, such approval shall not be unreasonably withheld.
29. This Decision is binding on the Applicant's successors, assigns, agents, and employees. This approval shall insure to the benefit of and binding upon 306 Maple LLC provided there is no change in use of the Premises. The Planning Board shall be notified in writing within 21 days of any changes in affiliates and successors in title and additional users of the Premises.
30. Any change in use shall be reviewed by the Building Commissioner for conformance with the Bellingham Zoning Bylaws. Upon determination of the Building Commissioner, a change of use may require a public hearing to either modify the existing Development Plan or to issue a new Development Plan and associated permit.
31. All determination, Decisions, and conditions set forth within the Scenic Road Permit, dated August 8, 2024, are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.
32. The Applicant shall comply with §240-16B(5) and (6) regarding As-Built Plans and follow the policies of the As-Built handbook.
33. This Decision shall not be effective until it is recorded by the Applicant at the Registry of Deeds, with proof of such recording to be supplied to the Board and the Building Inspector

D. RECORD OF VOTE

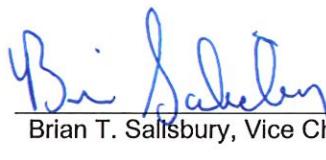
I vote to **APPROVE** the **306 MAPLE STREET DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT**.

Bellingham Planning Board

August 8, 2024



William F. O'Connell, Jr., Chairman



Brian T. Saltsbury, Vice Chairman



Philip Devine, Member



Nick Mobilia, Member

Appeals of this Decision may be made within thirty days, in accordance with the provisions of §240-16B.(3) and G.L. c 40A, §17

This Decision, together with all plans referred to in it, was filed with the Town Clerk on August 9, 2024.

Lawrence J. Sposato, Jr.
Bellingham Town Clerk