



BELLINGHAM PLANNING BOARD

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March 13, 2025

**57 MENDON STREET
MAP 44, PARCEL 69
DEVELOPMENT PLAN APPROVAL AND
STORMWATER MANAGEMENT PERMIT
DECISION**

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BELLINGHAM TOWN CLERK

A. BACKGROUND

Applicant: Hiawatha Properties, LTD
57 Mendon Street
Bellingham, MA 02019

Owner: Hiawatha Properties, LTD
57 Mendon Street
Bellingham, MA 02019

Public Hearing: The Public Hearing opened February 8, 2024 at 7:00 PM. Notice for the public meeting was published in *The Milford Daily News* on January 25 and February 1, 2024. The Public Hearing was continued to February 22, 2024, August 8, 2024, September 26, 2024, December 12, 2024, January 9, 2025, February 27, 2025, and March 13, 2025, when the Public Hearing was closed.

Date of Vote: March 13, 2025

The Premises: The property, also referred to herein as the "Site", is proposed to be accessed from Mendon Street, a public way. The project is located at Assessors Map 44, Parcel 69, comprised of approximately 2.14 Acres with portions of the Site being in the Business 1 and Residential Zoning Districts.

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

The Proposal: To construct two (2) permeable paver "working and testing" areas, install bituminous curbing along the existing paved

areas, and construction of an on-site stormwater management system. The applicant is not proposing a change of use as part of the application.

The Proposal was documented with the following materials:

1. Application for Development Plan Approval & Application for Stormwater Management Permit dated January 3, 2024
2. Plan Set entitled, "Site Improvement Plan for Proposed Gravel Storage Area and Drainage Relocation – 57 Mendon Street", prepared by Land Planning, Inc., dated October 10, 2023
3. Plan entitled, "Watershed Maps for Proposed Gravel Storage Area and Drainage Relocation – 57B Mendon Street", dated May 10, 2029
4. Pre and Post Development Drainage Analysis for Site Improvements, prepared by Land Planning, Inc., dated May 10, 2019.
5. Certificate of Municipal Taxes and Charges Paid, dated December 27, 2023
6. Abutters List - Certified date December 22, 2023
7. Project Narrative, prepared by Land Planning, Inc., dated January 3, 2024.
8. Plan entitled, "Parking Layout Plan – 57 Mendon Street", prepared by Land Planning, Inc., revised date April 25, 2024.
9. Plan set entitled, "Site Improvement Plan for Proposed Gravel Storage Area and Drainage Relocation", prepared by Land Planning, Inc., revised date August 2, 2024.
10. Stormwater Report, prepared by Land Planning, Inc., dated August 2, 2024.
11. Stormwater Management Engineering Peer Review Letter, prepared by CMG, dated September 25, 2024.
12. Peer Review Response Letter, prepared by Land Planning, Inc., dated February 19, 2025.
13. Plan Set entitled, "Site Improvement Plan for Proposed Gravel Storage Area and Drainage Relocation", prepared by Land Planning, Inc., revised date February 13, 2025.
14. Plan entitled, "Watershed Maps for Proposed Gravel Storage Area and Drainage Relocation – 57 Mendon Street", prepared by Land Planning, Inc., revised date February 13, 2025.
15. Stormwater Report, prepared by Land Planning, Inc., revised date February 13, 2025.

16. Stormwater Management Peer Review Letter #2, prepared by CMG, dated March 6, 2024.
17. Plan Set entitled, "Site Improvement Plan for Proposed Gravel Storage Area and Drainage Relocation", prepared by Hiawatha Properties, LTD, revised date March 11, 2025.
18. 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. That the application proposes site improvements, including installation of permeable paver storage and material areas, installation of bituminous berm along the existing paved areas, and construction of an on-site stormwater management system.
2. The applicant currently operates Cranes 101 which offers licensure education and safety training for hoisting equipment. The applicant also provides repairs associated with hoisting equipment on-site. The application does not propose a change in use for the property.
3. That the Site disturbance area is not located within the Water Resource District.
4. Per §240-59 of the Town of Bellingham Zoning Bylaws, the proposed development requires 39.3 spaces. The Approved Plans show 40 paved parking spaces which include 2 accessible spaces. The application proposes new pavement striping and accessible parking signage.
5. 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: No outdoor lighting is proposed as part of the application. Any future 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. 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.
- 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. 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 affects 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: There are no proposed changes to the existing use of the site which would cause increased noise levels.

6. For the given location and type and extent of land use, 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 applicant is not proposing a change to the use and therefore, will not generate additional traffic to the existing business operation.

7. The Board finds that compliance with the conditions below 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 utilizes the site for hoisting license education and safety training courses, as well as a hoisting equipment repair facility. Per §240-31, the following vehicle parking provisions are allowed by right in the B-1 district associated with the hoisting equipment repair business:
 - I. Three light commercial vehicles (defined as a truck with GVW rating not exceeding 14,000 pounds and enclosed cargo area not exceeding 400 cubic feet per §240-32)

II. Or one heavy commercial vehicle (defined as a truck having a capacity in excess of the limits for a light commercial vehicle, or motorized construction equipment other than trucks)

The approval does not provide relief from the above regulations associated with the hoisting equipment repair business per the Bellingham Zoning Bylaws.

3. The applicant purports to utilize unregistered hoisting equipment to conduct training courses as part of the Cranes 101 business. These training courses shall take place on the proposed permeable paver "working and testing" areas as shown on the Approved Plans. There shall be no more than six (6) unregistered hoisting vehicles on-site at a time. These unregistered hoisting vehicles must solely be used for the Cranes 101 training courses. Any additional unregistered and/or registered vehicles associated with Cranes 101 training courses or the hoisting equipment repair business shall require additional permitting through the applicable approval authority.
4. No fueling of machinery or vehicles shall take place on the permeable paver "working and testing" areas.
5. Outdoor storage of fleet vehicles, equipment, and/or materials, beyond what is outlined in Condition #3 is prohibited.
6. The existing stockade fence shown on the Approved Plans shall be repaired and maintained in perpetuity.
7. The proposed 6' height fence shall be opaque and maintained in perpetuity.
8. The applicant shall notify the Building Commissioner of a change in tenant to determine if a modification is required.
9. Bulk storage of materials is not allowed under this approval.
10. Prior to construction, the applicant shall conduct one additional soil test pit in each stormwater infiltration structure to verify soil characteristics and groundwater hydrology. The soil tests shall be coordinated with the Town Planner to observe the testing.
11. Prior to backfilling the proposed underground stormwater infiltration systems, the applicant shall contact the Town Planner to inspect the bottom of the excavation for soil characteristics and groundwater mottling.

12. The applicant has agreed to install temporary erosion controls along the limits of the site to deter erosion and silting on the abutting properties. The erosion controls shall be installed within 45 days of the issuance of this decision.
13. 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.
14. The Limit of Work is the limit of grading and general excavation. No construction, staging, or stockpiling of equipment or materials shall be placed outside the Limit of Work.
15. 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.
16. 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.
17. 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.
18. 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.

19. 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.
20. The proposed signage shall be approved by the Building Commissioner and in accordance with Article VIII of the Bellingham Zoning Bylaws.
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), revised date February 13, 2025, 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.
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 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.

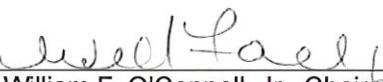
27. In accordance with the Bellingham Department of Public Works, any and all access and utility easements that may be necessary shall be in a form approved by Town Counsel prior to the issuance of the Certificate of Completion, such approval shall not be unreasonably withheld.
28. This Decision is binding on the Applicant's successors, assigns, agents, and employees. This approval shall insure to the benefit of and binding upon Hiawatha Properties, LTD. 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.
29. 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.
30. The Applicant shall comply with §240-16B(5) and (6) regarding As-Built Plans and follow the policies of the As-Built handbook.
31. 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 **57 MENDON STREET (MAP 44, PARCEL 69)
DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT.**

Bellingham Planning Board

March 13, 2025

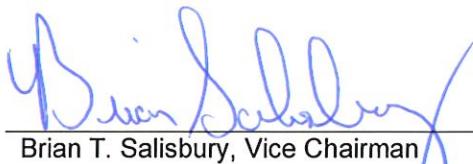


William F. O'Connell, Jr., Chairman



Philip Devine, Member


Stephen Goyette, Member



Brian T. Salisbury, Vice Chairman



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 March 14, 2025.



Amy Bartelloni
Bellingham Town Clerk