



# BELLINGHAM PLANNING BOARD

10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
(508) 657-2892  
[PlanningBoard@bellinghamma.org](mailto:PlanningBoard@bellinghamma.org)

August 14, 2025

## 123 MENDON STREET DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT DECISION

### A. BACKGROUND

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BELLINGHAM TOWN CLERK

Applicant: D & C Pavone Enterprise LLC.  
45 Comstock Drive  
Wrentham, MA 02093

Owner: D & C Pavone Enterprise LLC.  
45 Comstock Drive  
Wrentham, MA 02093

Public Hearing: The Public Hearing opened January 9, 2025 at 7:00 PM. Notice for the public meeting was published in *The Milford Daily News* on December 26, 2024 and January 2, 2025. The Public Hearing was continued to February 27, 2025, March 27, 2025, April 24, 2025, June 12, 2025, July 17, 2025 and when the Public Hearing was closed on August 14, 2025.

Date of Vote: August 14, 2025

The Premises: The project, also referred to herein as the "Site", is proposed to be accessed by Mendon Street, a public way, at 123 Mendon Street. The project is located at Assessors Map 43-18, approximately 1.69+/- acres, in the Business-1 and Industrial Zoning District.

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

The Proposal: To construct an approximately 6,480 square foot 2-story office building with associated parking and utilities accessed by Mendon Street.

The Proposal was documented with the following materials:

1. Application for Development Plan Approval, dated November 20, 2024.
2. Application for Stormwater Management Permit, dated November 20, 2024.
3. Project Narrative, prepared by Land Planning, Inc., dated November 20, 2024.
4. Certificate of Ownership, notarized December 2, 2024.
5. Certification of Municipal Taxes and Charges Paid, dated December 12, 2024.
6. Certified Abutter's List, certified on November 18, 2024.
7. Plan Set entitled, "Site Development Plan – Commercial Building", prepared by Land Planning, Inc., dated November 12, 2024.
8. Stormwater Report, prepared by Land Planning, Inc., dated November 14, 2024.
9. Zoning, General Engineering, & Stormwater Design Peer Review #1 Letter, prepared by CMG, dated May 13, 2025.
10. Comment Response Letter, prepared by Land Planning, Inc., dated June 5, 2025.
11. Plan Set entitled, "Site Development Plan – Commercial Building", prepared by Land Planning, Inc., revised date May 23, 2025.
12. Stormwater Report, prepared by Land Planning, Inc., revised date June 3, 2025.
13. Architectural Elevations and Floor Plan, received via email by Bill Halsing of Land Planning, Inc. on June 13, 2024.
14. Zoning, General Engineering, & Stormwater Design Peer Review #2 Letter, prepared by CMG, dated June 25, 2025.
15. Other miscellaneous documents on file at the Planning Board offices.

## **B. DETERMINATIONS**

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

1. The Applicant filed applications for new construction of an approximately 6,480 s.f. office building with associated parking and utilities on approximately 1.69 +/- acres of land known as 123 Mendon Street, Assessors Map 43, Lot 18.
2. That the Site is not located within the Water Resource District.
3. In accordance with the §240-59 of the Bellingham Zoning Bylaws, the proposed use requires 26 paved parking spaces. The proposal provides 26 paved parking spaces, including 2 accessible spaces. The proposal meets the requirements set forth in Article X: Parking and Loading Requirements
4. 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 or a waiver has been requested and granted.
  - a) §240.49 Light and Glare: The applicant has requested a waiver from the §240-17.B.(1).(k) – Site Lighting in the Bellingham Zoning Bylaws. The proposed plans do not provide light poles within the paved parking area or along the site entrance. Exterior lighting will be accommodated using light fixtures attached to the building façade. As a condition of approval, the applicant will be required to submit a photometrics plan prior to construction to the Town Planner for review and approval. Any exterior building and parking lot lighting shall be consistent with “dark sky” standards, shielded to not allow light spill over on adjacent properties, and directed downward to maintain lighting on to the Site and shall comply with the Zoning By-law.
  - b) § 240.50 Air Quality: There will be no manufacturing within the proposed facility. 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.
  - 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.

- 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 or further conditioned herein.
  - h) §240.66-67 Landscape: The Site has been determined to be adequately landscaped per the Plan. A Landscape Plan was included as Sheet C-4 in the Approved Plans, noting compliance with the Town of Bellingham Bylaws.
5. 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, adding fencing, as well as landscaping 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 a the site's existing condition is predominantly cleared of vegetation;
  - 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 projected traffic generated from the proposal does not meet the threshold for a Traffic Impact Analysis, therefore, traffic impacts to the surrounding areas as a result of the proposal are minimal.
6. 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**

Based on the above determinations, the Planning Board finds that the proposal meets the requirements of the Zoning By-Law, and by a vote of 4 to 0 in favor, accordingly, grants the Applicant and its successors and assigns as owner of the premises, a Development Plan Approval and Stormwater Management Permit subject to the following conditions:

1. This 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 minor or major. 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.
2. Prior to construction, the applicant shall supply the Town Planner and Building Inspector with a photometrics plan for review and approval. Any proposed exterior lighting shall be Dark Sky Compliant and deter any light spillover onto adjacent properties.

3. Prior to construction, the applicant shall provide approval from MassDOT regarding the proposed curbcut and access onto Mendon Street (a roadway under MassDOT jurisdiction).
4. Prior to construction, the applicant shall provide retaining wall design plans designed and stamped by a Licensed State of Massachusetts Structural Engineer for review and approval to the Building Department.
5. Prior to construction, the applicant shall submit a comprehensive signage application, showing location, height, size, materials, and design of proposed site signage for review and approval to the building department.
6. Prior to construction, the applicant shall provide a copy of the Local Board of Health approval for the proposed Title V septic system prior to construction.
7. Prior to the start of construction, sediment and erosion controls shall be installed and be subject to the inspection and approval by the Town Planner and Conservation Agent.
8. The hours of operation shall be 6:00 A.M. to 8:00 P.M seven (7) days a week.
9. 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.
10. Construction hours will adhere to §240-48 of the Zoning By-law.
11. 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.
12. The Stormwater Management Operation and Maintenance Plan (O&M), dated June 3, 2025, included as part of the Drainage Report, 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.
13. Phosphorous-based fertilizer shall not be used on the Site.

14. 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.
15. This Decision is binding on the Applicant's successors, assigns, agents, and employees. This approval shall insure to the benefit of and binding D & C Pavone Enterprise LLC. provided there is no change in use for the Premises. The Planning Board shall be notified in writing of any changes in affiliates and successors in title and additional users of the Premises.
16. Any change of use shall require a public hearing to either modify the existing Development Plan or to issue a new Development Plan permit.
17. The Applicant shall comply with §240-16B(5) and (6) regarding As-Built Plans and follow the policies of the As-Built handbook.
18. 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 **123 MENDON STREET DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT**.


**Bellingham Planning Board**

**August 14, 2025**

  
\_\_\_\_\_  
Philip Devine, Chairman

  
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William O'Connell, Jr., Vice Chairman

  
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Stephen Goyette

  
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Elizabeth Berthelette

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Martin Roche

Appeals of this Decision may be made within thirty days, in accordance with the provisions of G.L. c 40A, §17

This Decision, together with all plans referred to in it, was filed with the Town Clerk on August 15, 2025.

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Amy Bartelloni  
Bellingham Town Clerk