



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
 BELLINGHAM, MASSACHUSETTS 02019
 (508) 667-2892
PlanningBoard@bellinghamma.org

May 25, 2017

INDOOR COMMERCIAL RECREATIONAL FACILITY – 189 MECHANIC STREET DEVELOPMENT PLAN AND STORMWATER MANAGEMENT PERMIT DECISION

A. BACKGROUND

Applicant: TMC Holdings & Development, LLC
 24 Williams Way
 Bellingham, MA 02019

Owner: TMC Holdings & Development, LLC
 24 Williams Way
 Bellingham, MA 02019

Public Hearing: The Public Hearing opened Thursday, April 27, 2017 at 7:00 PM. Notice for the public meeting was published in the Milford Daily News on Thursday, April 13, 2017 and April 20, 2017. The Public Hearing was continued to May 11, 2017 when the Public Hearing was closed.

Date of Vote: May 25, 2017

The Premises: The 6.36 acre site is located at 189 Mechanic Street (formerly known as 191 Mechanic Street) in Bellingham, Assessors Map/Lot Number 51-1A-02, in an Industrial zone, also referred to herein as the "Site."

The By-Law: Section 240-16 Development Review Approval and Section 240-54 Stormwater Management

The Proposal: To construct a 35,100 square foot commercial building, with associated improvements, for indoor commercial recreation.

The Proposal was documented with the following materials:

1. Application for Development Plan and Stormwater Management Permit, received March 23, 2017
2. Urban Air Trampoline and Adventure Park, Site Development Plans, last revised May 8, 2017, by Bohler Engineering (the "Approved Plan" or "Plan")

189 Mechanic Street
Development Plan and Stormwater
May 25, 2017
Page 2 of 6

3. Certified Abutter List, Town of Bellingham , dated March 21, 2017
4. Certified Abutter List, Town of Franklin , dated March 23, 2017
5. Drainage Report, Bohler Engineering, last revised April 24, 2017
6. Project Narrative, Bohler Engineering, March 23, 2017
7. Generic Building Elevations, Priggen Steel, March 13, 2017
8. Building Renderings, Nove Studios, last revised May 9, 2017
9. Traffic Impact Letter, Ron Muller and Associates, dated March 21, 2017
10. Traffic Impact and Access Study, Ron Muller and Associates, dated March 28, 2017
11. Floor Plans, Nove Studios, last revised May 3, 2017
12. Urban Air Overview Presentation, received March 23, 2017
13. Peer Review Comments of Stormwater Management and Traffic Impacts, BETA, dated April 13, 2017
14. Planning Board Staff Memo, James Kupfer, Town Planner, dated April 18, 2017
15. Response to Peer Review Comments, Bohler Engineering, dated April 24, 2017
16. Peer Review Comments of Stormwater Management and Traffic Impacts, BETA, dated April 27, 2017
17. DPW Comments, Don DiMartino, DPW Director, April 26, 2017
18. Board of Health Comments. Mike Catalano, Health Agent, April 27, 2017
19. Sign Plan, Signs By Cam, last revised May 4, 2017
20. Waiver Request, Bohler Engineering, received May 8, 2017
21. Driveway Connection Estimate, Bob Donahue, DPW Inspector, received May 10, 2017
22. 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. The Approved Plan meets the performance requirements of this By-Law (e.g. Article IX Environmental Controls, Article X Parking and Loading Requirements, Article XI Landscaping Requirements) either by-right or by imposition of the below-listed conditions required under this Permit. Any material changes to the Plan and/or the Proposal depicted thereon must receive approval of the Board under a request for amendment to this Decision.
 - a. Section 240.49 Light and Glare: A photometric plan has been prepared illustrating the illumination of the Site and compliance with the Bylaw. 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. Section 240.50 Air Quality: The Proposed Uses do not involve emission of odorous gases in such quantities to be offensive. The only source of emissions

identified is vehicles entering and exiting the Site.

- c. Section 240.51 Hazardous Materials: No hazardous materials, as defined in this section, are proposed to be used or stored on Site.
- d. Section 240.52 Vibration: The Applicant does not propose any use that produces vibration which is discernible to the human sense of feeling (except as 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. Section 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. Section 240.54 Stormwater Management: The stormwater management shown on the Approved Plan has been reviewed by the Town's peer review consultant and further discussed by the Board and determined to be in compliance with the regulations. The existing detention basin to the north of the Site is a shared structure with the Applicant's abutter to the North. The Applicant provided drainage analysis and the Town peer reviewed the analysis to confirm sufficient capacity.
- g. Section 240.58 Noise: The use proposed on the Site was determined to not add noise concerns as all activities are conducted within the proposed structure. Any activities or programs to be conducted outside shall be subject to Planning Board review and approval prior to the commencement of such activities.

2. 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 the proposed structure. As described in the narrative and further discussed during the hearing, the Applicant has agreed to extend the sidewalk to the Site. In addition, the Applicant has agreed to provide a paved driveway connection from the Site to 207 Mechanic Street via 190 Mechanic Street to improve internal connectivity between Sites;
- b. Reduce the visual intrusion of parking areas viewed from public ways or abutting premises as the Site. In response to comments during the public hearings, additional landscaping has been added as depicted on the Plan;
- c. Improve the existing grading and topography. The Site is proposed to be 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. Preserve existing landscaping features. No mature vegetation is to be removed

189 Mechanic Street
Development Plan and Stormwater
May 25, 2017
Page 4 of 6

as the Site is currently clear;

- e. Improve drainage characteristics. A Stormwater Management Report has been prepared including an Operation and Maintenance Plan consistent with the Town of Bellingham requirements. The stormwater system has been designed to manage any increase in stormwater runoff and is contained entirely on site.
- 3. Adequate access is provided to each structure for fire, emergency and service equipment.
- 4. Adequate utility service and drainage is provided.
- 5. Projected peak hour traffic will not overburden the existing conditions. By mitigating ingress and egress by adding a connection between 207 Mechanic Street to the Site, trip generation onto Route 140 will be minimized.
- 6. The Project is not within the Water Resource District.
- 7. A waiver was granted for submittal standard 240-17B.(1)a, scale of locus.
- 8. No zoning violations are observed.

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 in favor and 0 opposed, accordingly, grants the Applicant and its successors and assigns as owner of the premises, Development Plan and Stormwater Management Permit Approval subject to the following conditions:

- 1. This Approval is limited to the improvements as noted on the Approved Plan, as may be conditioned herein. Any changes to such Plan must be reviewed and approved in accordance with the Bellingham Zoning Bylaws.
- 2. As requested by the Board and agreed to by the Applicant, security in the form of \$7,500.00 dollars shall be provided by the Applicant and be held by the Town of Bellingham to ensure the construction of the driveway connection between 207 Mechanic Street and 191 Mechanic Street. If construction of the driveway is completed by the Applicant and reviewed and approved by the Board's inspector, the security will be released back to the Applicant. If construction must be completed by the Town, the Applicant shall forfeit the security and the Town will utilize the security to offset the cost of the driveway connection construction. A security Agreement in a form approved by Town Counsel shall be executed by the Applicant and the parties prior to any commencement of construction

189 Mechanic Street
Development Plan and Stormwater
May 25, 2017
Page 5 of 6

3. A signage plan was provided by the Applicant that consolidated 191 Mechanic Street's free standing sign with the proposed use. Once installed, the former free standing sign incorporating all tenants at 190 Mechanic Street is to be removed. Any trees removed due to the installation of signage shall be replaced along the frontage of 191 Mechanic Street.
4. The use proposed on Site was determined to not add noise concerns as all activities are conducted within the proposed structure. Any activities or programs to be conducted outside shall be subject to Planning Board review and approval prior to the commencement of such activities.
5. All activities on the Site shall comply with Section 240-52 of the Zoning By-Law regarding vibration.
6. 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. Shielding shall be installed and be subject to the approval of the Building Inspector prior to Certificate of Occupancy.
7. This Decision shall take effect to the benefit of and be binding upon TMC Holdings and Development LLC and its successors, transferees and assigns, as well as any other tenant, purchaser or user of the Site or any portion thereof. This permit may not be assigned or conveyed to any other entity without the prior approval of the Planning Board, such approval not to be unreasonably withheld.
8. This Decision shall not be effective until it is recorded by the Applicant in the Registry of Deeds, with proof of such recording to be supplied to the Board and the Building Inspector.

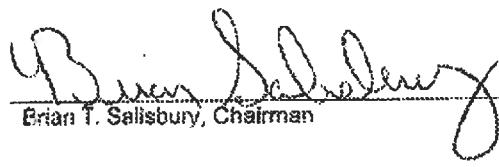
189 Mechanic Street
Development Plan and Stormwater
May 25, 2017
Page 6 of 6

D. RECORD OF VOTE

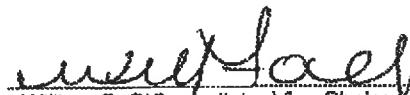
I vote to APPROVE the INDOOR COMMERCIAL RECREATIONAL FACILITY – 189 MECHANIC STREET DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT.

Bellingham Planning Board

May 25, 2017



Brian T. Salisbury, Chairman

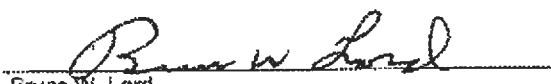


William F. O'Connell Jr., Vice Chairman

Peter C. Pappas, Secretary



Dennis J. Trabino


Bruce W. Lord

Appeals of this Decision may be made within thirty days, in accordance with the provisions of G.L. c 40A, §15

This Decision, together with all plans referred to in it, was filed with the Town Clerk on May 26, 2017.



Ann Odabashian
Bellingham Town Clerk



TOWN OF BELLINGHAM
OFFICE OF
TOWN CLERK

Bellingham Municipal Center
10 Mechanic Street
Bellingham, MA 02019

Town Clerk
Ann L. Odabashian

Tel: 508-657-2830
Fax: 508-657-2832

DATE June 26, 2017

TO: Planning Board

RE: TMC Holdings & Developement, LLC
189 Mechanic Street

This is to inform you that 30 days have elapsed since May 26, 2017, the date the above was filed with the Town Clerk, and that no notice of appeal has been filed with this office during that period.

A certified copy attesting this is available and on file in this office.

Sincerely,

A handwritten signature in black ink that appears to read "Ann L. Odabashian".

Ann L. Odabashian
Bellingham Town Clerk