



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 657-2892

PlanningBoard@bellinghamma.org

RECEIVED
TOWN OF BELLINGHAM
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OFFICE OF THE
TOWN CLERK

July 12, 2018

**300 HARTFORD AVENUE
DEVELOPMENT PLAN AND STORMWATER MANAGEMENT
PERMIT SELF-STORAGE DECISION
AND
IRVING GAS STATION (HUNTER DEVELOPMENT)
DEVELOPMENT PLAN MODIFICATION**

A. BACKGROUND

Applicant: JMRD2, LLC
300 Hartford Avenue
Bellingham, MA 02019

Owner: HDC Five, LLC
P.O. Box 366
East Longmeadow, MA 01028

Public Hearing: The Public Hearing opened Thursday, April 26, 2018 at 7:00 PM. Notice for the public meeting was published in the Milford Daily News on Thursday, April 12, 2018 and April 19, 2018.

The Public Hearing was continued to May 10, 2018, June 14, 2018, June 28, 2018, and July 12, 2018, when the Public Hearing was closed.

Date of Vote: July 12, 2018.

The Premises: The 7.87 \pm acre site is located at 300 Hartford Avenue, Assessors Map/Lot Number 19-1B 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: The proposal requests the ability to modify the Irving Gas Station (Hunter Development) Development Plan Review Modification decision dated May 28, 2009 to construct a 60,000 square foot +/- self-storage facility at the rear of 300

Hartford Avenue (the “Project”), as shown on the plan entitled Proposed Self-Storage Facility Site Plan, by Andrews Survey and Engineering, Inc., last revised June 22, 2018, also referred to herein as the “Plan”.

Additional permits/approvals issued herewith for the project include: Flexible Parking Options Special Permit.

The Proposal was documented with the following materials:

1. Application for Development Plan, received February 27, 2018
2. Application for Development Plan Modification, received February 27, 2018
3. Application for Flexible Parking Options Special Permit, received February 27, 2018
4. Application for Stormwater Management Permit, February 27, 2018
5. Proposed Self-Storage Facility Site Plan, by Andrews Survey and Engineering, Inc., last revised June 22, 2018
6. Certified Abutters List, Town of Bellingham, dated February 14, 2018
7. Certificate of Ownership, received February 27, 2018
8. Quitclaim Deed, received February 27, 2018
9. Project Description and Traffic Report, Andrews Survey and Engineering, Inc., received February 27, 2018
10. Planning Board Staff Memo, by James Kupfer, Town Planner, dated March 5, 2018
11. Email Comments, by Deputy Fire Chief Poirier, dated June 6, 2018
12. Email Comments, by Board of Health Agent Mike Catalano, dated June 21, 2018
13. Peer Review of traffic and Stormwater, BSC Group, dated May 4, 2018
14. Response to Peer Review Comments, by Andrews Survey and Engineering, Inc., dated June 5, 2018
15. Peer Review of traffic and Stormwater, BSC Group, dated June 21, 2018
16. Response to Peer Review Comments, by Andrews Survey and Engineering, Inc., dated June 25, 2018
17. Stormwater Report for 300 Hartford Avenue, by Andrews Survey and Engineering, Inc., last revised June 22, 2018
18. Operation and Maintenance Plan for 300 Hartford Avenue, by Andrews Survey and Engineering, Inc., last revised June 29, 2018
19. Car Wash Application for Development Plan Modification, received April 4, 2018
20. Site Plan #300 Hartford Avenue, by Merrill Engineers and Land Surveyors, Inc., last revised June 21, 2018
21. Stormwater Operations and Maintenance Plan, by Merrill Engineers and Land Surveyors, Inc., last revised July 5, 2018
22. Master Deed of Hartford Ave Condominium, received, April 4, 2018
23. Traffic Study, by Hesketh and Associates, Inc. dated May 25, 2018
24. Email Comments, DPW Director DiMartino, dated April 18, 2018

25. Email Comments, DPW Director DiMartino, dated June 11, 2018
26. Email Comments, DPW Director DiMartino, dated June 18, 2018
27. Email Comments, BSC Group, dated May 23, 2018
28. 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 made the following determinations:

1. The property at 300 Hartford Avenue currently contains a gas station, a Dunkin Donuts shop, convenience store and drive-thru.
2. 300 Hartford Avenue is owned in a condominium known as Hartford Ave. Condominium and has two owners. In accordance with the May 28, 2009 Development Plan decision, the front of the lot (southern side) is before the Planning Board on a separate application for a modification to the existing development to incorporate a 945 square foot automated car wash. The rear of the property (northern side), which is the subject of this permit and proposal defined above, also is subject to a modification to the May 28, 2009 Development Plan decision. The rear of the property is accessed through easements defined in the master deed and condominium documents as listed above. Both the front and rear owners' submitted applications to the Planning Board for their respective proposals. The Board opened both hearings on April 26, 2018 and at that time voted to merge the hearings in order to evaluate the impacts concurrently.
3. That the Planning Board reviewed traffic impacts to the area. It was determined that approximately 12-21 vehicle trips would occur per day at the self-storage facility.
4. The Applicant proposes up to two employees operating the Site from 6:00 a.m. to 8:00 p.m.
5. The Applicant is requesting a reduction in parking due to limited vehicle trips per day and limited number of employees required to operate this use. Additionally the Applicant supplied a comparable of existing sites the Applicant currently operates. 7 parking spaces are provided. The required parking under the Zoning Bylaw is 127.
6. That the Site is located within the Water Resource District, but does not meet the criteria for a Special Permit.
7. The 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 relief granted under this Permit. The relief granted herein is based upon evidence provided to the Board during the

hearing. Any future changes to the Plan are subject to and must comply with the requirements of this Decision or must receive approval of the Board under a request for amendment to this Decision.

- a. Section 240.49 Light and Glare: Residential lighting is proposed at the entrance office. Parking and overhead door lighting is proposed for the self-storage units. A photometric plan was provided demonstrating no light spill to abutting properties. Any outdoor lighting added shall be submitted to the Town Planner for his review to confirm compliance with the Zoning Bylaws.
- b. Section 240.50 Air Quality: The proposal does not involve emission of odorous gases in such quantities to be offensive. The only point source of emissions identified to the air will be from vehicles entering and exiting the Site and those operating on 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, except as customarily used or stored as part of the proposed use in compliance with law. The Applicant shall provide the Board with a list of prohibited hazardous materials.
- 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 Plan and drainage analysis has been designed to meet the Stormwater Management Standards set by Massachusetts Department of Environmental Protection and the Bellingham Zoning Bylaws. The standards include removing solids from the stormwater, reducing the rates of runoff from the site, and recharging the groundwater.
- g. Section 240.58 Noise: The use proposed on the Site was determined to not add noise concerns. The majority of the activity shall be conducted during normal daytime business hours and the Site is within an industrial zoning district.

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 and the proposed access driveway has been kept to the minimum practicable width, landscaping has been added and fencing along the side yard abutting residential;
- c. The Site has been graded to match the cuts and fills as much as possible however it is anticipated that an Earth Removal Special Permit will be required and has been applied for by the Applicant;
- d. Existing vegetation along the rear near the certified vernal pool is to be preserved as shown on the Plan;
- e. The project has been designed to comply with the DEP Stormwater Handbook and the Bellingham Zoning Bylaws. A Stormwater Report has been prepared including an Operation and Maintenance Plan consistent with the Town of Bellingham requirements.
- f. The stormwater system has been designed to manage any increase in stormwater runoff and is contained entirely on site and is subject to further review, as conditioned herein.

9. Adequate access is provided in and around each self-storage building and has been reviewed and approved by emergency services.

10. Adequate utility service and drainage is provided. The Board of Health Agent witnessed the test pits and confirmed compliance.

11. Projected peak hour traffic will not increase in the study area by 25% or more above levels otherwise anticipated at the time of occupancy.

12. No other 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 3 in favor and 0 opposed, accordingly, grants the Applicant and its successors and assigns as owner of the premises, Development Plan and Stormwater Permit Approval in accordance with the approved plan 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 Bylaws. Any on-site changes

shall be reviewed by the Planning Board for determination as to whether or not the changes are considered minor or major. Major changes shall require a modification to this permit and a new public hearing.

2. Sediment and Erosion controls shall be installed and be subject to the inspection and approval by the Town Planner and Conservation Agent prior to commencement of construction.
3. All exterior 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 Bylaw. Any additional outdoor lighting not depicted on the Plan shall be subject to the prior review and approval of the Planning Board.
4. In accordance with Bellingham Zoning Bylaw Article XX, Water Resource Districts, all activities expressly stated within §240-137 shall be prohibited.
5. Hours of operation shall be from 6:00 a.m. to 8:00 p.m. with occasional off hour appointments.
6. At the Board's request a signage detail was prepared demonstrating a single freestanding sign consolidating all uses sited at 300 Hartford Avenue. No additional free standing signs shall be allowed to be sited at 300 Hartford Avenue without prior review and approval by the Planning Board.
7. Phosphorous-based fertilizer shall not be used on the Site.
8. Additional low laying landscaping shall be added along the perimeter of the foundation to the rear of the 900 square foot southern self-storage building to allow for additional screening between the front and rear uses. The additional landscaping shall be review and approved by the Town Planner prior to Certificate of Occupancy.
9. The Project requires an Earth Removal Special Permit. No clearing, site work, or construction shall commence until the Applicant has submitted a Special Permit application for earth removal to the Zoning Board of Appeals in accordance with Article XVII of the Zoning Bylaws and received approval of the same.
10. 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 designated inspector shall be permitted to conduct routine inspections, as may reasonably be determined by said inspector while construction is ongoing relative to this permit and all corresponding Decisions for this Site. The Applicant is required to provide said inspector with any and all requested logs, as-built plans, surveys, and other related items and abide by any reasonable directives or requirements of said inspector with respect to construction of this Project. Failure

to comply with the requirements of this paragraph may result in a stop-work order, as may be directed by the Town's Zoning Enforcement Officer, the Board, or its duly authorized designee.

11. As may be required by the Planning Board or DPW, all reasonable fees for any services contemplated hereunder shall be paid by the Applicant in the manner prescribed by M.G.L. c.44 §55G. The Applicant shall also pay for all third party inspections of project infrastructure, as may be reasonably required by the DPW or the Planning Board or DPW's representative.
12. Ongoing stormwater maintenance reports shall be submitted to the Planning Board and Conservation Commission in accordance with the Operation and Maintenance Plan that has been submitted by the Applicant. Failure to provide regular scheduled reports shall be deemed a violation of this permit and the Applicant or its successors shall be brought before the Planning Board to evaluate if further action is necessary. The Planning Board or its designee, with written notice to the Applicant, shall be permitted to conduct an inspection of the outdoor areas of the Property to evaluate compliance with stormwater requirements if the Board has reason to believe that stormwater-related conditions pose a significant threat to human health, safety or the environment or the Board has not received the stormwater reports as required, following notice and ten-day opportunity to provide them.
13. As noted on the Plan, a gas and power easement traverses along the western edge of the Site. Any and all activity constructed within the easement shall be reviewed and approved by the applicable easement owners. Such approval shall be provided to the Planning Board and Building Inspector prior to the first Building Permit.
14. As used herein, "commencement of construction" is hereby defined as any clearing or preparation of the Site for development of the project approved herein.
15. Any and all easements that may be necessary to complete and occupy the Project shall be in a form approved by Town Counsel, such approval not to be unreasonably withheld.
16. The Applicant shall comply with §240-16B(5) and (6) regarding As-built plans and follow the policies of the As-built handbook.
17. This Decision shall take effect to the benefit of and be binding upon JMRD2, 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.

18. All determinations, Decisions, and conditions set forth within the Flexible Parking Options Special Permit dated July 12, 2018 are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.
19. 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 Commissioner.

D. RECORD OF VOTE

I vote to **APPROVE** the **300 HARTFORD AVENUE DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT AND IRVING GAS STATION (HUNTER DEVELOPMENT) DEVELOPMENT PLAN MODIFICATION.**

Bellingham Planning Board

July 12, 2018

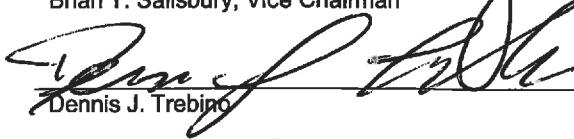


William F. O'Connell Jr., Chairman

Peter C. Pappas, Secretary



Brian T. Salisbury, Vice Chairman



Dennis J. Trebino

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 July 13, 2018.

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 August 13, 2018

TO: Bellingham Planning Board

RE: JMRD2, LLC

300 Hartford Avenue

This is to inform you that 30 days have elapsed since July 13, 2018, 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,

Ann L. Odabashian
Bellingham Town Clerk



BELLINGHAM PLANNING BOARD

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

RECEIVED
TOWN OF BELLINGHAM
2018 JUL 13 AM 8:1
OFFICE OF THE
TOWN CLERK

July 12, 2018

300 HARTFORD AVENUE DEVELOPMENT PLAN PERMIT MODIFICATION CAR WASH DECISION

A. BACKGROUND

Applicant: Hartford Enterprises LLC
c/o Paul Vercollone
300 Hartford Avenue
Bellingham, MA 02019

Owner: Hartford Enterprises LLC
2359 Research Court
Woodbridge, VA 22192

Public Hearing: The Public Hearing opened Thursday, April 26, 2018 at 7:00 PM. Notice for the public meeting was published in the Milford Daily News on Thursday, April 12, 2018 and April 19, 2018.

The Public Hearing was continued to May 10, 2018, June 14, 2018, June 28, 2018, and July 12, 2018, when the Public Hearing was closed.

Date of Vote: July 12, 2018.

The Premises: The 7.87 $\frac{1}{2}$ acre site is located at 300 Hartford Avenue, Assessors Map/Lot Number 19-1B in an Industrial zone, also referred to herein as the "Site."

The By-Law: Section 240-16 Development Review Approval

The Proposal: The proposal requests the ability to modify the Irving Gas Station (Hunter Development) Development Plan Review Modification decision dated May 28, 2009 to construct a 945 square foot automated drive thru carwash with associated improvements at 300 Hartford Avenue (the "Project"), as shown on the plan entitled Site Plan #300 Hartford Avenue,

by Merrill Engineers and Land Surveyors, Inc., last revised June 21, 2018, also referred to herein as the “Plan”.

The Proposal was documented with the following materials:

1. Application for Development Plan Modification, received April 4, 2018
2. Site Plan #300 Hartford Avenue, by Merrill Engineers and Land Surveyors, Inc., last revised June 21, 2018
3. Certified Abutters List, Town of Bellingham, dated January 19, 2018
4. Certificate of Ownership, received April 4, 2018
5. Master Deed of Hartford Ave Condominium, received, April 4, 2018
6. Quitclaim Deed, received April 4, 2018
7. Project Narrative and Project Description, by Merrill Engineers and Land Surveyors, Inc., dated May 2, 2018
8. Traffic Report, by Merrill Engineers and Land Surveyors, Inc., dated April 30, 2018
9. Traffic Study, by Hesketh and Associates, Inc. dated May 25, 2018
10. Planning Board Staff Memo, by James Kupfer, Town Planner, dated April 10, 2018
11. Car wash specifications, PDQ Laser wash Series, received April 4, 2018
12. Email Comments, DPW Director DiMartino, dated April 18, 2018
13. Email Comments, DPW Director DiMartino, dated June 11, 2018
14. Email Comments, DPW Director DiMartino, dated June 18, 2018
15. Email Comments, BSC Group, dated May 23, 2018
16. Peer Review of Stormwater, BSC Group, dated May 4, 2018
17. Response to Peer Review Comments, by Merrill Engineers and Land Surveyors, Inc., dated May 31, 2018
18. Peer Review of Stormwater, BSC Group, dated June 13, 2018
19. Operation and Maintenance Plan for 300 Hartford Avenue, by Merrill Engineers and Land Surveyors, Inc, last revised July 5, 2018
20. 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 made the following determinations:

1. The property at 300 Hartford Avenue currently contains a gas station, a Dunkin Donuts shop, convenience store and drive-thru.
2. 300 Hartford Avenue is owned in a condominium known as Hartford Ave. Condominium and has two owners. In accordance with the May 28, 2009 Development Plan decision, the front of the lot (southern side), which is the subject of this permit, is before the Planning Board for a modification to the existing

development to incorporate a 945 square foot automated car wash. The rear of the property (northern side) also is subject to a modification to the May 28, 2009 Development Plan decision. The rear of the property is accessed through easements defined in the condominium documents as listed above. Both the front and rear owners' submitted applications to the Planning Board for their respective proposals. The Board opened both hearings on April 26, 2018 and at that time voted to merge the hearings in order to evaluate the impacts concurrently.

3. That the Planning Board reviewed traffic impacts to the neighborhood. It was determined that no more than 12 vehicle trips per hour would occur under the proposed conditions as that is the maximum the automated car wash can complete in an hour. Additionally, the Board determined through detailed analysis that the car wash would likely generate no more than 60 cars per day during peak season.
4. The proposal would not require additional employees.
5. That the Plan provides for 43 parking spaces. The required parking under the Zoning Bylaw is 29.
6. That the Site is located within the Water Resource District, but does not meet the criteria for a Special Permit.
7. The 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 relief granted under this Permit. The relief granted herein is based upon evidence provided to the Board during the hearing. Any future changes to the Plan are subject to and must comply with the requirements of this Decision or must receive approval of the Board under a request for amendment to this Decision.
 - a. Section 240.49 Light and Glare: No changes to existing lighting are to be proposed at this time. Any exterior lighting added shall be submitted to the Town Planner for his review to confirm compliance with the Zoning Bylaws.
 - b. Section 240.50 Air Quality: The proposal does not involve emission of odorous gases in such quantities to be offensive. The only point source of emissions identified to the air will be from 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, except as customarily used or stored as part of the proposed use in compliance with law.
 - 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 Plan and drainage analysis has been designed to meet the Stormwater Management Standards set by Massachusetts Department of Environmental Protection and the Bellingham Zoning Bylaws. The standards include removing solids from the stormwater, reducing the rates of runoff from the site, and recharging the groundwater.
- g. Section 240.58 Noise: The use proposed on the Site was determined to not add noise concerns and are sited with in an industrial area.

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 and improved from the existing conditions;
- b. Reduce the visual intrusion of parking areas viewed from public ways or abutting premises by preserving vegetative buffers and the proposed access driveway has been kept to the minimum practicable width, landscaping has been added;
- c. 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. Existing pervious surface of the Site is to be preserved as shown on the Plan;
- e. The project has been designed to comply with the DEP Stormwater Handbook and the Bellingham Zoning Bylaws however due to the minimal increase in impervious surface a Stormwater Report has not been prepared. The Applicant has provided an updated Operation and Maintenance Plan consistent with the Town of Bellingham requirements.
- f. The stormwater system will be maintained and has been designed to manage any increase in stormwater runoff and is contained entirely on site and is subject to further review, as conditioned herein.

9. Adequate access is provided to the car wash for fire and service equipment and has been reviewed and approved by emergency services.

10. Adequate utility service and drainage is provided.

11. Projected peak hour traffic will not increase in the study area by 25% or more above

levels otherwise anticipated at the time of occupancy.

12. No other 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 3 in favor and 0 opposed, accordingly, grants the Applicant and its successors and assigns as owner of the premises, Development Plan Modification Approval in accordance with the approved plan 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 Bylaws.
2. Sediment and Erosion controls shall be installed and be subject to the inspection and approval by the Town Planner prior to commencement of construction.
3. No additional exterior lighting is considered at this time. If future exterior lighting is contemplated it shall be consistent with “dark sky” standards - shielded and directed downward to maintain lighting on to the Site and shall comply with the Zoning Bylaw. Any such lighting shall be subject to the prior review and approval of the Planning Board.
4. In accordance with Bellingham Zoning Bylaw Article XX, Water Resource Districts, all activities expressly stated within §240-137 shall be prohibited.
5. At the Board’s request a signage detail was prepared demonstrating a single freestanding sign consolidating all uses sited at 300 Hartford Avenue. No additional free standing signs shall be allowed to be sited at 300 Hartford Avenue without prior review and approval by the Planning Board
6. 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 designated inspector shall be permitted to conduct routine inspections, as may reasonably be determined by said inspector while construction is ongoing relative to this permit and all corresponding Decisions for this Site. The Applicant is required to provide said inspector with any and all requested logs, as-built plans, surveys, and other related items and abide by any reasonable directives or requirements of said inspector with respect to construction of this Project. Failure to comply with the requirements of this paragraph may result in a stop-work order, as may be directed by the Town’s Zoning Enforcement Officer, the Board, or its duly authorized designee.

7. As may be required by the Planning Board or DPW, all reasonable fees for any services contemplated hereunder shall be paid by the Applicant in the manner prescribed by M.G.L. c.44 §55G. The Applicant shall also pay for all third party inspections of project infrastructure, as may be reasonably required by the DPW or the Planning Board or DPW's representative.
8. Ongoing stormwater maintenance reports shall be submitted to the Planning Board and Conservation Commission in accordance with the Operation and Maintenance Plan that has been submitted by the Applicant. Failure to provide regular scheduled reports shall be deemed a violation of this permit and the Applicant or its successors shall be brought before the Planning Board to evaluate if further action is necessary. The Planning Board or its designee, with written notice to the Applicant, shall be permitted to conduct an inspection of the outdoor areas of the Property to evaluate compliance with stormwater requirements if the Board has reason to believe that stormwater-related conditions pose a significant threat to human health, safety or the environment or the Board has not received the stormwater reports as required, following notice and ten-day opportunity to provide them.
9. As noted on the Plan, a gas and power easement traverses along the western edge of the Site. Any and all activity constructed within the easement shall be reviewed and approved by the applicable easement owners. Such approval shall be provided to the Planning Board and Building Inspector prior to the first Building Permit.
10. As used herein, "commencement of construction" is hereby defined as any clearing or preparation of the Site for development of the project approved herein.
11. Any and all easements that may be necessary to complete and occupy the Project shall be in a form approved by Town Counsel, such approval not to be unreasonably withheld.
12. The Applicant shall comply with §240-16B(5) and (6) regarding As-built plans and follow the policies of the As-built handbook.
13. This Decision shall take effect to the benefit of and be binding upon Hartford Enterprises 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.
14. 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 Commissioner.

D. RECORD OF VOTE

I vote to APPROVE the 300 HARTFORD AVENUE DEVELOPMENT PLAN
APPROVAL MODIFICATION, CAR WASH DECISION

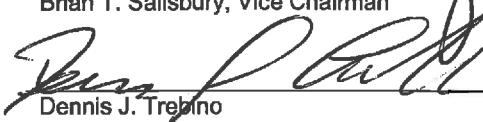
Bellingham Planning Board

July 12, 2018



William F. O'Connell Jr., Chairman

Peter C. Pappas, Secretary


Brian T. Salisbury, Vice Chairman
Dennis J. Trebino

Russell Lafond

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 July 13, 2018.

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 August 13, 2018

TO: Bellingham Planning Board

RE: Hartford Avenue Enterprises LLC

300 Hartford Avenue

This is to inform you that 30 days have elapsed since July 13, 2018, 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,

Ann L. Odabashian
Bellingham Town Clerk



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 657-2892;
PlanningBoard@bellinghamma.org

RECEIVED
TOWN OF BELLINGHAM
2018 JUL 13 AM 8:19

OFFICE OF THE
TOWN CLERK

July 12, 2018

300 HARTFORD AVENUE FLEXIBLE PARKING OPTIONS SPECIAL PERMIT DECISION

A. BACKGROUND

Applicant: JMRD2, LLC
300 Hartford Avenue
Bellingham, MA 02019

Owner: HDC Five, LLC
P.O. Box 366
East Longmeadow, MA 01028

Public Hearing: The Public Hearing opened Thursday, April 26, 2018 at 7:00 PM. Notice for the public meeting was published in the Milford Daily News on Thursday, April 12, 2018 and April 19, 2018.

The Public Hearing was continued to May 10, 2018, June 14, 2018, June 28, 2018, and July 12, 2018, when the Public Hearing was closed.

Date of Vote: July 12, 2018.

The Premises: The 7.87 \pm acre site is located at 300 Hartford Avenue, Assessors Map/Lot Number 19-1B in an Industrial zone, also referred to herein as the "Site."

The By-Law: §240-60B, Flexible Parking Options, of the Bellingham Zoning Bylaws.

The Proposal: The proposal requests a reduction in the required parking spaces in order to construct a 60,000 square foot +/- self-storage facility at the rear of 300 Hartford Avenue (the "Project"), as shown on the plan entitled Proposed Self-Storage Facility Site Plan, by Andrews Survey and Engineering, Inc., last revised June 22, 2018, also referred to herein as the "Plan".

Additional permits/approvals issued herewith for the project include: Development Plan and Stormwater Management Permit and Irving Gas Station (Hunter Development) Development Plan Modification.

The Proposal was documented with the following materials:

1. Application for Development Plan, received February 27, 2018
2. Application for Development Plan Modification, received February 27, 2018
3. Application for Flexible Parking Options Special Permit, received February 27, 2018
4. Application for Stormwater Management Permit, February 27, 2018
5. Proposed Self-Storage Facility Site Plan, by Andrews Survey and Engineering, Inc., last revised June 22, 2018
6. Certified Abutters List, Town of Bellingham, dated February 14, 2018
7. Certificate of Ownership, received February 27, 2018
8. Quitclaim Deed, received February 27, 2018
9. Project Description and Traffic Report, Andrews Survey and Engineering, Inc, received February 27, 2018
10. Planning Board Staff Memo, by James Kupfer, Town Planner, dated March 5, 2018
11. Email Comments, by Deputy Fire Chief Poirier, dated June 6, 2018
12. Email Comments, by Board of Health Agent Mike Catalano, dated June 21, 2018
13. Peer Review of traffic and Stormwater, BSC Group, dated May 4, 2018
14. Response to Peer Review Comments, by Andrews Survey and Engineering, Inc., dated June 5, 2018
15. Peer Review of traffic and Stormwater, BSC Group, dated June 21, 2018
16. Response to Peer Review Comments, by Andrews Survey and Engineering, Inc., dated June 25, 2018
17. Stormwater Report for 300 Hartford Avenue, by Andrews Survey and Engineering, Inc., last revised June 22, 2018
18. Operation and Maintenance Plan for 300 Hartford Avenue, by Andrews Survey and Engineering, Inc., last revised June 29, 2018
19. Car Wash Application for Development Plan Modification, received April 4, 2018
20. Site Plan #300 Hartford Avenue, by Merrill Engineers and Land Surveyors, Inc., last revised June 21, 2018
21. Stormwater Operations and Maintenance Plan, by Merrill Engineers and Land Surveyors, Inc., last revised July 5, 2018
22. Master Deed of Hartford Ave Condominium, received, April 4, 2018
23. Traffic Study, by Hesketh and Associates, Inc. dated May 25, 2018
24. Email Comments, DPW Director DiMartino, dated April 18, 2018
25. Email Comments, DPW Director DiMartino, dated June 11, 2018
26. Email Comments, DPW Director DiMartino, dated June 18, 2018
27. Email Comments, BSC Group, dated May 23, 2018
28. 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 made the following determinations:

1. The property at 300 Hartford Avenue currently contains a gas station, a Dunkin Donuts shop, convenience store and drive-thru.
2. 300 Hartford Avenue is owned in a condominium known as Hartford Ave. Condominium and has two owners. In accordance with the May 28, 2009 Development Plan decision, the front of the lot (southern side) is before the Planning Board on a separate application for a modification to the existing development to incorporate a 945 square foot automated car wash. The rear of the property (northern side), which is the subject of this permit and proposal defined above, also is subject to a modification to the May 28, 2009 Development Plan decision. The rear of the property is accessed through easements defined in the master deed and condominium documents as listed above. Both the front and rear owners' submitted applications to the Planning Board for their respective proposals. The Board opened both hearings on April 26, 2018 and at that time voted to merge the hearings in order to evaluate the impacts concurrently.
3. The Applicant proposes up to two employees operating the Site from 6:00 a.m. to 8:00 p.m.
4. The Applicant is requesting a reduction in parking due to limited vehicle trips per day and limited number of employees required to operate this use. Additionally the Applicant supplied a comparable of existing sites the Applicant currently operates. 7 parking spaces are provided. The required parking under the Zoning Bylaw is 127.
5. The Planning Board reviewed the Proposal with regard to criteria set forth in Section 240-25 of the Zoning Bylaw and determined that:
 - a. The use is in an allowed use in an industrial district. The parcel is in an industrial district.
 - b. There are currently adequate utilities at 300 Hartford Avenue that shall be extended to the Site.
 - c. The qualities of the natural environment were considered during stormwater and drainage analysis and efforts were made to preserve existing vegetation where possible and limit disturbance to the vernal pool as defined in the Conservation Commission Order of Conditions.

- d. That the Planning Board reviewed traffic impacts to the area. It was determined that approximately 12-21 vehicle trips would occur per day at the self-storage facility.
- e. The potential fiscal impact to the Town of Bellingham would be positive.

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, Permit Approval 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 Bylaws.
2. This Decision authorizes the proposed parking configuration, subject to the conditions hereof. Except as may be otherwise permitted herein, any changes in the parking configuration which creates further reduction than that permitted here shall be reviewed by the Planning Board as a major modification and shall be subject to a public hearing.
3. In accordance with the Flexible Parking Options Special Permit criteria, the Board has granted a reduction in parking from the required 127 spaces to 7 spaces.
4. This Decision shall take effect to the benefit of and be binding upon JMRD2, 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.
5. All determinations, Decisions, and conditions set forth within the Development Plan and Stormwater Management Permit and Development Plan Modification, dated July 12, 2018 are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.
6. 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 Commissioner.

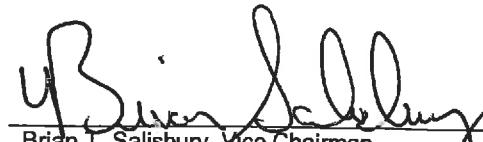
D. RECORD OF VOTE

I vote to **APPROVE** the 300 HARTFORD AVENUE FLEXIBLE PARKING OPTIONS SPECIAL PERMIT.

Bellingham Planning Board

July 12, 2018


William F. O'Connell Jr., Chairman


Brian T. Salisbury, Vice Chairman

Peter C. Pappas, Secretary


Dennis J. Zerbino


Russell LaFond


Philip M. Devine

Appeals of this Decision may be made within twenty 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 July 13, 2018.

Ann Odabashian
Bellingham Town Clerk

D. RECORD OF VOTE

I vote to **APPROVE** the 300 HARTFORD AVENUE FLEXIBLE PARKING OPTIONS SPECIAL PERMIT.

Bellingham Planning Board

July 12, 2018

William F. O'Connell Jr.

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Ann Odabashian

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 August 2, 2018

TO: Bellingham Planning Board

RE: JMRD2 LLC

300 Hartford Ave.

This is to inform you that 20 days have elapsed since July 13, 2018, 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,

Ann L. Odabashian
Bellingham Town Clerk