



# BELLINGHAM PLANNING BOARD

10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
(508) 657-2892; FAX (508) 966-2317  
[PlanningBoard@bellinghamma.org](mailto:PlanningBoard@bellinghamma.org)

July 27, 2017

## HARTFORD VILLAGE MULTIFAMILY DEVELOPMENT PLAN PERMIT MODIFICATION DECISION

RECEIVED  
TOWN OF BELLINGHAM  
2017 JUL 28 AM 8:49  
OFFICE OF THE  
TOWN CLERK

### A. BACKGROUND

**Applicant:** Hartford Village c/o North Point Management AAMC  
300 Brickstone Square, Suite 201  
Andover, MA 01810

**Owner:** Hartford Village c/o North Point Management AAMC  
300 Brickstone Square, Suite 201  
Andover, MA 01810

**Public Hearing:** The Public Hearing opened Thursday, April 13, 2017 and continued on May 11, 2017 and June 8, 2017, when the Public Hearing was closed.

**Date of Vote:** July 27, 2017

**The Premises:** The 14.1 <sup>±</sup> acre site is located on the corner of Hixon Street and Hartford Avenue, Assessors Map/Lot Number 23-6, in an Multifamily Dwelling zone, also referred to herein as the "Site."

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

**The Proposal:** The proposal is to modify the Development Plan decision dated April 27, 2000 and the Multifamily Development Special Permit dated November 11, 1999 to construct the second phase of an age restricted, 55 and over, multifamily residential development, consisting of six, 3 unit structures for a total of eighteen units and associated improvements off of Hixon Street also referred to herein as the "Project."

Hartford Village Phase I was completed in the early 2000s and a future phase was contemplated at that time as depicted in the quitclaim deed listed below. The deed provided for shared access, drainage, and septic. However, three newly proposed units for the new Project are proposed to be sited within the area known as Phase I and therefore, in accordance with the 2000 Development Plan and Special Permit decisions, Phase I must be amended as the permits restricted Phase I to 48 units as shown on the approved 2000 plan. The proposed plan for Hartford Village II calls for an additional 18 units, three of which are within Phase I. On April 13, 2017 the Applicant applied for a modification to Phase I. The Board at that time opened the hearing and merged Phase I and Phase II applications as to hear the impacts concurrently.

Additional permits/approvals issued herewith for the Project depicted on the final plan entitled Hartford Village II Multi-Family Development, by Andrews Survey and Engineering, July 5, 2017 include Hartford Village Multifamily Special Permit Modification, Hartford Village II Special Residential Use – Multifamily Dwellings Special Permit and Hartford Village II Development Plan and Stormwater Management Permit.

The Proposal was documented with the following materials and incorporates all material submitted for Hartford Village II:

1. Application for Development Plan, received April 6, 2016
2. Application for a Stormwater Management Permit, received April 6, 2016
3. Application for Special Residential Use – Multifamily Dwellings Special Permit, received April 6, 2016
4. Certified Abutters' List dated March 29, 2016
5. Board of Health Comments, Mike Catalano, Health Agent, dated April 6, 2016
6. Department of Public Works Comments, Don DiMartino, DPW Director, dated September 8, 2016
7. Department of Public Works Comments, Don DiMartino, DPW Director, dated December 1, 2016
8. Department of Public Works Comments, Don DiMartino, DPW Director, dated March 7, 2017
9. Deed for Property dated May 15, 1985, received April 6, 2016
10. Project Narrative, by Andrews Engineering, received April 6, 2016
11. Hartford Village II Multi-Family Development Plan Set, by Andrews Engineering, last revised July 5, 2017

12. Hartford Village II Multi-Family Development Building Setback Conceptual Plan, by Andrews Engineering, last revised November 10, 2016
13. Stormwater Management Report, by Andrews Engineering, last revised February 17, 2017
14. Drainage Analysis, by Andrews Engineering, received February 24, 2017
15. Traffic Assessment Report, by Tighe and Bond, dated September 24, 2015
16. Supplemental Traffic Assessment Report, by Tighe and Bond, dated May 6, 2015
17. Waiver Requests, by Andrews Engineering, received February 24, 2017
18. Lot 2, Massachusetts Statutory Quitclaim Deed, dated May 23, 2000
19. Fire Department Comments, by Deputy Chief Poirier, dated May 3, 2016
20. Planning Board Staff Memo, by James Kupfer, dated May 11, 2016
21. Project Peer Review, Professional Services Corporation, PC, dated September 7, 2016
22. Project Peer Review, Professional Services Corporation, PC, dated December 2, 2016
23. Project Peer Review, Professional Services Corporation, PC, dated March 8, 2017
24. Application for Development Plan Decision Modification (Phase I), received March 15, 2017
25. Application for Multifamily Dwellings Special Permit (Phase I), received February 16, 2017
26. Hartford Village Board of Trustees Affidavit, received March 15, 2017
27. Response to PSC Comments, Andrews Engineering, dated November 14, 2016
28. Response to PSC Comments, Andrews Engineering, dated February 22, 2016
29. Hydrant Flow Test, by BETA Group, received February 24, 2017
30. Auto Turn Plan for Proposed Cul-de-Sac, Hartford Avenue and Hixon Street and Emergency Access, by Andrews Engineering, received February 24, 2017
31. Approval Not Required Plan, by Andrews Engineering, dated May 8, 2000
32. Department of Environmental Protection Guidelines for Installation of Impervious Barriers & Slope Stabilization received May 11, 2017
33. Department of Environmental Protection Guidelines for Construction in Fill, received May 11, 2017
34. Memo to Support Waiver Request, Attorney Antonellis, dated May 11, 2017
35. 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 Applicant originally filed plan for Hartford Village II on April 6, 2016 displaying 18, 55 year old and over age restricted townhome units around a grassed island. This proposed development is phase two of an already established 48 unit, 55 year old and over age restricted townhome development. The units proposed intruded heavily in to the required 100 foot buffer as defined in Zoning Bylaw 240-95, Buffer

Area. In response to the Application for the Project, the Planning Board conducted a site walk on May 7, 2016 and again on January 7, 2017, to understand the impact that the intrusion in to the buffer may cause.

The Planning Board concluded that substantial shifting of the units would be required to reduce neighboring impacts. In turn, on March 15, 2017 the Applicant revised the plans and filed an application to modify the Development Plan decision dated April 27, 2000 and the Multifamily Development Special Permit dated November 11, 1999 for Hartford Village (Phase I) to relocate the proposed units further away from abutters and partially incorporate Phase II with in the original development. Condition 2 of the 2000 Phase I Development Plan decision dated April 27, 2000, required that any increase in number of units beyond 48 would require approval from the Planning Board. Accordingly an application was made.

On April 13, 2017 the Applicant applied for a modification to Phase I. The Board at that time opened the hearing and merged the applications on the two phases so as to evaluate the two phases concurrently.

### **C. DECISION**

Based on the above determinations, the Planning Board finds that the Proposal meets the requirements of the Zoning Bylaw, and by a vote of 5 in favor and 0 opposed, accordingly, grants the Applicant and its successors and assigns as owner of the premises, a modification to the Development Plan decision dated April 27, 2000 to increase the number of total units allowed to be constructed on the Site from 48 units to 66 units subject to the following conditions:

1. The requested activity and construction shall be completed in accordance with the Hartford Village II Multi-Family Development Plan Set, by Andrews Engineering, last revised July 5, 2017 and materials contained in the file and the Boards approval to construct an age restricted, 55 year old and over, multifamily residential development, consisting of six, 3-unit structures for a total of eighteen units and associated improvements to be added to the existing Site.
2. This Decision shall take effect to the benefit of and be binding upon Hartford Village c/o North Point Management AAMC and its successors, transferees and assigns, as well as any other tenant, purchaser or user of the Site or any portion thereof.
3. All determinations, Decisions, and conditions set forth within the Development Plan and Stormwater Management Permit dated July 27, 2017, Special Residential Use – Multifamily Dwellings Special Permit dated July 27, 2017 and modified Hartford Village Multifamily Special Permit dated July 27, 2017 are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.

4. 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 **HARTFORD VILLAGE DEVELOPMENT PLAN APPROVAL PERMIT MODIFICATION**.


**Bellingham Planning Board**

**July 27, 2017**

  
\_\_\_\_\_  
Brian T. Salisbury, Chairman

  
\_\_\_\_\_  
William F. O'Connell Jr., Vice Chairman


  
\_\_\_\_\_  
Peter C. Pappas, Secretary

  
\_\_\_\_\_  
Dennis J. Trebino

  
\_\_\_\_\_  
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 July 28, 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 August 28, 2017

TO: Planning Board

RE: Hartford Village c/o North Point Management AAMC

14.1 Acre Site Hixon St./Hartford Ave.

This is to inform you that 30 days have elapsed since July 28, 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,

Ann L. Odabashian  
Bellingham Town Clerk



# BELLINGHAM PLANNING BOARD

10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
(508) 657-2892; FAX (508) 966-2317  
[PlanningBoard@bellinghamma.org](mailto:PlanningBoard@bellinghamma.org)

July 27, 2017

## HARTFORD VILLAGE MULTIFAMILY DEVELOPMENT SPECIAL PERMIT MODIFICATION DECISION

RECEIVED  
TOWN OF BELLINGHAM  
2017 JUL 28 AM 8:49  
OFFICE OF THE  
TOWN CLERK

### A. BACKGROUND

**Applicant:** Hartford Village c/o North Point Management AAMC  
300 Brickstone Square, Suite 201  
Andover, MA 01810

**Owner:** Hartford Village c/o North Point Management AAMC  
300 Brickstone Square, Suite 201  
Andover, MA 01810

**Public Hearing:** The Public Hearing opened Thursday, April 13, 2017 and continued on May 11, 2017 and June 8, 2017, when the Public Hearing was closed.

**Date of Vote:** July 27, 2017

**The Premises:** The 14.1 <sup>±</sup> acre site is located on the corner of Hixon Street and Hartford Avenue, Assessors Map/Lot Number 23-6, in an Multifamily Dwelling zone, also referred to herein as the "Site."

**The By-Law:** §240-15 Special Permit and §240-104 Other Multifamily Dwellings

**The Proposal:** The proposal is to modify the Development Plan decision dated April 27, 2000 and the Multifamily Development Special Permit dated November 11, 1999 to construct the second phase of an age restricted, 55 and over, multifamily residential development, consisting of six, 3 unit structures for a total of eighteen units and associated improvements off of Hixon Street also referred to herein as the "Project."



Hartford Village Phase I was completed in the early 2000s and a future phase was contemplated at that time as depicted in the quitclaim deed listed below. The deed provided for shared access, drainage, and septic. However, three newly proposed units for the new Project are proposed to be sited within the area known as Phase I and therefore, in accordance with the 2000 Development Plan and Special Permit decisions, Phase I must be amended as the permits restricted Phase I to 48 units as shown on the approved 2000 plan. The proposed plan for Hartford Village II calls for an additional 18 units, three of which are within Phase I. On April 13, 2017 the Applicant applied for a modification to Phase I. The Board at that time opened the hearing and merged Phase I and Phase II applications as to hear the impacts concurrently.

Additional permits/approvals issued herewith for the Project depicted on the final plan entitled Hartford Village II Multifamily Development, by Andrews Survey and Engineering, July 5, 2017 include Hartford Village Development Plan Permit Modification, Hartford Village II Special Residential Use – Multifamily Dwellings Special Permit and Hartford Village II Development Plan and Stormwater Management Permit.

The Proposal was documented with the following materials and incorporates all material submitted for Hartford Village II:

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34. Memo to Support Waiver Request, Attorney Antonellis, dated May 11, 2017
35. 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 Applicant originally filed plan for Hartford Village II on April 6, 2016 displaying 18, 55 year old and over age restricted townhome units around a grassed island. This proposed development is phase two of an already established 48 unit, 55 year old and over age restricted townhome development. The units proposed intruded

heavily in to the required 100 foot buffer as defined in Zoning Bylaw 240-95, Buffer Area. In response to the Application for the Project, the Planning Board conducted a site walk on May 7, 2016 and again on January 7, 2017, to understand the impact that the intrusion in to the buffer may cause.

The Planning Board concluded that substantial shifting of the units would be required to reduce neighboring impacts. In turn, on March 15, 2017 the Applicant revised the plans and filed an application to modify the Development Plan decision dated April 27, 2000 and the Multifamily Development Special Permit dated November 11, 1999 for Hartford Village (Phase I) to relocate the proposed units further away from abutters and partially incorporate Phase II with in the original development. Condition 2 of the 2000 Phase I Development Plan decision dated April 27, 2000, required that any increase in number of units beyond 48 would require approval from the Planning Board. Accordingly an application was made.

On April 13, 2017 the Applicant applied for a modification to Phase I. The Board at that time opened the hearing and merged the applications on the two phases so as to evaluate the two phases concurrently.

### **C. DECISION**

Based on the above determinations, the Planning Board finds that the Proposal meets the requirements of the Zoning Bylaw, and by a vote of 5 in favor and 0 opposed, accordingly, grants the Applicant and its successors and assigns as owner of the premises, a modification to the Multifamily Development Special Permit decision dated November 11, 1999 to increase the number of total units allowed to be constructed on the Site from 48 units to 66 units subject to the following conditions:

1. The requested activity and construction shall be completed in accordance with the Hartford Village II Multi-Family Development Plan Set, by Andrews Engineering, last revised July 5, 2017 and materials contained in the file and the Boards approval to construct an age restricted, 55 year old and over, multifamily residential development, consisting of six, 3-unit structures for a total of eighteen units and associated improvements to be added to the existing Site.
2. This Decision shall take effect to the benefit of and be binding upon Hartford Village c/o North Point Management AAMC and its successors, transferees and assigns, as well as any other tenant, purchaser or user of the Site or any portion thereof.
3. All determinations, Decisions, and conditions set forth within the Development Plan and Stormwater Management Permit dated July 27, 2017, Special Residential Use – Multifamily Dwellings Special Permit dated July 27, 2017 and modified Hartford Village Multifamily Development Plan Permit dated July 27,

2017 are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.

4. 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**

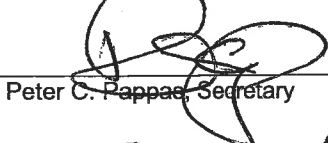
I vote to **APPROVE** the **HARTFORD VILLAGE MULTIFAMILY DEVELOPMENT SPECIAL PERMIT MODIFICATION**.

**Bellingham Planning Board**

**July 27, 2017**

  
\_\_\_\_\_  
Brian T. Salisbury, Chairman

  
\_\_\_\_\_  
William F. O'Connell Jr., Vice Chairman


  
\_\_\_\_\_  
Peter C. Pappas, Secretary

  
\_\_\_\_\_  
Dennis J. Trobino

  
\_\_\_\_\_  
Bruce W. Lord

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 28, 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 August 18, 2017

TO: Planning Board

RE: Hartford Village c/o North Point Management  
AAMC

14.1 Hixon Street/Hartford Ave.  
Acre site

This is to inform you that 20 days have elapsed since July 28, 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,

Ann L. Odabashian  
Bellingham Town Clerk



# BELLINGHAM PLANNING BOARD

10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
(508) 657-2892; FAX (508) 966-2317  
[PlanningBoard@bellinghamma.org](mailto:PlanningBoard@bellinghamma.org)

July 27, 2017

## HARTFORD VILLAGE II DEVELOPMENT PLAN AND STORMWATER MANAGEMENT PERMIT DECISION

### A. BACKGROUND

Applicant: K&S Realty Trust  
1 Stallbrook Road  
Milford, MA 01757

Owner: K&S Realty Trust  
1 Stallbrook Road  
Milford, MA 01757

Public Hearing: The Public Hearing opened Thursday, April 28, 2016 at 7:00 PM. Notice for the public meeting was published in the Milford Daily News on Thursday, April 14, 2016 and April 21, 2016. The Public Hearing was continued to May 12, 2016, June 23, 2016, July 28, 2016, September 8, 2016, September 22, 2016, October 13, 2016, November 10, 2016, December 8, 2016, January 12, 2017, March 9, 2017, April 13, 2017, May 11, 2017 and June 8, 2017, when the Public Hearing was closed.

Date of Vote: July 27, 2017

The Premises: The 6.17  $\pm$  acre site is located on the corner of Hixon Street and Hartford Avenue, Assessors Map/Lot Number 23-6-1, in a Multifamily Dwelling 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 proposed project is to construct an age restricted, 55 year old and over, multifamily residential development, consisting of six, 3-unit structures for a total of eighteen units and associated improvements off of Hixon Street, also referred to herein as the "Project."

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2017 JUL 28 AM 8:48  
OFFICE OF THE  
TOWN CLERK

The Project will be connected to Hartford Avenue via an existing private driveway known as Village Lane and an existing emergency exit on to Hixon Street.

Hartford Village Phase I was completed in the early 2000s and a future phase was contemplated at that time as described in the quitclaim deed listed below. The deed provided for shared access, drainage, and septic. However, three new units proposed as part of Phase II are sited within the area known as Phase I and therefore, in accordance with the 2000 Development Plan and Special Permit Decisions, Phase I was required to be amended. On April 13, 2017, the Applicant proposed an amendment to Phase I. The Board at that time opened the hearing and merged the two applications as to evaluate the phases concurrently.

Additional permits/approvals issued herewith for the Project depicted on the final plan entitled Hartford Village II Multi-Family Development, by Andrews Survey and Engineering, July 5, 2017 include Special Residential Use – Multifamily Dwellings Special Permit.

The Proposal was documented with the following materials:

1. Application for Development Plan, received April 6, 2016
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35. 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 Applicant originally filed on April 6, 2016 displaying 18, 55 year old and over age restricted townhome units around a grassed island. This proposed development is phase two of an already established 48 unit, 55 year old and over age-restricted townhome development. The units proposed intruded heavily in to the required 100-foot buffer as defined in Zoning Bylaw 240-95, Buffer Area. In response, the

Planning Board conducted a site walk on May 7, 2016 and again on January 7, 2017, to understand the impact the intrusion into the buffer may cause.

The Planning Board concluded that substantial shifting of the units would be required to reduce neighboring impacts. In turn, on March 15, 2017, the Applicant revised the plans and filed an application to modify the Development Plan decision dated April 27, 2000 and the Multifamily Development Special Permit dated November 11, 1999 for Hartford Village (Phase I) to relocate the proposed units further away from abutters and incorporate a portion of Phase II with the original development. Condition 2 of the Phase I permit required that any increase in number of units beyond 48 be required to seek approval from the Planning Board and as such an application was made.

On April 13, 2017, the Applicant applied for the required amendment to Phase I. The Board, at that time, opened the hearing and merged the two applications as to evaluate the same concurrently.

2. The Project will be subject to an Order of Conditions to be issued by the Bellingham Conservation Commission.
3. The Project 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: A lighting plan has been prepared illustrating the illumination of the Project, and can be found in the final plan set. The plan demonstrates that there is no light trespass to abutting properties associated with the planned illumination associated with the Site. Exterior building and street 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.
  - b. Section 240.50 Air Quality: The Project does not involve emission of odorous gases in such quantities to be offensive.
  - 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 Project 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 plan has been reviewed and recommended by the Town of Bellingham peer review agent. In response to comments during the Public Hearing process, the Applicant modified the existing drainage structure to minimize disturbance. The Board has determined that, as proposed, the Project will improve the ability for stormwater to recharge and reduce volume runoff. Furthermore, the Conservation Commission, through an Order of Conditions, will further address the adequacy of drainage on the Site.
    - i. Waiver request for 245-13.D(2)(A) – Relief from Detention Basin Design standards has been granted to allow basin side slopes of one to three.
    - ii. Waiver request for 245-13.D(2)(C) – Relief from a minimum of 1 foot of freeboard shall be provided between the 100 year flood elevation and emergency overflow was granted.
    - iii. Waiver request for 245-13.D(2)(C) – Relief from deep tests required between February and May.
  - g. Section 240.58 Noise: The Project's residential use was determined to not add significant noise concerns.
4. 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 using "auto-turn" simulations which were 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 maintaining a 100-foot buffer in most locations and where not, a significant vegetative screening exists or is proposed;
  - c. The Site has been graded to match the cuts and fills as much as possible, despite that an Earth Removal Special Permit is anticipated and shall be required;
  - d. Existing vegetation along the rear and eastern portion of the Site is to be preserved as shown on the final plan;
  - e. The project has been designed to comply with the DEP Stormwater Handbook. A Stormwater Pollution Prevention Plan 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.
5. Adequate access is provided to each structure for fire and service equipment and has been reviewed and approved, with conditions, by emergency services.
6. Adequate utility service and drainage is provided.
7. Projected peak hour traffic will not overburden the existing conditions.
8. 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 Bylaw, and by a vote of 5 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. The requested activity and construction shall be completed in accordance with the Hartford Village II Multi-Family Development Plan Set, by Andrews Engineering, last revised July 5, 2017 and materials contained in the file and the Boards approval to construct an age restricted, 55 year old and over, multifamily residential development, consisting of six, 3-unit structures for a total of eighteen units and associated improvements.
2. A Sewage Disposal Construction Permit from the Board of Health must be obtained for the on-site septic system prior to the issuance of the first Building Permit. As requested by the Board, based on the recommendation of the Board of Health, a peer review shall be conducted, by a licensed professional, to provide recommendations to the Board of Health prior to issuance of the Sewage Disposal Construction Permit, said peer review to be at the expense of the Applicant.
3. Prior to the issuance of the first occupancy permit, the Planning Board has requested and the Applicant has agreed to relocate the utility pole found at the northeast corner of Hartford Avenue and Hixon Street to improve emergency access to Hixon Street. Final location shall be decided by the Applicant and utility company with the further approval of the Bellingham Fire Department. The Board may grant relief from this condition, at a regularly scheduled Planning Board meeting, to allow up to twelve (12) occupancy permits without a public hearing, if the Applicant provides the Board and the Fire Department evidence that they have worked in good faith to relocate the pole.

4. Relief has been granted towards strict compliance of §240-95, Buffer Areas. The Planning Board after careful analysis has determined that a smaller buffer will suffice, as conditioned herein, to accomplish the objective of screening this residential use. The encroachment of the buildings shall be as depicted on the final plan and if minor alterations are necessary, those alterations shall not exceed thirty (30) feet beyond the hundred (100) foot buffer line for any building foundation.
5. In or within thirty (30) days after all appeal periods have expired and no appeal has been filed on all approvals required for this Project and before a building permit may be issued, the Applicant shall, at its sole cost and expense, purchase and install thirteen (13) so-called Green Giant Arborvitaes (Trees) at 35 Hixon Street, each of which shall, at planting, be at least 6-7 feet tall. The Trees shall be located on 35 Hixon Street at those locations determined by the Property Owner. Immediately upon the planting of the thirteen Trees, the Property Owner shall assume all responsibility for the watering and maintenance of the Trees. Nothing in this condition shall alter the requirement for the Applicant to relocate the Hartford Avenue and Hixon Street utility pole, as described above.
6. The Project requires an Inclusionary Housing Special Permit. No clearing, site work, or construction shall commence until the Applicant has submitted a Special Permit application to the Planning Board in accordance with Article XXV of the Zoning Bylaws and received approval of the same.
7. The existing emergency access shall be maintained in a good accessible manner. A locked gate, the form of which is subject to the prior review and approval by the Bellingham Fire Department, shall be installed prior to the issuance of any Certificate of Occupancy.
8. Prior to the issuance of any occupancy permits, the Applicant shall submit for Town Counsel's review and approval, the Condominium documents. Such review and approval shall be for the sole purposes of ensuring that the Condominium Association is suitably bound to the conditions of this permit. The roadways and infrastructure depicted on the plans shall be maintained by a condominium or homeowner association in perpetuity.
9. Snow and ice removal shall be the responsibility of the Applicant or a successor homeowner or condominium association. Snow and ice removal shall be undertaken as soon as is practicable after snowfall and shall not impede or obstruct the roadway and driveways or the sight lines thereon and shall not to impede or obstruct hydrants. Accumulated ice on roadways shall be promptly removed or sanded such that vehicles may pass safely. Snow storage markers shall be installed at the edge of the proposed cul-de-sac indicating location of storage. Such location shall be reviewed and approved by the Board or its designee prior to installation.

10. Ongoing stormwater maintenance reports shall be submitted to the Planning Board in accordance with the Operation and Maintenance Plan and Long-Term Pollution Prevention Plan, as may be further required in accordance with the Bellingham Conservation Commission Order of Conditions. 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.
11. Phosphorous-based fertilizer shall not be used on site.
12. 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.
13. Hours of Construction shall be 7:00 a.m. to 5:00 p.m. Monday through Friday, with no work on Saturdays unless notice has been provided to the Building Inspector 72 hours prior to any off-schedule work request, with any such work to be approved at the discretion of the Building Inspector. No work on Sundays and legal holidays. Interior work on site shall be conducted in accordance with the Noise Zoning By-Law.
14. Prior to the commencement of construction, the Applicant shall schedule a pre-construction meeting with the Town Planner, the DPW Director, and the Board's designated inspector and/or engineer. Additional meetings shall be scheduled as necessary. The Planning Board's designated inspector and/or engineer shall be permitted to conduct routine inspections, as may reasonably be determined by said inspector and/or engineer while construction is ongoing relative to this Permit and all corresponding Decisions for this Site. The Applicant is required to provide said inspector and/or engineer with any and all requested logs, as-built plans, surveys, photographs and other related items and abide by any reasonable directives or requirements of said inspector and/or engineer with respect to construction of the 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.
15. Prior to commencement of construction, the Planning Board or its designee shall, in cooperation with the Applicant, wrap any mature tree on the fringe of the disturbed area that shall be preserved. All vegetative buffers depicted on the final plan shall remain vegetated. Any removal of buffering vegetation shall be requested, in writing,

to both the Planning Board and Tree Warden. Review and approval of such a request will be discussed at the next regularly scheduled Planning Board meeting.


16. Upon commencement of construction, the Town Planner and Conservation Agent shall inspect erosion controls. Erosion controls must be deemed satisfactory by both the Town Planner and Conservation Agent prior to the first Building Permit being issued.
17. The Applicant, upon commencement of construction and before first Building Permit, shall install a six (6) foot temporary chain link privacy fence with green or black mesh along the southern border of the disturbance area. The privacy fence shall begin at or near Hixon Street and continue east fifteen (15) beyond proposed Unit 18. A temporary gate shall be installed at the proposed construction entrance.
18. During construction, a construction schedule shall be posted at all times at the entry point to the Site. Dust control shall be monitored and maintained at all times and at no time shall construction activities hinder a clear path for Phase I to exit on to Hartford Avenue.
19. The Applicant shall provide a deed or easement document providing rights of access to the Town of Bellingham to access municipal utilities. This document shall be recorded with the Norfolk County Registry of Deeds and evidence of such recording is to be provided to the Planning Board, DPW Director, and the Inspector of Buildings.
20. Fees and expenses of the Planning Board's inspectors and/or engineers in performing any tasks described in this Permit shall be paid by the Applicant in accordance with M.G.L. Ch. 44, § 53G. The Applicant shall fund such services prior to the commencement thereof.
21. As used herein, "commencement of construction" is hereby defined as any clearing or preparation of the Site for development of the project approved herein.
22. This Decision shall take effect to the benefit of and be binding upon K&S Realty Trust and its successors, transferees and assigns, as well as any other tenant, purchaser or user of the Site or any portion thereof.
23. All determinations, Decisions, and conditions set forth within the Special Residential Use – Multifamily Dwellings Special Permit dated July 27, 2017 are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.
24. 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 **HARTFORD VILLAGE II DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT.**

**Bellingham Planning Board**


**July 27, 2017**

  
\_\_\_\_\_  
Brian T. Salisbury, Chairman

  
\_\_\_\_\_  
William F. O'Connell Jr., Vice Chairman

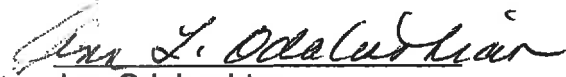
  
\_\_\_\_\_  
Peter C. Pappas, Secretary

  
\_\_\_\_\_  
Dennis J. Trebino

  
\_\_\_\_\_  
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 July 28, 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 August 28, 2017

TO: Planning Board

RE: K & S Realty Trust

6.17 Acre Site Hixon St./Hartford Ave.

This is to inform you that 30 days have elapsed since July 28, 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,

Ann L. Odabashian  
Bellingham Town Clerk



# BELLINGHAM PLANNING BOARD

10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
(508) 657-2892; FAX (508) 966-2317  
[PlanningBoard@bellinghamma.org](mailto:PlanningBoard@bellinghamma.org)

July 27, 2017

## HARTFORD VILLAGE II SPECIAL RESIDENTIAL USE – MULTIFAMILY DWELLING PERMIT DECISION

### A. BACKGROUND

**Applicant:** K&S Realty Trust  
1 Stallbrook Road  
Milford, MA 01757

**Owner:** K&S Realty Trust  
1 Stallbrook Road  
Milford, MA 01757

**Public Hearing:** The Public Hearing opened Thursday, April 28, 2016 at 7:00 PM. Notice for the public meeting was published in the Milford Daily News on Thursday, April 14, 2016 and April 21, 2016. The Public Hearing was continued to May 12, 2016, June 23, 2016, July 28, 2016, September 8, 2016, September 22, 2016, October 13, 2016, November 10, 2016, December 8, 2016, January 12, 2017, March 9, 2017, April 13, 2017, May 11, 2017 and June 8, 2017, when the Public Hearing was closed.

**Date of Vote:** July 27, 2017

**The Premises:** The 6.17 <sup>±</sup> acre site is located on the corner of Hixon Street and Hartford Avenue, Assessors Map/Lot Number 23-6-1, in a Multifamily Dwelling zone, also referred to herein as the "Site."

**The By-Law:** Section 240-15 Special Permit and Section 240-104 Other Multifamily Dwellings

**The Proposal:** The proposed project is to construct an age restricted, 55 year old and over, multifamily residential development, consisting of six, 3-unit structures for a total of eighteen units and associated improvements off of Hixon Street, also referred to herein as the "Project."

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TOWN CLERK

The Project will be connected to Hartford Avenue via an existing private driveway known as Village Lane and an existing emergency exit on to Hixon Street.

Hartford Village Phase I was completed in the early 2000s and a future phase was contemplated at that time as described in the quitclaim deed listed below. The deed provided for shared access, drainage, and septic. However, three new units proposed as part of Phase II are sited within the area known as Phase I and therefore, in accordance with the 2000 Development Plan and Special Permit decisions, Phase I was required to be amended. On April 13, 2017, the Applicant proposed an amendment to Phase I. The Board at that time opened the hearing and merged the two applications as to evaluate the phases concurrently.

Additional permits/approvals issued herewith for the Project depicted on the final plan entitled Hartford Village II Multi-Family Development, by Andrews Survey and Engineering, July 5, 2017 include Development Plan and Stormwater Management Permit.

The Proposal was documented with the following materials:

1. Application for Development Plan, received April 6, 2016
2. Application for a Stormwater Management Permit, received April 6, 2016
3. Application for Special Residential Use – Multifamily Dwellings Special Permit, received April 6, 2016
4. Certified Abutters' List dated March 29, 2016
5. Board of Health Comments, Mike Catalano, Health Agent, dated April 6, 2016
6. Department of Public Works Comments, Don DiMartino, DPW Director, dated September 8, 2016
7. Department of Public Works Comments, Don DiMartino, DPW Director, dated December 1, 2016
8. Department of Public Works Comments, Don DiMartino, DPW Director, dated March 7, 2017
9. Deed for Property dated May 15, 1985, received April 6, 2016
10. Project Narrative, by Andrews Engineering, received April 6, 2016
11. Hartford Village II Multi-Family Development Plan Set, by Andrews Engineering, last revised July 5, 2017

12. Hartford Village II Multi-Family Development Building Setback Conceptual Plan, by Andrews Engineering, last revised November 10, 2016
13. Stormwater Management Report, by Andrews Engineering, last revised February 17, 2017
14. Drainage Analysis, by Andrews Engineering, received February 24, 2017
15. Traffic Assessment Report, by Tighe and Bond, dated September 24, 2015
16. Supplemental Traffic Assessment Report, by Tighe and Bond, dated May 6, 2015
17. Waiver Requests, by Andrews Engineering, received February 24, 2017
18. Lot 2, Massachusetts Statutory Quitclaim Deed, dated May 23, 2000
19. Fire Department Comments, by Deputy Chief Poirier, dated May 3, 2016
20. Planning Board Staff Memo, by James Kupfer, dated May 11, 2016
21. Project Peer Review, Professional Services Corporation, PC, dated September 7, 2016
22. Project Peer Review, Professional Services Corporation, PC, dated December 2, 2016
23. Project Peer Review, Professional Services Corporation, PC, dated March 8, 2017
24. Application for Development Plan Decision Modification (Phase I), received March 15, 2017
25. Application for Multifamily Dwellings Special Permit (Phase I), received February 16, 2017
26. Hartford Village Board of Trustees Affidavit, received March 15, 2017
27. Response to PSC Comments, Andrews Engineering, dated November 14, 2016
28. Response to PSC Comments, Andrews Engineering, dated February 22, 2016
29. Hydrant Flow Test, by BETA Group, received February 24, 2017
30. Auto Turn Plan for Proposed Cul-de-Sac, Hartford Avenue and Hixon Street and Emergency Access, by Andrews Engineering, received February 24, 2017
31. Approval Not Required Plan, by Andrews Engineering, dated May 8, 2000
32. Department of Environmental Protection Guidelines for Installation of Impervious Barriers & Slope Stabilization received May 11, 2017
33. Department of Environmental Protection Guidelines for Construction in Fill, received May 11, 2017
34. Memo to Support Waiver Request, Attorney Antonellis, dated May 11, 2017
35. 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 Applicant originally filed on April 6, 2016 displaying 18, 55 year old and over age restricted townhome units around a grassed island. This proposed development is phase two of an already established 48 unit, 55 year old and over age-restricted townhome development. The units proposed intruded heavily in to the required 100-

foot buffer as defined in Zoning Bylaw 240-95, Buffer Area. In response, the Planning Board conducted a site walk on May 7, 2016 and again on January 7, 2017, to understand the impact the intrusion in to the buffer may cause.

The Planning Board concluded that substantial shifting of the units would be required to reduce neighboring impacts. In turn, on March 15, 2017 the Applicant revised the plans and filed an application to modify the Development Plan decision dated April 27, 2000 and the Multifamily Development Special Permit dated November 11, 1999 for Hartford Village (Phase I) to relocate the proposed units further away from abutters and incorporate a portion of Phase II with the original development. Condition three of the Phase I permit required any increase in density to obtain approval from the Planning Board; and as such an application was made.

On April 13, 2017, the Applicant applied for the required amendment to Phase I. The Board, at that time, opened the hearing and merged the two applications as to hear the impacts concurrently.

2. The Project will be subject to an Order of Conditions to be issued by the Bellingham Conservation Commission.
3. Consideration was given to Section 240-25 General Special Permit Criteria:
  - a. Social, economic or community needs which are served by the proposal will be provided through the expanded diversity of housing type that is needed in the Town of Bellingham.
  - b. Traffic flow and safety has been thoroughly considered and was determined that projected peak hour traffic will not overburden the existing conditions.
  - c. Adequacy of utilities and other public services have been determined to be sufficient. The Director of Public Works has confirmed that adequate capacity in the municipal water supply system is present to accommodate the Site. All other utilities are to be privately owned and maintained.
  - d. Neighborhood character and social structures have been considered. The Site is situated within an existing 55 year old and over condominium and is within the Town of Bellingham's Multifamily Zoning District.
  - e. Qualities of the natural environment were considered and there were extensive discussions and plan revisions to preserve and/or mitigate impacts to the natural environment.
  - f. The project is expected to have a positive fiscal impact due to limited municipal services required while providing additional value to a vacant parcel.

4. Consideration was given to Section 240-108 Other Multifamily Decision Criteria:

- a. Municipal costs and revenues are expected to have a positive fiscal impact due to limited municipal services required while providing additional value to a vacant parcel.
- b. Effect on the range of available housing choices, service to identified housing needs and service to current Bellingham residents will be improved greatly to the ageing population seeking to remain in Town by adding additional multifamily units offered to those 55 years old or greater.
- c. Support for local business activity and jobs by adding additional residential units near commercial property.
- d. Impact on the natural environment, especially on ground and surface water quality and level has been vetted through peer review analysis and further investigated and regulated through an order of conditions issued by the Conservation Commission.
- e. Impacts on traffic safety and congestion, adequacy of water service, and need for school facilities were determined to be minimal. Traffic flow and safety has been thoroughly considered and was determined that projected peak hour traffic will not overburden the existing conditions. Adequacy of utilities and other public services have been determined to be sufficient. The Director of Public Works has confirmed that adequate capacity in the municipal water supply system is present to accommodate the Site. All other utilities are to be privately owned and maintained. And the Project proposed will not add a burden to the existing school system as the development is restricted to 55 years old or older.
- f. Impacts on the visual environment through preservation or displacement of visual assets, and consistency with existing development in area have been reviewed and visual impacts have been conditioned. The development extends an already existing 55 year old or older condominium development and the Board has further condition buffering to abutting properties.

**C. DECISION**

Based on the above determinations, the Planning Board finds that the Proposal meets the requirements of the Zoning Bylaw, and by a vote of 5 in favor and 0 opposed, accordingly, grants the Applicant and its successors and assigns as owner of the premises, Special Residential Use – Multifamily Dwellings Special Permit approval subject to the following conditions:

1. The requested activity and construction shall be completed in accordance with the Hartford Village II Multi-Family Development Plan Set, by Andrews Engineering, last revised July 5, 2017 and materials contained in the file and the Boards approval to construct an age restricted, 55 year old and over, multifamily residential development, consisting of six, 3-unit structures for a total of eighteen units and associated improvements.
2. A Sewage Disposal Construction Permit from the Board of Health must be obtained for the on-site septic system prior to the issuance of the first Building Permit. As requested by the Board, based on the recommendation of the Board of Health, a peer review shall be conducted, by a licensed professional, to provide recommendations to the Board of Health prior to issuance of the Sewage Disposal Construction Permit, said peer review to be at the expense of the Applicant.
3. Prior to the issuance of the first occupancy permit, the Planning Board has requested and the Applicant has agreed to relocate the utility pole found at the northeast corner of Hartford Avenue and Hixon Street to improve emergency access to Hixon Street. Final location shall be decided by the Applicant and utility company with the further approval of the Bellingham Fire Department. The Board may grant relief from this condition, at a regularly scheduled Planning Board meeting, to allow up to twelve (12) occupancy permits without a public hearing, if the Applicant provides the Board and the Fire Department evidence that they have worked in good faith to relocate the pole.
4. Relief has been granted towards strict compliance of §240-95, Buffer Areas. The Planning Board after careful analysis has determined that a smaller buffer will suffice to accomplish the objective of screening this residential use. The encroachment of the buildings shall be as depicted on the final plan and if minor alterations are necessary, those alterations shall not exceed thirty (30) feet beyond the one hundred (100) foot buffer line for any building foundation.
5. In or within thirty (30) days after all appeal periods have expired and no appeal has been filed on all approvals required for this Project and before a building permit may be issued, the Applicant shall, at its sole cost and expense, purchase and install thirteen (13) so-called Green Giant Arborvitaes (Trees) at 35 Hixon Street, each of which shall, at planting, be 6-7 feet tall. The Trees shall be located on 35 Hixon Street at those locations determined by the Property Owner. Immediately upon the planting of the thirteen Trees, the Property Owner shall assume all responsibility for the watering and maintenance of the Trees. Nothing in this condition shall alter the requirement for the Applicant to relocate the Hartford Avenue and Hixon Street utility pole, as described above.

6. The Project requires an Inclusionary Housing Special Permit. No clearing, site work or construction shall commence until the Applicant has submitted a special permit application to the Planning Board in accordance with Article XXV of the Zoning Bylaws and received approval of the same.
7. The existing emergency access shall be maintained in a good and accessible manner. A locked gate, the form of which is subject to the prior review and approval by the Bellingham Fire Department, shall be installed prior to the issuance of any Certificate of Occupancy.
8. Prior to the issuance of any occupancy permits, the Applicant shall submit for Town Counsel's review and approval, the Condominium documents. Such review and approval shall be for the sole purposes of ensuring that the Condominium Association is suitably bound to the conditions of this permit. The roadways and infrastructure depicted on the plans shall be maintained by a condominium or homeowner association in perpetuity.
9. Snow and ice removal shall be the responsibility of the Applicant or a successor homeowner or condominium association. Snow and ice removal shall be undertaken as soon as is practicable after snowfall and shall not impede or obstruct the roadway and driveways or the sight lines thereon and shall not to impede or obstruct hydrants. Accumulated ice on roadways shall be promptly removed or sanded such that vehicles may pass safely. Snow storage markers shall be installed at the edge of the proposed cul-de-sac indicating location of storage. Such location shall be reviewed and approved by the Board or its designee prior to installation.
10. Ongoing stormwater maintenance reports shall be submitted to the Planning Board in accordance with the Operation and Maintenance Plan and Long-Term Pollution Prevention Plan, as may be further required in accordance with the Bellingham Conservation Commission Order of Conditions. 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.
11. Phosphorous-based fertilizer shall not be used on site.
12. 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.



13. Hours of Construction shall be 7:00 a.m. to 5:00 p.m. Monday through Friday, with no work on Saturdays unless notice has been provided to the Building Inspector 72 hours prior to any off-schedule work request, with any such work to be approved at the discretion of the Building Inspector. No work on Sundays and legal holidays. Interior work on site shall be conducted in accordance with the Noise Zoning By-Law.
14. Prior to the commencement of construction, the Applicant shall schedule a pre-construction meeting with the Town Planner, the DPW Director, and the Board's designated inspector and/or engineer. Additional meetings shall be scheduled as necessary. The Planning Board's designated inspector and/or engineer shall be permitted to conduct routine inspections, as may reasonably be determined by said inspector and/or engineer while construction is ongoing relative to this Permit and all corresponding Decisions for this Site. The Applicant is required to provide said inspector and/or engineer with any and all requested logs, as-built plans, surveys, photographs and other related items and abide by any reasonable directives or requirements of said inspector and/or engineer with respect to construction of the 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.
15. Prior to commencement of construction, the Planning Board or its designee shall, in cooperation with the Applicant, wrap any mature tree on the fringe of the disturbed area that shall be preserved.
16. Upon commencement of construction, the Town Planner and Conservation Agent shall inspect erosion controls. Erosion controls must be deemed satisfactory by both the Town Planner and Conservation Agent prior to the first Building Permit being issued.
17. The Applicant, upon commencement of construction and before first Building Permit, shall install a six (6) foot temporary chain link privacy fence with green or black mesh along the southern border of the disturbance area. The privacy fence shall begin at or near Hixon Street and continue east fifteen (15) beyond proposed Unit 18. A temporary gate shall be installed at the proposed construction entrance.
18. During construction, a construction schedule shall be posted at all times at the entry point to the Site. Dust control shall be monitored and maintained at all times and at no time shall construction activities hinder a clear path for Phase I to exit on to Hartford Avenue.
19. The Applicant shall provide a deed or easement document providing rights of access to the Town of Bellingham to access municipal utilities. This document shall be

recorded with the Norfolk County Registry of Deeds and evidence of such recording is to be provided to the Planning Board, DPW Director and the Inspector of Buildings.

20. Fees and expenses of the Planning Board's inspectors and/or engineers in performing any tasks described in this Permit shall be paid by the Applicant in accordance with M.G.L. Ch. 44, § 53G. The Applicant shall fund such services prior to the commencement thereof.
21. As used herein, "commencement of construction" is hereby defined as any clearing or preparation of the Site for development of the project approved herein.
22. This Decision shall take effect to the benefit of and be binding upon K&S Realty Trust and its successors, transferees and assigns, as well as any other tenant, purchaser or user of the Site or any portion thereof.
23. All determinations, Decisions, and conditions set forth within the Development Plan and Stormwater Management Permit dated July 27, 2017 are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.
24. 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**

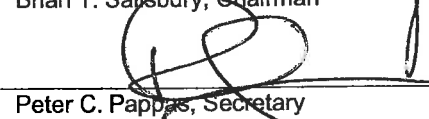
I vote to **APPROVE** the **HARTFORD VILLAGE II SPECIAL RESIDENTIAL USE – MULTIFAMILY DWELLINGS SPECIAL PERMIT.**

**Bellingham Planning Board**


**July 27, 2017**

  
\_\_\_\_\_  
Brian T. Salisbury, Chairman

  
\_\_\_\_\_  
William F. O'Connell Jr., Vice Chairman


  
\_\_\_\_\_  
Peter C. Pappas, Secretary

  
\_\_\_\_\_  
Dennis J. Trebino

  
\_\_\_\_\_  
Bruce W. Lord

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 28, 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 August 18, 2017

TO: Planning Board

RE: K & S Realty Trust

6.17 Acre Site ⇒ Hixon Street/Hartford Ave.

This is to inform you that 20 days have elapsed since July 28, 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,

Ann L. Odabashian  
Bellingham Town Clerk