



TOWN OF BELLINGHAM

OFFICE OF TOWN CLERK

Bellingham Municipal Center
10 Mechanic Street
Bellingham, MA 02019

Town Clerk
Lawrence J. Sposato, Jr.

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

DATE: June 27, 2022

TO: Howland Development

RE: 206 Mechanic Street

Development Plan Approval and

Stormwater Management Permit

This is to inform you that 30 days have elapsed since May 27, 2022

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 on file at this office,

Sincerely,

Lawrence J. Sposato, Jr.

Bellingham Town Clerk



BELLINGHAM PLANNING BOARD

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

May 26, 2022

206 MECHANIC STREET WAREHOUSE DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT DECISION

A. BACKGROUND

Applicant: Howland Development
Wayne Finnegan
155 West Street
Wilmington, MA 01887

Owner: BAS Realty Trust
Edward and Judith Moore Trustees
6 Blackstone Street
Bellingham, MA 02019

Public Hearing: The Public Hearing opened January 27, 2022 at 7:00 PM. Notice for the public meeting was published in *The Milford Daily News* on January 13, 2022 and January 20, 2022. The Public Hearing was continued to February 24, 2022, March 10, 2022, April 14, 2022, May 12, 2022 and May 26, 2022, when the Public Hearing was closed.

Date of Vote: May 26, 2022

The Premises: The property, also referred to herein as the "Site", is proposed to be accessed from Mechanic Street, a public way. The project is located at Assessors Map 52-03, approximately 10.53 acres, in an Industrial and Business-1 Zoning District.

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

The Proposal: To construct a 124,200 square foot warehouse with associated improvements accessed by Mechanic Street.

The Proposal was documented with the following materials:

1. Application for Development Plan Review, dated December 16, 2021, including a narrative and project description.
2. Stormwater Management Permit Application, dated December 16, 2021.
3. Flexible Parking Options Special Permit Application, dated December 16, 2021.
4. Certificate of Ownership, dated December 17, 2021.
5. Certified Abutter's List, Town of Bellingham, dated December 3, 2021.
6. Proposed Site Plan Documents for Howland Development, by Bohler Engineering, last revised May 13, 2022. (also known as the Approved Plan)
7. Variance Approval, Howland Development, dated October 7, 2021
8. Drainage Report, by Bohler Engineering, dated December 15, 2021.
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10. Traffic Impact Assessment, by Vanasse and Associates, dated July 27, 2021.
11. Sound Study, by Tech Environmental, dated February 11, 2022.
12. Memorandum, Don DiMartino, DPW Director, dated January 21, 2022
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19. Response to peer review, Bohler Engineering, dated March 10, 2022.
20. Exhibit A, Elevations, by Bohler Engineering, dated May 5, 2022.
21. Exhibit B, Elevations, by Bohler Engineering, dated May 5, 2022.

22. Exhibit C, Conceptual Improvement Plan, Right Turn Extension, Vanasse and Associates, Inc., dated May 5, 2022.
23. Exhibit D, Conceptual Welcome Sign, by Classic Signs Inc., dated May 5, 2022.
24. Exhibit E, Wall Exhibit, by Bohler Engineering, dated May 5, 2022.
25. 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. Prior to submission to the Planning Board, the Applicant sought relief from the Zoning Board of Appeals to allow for a warehouse and distribution use in the Business-1 zone, to allow a building height of 45 feet and to allow a reduction in the separation distance between driveways. The Applicant submitted three variance applications for the above relief and the Zoning Board of Appeals granted said relief on October 12, 2021.
2. That the use proposed is limited to warehouse and distribution.
3. That the Site disturbance area is not located within the Water Resource District.
4. In accordance with the Flexible Parking Special Permit, the Board has granted a reduction in parking from 249 spaces to 115 spaces.
5. The performance requirements of this By-Law (e.g. Article IX Environmental Controls, Article X Parking and Loading Requirements, Article XI Landscaping Requirements) have been met or a waiver has been requested and granted.
 - a) §240.49 Light and Glare: A photometric plan has been prepared and can be found within the Approved Plan. The plan demonstrates that the illumination of the proposed lighting for the development shall not trespass on to abutting properties. Any exterior building and parking lot lighting shall be consistent with "dark sky" standards, shielded and directed downward to maintain lighting on to the Site and shall comply with the Zoning By-law.
 - b) § 240.50 Air Quality: There will be no manufacturing within the proposed facility. The proposed uses do not involve emission of odorous gases in such quantities to be offensive and shall continue to adhere to the Zoning By-law. The only point source emissions identified to the air will be from the proposed heating systems and vehicles entering and exiting

the Site. However, future tenants have not been identified. It shall be a condition of the permit that any uses involving impacts to air quality pursuant to § 240.50.B shall first seek relief from the Special Permit Granting Authority.

- c) §240.51 Hazardous Materials: No hazardous materials, as defined in this section, are proposed to be used or stored on Site. However, future tenants have not been identified. It shall be a condition of the permit that any uses involving hazardous materials shall first seek relief from the Special Permit Granting Authority.
 - d) §240.52 Vibration: The Applicant does not propose any use that produces vibration which is discernible to the human sense of feeling (except sound) at or beyond the boundaries of the premises for three minutes or more in any hour between 7:00 a.m. and 9:00 p.m. or for 30 seconds or more in any one hour between 9:00 p.m. and 7:00 a.m. However, future tenants have not been identified. It shall be a condition of the permit that any uses involving discernable vibrations shall first seek relief from the Special Permit Granting Authority.
 - e) §240.53 Electrical Disturbance: No electrical disturbance is proposed or will be permitted which adversely effects the operation of any equipment other than that of the creator of such disturbance.
 - f) §240.54 Stormwater Management: The stormwater management shown on the Plan and drainage analysis has been designed to meet the Stormwater Management Standards set by the Massachusetts Department of Environmental Protection and Bellingham Zoning By-laws. The standards include removing solids from the stormwater, reducing rates of runoff from the site, and recharging the groundwater.
 - g) §240.58 Noise: The use proposed was determined to not add noise concerns as all activities are conducted indoors and are sited within an industrial district. The Applicant provided a Sound Study, dated February 11, 2022, by Tech Environmental which confirmed compliance.
6. 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 in the rear as well as landscaping and berms added to priority areas;
 - c) reduce the volume of cut or fill and the Site has been graded to match the cuts and fills, as much as possible and it is not anticipated that an Earth Removal Special Permit will be required;
 - d) reduce the number of removed trees 8" trunk diameter and larger as mature vegetation shall be preserved to the rear of the Site;
 - e) reduce soil erosion; and reduce hazard or inconvenience to pedestrians from storm water flow and ponding by engineering the Site to be designed to comply with the DEP Stormwater Handbook and the Town of Bellingham Stormwater Regulations as well as the inclusion of a Stormwater Pollution Prevention Plan and Operation and Maintenance Plan consistent with the Town of Bellingham requirements.
 - f) provide alternate access as emergency services has reviewed and approved the plan as proposed and deemed access to be adequate;
 - g) provide alternate utility service and drainage as the DPW Director has reviewed and approved the plan as proposed and demonstrated in the Stormwater Management Report;
 - h) Projected peak hour traffic will increase in the study area along Route 140. However, the Planning Board has determined that the traffic mitigation measures proposed by the Applicant and required under this approval, including a improvements to the Maple and Rt 140 intersection and traffic signal timing, reduction of curb cuts and enhanced sidewalk connections adequately provide for capacity and safety improvements.
7. The Board finds that compliance with the below conditions are necessary to mitigate impacts related to the construction and occupancy of the project.

C. DECISION

1. Approval is limited to the improvements as noted on the Approved Plan, warehouse and distribution use, and as may be conditioned herein. Any changes to such Plan must be reviewed and approved in accordance with the Bellingham Zoning By-laws. All such changes shall be reviewed by the Board for determination as to whether or not the changes are considered minor or major. If the Planning Board determines that any change to the plan is a major alteration to the Approved Plan, a public hearing shall be required for a modification to this permit. A minor change shall be reviewed and approved at a regularly scheduled meeting.

2. Prior to the issuance of an Occupancy Permit for the proposed use on the Site, the Applicant has agreed to extend the right turn lane that heads southbound on Maple Street approximately 230 linear feet substantially in conformance with document entitled Exhibit C dated May 5, 2022. While further conditioned here, such improvements shall satisfy condition 5 of the 206 Mechanic Street Variance approved on October 7, 2021.
3. An ornamental "welcome" wall shall be constructed along the frontage of Maple and Mechanic Streets substantially in conformance with the document entitled Exhibit D, dated May 5, 2022. The wall shall extend beyond the conceptual design to accommodate a continued stone wall of approximately 90 linear feet maximum. The site of the wall shall be in the location shown in the document entitled Exhibit E, dated May 5, 2022. The proposed wall shall be constructed and reviewed and approved as to compliance with the proposed exhibit listed above, by the Building Commissioner prior to the issuance of an Occupancy Permit. A sub-committee may be formed to provide a recommendation to the Board on the final design for approval at a regularly scheduled meeting of the Board. The "welcome" wall shall be donated to the Town prior to Occupancy Permit. In addition an easement to access and maintain the wall shall be granted in perpetuity prior to Occupancy Permit.
4. The Applicant has provided detailed proposed conceptual elevations as shown in the document entitled Exhibit A and B, dated May 5, 2022. The elevations present three glass areas on the easterly side of the structure providing an "office" type style and transitions in both color and depth along the south and easterly side of the structure. The Board requires the Applicant to construct the structure substantially in conformance with the exhibits with close attention to the quality and character proposed. The modulation of the façade panels along the south and easterly side of the structure can be accomplished by using accent insert panels placed offset (9" to 12") from the building face so that the modulation is evident. The window locations at either end of the building shall be similar in location and quantity. There shall be at least one other window location as shown on the exhibit, but depending on the end user(s) there may be more than one other window location and the specific locations may vary. Prior to a Building Permit the Applicant shall provide detailed specifications to the Building Commissioner for review and approval which shall be in compliance with this condition to vary the color of the upper portion of building along the Westerly dock side of the building.
5. In seeking an access permit from the Massachusetts Department of Highways ("Department") in connection with the Mechanic Street driveway,

Applicant shall request the Department to evaluate: (i) whether or not a signalization timing study should be undertaken for the traffic signals at the Mechanic Street and Maple Street intersection; (ii) whether or not it is appropriate to extend the bike lane on Mechanic Street along the property; and (iii) whether or not the existing easterly and westerly left turn access lanes on Rt 140 near the westerly corner of the site may be extended and combined in both directions by removal of stripping to allow easterly bound traffic earlier access to the Maple Street left turn only lane .

6. Applicant shall use best efforts to ensure that (i) all truck traffic enters the Property from Mechanic Street and not Maple Street, (ii) no trucks exit the Property onto Mechanic Street with a left turn (going in an easterly direction), with restrictive signage place at the Mechanic Street driveway (iii) all trucks desiring to go east on Mechanic Street do so by exiting onto Maple Street (iv) trucks owned by Tenants are equipped with back up beepers that broadcast a "white-noise, whooshing sound" instead of a conventional beeper, (v) No trucks shall turn left from the Site on to Maple Street, and (vi) no stopping or idling on any public way. No idling on Site in accordance with the Anti Idling Law.

Applicant shall include in all leases to tenants that occupy the building that the tenant must abide by the conditions of this Approval by including in leases the following provision:

"The property is subject to Approvals issued by the Bellingham Planning Board dated May 26, 2022 and subsequently recorded with the Registry of Deeds.

Tenant must operate its business in conformance with the Approvals and in particular Condition 6. Therefore, Tenant shall use best efforts to ensure that (i) trucks follow the directives of on-site signage; (ii) all truck traffic enters the Property from Mechanic Street and not Maple Street, (iii) no trucks exit the Property onto Mechanic Street with a left turn (going in an easterly direction), (iv) all trucks desiring to go east on Mechanic Street do so by exiting onto Maple Street, (v) trucks owned by Tenant are equipped with back up beepers that broadcast a "white-noise, whooshing sound" instead of a conventional beeper, (vi) no trucks shall turn left from the Site on to Maple Street, and (vi) no stopping or idling on the public way. No idling on Site in accordance with the Anti Idling Law."

7. Prior to the issuance of a Building Permit, as mitigation to alleviate concerns regarding increased trash along roadways, the Applicant shall donate \$7,500.00 to the Town of Bellingham to support a general roadside clean up fund. In addition, as part of the Site Operation and Maintenance Plan, the

Applicant and their successors shall continuously monitor and maintain the Site's frontage on Mechanic and Maple Street for debris and rubbish and remove.

8. A comprehensive signage plan shall be presented to the Board for approval prior to Building Permit for the Site signage. Wall signage on the façade of the primary structure facing Mechanic Street and Maple Street is prohibited. The rear dock wall shall have a thick paint stripe above the dock doors, below the roof line to provide character to the elevation.
9. All landscaping and structures that screen the Site shall be maintained or replaced in perpetuity.
10. Indoor noise shall be limited. If excessive noise is emitted by the user of the Site, the user of the Site shall close the dock bay doors when not in use and any other remedy that will limit noise.
11. Prior to the start of construction, sediment and erosion controls shall be installed and be subject to the inspection and approval by the Town Planner and Conservation Agent.
12. The Limit of Work is the limit of grading and general excavation. No construction staging or stockpiling of equipment or materials shall be placed outside the Limit of Work.
13. The hours of operation for any construction or staging activities on-site shall be Monday through Friday, from 7:00 am to 6:00 pm. Construction activity shall also be permitted on Saturdays from 9:00 am to 6:00 pm. These activities shall include all equipment on site shall not start up or remain on before or after the hours listed above. No construction activity shall take place outside the specified permitted hours or on Sunday or New Years' Day, Memorial Day, July Fourth, Labor Day, Thanksgiving, Christmas, or other legal holiday. No idling for longer than 5 minutes, if vehicles and equipment are not in operation.
14. All fencing to be installed on Site shall be constructed to allow for a six (6) inch gap from the ground surface to the bottom of the fence to allow for wildlife.
15. If construction activity ceases for longer than 30 days, for any reason, then written notice shall be provided by the Applicant to the Building Commissioner at least 48 hours before resuming work. The Building Commissioner may require that any foundation, trench, structure, equipment

or other hazard be secured as necessary, in his opinion, including but not limited to installation of fencing and/or filling of trenches.

16. If construction is temporarily suspended, for any reason, during the growing season, all exposed areas shall be stabilized by seeding and/or mulching within 14 days of suspension of construction. If construction is temporarily suspended outside the growing season, all exposed areas shall be stabilized by mulching and tack within 14 days of suspension of construction. Slopes steeper than 3:1 shall be stabilized by netting and pinning during suspension of construction.
17. All exterior lighting at the Site shall be dark sky compliant and shall not allow spillover of light onto adjoining properties, in accordance with the Approved Plans and the Town's Zoning By-laws.
18. If applicable, prior to a pre-blast survey and the act of blasting on Site, the Applicant shall notify all direct abutters at minimum one week in advance by hand delivered mail by a representative of the Applicant.
19. The Applicant shall be permanently responsible for the following at the Project: 1) all plowing, sanding, and snow removal; 2) all site maintenance and establishing a regular schedule for site maintenance; 3) repairing and maintaining all on-site ways, including drainage structures and utilities therein; 4) conducting annual inspection, maintenance and cleaning of all elements of the drainage system, including but not limited to catch basins, drain manholes, detention basins, swales and pipelines; and site lighting and landscaping.
20. The Stormwater Management Operation and Maintenance Plan (O&M), dated April 28, 2022, is hereby referenced and made part of this decision. The Applicant shall permit the Board or its agent to inspect the premises on reasonable notice to determine compliance with said O&M plan.
21. Snow and ice removal shall be the responsibility of the Applicant or a successor and in accordance with the approved O&M including snow and ice removal off of commercial vehicles prior to leaving the Site. Applicant shall endeavor to use "eco-friendly" products for such purposes.
22. Phosphorous-based fertilizer shall not be used on the Site. Applicant shall endeavor to use "eco-friendly" products for such purposes.
23. Prior to issuance of a Certificate of Occupancy, the Applicant or Tenant shall deliver to the Town Planner a complete list of hazardous materials proposed

to be used or stored at the building to the extent required under §240.51 of the Bellingham Zoning Bylaws or other applicable law.

24. Prior to the commencement of construction, the Applicant shall schedule a preconstruction meeting with the Town Planner and the Board's designated inspector. The Board's inspector shall be permitted to conduct routine inspections, as may be reasonably be determined by said inspector, while construction is ongoing relative to this permit and all corresponding Decisions for this Site. The Applicant shall deposit with the Town, sums necessary to fund the inspections contemplated hereunder. Such inspectional fund shall be governed under M.G.L. c. 44 §53G or such other applicable statutory method as may be appropriate. The Developer shall provide EPA and /or DEP approval confirmation of the proposed SWPPP for the Site.
25. In accordance with the Bellingham Department of Public Works, any and all access and utility easements that may be necessary shall be in a form approved by Town Counsel prior to the issuance of the Certificate of Completion, such approval shall not be unreasonably withheld.
26. This Decision is binding on the Applicant's successors, assigns, agents, and employees. This approval shall insure to the benefit of and binding upon Howland Development, Wayne Finnegan provided there is no change in use for the Premises. The Planning Board shall be notified in writing of any changes in affiliates and successors in title and additional users of the Premises.
27. Any change of use shall require a public hearing to either modify the existing Development Plan or to issue a new Development Plan and associated permit.
28. All determination, Decisions, and conditions set forth within the Flexible Parking Special Permit, dated May 26, 2022, are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.
29. The Applicant shall comply with §240-16B(5) and (6) regarding As-Built Plans and follow the policies of the As-Built handbook.
30. This Decision shall not be effective until it is recorded by the Applicant at the Registry of Deeds, with proof of such recording to be supplied to the Board and the Building Inspector.

D. RECORD OF VOTE


I vote to **APPROVE** the **206 MECHANIC STREET WAREHOUSE DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT**.

Bellingham Planning Board

May 26, 2022




William F. O'Connell, Jr., Chairman



Brian T. Salisbury, Vice Chairman



Philip Devine



Dennis J. Trebino

Appeals of this Decision may be made within thirty days, in accordance with the provisions of §240-16B.(3) and G.L. c 40A, §17

This Decision, together with all plans referred to in it, was filed with the Town Clerk on May 27, 2022.

Lawrence J. Sposato, Jr.
Bellingham Town Clerk



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C. DECISION

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2. Prior to the issuance of an Occupancy Permit for the proposed use on the Site, the Applicant has agreed to extend the right turn lane that heads southbound on Maple Street approximately 230 linear feet substantially in conformance with document entitled Exhibit C dated May 5, 2022. While further conditioned here, such improvements shall satisfy condition 5 of the 206 Mechanic Street Variance approved on October 7, 2021.
3. An ornamental "welcome" wall shall be constructed along the frontage of Maple and Mechanic Streets substantially in conformance with the document entitled Exhibit D, dated May 5, 2022. The wall shall extend beyond the conceptual design to accommodate a continued stone wall of approximately 90 linear feet maximum. The site of the wall shall be in the location shown in the document entitled Exhibit E, dated May 5, 2022. The proposed wall shall be constructed and reviewed and approved as to compliance with the proposed exhibit listed above, by the Building Commissioner prior to the issuance of an Occupancy Permit. A sub-committee may be formed to provide a recommendation to the Board on the final design for approval at a regularly scheduled meeting of the Board. The "welcome" wall shall be donated to the Town prior to Occupancy Permit. In addition an easement to access and maintain the wall shall be granted in perpetuity prior to Occupancy Permit.
4. The Applicant has provided detailed proposed conceptual elevations as shown in the document entitled Exhibit A and B, dated May 5, 2022. The elevations present three glass areas on the easterly side of the structure providing an "office" type style and transitions in both color and depth along the south and easterly side of the structure. The Board requires the Applicant to construct the structure substantially in conformance with the exhibits with close attention to the quality and character proposed. The modulation of the façade panels along the south and easterly side of the structure can be accomplished by using accent insert panels placed offset (9" to 12") from the building face so that the modulation is evident. The window locations at either end of the building shall be similar in location and quantity. There shall be at least one other window location as shown on the exhibit, but depending on the end user(s) there may be more than one other window location and the specific locations may vary. Prior to a Building Permit the Applicant shall provide detailed specifications to the Building Commissioner for review and approval which shall be in compliance with this condition to vary the color of the upper portion of building along the Westerly dock side of the building.
5. In seeking an access permit from the Massachusetts Department of Highways ("Department") in connection with the Mechanic Street driveway,

Applicant shall request the Department to evaluate: (i) whether or not a signalization timing study should be undertaken for the traffic signals at the Mechanic Street and Maple Street intersection; (ii) whether or not it is appropriate to extend the bike lane on Mechanic Street along the property; and (iii) whether or not the existing easterly and westerly left turn access lanes on Rt 140 near the westerly corner of the site may be extended and combined in both directions by removal of stripping to allow easterly bound traffic earlier access to the Maple Street left turn only lane .

6. Applicant shall use best efforts to ensure that (i) all truck traffic enters the Property from Mechanic Street and not Maple Street, (ii) no trucks exit the Property onto Mechanic Street with a left turn (going in an easterly direction), with restrictive signage place at the Mechanic Street driveway (iii) all trucks desiring to go east on Mechanic Street do so by exiting onto Maple Street (iv) trucks owned by Tenants are equipped with back up beepers that broadcast a "white-noise, whooshing sound" instead of a conventional beeper, (v) No trucks shall turn left from the Site on to Maple Street, and (vi) no stopping or idling on any public way. No idling on Site in accordance with the Anti Idling Law.

Applicant shall include in all leases to tenants that occupy the building that the tenant must abide by the conditions of this Approval by including in leases the following provision:

"The property is subject to Approvals issued by the Bellingham Planning Board dated May 26, 2022 and subsequently recorded with the Registry of Deeds.

Tenant must operate its business in conformance with the Approvals and in particular Condition 6. Therefore, Tenant shall use best efforts to ensure that (i) trucks follow the directives of on-site signage; (ii) all truck traffic enters the Property from Mechanic Street and not Maple Street, (iii) no trucks exit the Property onto Mechanic Street with a left turn (going in an easterly direction), (iv) all trucks desiring to go east on Mechanic Street do so by exiting onto Maple Street, (v) trucks owned by Tenant are equipped with back up beepers that broadcast a "white-noise, whooshing sound" instead of a conventional beeper, (vi) no trucks shall turn left from the Site on to Maple Street, and (vi) no stopping or idling on the public way. No idling on Site in accordance with the Anti Idling Law."

7. Prior to the issuance of a Building Permit, as mitigation to alleviate concerns regarding increased trash along roadways, the Applicant shall donate \$7,500.00 to the Town of Bellingham to support a general roadside clean up fund. In addition, as part of the Site Operation and Maintenance Plan, the

Applicant and their successors shall continuously monitor and maintain the Site's frontage on Mechanic and Maple Street for debris and rubbish and remove.

8. A comprehensive signage plan shall be presented to the Board for approval prior to Building Permit for the Site signage. Wall signage on the façade of the primary structure facing Mechanic Street and Maple Street is prohibited. The rear dock wall shall have a thick paint stripe above the dock doors, below the roof line to provide character to the elevation.
9. All landscaping and structures that screen the Site shall be maintained or replaced in perpetuity.
10. Indoor noise shall be limited. If excessive noise is emitted by the user of the Site, the user of the Site shall close the dock bay doors when not in use and any other remedy that will limit noise.
11. Prior to the start of construction, sediment and erosion controls shall be installed and be subject to the inspection and approval by the Town Planner and Conservation Agent.
12. The Limit of Work is the limit of grading and general excavation. No construction staging or stockpiling of equipment or materials shall be placed outside the Limit of Work.
13. The hours of operation for any construction or staging activities on-site shall be Monday through Friday, from 7:00 am to 6:00 pm. Construction activity shall also be permitted on Saturdays from 9:00 am to 6:00 pm. These activities shall include all equipment on site shall not start up or remain on before or after the hours listed above. No construction activity shall take place outside the specified permitted hours or on Sunday or New Years' Day, Memorial Day, July Fourth, Labor Day, Thanksgiving, Christmas, or other legal holiday. No idling for longer than 5 minutes, if vehicles and equipment are not in operation.
14. All fencing to be installed on Site shall be constructed to allow for a six (6) inch gap from the ground surface to the bottom of the fence to allow for wildlife.
15. If construction activity ceases for longer than 30 days, for any reason, then written notice shall be provided by the Applicant to the Building Commissioner at least 48 hours before resuming work. The Building Commissioner may require that any foundation, trench, structure, equipment

or other hazard be secured as necessary, in his opinion, including but not limited to installation of fencing and/or filling of trenches.

16. If construction is temporarily suspended, for any reason, during the growing season, all exposed areas shall be stabilized by seeding and/or mulching within 14 days of suspension of construction. If construction is temporarily suspended outside the growing season, all exposed areas shall be stabilized by mulching and tack within 14 days of suspension of construction. Slopes steeper than 3:1 shall be stabilized by netting and pinning during suspension of construction.
17. All exterior lighting at the Site shall be dark sky compliant and shall not allow spillover of light onto adjoining properties, in accordance with the Approved Plans and the Town's Zoning By-laws.
18. If applicable, prior to a pre-blast survey and the act of blasting on Site, the Applicant shall notify all direct abutters at minimum one week in advance by hand delivered mail by a representative of the Applicant.
19. The Applicant shall be permanently responsible for the following at the Project: 1) all plowing, sanding, and snow removal; 2) all site maintenance and establishing a regular schedule for site maintenance; 3) repairing and maintaining all on-site ways, including drainage structures and utilities therein; 4) conducting annual inspection, maintenance and cleaning of all elements of the drainage system, including but not limited to catch basins, drain manholes, detention basins, swales and pipelines; and site lighting and landscaping.
20. The Stormwater Management Operation and Maintenance Plan (O&M), dated April 28, 2022, is hereby referenced and made part of this decision. The Applicant shall permit the Board or its agent to inspect the premises on reasonable notice to determine compliance with said O&M plan.
21. Snow and ice removal shall be the responsibility of the Applicant or a successor and in accordance with the approved O&M including snow and ice removal off of commercial vehicles prior to leaving the Site. Applicant shall endeavor to use "eco-friendly" products for such purposes.
22. Phosphorous-based fertilizer shall not be used on the Site. Applicant shall endeavor to use "eco-friendly" products for such purposes.
23. Prior to issuance of a Certificate of Occupancy, the Applicant or Tenant shall deliver to the Town Planner a complete list of hazardous materials proposed

- to be used or stored at the building to the extent required under §240.51 of the Bellingham Zoning Bylaws or other applicable law.
24. Prior to the commencement of construction, the Applicant shall schedule a preconstruction meeting with the Town Planner and the Board's designated inspector. The Board's inspector shall be permitted to conduct routine inspections, as may be reasonably be determined by said inspector, while construction is ongoing relative to this permit and all corresponding Decisions for this Site. The Applicant shall deposit with the Town, sums necessary to fund the inspections contemplated hereunder. Such inspectional fund shall be governed under M.G.L. c. 44 §53G or such other applicable statutory method as may be appropriate. The Developer shall provide EPA and /or DEP approval confirmation of the proposed SWPPP for the Site.
 25. In accordance with the Bellingham Department of Public Works, any and all access and utility easements that may be necessary shall be in a form approved by Town Counsel prior to the issuance of the Certificate of Completion, such approval shall not be unreasonably withheld.
 26. This Decision is binding on the Applicant's successors, assigns, agents, and employees. This approval shall insure to the benefit of and binding upon Howland Development, Wayne Finnegan provided there is no change in use for the Premises. The Planning Board shall be notified in writing of any changes in affiliates and successors in title and additional users of the Premises.
 27. Any change of use shall require a public hearing to either modify the existing Development Plan or to issue a new Development Plan and associated permit.
 28. All determination, Decisions, and conditions set forth within the Flexible Parking Special Permit, dated May 26, 2022, are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.
 29. The Applicant shall comply with §240-16B(5) and (6) regarding As-Built Plans and follow the policies of the As-Built handbook.
 30. This Decision shall not be effective until it is recorded by the Applicant at the Registry of Deeds, with proof of such recording to be supplied to the Board and the Building Inspector.

D. RECORD OF VOTE

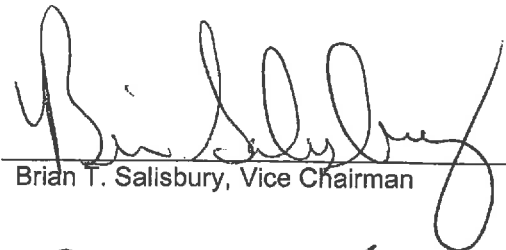
I vote to **APPROVE** the **206 MECHANIC STREET WAREHOUSE DEVELOPMENT PLAN APPROVAL AND STORMWATER MANAGEMENT PERMIT.**

Bellingham Planning Board

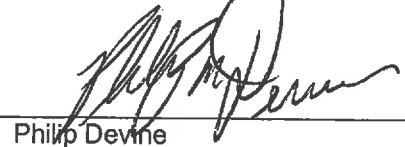
May 26, 2022



William F. O'Connell, Jr., Chairman



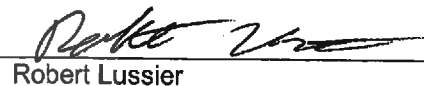
Brian T. Salisbury, Vice Chairman



Philip Devine




Dennis J. Trebino



Robert Lussier

Appeals of this Decision may be made within thirty days, in accordance with the provisions of §240-16B.(3) and G.L. c 40A, §17

This Decision, together with all plans referred to in it, was filed with the Town Clerk on May 27, 2022.



Lawrence J. Sposato, Jr.
Bellingham Town Clerk



BELLINGHAM PLANNING BOARD

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

May 26, 2022

206 MECHANIC STREET WAREHOUSE FLEXIBLE PARKING SPECIAL PERMIT DECISION

A. BACKGROUND

Applicant: Howland Development
Wayne Finnegan
155 West Street
Wilmington, MA 01887

Owner: BAS Realty Trust
Edward and Judith Moore Trustees
6 Blackstone Street
Bellingham, MA 02019

Public Hearing: The Public Hearing opened January 27, 2022 at 7:00 PM. Notice for the public meeting was published in *The Milford Daily News* on January 13, 2022 and January 20, 2022. The Public Hearing was continued to February 24, 2022, March 10, 2022, April 14, 2022, May 12, 2022 and May 26, 2022, when the Public Hearing was closed.

Date of Vote: May 26, 2022

The Premises: The property, also referred to herein as the "Site", is proposed to be accessed from Mechanic Street, a public way. The project is located at Assessors Map 52-03, approximately 10.53 acres, in an Industrial and Business-1 Zoning District.

The By-law §240-60B Flexible Parking Options

The Proposal: To construct a 124,200 square foot warehouse with associated improvements accessed by Mechanic Street.

The Proposal was documented with the following materials:

1. Application for Development Plan Review, dated December 16, 2021, including a narrative and project description.
2. Stormwater Management Permit Application, dated December 16, 2021.
3. Flexible Parking Options Special Permit Application, dated December 16, 2021.
4. Certificate of Ownership, dated December 17, 2021.
5. Certified Abutter's List, Town of Bellingham, dated December 3, 2021.
6. Proposed Site Plan Documents for Howland Development, by Bohler Engineering, last revised May 13, 2022. (also known as the Approved Plan)
7. Variance Approval, Howland Development, dated October 7, 2021
8. Drainage Report, by Bohler Engineering, dated December 15, 2021.
9. Stormwater Operation and Maintenance Plan, dated April 28, 2022.
10. Traffic Impact Assessment, by Vanasse and Associates, dated July 27, 2021.
11. Sound Study, by Tech Environmental, dated February 11, 2022.
12. Memorandum, Don DiMartino, DPW Director, dated January 21, 2022
13. Peer Review of Stormwater and Traffic, by BSC Group, dated February 23, 2022.
14. Peer Review of Stormwater, by BSC Group, dated March 7, 2022.
15. Peer Review of Stormwater, by BSC Group, dated April 8, 2022.
16. Truck Entering Turns Exhibit, by Bohler Engineering, dated March 3, 2022.
17. Truck Exiting Turns Exhibit, by Bohler Engineering, dated March 3, 2022.
18. Truck Access and Circulation Exhibit, by Bohler Engineering, dated March 3, 2022.
19. Response to peer review, Bohler Engineering, dated March 10, 2022.
20. Exhibit A, Elevations, by Bohler Engineering, dated May 5, 2022.
21. Exhibit B, Elevations, by Bohler Engineering, dated May 5, 2022.

22. Exhibit C, Conceptual Improvement Plan, Right Turn Extension, Vanasse and Associates, Inc., dated May 5, 2022.
23. Exhibit D, Conceptual Welcome Sign, by Classic Signs Inc., dated May 5, 2022.
24. Exhibit E, Wall Exhibit, by Bohler Engineering, dated May 5, 2022.
25. Other miscellaneous documents on file at the Planning Board offices.

B. DETERMINATIONS

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

1. That the number of required parking spaces is 249 spaces.
2. That the Site disturbance area is not located within the Water Resource District.
3. That the Applicant has requested a reduction in the number of parking spaces required for the project under §240-60B Flexible Parking Options based on existing facilities the Applicant owns and/or built of similar use as well as facilities in Bellingham of similar use.
4. That the proposed number of spaces would be adequate for all parking needs due to special circumstances related to the building size, the use of these facilities, and the number of spaces provided at existing facilities. The reduction in the required number of parking spaces will prevent additional, unwarranted impervious area that would be required to provide excessive number of spaces for this use.

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 ___ to ___ in favor, accordingly, grants the Applicant and its successors and assigns as owner of the premises, a Flexible Parking Special Permit subject to the following conditions:

1. This Approval is limited to the improvements as noted on the Approved Plan, warehouse and distribution use, and as may be conditioned herein. Any

changes to such Plan must be reviewed and approved in accordance with the Bellingham Zoning By-laws. All such changes shall be reviewed by the Board for determination as to whether or not the changes are considered minor or major. If the Planning Board determines that any change to the plan is a major alteration to the Approved Plan, a public hearing shall be required for a modification to this permit. A minor change shall be reviewed and approved at a regularly scheduled meeting.

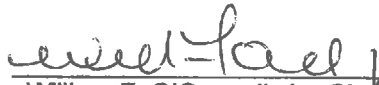
2. The Board has granted a reduction in parking from 249 spaces to 115 spaces.
3. This Decision is binding on the Applicant's successors, assigns, agents, and employees. This approval shall insure to the benefit of and binding upon Howland Development provided there is no change in use for the Premises. The Planning Board shall be notified in writing of any changes in affiliates and successors in title and additional users of the Premises.
4. Any change of use shall require a public hearing to either modify the existing permit or to issue a new permit.
5. All determination, Decisions, and conditions set forth within the Development Plan and Stormwater Management Permit, dated May 26, 2022, are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.
6. The Applicant shall comply with §240-16B(5) and (6) regarding As-Built Plans and follow the policies of the As-Built handbook.
7. This Decision shall not be effective until it is recorded by the Applicant at the Registry of Deeds, with proof of such recording to be supplied to the Board and the Building Inspector.

D. RECORD OF VOTE

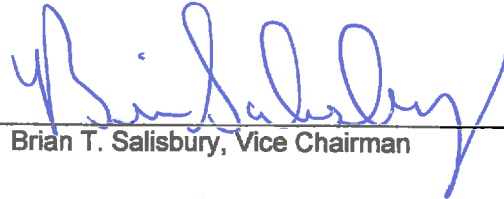
I vote to **APPROVE** the 206 **MECHANIC STREET WAREHOUSE FLEXIBLE PARKING SPECIAL PERMIT.**

Bellingham Planning Board

May 26, 2022



William F. O'Connell, Jr., Chairman



Brian T. Salisbury, Vice Chairman



Philip Devine



Dennis J. Trebino



Robert Lussier

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 May 27, 2022.

Lawrence J. Sposato, Jr.
Bellingham Town Clerk