



# BELLINGHAM PLANNING BOARD

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

REV OCT 13 '21 09:15:12  
BELLINGHAM TOWN CLERK

October 14, 2021

## 190 FARM STREET BULK STORAGE SPECIAL PERMIT DECISION AMENDMENT

### A. BACKGROUND

**Applicant:** Farm Street Property Management, LLC.  
190 Farm Street  
Bellingham, MA 02019

**Owner:** Farm Street Property Management, LLC.  
190 Farm Street  
Bellingham, MA 02019

**Public Hearing:** The Public Hearing opened May 27, 2021 at 7:00 PM.  
Notice for the public meeting was published in *The Milford Daily News* on May 13, 2021 and May 20, 2021. The Public Hearing was continued to June 10, 2021, July 8, 2021, August 12, 2021, September 9, 2021 and September 30, 2021, when the Public Hearing was closed.

**Date of Vote:** October 14, 2021

**The Premises:** The project location, also referred to herein as the "Site" or the "Premises", is located at 190 Farm Street, Assessors Map 07-14, approximately 15+/- square acres of land, zoned Industrial.

**The By-law** §240-31, Use Regulation Schedule of Bellingham Zoning Bylaws.

**The Proposal:** To amend the 190 Farm Street Development Plan decision dated May 7, 2017 and 190 Farm Street Special Permit decision dated May 7, 2017 to expand upon the number of days of crushing allowed under the above referenced decisions.

The Proposal was documented with the following materials:

1. Application for Development Plan Review Amendment, dated April 21, 2021, including a narrative and project description.
2. Application for Special Permit Amendment, dated April 21, 2021.
3. Certified Abutter's List, Town of Bellingham, dated April 21, 2021.
4. Sound Analysis, Tech Environmental, dated May 25, 2021.
5. Recycling, Composting, and Conversion Permit, from the Massachusetts Department of Environmental Protection, dated July 14, 2017
6. 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 currently maintains an existing 190 Farm Street Development Plan decision dated May 7, 2017 and a 190 Farm Street Bulk Storage Special Permit decision dated May 7, 2017.
2. The above referenced decisions both limit the Applicant to 20 days of crushing of material on site with certain conditions.
3. The Applicant has sought to expand the number of days of crushing while not expanding the permitted footprint or the height of the crushing material.
4. That the Premises is located on Farm Street, which is a Scenic Road. The Applicant sought and received a Scenic Road Special Permit, dated May 7, 2017.
5. The Applicant owns and operates a residential and commercial paving business operated through Asphalt Engineering, LLC and Asphalt Engineering Maintenance, Inc. which are under the common ownership and/or control of the Applicant. Asphalt Engineering, LLC and Asphalt Engineering Maintenance, Inc. shall be collectively referred to herein as "Asphalt Engineering."
6. That the Planning Board reviewed traffic impacts to the neighborhood and that the original findings 190 Farm Street Development Plan decision dated

May 7, 2017 must be modified as additional trucks leave the site due to company growth. Trucks shall not depart before 6:00a.m. and return by dusk with the exception of snow plowing vehicles.

7. That the Premises is located in a Water Resource District. It was determined during the issuing hearings for the 190 Farm Street Development Plan decision dated May 7, 2017 that the proposed stormwater design and plan, after detailed technical review by a peer review engineer, meets the standards for the Water Resource District.

### **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 5 to 0 in favor, accordingly, grants the Applicant and its successors and assigns as owner of the premises, a Bulk Storage Special Permit Amendment subject to the following conditions:

1. This Approval is limited to the expansion of crushing days from 20 crushing days permitted in the 190 Farm Street Development Plan decision dated May 7, 2017 to 60 days of crushing of asphalt material.

The conditions set forth in this Decision and the enforcement thereof are contingent upon the Applicant applying for and receiving a 60-day Recycling, Composting or Conversion (RCC) Operation Permit, and subsequent Modification or Renewal for this Site.

2. The material to be crushed shall be the by-product of the Applicant/Asphalt Engineering's paving operations only which shall be delivered to and from the Site by the Applicant and/or Asphalt Engineering only. The Applicant shall not crush asphalt pavement or any other material from any other source. No other deliveries of asphalt materials to be crushed from any other source shall be authorized.
3. The Applicant shall not sell, deliver, or otherwise distribute crushed or reprocessed asphalt pavement to any other person, entity or third party. All crushed and reprocessed asphalt payment shall be utilized for the Applicant/Asphalt Engineering's operations only. All crushed and reprocessed asphalt shall leave the site in vehicles owned by or under the direct control of the Applicant/Asphalt Engineering.
4. Snow and ice removal shall be the responsibility of the Applicant or a successor and shall be performed in accordance with the approved O&M. In addition, given the Applicant conducts snow plowing and removal operations,

the Board shall require the Applicant to limit snow storage on Site to the snow found on Site. No trucking of snow from offsite locations for storage on Site shall be permitted. Snow plowing and removal operations shall not be required to adhere to the hours of operation outlined in previous permits.

5. Applicant shall be able to work outside the site hour of operations five (5) nights per year. Applicant shall provide 48-hour prior notice to the office of the Building Inspector before any night operations.
6. To the extent required by the Commonwealth of Massachusetts and Department of Environmental Protection, the Applicant shall conduct stormwater sampling. If water sampling is required pursuant to the Applicant's permits, results shall be provided to the Planning Board. If the Massachusetts Department of Environmental Protection requires additional testing the Bellingham Planning Board shall be provided documentation of said testing.
7. This Decision is binding on the Applicant's successors, assigns, agents, and employees. This approval shall inure to the benefit of and binding upon Farm Street Realty Trust 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.
8. This Decision along with the associated minutes of the hearing meetings shall be submitted with any and all Recycling, Composting or Conversion (RCC) Operation Permit, Modification or Renewal for this Site.
9. To the extent consistent with and not superseded by this Decision, all conditions set forth within the 190 Farm Street Development Plan decision dated May 7, 2017 and 190 Farm Street Bulk Storage Special Permit decision dated May 7, 2017, are hereby incorporated herein. Any violation of such conditions shall constitute a violation of this Permit.
10. 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.

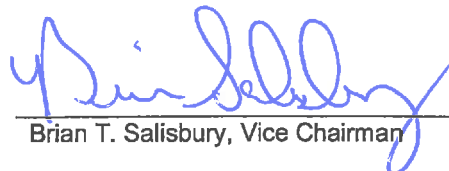
**D. RECORD OF VOTE**


I vote to **APPROVE** the **190 FARM STREET BULK STORAGE SPECIAL PERMIT AMENDMENT**.

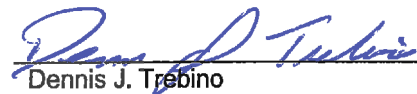
**Bellingham Planning Board**

**October 14, 2021**

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

  
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Brian T. Salisbury, Vice Chairman

  
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Phillip Devine

  
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Dennis J. Trebino

  
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Elizabeth Berthelette

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 October 15, 2021.

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Lawrence J. Sposato, Jr.  
Bellingham Town Clerk