



BELLINGHAM PLANNING BOARD

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

Meeting Minutes February 8, 2018

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting

Brian T. Salisbury (BTS), Chairman
William F. O'Connell Jr. (WFO), Vice Chairman
Peter C. Pappas (PCP), Secretary
Dennis J. Trebino (DJT), Member
Bruce W. Lord (BWL), Member
Philip Devine (PD), Associate

Other Officials:

James S. Kupfer (JSK), Town Planner and Zoning Compliance Officer
Jean Keyes (JK), Planning Board Coordinator

BTS opened the meeting at 7:00 p.m.

Discussion:

☐ **Post Office Place – Bond Discussion**

JSK explained the reason for the discussion and explained that the security amount described on the Form J will be a surety agreement. Town Counsel is reviewing that agreement and JSK will work with Town Counsel to complete the agreement.

Present: Chris Nation, Applicant

Mr. Nation stated that this is a standard insurance bond also would like an extension for the subdivision permit. JSK stated that two years would be a sufficient time frame for the extension.

BTS: Motion to accept the Security amount on the Form J for Post Office Place Definitive Subdivision.

WFO: Second.

Discussion: None.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

BTS: Motion to extend the Permit Deadline for two years to February 8, 2020 for Post Office Place Definitive Subdivision.

DJT: Second.

Discussion: None.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard. Decision Deadline: 3/9/18

PD recused himself from the Board as he is a direct abutter.

JSK explained the project to date and the new and/or revised documents that were received. Peer review is currently being conducted for stormwater but is not complete yet.

Present: Stephen O'Connell of Andrews Survey & Engineering and Wayne Pettitt who represents Applicant, John Wasylean.

WFO asked about the easement. Mr. O'Connell explained that the easement assent agreement has been signed and notarized by Mr. Wasylean and it has to be returned to National Grid for sign-off. The assent agreement includes the stormwater pipe that crosses the easement to the stormwater basin. All changes requested by Fire Department have been implemented.

Mr. O'Connell explained the revised plan and that Parcel A will not be a building lot. They took this approach should the Applicant come back in the future for a Backlot Division Special Permit for Parcel A. The stormwater management system is designed for the three lots so there are no changes to the stormwater management system or the calculations.

The Board had lengthy discussion concerning the placement of the house on Lot 2. Mr. O'Connell respectfully disagrees and stated that house placement on a lot is not within the Planning Board's purview as long as the setbacks are met.

The Board further discussed that the removal of the house on the backlot and withdrawal of the Special Permit for that backlot was to reduce the subdivision to two houses and that no house would be built on that back lot at any time in the future. BTS reiterated that any decision made on this project will be with that intention. Mr. O'Connell disagreed and stated that at the previous meeting he had explained that they would agree to withdraw the third lot but that the Applicant would be submitting a Backlot Special Permit application in the future to build on that lot. He suggested that the Board listen to the recording of that meeting. Mr. O'Connell explained that the Applicant is a Bellingham resident and is preserving his rights and this project complies with Subdivision Regulations and Zoning Bylaws.

The Board held further discussion about water runoff issues that may be created due to the dramatic contouring of the site. Mr. O'Connell stated that the stormwater management system that they have designed will direct the water around the houses to the detention basin and it will not impact any of the abutters. PCP stated that the Board has to protect the rights of the neighbors. Mr. O'Connell suggested that the Board wait for the peer review of the stormwater plan and drainage calculations.

JSK asked if Mr. O'Connell has reviewed his Facts and Findings Memo dated January 29, 2018 and if he has addressed Don DiMartino's comments. Mr. O'Connell stated that he has not seen either document and JSK responded that he will send the documents to him by email tomorrow.

Public Comments and Questions:

Stacy Danner of 4 Deer Run asked if the next step is for the peer reviewer to examine the plans and calculations. BTS confirmed this information and stated that this is an ongoing process and this has been stalled largely due to the easement issue and has taken longer than usual. There will be at least one more meeting.

Phil Devine of 6 Deer Run Road questioned why the easement assent agreement not been executed and questioned the width of the easement. Mr. Devine also stated that the detention basin is within the easement and questioned if the assent agreement allows this. PCP and BWL responded that the assent agreement is submitted to National Grid along with this Definitive Plan which is the same plan that the Board has. If National Grid signs the assent agreement, then they are agreeing to the size of the easement as shown on the plan. Mr. Devine asked what the definition of critical area is as it is mentioned in the Stormwater Report and would like the peer reviewer to look at this. He is concerned that it won't be reviewed with the correct criteria. JSK responded that the peer reviewer is checking it against the

Massachusetts Stormwater Handbook and the Applicant has agreed to this. WFO requested that Town Counsel review the assent agreement. Mr. Devine questioned if the Applicant will still need a variance for earth removal. JSK stated that it is still before the Zoning Board.

Barry Gale of 22 Pine Warbler Way stated that he is here representing his mother and father-in-law whose property abuts this property to the south. Mr. Gale stated that he echoes the concerns the Boards has regarding water runoff and potential water damage. People have invested their life savings in their homes and he wants to be sure that his in-law's rights are protected as well.

BTS: Motion to continue the Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard Public Hearing to February 22, 2018 at 7:00 p.m.

WFO: Second.

Discussion: None.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

Preferred Pump LP, 441 Pulaski Boulevard, Flexible Parking Special Permit and Site Plan Review Continued Public Hearing. Site Plan Decision Deadline: 3/9/18

JSK explained the project to date.

Present: Joe Antonellis and Eli Leino of Mayer, Antonellis, Jachowicz, Haranas LLP, and Brian Hale, Branch Manager of Preferred Pump

Attorney Antonellis introduced Mr. Hale who will be in charge of this building and the operation and confirmed the following:

- The building roof will be redone on the main portion of the building as a grey rubber-coated roof.
- The building will be repainted dark blue.
- The turning radius on site will accommodate a 53' 18-wheeler truck and maneuvering by the truck will be done inside the storage area.
- There will be no intrusion on Pulaski Boulevard by trucks. Most trucks will be pickups and box trucks. Trucks are able to make the turn out of the property without going into the wrong lane.
- There will be no overnight truck parking on the property. If a large truck will be parked overnight on a rare occasion, it will be within the fenced storage area.
- The existing sign is being reviewed by the Building Inspector and the Zoning Enforcement Officer and if it can stay they will reuse it. If it cannot be reused, they will install a new one either in a different location or on the building.
- The color of the slats on the fence will be determined by the Board as either dark blue or black.
- The Knox box will be in accordance with Fire Department standards.
- There will be no freestanding lighting on the property. All lighting will be on the building.
- A landscaping plan has been submitted. The Board requested landscaping around the sign and Attorney Antonellis said it would not be a problem.
- The Applicant has adequately demonstrated that they have met the scope of the reduced parking in reference to the Flexible Parking Special Permit.

Mr. Hale explained that the hours of operation are 7:00 am to 5:00 pm Monday through Friday. There will be no backup alarms before 7:00 am. There will be 10 employees and the business consists of wholesale distribution with no retail sales at all. They do comply with Mass idling laws. Safety bollards will be placed around the propane storage area.

BTS: Motion to draft a favorable decision for the Preferred Pump LP, 441 Pulaski Boulevard, Flexible Parking Special Permit and Site Plan Review.

WFO: Second.

Discussion: None.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

BTS: Motion to continue the public hearing for the Preferred Pump LP, 441 Pulaski Boulevard, Flexible Parking Special Permit and Site Plan Review to February 22, 2018 at 7:00 p.m.

WFO: Second.

Discussion: None.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

Macy Estates Definitive Subdivision and Stormwater Management Plan Permit, 60 Monique Drive, 1st Public Hearing. Decision Date: 6/2/18

JSK read the public hearing notice, gave a history of the project, and listed the documents received. House layouts were not specified in the Request for Proposals (RFP) just the lots.

Present: Mark Allen, Allen Engineering, Kevin Lobisser, Applicant

Mr. Allen explained the project and plan and that the subdivision design is almost identical to the RFP. The proposed subsurface drainage was explained and, at the request of DPW Director, Don DiMartino the Applicant agreed to install a sediment trap before the basin that can be cleaned out. The roadside swales will filter out the sediments and consequently, there will be very little sediment reaching the sediment trap and the underground basin. There is a potential large vernal pool off site at about 250' away and both Anne Matthews and Cliff Mathews, Chairman of the Conservation Commission, have asked to have that verified. The Applicant has employed Sage Environmental to verify the vernal pool and they will keep the development away from the jurisdictional areas. All septic will be on site and the utilities will be underground.

Mr. Lobisser stated that the existing fence at the ball field will be removed and a vinyl green privacy fence will be installed. The subdivision will be a mix of ranches and smaller colonials with the starting prices in the low \$400,000's. Twelve parking spaces will be created for the ball field.

The Board was very positive about this project and believes that the underground basin makes sense on this site. The Board expressed its appreciation for the thoughtful consideration the Applicant has given to make this a kid-friendly ball field and to provide a well thought-out subdivision plan.

JSK had several items that must be addressed by the Applicant:

1. Hydrant locations must be revised per DPW Director, Don DiMartino.
2. The sediment trap must be shown on the plan.
3. Response needed to the peer review comments.
4. A stormwater annuity must be provided for maintenance purposes. To determine the amount, the Applicant is asked to work with JSK and Don DiMartino.

Public Comments and Questions:

Bonnie Bourque of 246 Shirley Road asked where she could get a copy of plan. JSK advised that all plans and documents are posted online. Ms. Bourque asked if the septic will be in the front in anticipation of possible future town sewer. Mr. Allen explained that each house's septic may be located in different spot.

Amy Monteiro 419 Maplebrook Road stated that she would love to be in this subdivision and asked about the sizes of the houses. Mr. Lobisser responded that he will talk to her later about this issue.

BTS: Motion to draft an approval Decision and continue the Public Hearing for the Macy Estates Definitive Subdivision and Stormwater Management Plan Permit, 60 Monique Drive Public Hearing to February 22, 2018.

WFO: Second.

Discussion: None.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

General Business:

- ☐ **ANR**
- ☐ **As-Built Certifications**
- ☐ **1/25/18 Minutes Signing**

BTS: Motion to sign the January 25, 2018 Meeting Minutes.

PCP: Second.

Discussion: None.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

- ☐ **Voucher Reports** - JSK explained that there were no vouchers.

WFO: Motion to adjourn.

BTS: Second.

Discussion: None.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

Meeting Adjourned at 8:45 p.m.

February 8, 2018 Public Hearing Document List

Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit

1. Plans – 4th Submission 1.5.18
2. Stormwater Management Report and O&M Plan - Revised 1.5.18
3. Kupfer – Facts & Findings 1.29.18
4. DiMartino – DPW – Comments 1.29.18
5. Narrative – Plan Revisions 1.29.18
6. Backlot Division Special Permit Withdrawal Request 1.29.18
7. Catalano – BOH – Comments 2.7.18

Preferred Pump LP Site Plan Review and Flexible Parking Special Permit

1. Attorney Antonellis Comment Letter 1.1.18
2. Plan - Landscape Plan 11.22.17

Macy Estates Definitive Subdivision and Stormwater Management Permit

1. Abutters List – Certified 1.11.18
2. Narrative 1.16.18
3. Application for Definitive Subdivision 1.18.18
4. Application for Stormwater Management Permit 1.16.18
5. Plan – 1st Submission 1.16.18
6. Public Hearing Notice 2.8.18
7. Drainage Analysis 1.16.18
8. DiMartino – DPW Comments & Marked-up Plan 1.24.18
9. Allen Email RE Underground Drainage Basin 1.29.18
10. Kupfer Staff Checklist 1.31.18
11. Paradis - BETA - Email Response to DPW Comments 2.1.18
12. Kupfer Memo to Board of Health 1.26.18
13. BETA – 1st Comment 2.7.18
14. Conservation Commission Email RE Wetland Question 2.7.18

Discussion - Post Office Place

1. Di Martino Letter 7 Form J – Revised 2.2.18

Minutes Accepted on: 2/22/18
(Date)

Jean Keyes
(Prepared by: Jean Keyes)

Brian Salisbury
Brian T. Salisbury

William F. O'Connell Jr.
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Peter C. Pappas
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Dennis J. Trebino
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Bruce W. Lord
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