



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET BELLINGHAM, MASSACHUSETTS 02019

MEETING MINUTES

Thursday, March 9, 2023, at 7:00 pm

Bellingham Municipal Center

Arcand Meeting Room and Via Zoom

MEMBERS PRESENT:

William F. O'Connell, Jr.	Chairman
Brian T. Salisbury	Vice Chairman
Dennis J. Trebino	Member
Philip M. Devine	Member
Nick Mobilia	Member
Robert Lussier	Alternate Member

ADDITIONAL OFFICIALS PRESENT:

James Kupfer, Town Planner – via Zoom
Tina M. Griffin, Recording Secretary – via Zoom

The Chairman called the meeting to order at 7:00 pm

CONTINUATION OF PUBLIC HEARING FOR WS DEVELOPMENT:

The applicant, WS Bellingham IV Associates LLC, and owner, Bellingham N. Main Street II LLC, Hartford Ave. Associates LTD, WS Bellingham IV Associates LLC, & Varney Bros Sand & Gravel propose to construct a 700,000 sf industrial building for warehouse and distribution use with associated improvements on approximately 175.6 +/- acres of land in Bellingham, shown on Assessor's Map 24 Lot 12 and 10, Map 30 Lot 73-1, and Map 31 Lot 3, zoned Industrial. This application falls under the Zoning By-Laws §240-16, Development Plan Approval, §240-54, Stormwater Management, §240-138, Water Resource District Special Permit, §240-60, Flexible Parking Options Special Permit and §240-119, Major Business Complex Special Permit. The plans were prepared by Bohler Engineering.

The Town Planner gave a brief summary on the project and let the Board know that revised plans for the project have been submitted for the Board's review. The updated plans address questions that were brought forward by the Board at the last hearing with the applicant's representatives.

Bohler Engineering Company was present, in-person tonight, and discussed details that were updated in the revised plans. The Engineer is also currently working with the Conservation Commission and has had multiple meetings as well as recent site walks throughout the property with the Commission.

Multiple Board members expressed concerns they still had about the parking and traffic impact that this project will have on the area. The traffic analysis is something that is of significant importance to the Board and members are looking forward to reviewing the traffic analysis as soon as it is available.

Aesthetic looks of the area were also discussed, as general public driving by Route 495, or visiting the area are most likely not going to want to see large bay doors open and tractor trailer trucks loading/unloading throughout the day.

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The Engineer said this is also being discussed with the Conservation Commission, to put plantings in place and determine what the best type of greenery or screening should be, in order to keep this part of the building blocked from the view of drivers on Route 495.

Mr. Trebino made a motion to continue this hearing until Thursday, May, 11, 2023. Motion was seconded by Mr. Devine and the motion passes unanimously.

CONTINUATION OF PUBLIC HEARING FOR BELLINGHAM SHORES:

The applicant and owner, Chad Boardman and Logan Huffman propose to construct 16 deed restricted affordable units pursuant to Section C, Condition 8 of the Bellingham Shores Major Residential Development Special Permit at an area of land consisting of 164.05 acres located at Center Street between Cross Street and South Main Street, Map 72, Lots 14, in Suburban, Residential and Agricultural Zones.

Additionally, the Applicant and Owner seek to modify the approved Bellingham Shore Definitive Subdivision Plan and Stormwater Management Permit dated December 17, 2020 and Bellingham Shores Major Residential Development Special Permit dated December 17, 2020. The purpose of the modification is to revise the alignment of Lilac Avenue near the proposed intersection with Cross Street and to modify the proposed sewer main from Clover Drive to Cross Street.

The Town Planner let Board members know that the applicant with the original Bellingham Shores Major Residential Complex Special Permit is before them tonight as part of the major residential bylaw. Inclusionary housing is required by the town and the request by the applicant is to conform with the bylaw that is on record and with the permit that was previously approved. In the past there was a discussion with the previous owner of the property that they might seek off-site inclusionary housing, which is why they didn't seek the inclusionary housing special permit at that time. However, with the new property owners, it was determined that it will be on-site, which is why it is before the Board this evening.

The applicant's representatives introduced themselves to the Board and first addressed the reasoning for the Inclusionary Special Permit request. Per the decision of the Major Residential Development, we have 5% of the affordable units at 50% AMI, which would be low income, 5% at 80% AMI, which is medium income and another 5% at up to 120%. This gives three different sales levels for these homes at various income levels. The levels are subject to some change due to current fluctuation of interest rates. These prices are fixed by the State. The DHCD (Department of Housing Community Development) determines the price of what the houses will be. There is an affordable home lottery which is how the prospective buyers of the affordable housing units would be chosen. Initially there were four affordable housings in Phase 7. Some adjustments had to be made and now there are only two affordable housings. The building of the houses got moved due to a roadway and frontage, which is why the number of affordable units are being reduced.

The Town Planner has talked with the Building Commissioner, who said he is satisfied with the modification request. The original concern was if there was a backload of homes, there would be several affordable housings remaining and no more market rate homes. However, with this modification and with the Building Commissioner, we believe that we are in a good position with this modification.

Mr. Salisbury made a motion to approve the inclusionary housing modification as presented to the Board. Motion was seconded by Mr. Devine and the motion passes unanimously.

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The applicant is also seeking a modification to the existing special permit to modify the roadway as it comes to Cross Street. The reasoning for this modification request was the result of an email that was received from the DPW Director. It is a fairly simple modification request, stating that as Lilac Avenue previously came out on Cross Street, it was lined up directly across the street from an existing house on Cross Street. There has been a history of cars running stop signs at the top of Cross Street, near the intersection of Center Street, causing vehicles running through the property's landscaping/hardscaping, etc. The request came into us to realign Lilac Avenue so that when you come out of that street and onto Cross Street, you wouldn't be heading towards the house across the street. The DPW Director was satisfied with the reconfiguration of this lot and the lot across the street.

In return, we had requested from the DPW, during permitting, that the original applicant had a long run of sewer that was supposed to be constructed from Clover Drive, up to the edge of Center Street. That sewer was provisional and only if Gail Drive were to ever get sewer in that area. They would then have been able to connect into the proposed sewer system. In order to accomplish that, the depth of the sewerage at Center Street would be over 22' and then it would rise. The compromise was that sewer would be constructed to the backyard of the adjacent houses with a stub that would be available for future connection, should the sewer at Gail ever be an option. The easement is still there and the DPW or Developer would still have the ability to connect to the sewer without disrupting properties with the two new house lots. Over 100' of sewer would be constructed in the rear of those houses, which the DPW was satisfied with.

Another item to be incorporated into the modification request pertains to Lots 7, 8, 85, and 86. This is something that would normally be incorporated into an ANR Plan to the Board. However, with the timing and request from perspective buyers we are asking for the Board to consider this as part of the modification. Lots 7 and 8 are at the intersection of Iris Lane and Lilac Lane. Lots 85 and 86 are a little further down Iris Lane. Configurations of the lot with the house they wanted to select was an option. However, due to the timing of this configuration, it made an impact on the timeframe of submitting the modification. This is just a reconfiguring on the lot shape but has no effects on lot size or frontage.

The Town Planner let Board members know that he did discuss this with the DPW Director and he is in agreement with the layout and how the modification being proposed.

Mr. Salisbury made a motion to approve the changes for the entrance/exit to Lilac Avenue, as presented by the applicant and Town Planner. Motion was seconded by Mr. Trebino and the motion passes unanimously.

Mr. Salisbury made a motion to amend the shape of Lots 7, 8, 85, and 86, with no effects on lot size in order to configure the lot shape of perspective buyers. The applicant will need to submit a subsequent plan for recording and signature, that will show the reconfiguration of the lot lines. Motion was seconded by Mr. Mobilia and the motion passes unanimously.

GENERAL BUSINESS:

MBTA PROJECT:

The Town Planner gave a summary on the new legislation that was passed at the State, which modifies Chapter 40A, and added Section 3A, which is the Zoning Act. Chapter 40A is referred back to when discussing special permits, variances, etc. The addition of Chapter 40A, Section 3A is in regard to MBTA Communities, which Bellingham is part of. A definition of Section 3A is listed below:

Section 3A. (a)(1) An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the

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purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

(b) An MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

The State is now requiring that by the by the end of 2024, that all communities come into compliance with this. Bellingham has already sent in their proposed action plans, to let the State know that it is being worked on and that the town will be in compliance within the required timeframe. Board members discussed further and will be waiting to hear back from the Town Planner as things progress with this new legislation.

MEETING MINUTES:

Mr. Salisbury made a motion to approve the minutes from the February 9, 2023 Planning Board meeting, as amended. Mr. Trebino seconded and the motion passes unanimously.

NEXT MEETING:

The next Planning Board Meeting will be held on Thursday, March 9, 2023 at 7:00 pm. This meeting will take place both in-person and via Zoom.

Mr. Salisbury made a motion to adjourn the meeting at 8:29 pm. Mr. Mobilia seconded and the motion passes unanimously.

Meeting was adjourned.

Respectfully Submitted,

Tina M. Griffin

Recording Secretary