



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET BELLINGHAM, MASSACHUSETTS 02019

MEETING MINUTES

Thursday, April 27, 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:

Amy Sutherland, Assistant Town Planner

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

WARRANT ARTICLE PUBLIC HEARING:

In accordance with Massachusetts General Laws Chapter 40A, Section 5, and the Bellingham Planning Board Procedural Rules, the Planning Board will hold a hearing on Thursday, April 27, 2023, at 7:00 pm in the Arcand Meeting Room, at 10 Mechanic Street, Bellingham, MA 02019 to hear a proposal of a zoning text and map amendment by the Planning Board, to repeal and replace the XXVI Hartford Avenue Adaptive Use Overlay District (HAAOD).

The specific purpose of the HAAOD is:

- To provide options for limited business operations, subject to the standards designed to preserve the integrity of the abutting residential neighborhoods.
- To encourage the reuse of residential buildings by providing economic uses for buildings that may no longer function as well as single-family residences.
- To implement certain goals of the Master Plan, including encouraging economic development, protecting small town character, and updating zoning to maintain consistency.

The proposed Hartford Avenue Adaptive Use Overlay District is located on the northern side of Hartford Avenue, heading west between Route 495 and Farm Street. The following lots are referenced in the Bellingham, MA Online Assessor's GIS Mapping Database, are included in the HAAOD on a plan entitled "Hartford Avenue Adaptive Use Overlay District dated January 13, 2023, incorporated by reference in the Zoning Bylaw and on file with the Town Clerk and Building Inspector:

- Parcel 24 Lot 3 – 3 Farm Street
- Parcel 24 Lot 4 – 178 Hartford Avenue
- Parcel 24 Lot 5 – 182 Hartford Avenue
- Parcel 24 Lot 6 – 186 Hartford Avenue
- Parcel 24 Lot 7 – 190 Hartford Avenue

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- Parcel 24 Lot 8 – 194 Hartford Avenue
- Parcel 24 Lot 9 – 198 Hartford Avenue
- Parcel 24 Lot 9-200 – 202 Hartford Avenue
- Parcel 24 Lot 9-100 – 2 Rawson Road
- Parcel 24 Lot 9-2500 – 210 Hartford Avenue
- Parcel 18 Lot 81 – 216 Hartford Avenue
- Parcel 18 Lot 82 – 2 Deerfield Lane
- Parcel 18 Lot 97 – 1 Deerfield Lane
- Parcel 18 Lot 98 – 222 Hartford Avenue
- Parcel 18 Lot 99 – 224 Hartford Avenue

The proposed bylaw section also provides permitted and prohibited uses, special permit site development standards, and special permit procedures, standards, and criteria. The full zoning text and map amendment may be viewed at the Planning Board and Zoning Office, Building Inspector's Office, or Town Clerk's Office in the Municipal Center, 10 Mechanic Street, Bellingham, MA, 02019, during regular Municipal Center hours. For questions, please contact the Town Planner at 508-657-2893.

A motion was made to open the Public Hearing and the motion passes unanimously.

The Chairman stated there was a sub-committee of which he was also Chairman for, and he does not deem it appropriate for him to present something to the Board. Two other members of the sub-committee have been asked to make the presentation.

The purpose of this meeting is for the Board to make a recommendation to the Selectboard Town Meeting. No action can be made tonight, as it's a recommendation, and will not determine if this passes or fails.

Sub-committee member and Alternate Member of the Planning Board, Robert Lussier addressed all present and discussed Article #18 of the Town Warrant. Hartford Avenue is a well-traveled corridor, with multiple shopping plazas, gas stations, and the Route 495 Interchanges. On the northern side of Hartford Avenue is all residentially zoned parcels, which is shown on the zoning map being shared at the meeting. Approximately 10 years ago the Town voted to create an Adaptive Use Overlay District for 15 parcels that have frontage along Hartford Avenue. This was to keep the underlying zone in place, but allowed options for the property owners to do more than have just single-family residential houses and be a little more in line with uses that would be better suited for being right on Hartford Avenue.

The current overlay:

- Allows limited business use within the current residential structure.
- Preserves the community character associated with the abutting residential properties.
- Promotes a streamlined permitting process to lessen the burden of potential applicants.

The proposed overlay:

- Promotes slightly more business use which would not require the reuse of existing structures.
- A special permit is required for permits associated with uses outlined in this overlay district.
- Preserves the character of the abutting residential neighborhood.

- Proposed limited uses are selected as destination locations, which will deter transient traffic from entering the site during peak commuting hours.

This request is being presented because the current existing overlay is rather constricting as far as allowing development. What is being proposed is to allow slightly more business uses and not being required to use the existing structures. They could be reused if they would like but wouldn't have to be, because there's more options and would allow more development. The proposal is to get rid of the streamlined permitting process, so you would be required to go through the regular special permit process through the Planning Board. The main intent of this request is to preserve the character of the residential neighborhoods next door, but to allow some type of development that's more in line with parcels that are right next to Hartford Avenue.

Elizabeth, also a sub-committee member addressed everyone present and discussed the proposed changes to the overlay district and what currently exists under the overlay that was established in 2013. The sub-committee had many meetings of consultation and had a commercial real estate expert come in to meet the group early on, in the process. We have proposed a couple changes to the permitted uses and have kept the six original uses intact. Usage that would be permitted in the proposed overlay district, with the addition of two more, would include banks and general retail; but would exclude liquor stores and convenience stores.

An approval criterion specific for this application was created. There are specific requirements to design the site and make sure that isn't any type of detriment to the residential abutters. Items such as screens and landscaping are listed in this Article because site development standards were also created, which will help to protect the integrity of that neighborhood.

The meeting was then opened to the public to answer questions about business types that would be considered, size of the lots and potential retail type buildings that could be built.

These are all half acre parcels and even if combined, there is not enough depth for a full-size retail building. The lots are long and skinny, which is going to create some limitations on the type of businesses that could be built.

Michael Connor from the Bellingham Selectboard was present and had also served on the sub-committee. Mr. Connor discussed some businesses in town that are on similar style lots and can create a residential look but have very small stores in them. The town would be looking for buildings that will blend in with the neighborhood and are colonial in nature looking.

Traffic was also a concern of the public in attendance. There is already a lot of traffic in this area and more business will most likely add to this situation. The public was made aware that traffic was a main talking point for the many weeks that the sub-committee met for the overlay. As part of the special permit process, the applicant would be required to do a full-board traffic study to figure out the safest options and alternatives for the area. This overlay district is just a proposal and doesn't mean that a business would be interested in the area. If someone did come in and has to do a traffic study, as the Planning Board has requested in the past with all their projects, there's lots of mitigation that could be put into place.

The proposed overlay would help promote a nice transition from commercial on one side of the street and residential on the opposite side. This would help to protect the integrity of the residential neighborhood.

This proposed overlay is to replace and repeal the current overlay from 2013 and be able to allow more control and flexibility. The underlying zoning would not be changed with this proposal, just the overlay district.

The Chairman let everyone know that if someone would come forward and request a special permit for building in that area, it would be posted and opened to the public. It is greatly encouraged for the public and abutters of the area to attend the meetings and bring forward their questions and concerns about the special permit if one was applied for.

Mr. Salisbury made a motion to close this Public Hearing. Motion was seconded by Mr. Trebino and a Roll Call Vote was made, as follows:

Roll Call Vote:

William F. O'Connell, Jr.	aye
Dennis J. Trebino	aye
Philip M. Devine	aye
Nick Mobilia	aye
Brian T. Salisbury	aye

Motion passes unanimously.

Mr. Salisbury made a motion to recommend the Hartford Ave Overlay Adaptive District. Motion was seconded by Mr. Mobilia and a Roll Call Vote was made as follows:

Roll Call Vote:

William F. O'Connell, Jr.	aye
Dennis J. Trebino	aye
Philip M. Devine	aye
Nick Mobilia	aye
Brian T. Salisbury	aye

Motion passes unanimously.

PUBLIC HEARING FOR NORTH STREET & BLACKSTONE STREET

The applicant, Ravens Homes, Inc, and owner, Raven Homes, propose to construct (12) 3-unit townhouses with associated improvements at North/Blackstone Street in Bellingham, approximately 20.8+/- acres of land, shown on Assessor's Map 59-Lot 60A, zoned Agriculture. This application falls under the Town of Bellingham's Zoning By-Laws §240-101, Special Residential Use – Townhouse Dwellings, §240-16, Development Plan Approval, § 240-54 and Stormwater Management, and §240-60.

Brian Falk, Attorney at Mirick O'Connell was present, along with Engineers from Guerriere & Halnon, Inc., in support of the applicant.

The Chairman noted there is no association between himself and the law firm in Worcester.

Amanda Cavaliere from Guerriere & Halnon, Inc. gave a brief presentation on some items that wanted to be brought to the Board and public's attention based on comments received at the last meeting. There hasn't been any new submittal information provided to the Board, other than the presentation plans that were at the last Hearing. At the last meeting there was a lot of concern about traffic, safety, density, and the number of units being proposed. The main item to focus on tonight is density, because with density comes traffic and safety concerns.

Prior to the design starting in 2022, the applicant met with different Town personnel and made some adjustments. The preliminary development showed 14 3-unit buildings with two bedrooms each. After meeting with different Department personnel, they voiced several concerns, which brought us to the current design. The adjustments had reduced the density by 15%, which accounts for two of the 3-unit buildings to be removed from the plans. A second egress onto North Street was added, due to the Fire Department's concerns about the original proposed layout having a cul-de-sac. Conversation with the Conservation Commission had taken place with natural heritage and the southern box turtles that live there. Visitor parking and a common mailbox location was added to the plan, for residents to have a safe place to get their mail.

Based on zoning, townhouse development was allowed at the time the lots were originally proposed to be developed. However, a couple years ago the townhouse development was removed from the by-laws, but because of the process with the "approval not required" plans, they were allowed to have that zoning still apply to this property. A townhouse development is allowed by a special permit through the Planning Board, if minimum requirements can be met with property size and number of units/bedrooms being proposed.

If the project is allowed, based on the coordination with Conservation Commission, natural heritage, and the different permits that are required in order to develop this parcel, an area of 12.66 acres would remain undeveloped and would be turned over to the town and will remain a conservation restriction area.

The number of units was based on seeing what the housing needs are for the town. It was noted in the 2019 housing production plan that there's limited housing options for young adults, individuals living alone, small households, and seniors wishing to downsize. There's not a lot of one- or two-bedroom units on record within the town. Both North Street and Blackstone Street

are heavy arterial roadways that need improvement. Traffic has also been a concern brought forward from the residents in that area. A traffic study has been done and is something that will be presented at a separate meeting, following peer review.

The Chairman responded to the summary provided by Ms. Cavalieri and stated that a lot of information was provided tonight, but through this presentation, there hasn't been any changes to density, which all Board Members had concern about at the last meeting. Also, it was stated in the presentation that the applicant's representatives had been meeting with different town personnel and it is important that the public know that the first time the Planning Board seen these plans, was at the first meeting, when it was presented to the public.

Board Members previously had issues with the shared septic system and there was no information provided about the previous Hearing septic system concerns. This is something that still needs to be discussed further, as the Board would prefer not to have these shared systems in a development.

In addition, comments were received from the Police Department regarding issues they have with the line of sight and issues with logistical challenges existing onto North Street. The Board would also like to hear from the Fire Department regarding there not being a significant separation between these units.

The Chairman requests that the applicant's representatives find a public venue, such as the library, to sit down and meet with the neighbors. It is proposed that none of the Board Members will be there so that the discussion can flow better. This should just be a discussion with the neighbors to listen to them and discuss what is acceptable, which could then make these Hearings have more progress than they currently are.

The meeting was then opened to the public and additional concerns were brought forward regarding density that was not addressed since the last meeting, trees that will be removed during this development, stormwater requirements, groundwater recharge, lack of fire hydrants in that area, and property values.

The applicant's representatives listened to the public's concerns and said they will plan on having a community meeting to discuss some of these questions before having all residents come back to another Planning Board meeting that doesn't have the public's previous concerns discussed.

Mr. Salisbury made a motion to extend the meeting decision deadline until the May 11th Planning Board Meeting. Motion was seconded by Mr. Trebino and a Roll Call Vote was made, as follows:

Roll Call Vote:

William F. O'Connell, Jr.	aye
Dennis J. Trebino	aye
Philip M. Devine	aye
Nick Mobilia	aye
Brian T. Salisbury	aye
Motion passes unanimously.	

GENERAL BUSINESS:

Road Layout – Lakeview Avenue and Candlelight Lane – Recommendation

Mr. Salisbury made a motion to “not recommend” the road layout for Lakeview Avenue and Candlelight Lane. Seconded by Mr. Mobilia and the vote was unanimous.

Red Mill – Signing of sheets (for applicant recording)

Board Members signed the plans for Red Mill. The original plan was not submitted in time. Therefore, this is just a resigning of the approved plan. There were no changes to the plan being signed.

Next Meeting:

The next Planning Board Meeting will be held on Thursday, May 11, 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 9:22 pm. Mr. Trebino seconded, and the motion passes unanimously.

Meeting was adjourned.

Respectfully Submitted,

Tina M. Griffin

Recording Secretary

Approved – 05-11-2023