



BELLINGHAM PLANNING BOARD

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

Meeting Minutes June 13, 2019

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting

William F. O'Connell Jr. (WFO), Chairman
Brian T. Salisbury (BTS), Vice Chairman
Peter C. Pappas (PCP), Secretary
Dennis J. Trebino (DJT), Member
Russell E. Lafond (REL), Member
Philip Devine (PD), Associate

Other Officials:

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

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

Bellingham Shores Major Residential Development Special Permit, Definitive Subdivision, and Stormwater Management Plan, Continued Public Hearing

JSK explained the project to date.

Present: Attorney Angela Conforti

Attorney Conforti requested a Continuance to July 11, 2019 on behalf of the Applicant. She stated that the outstanding issues are being addressed and will be done before July 11th.

JSK discussed the waiver request for soil testing and that he had previously mentioned to Attorney Roelofs and that it must be addressed before this plan can be viable and the review can move forward. Attorney Conforti responded that they are in the process of identifying the test pits and they will be done by July 11th.

PCP and DJT were not pleased that the Applicant was not ready to proceed tonight.

JSK clarified the Board's options should a continuance not be granted. BTS would like a clear description of the phasing.

WFO stated that the Applicant does not have a good history with this town. A number of residents in their current project off Silver Lake road have flooded streets and basements. WFO stated that because PCP will not be present on July 11th that date would not be viable. WFO would like to continue the hearing to August 8th and if they are not prepared with all items including completion of the soil testing then the Board will strongly suggest that they withdraw. Attorney Conforti agreed to the August 8th continuation.

PCP stated that the Board wants the Applicant to provide a plan that takes into consideration of all suggestions and changes that the Board has made repeatedly during previous meetings.

BTS: Motion to continue the public hearing for Bellingham Shores Major Residential Development Special Permit, Definitive Subdivision, and Stormwater Management Plan to August 8, 2019 at 7:00 p.m.

REL: Second.

Discussion: None.

Vote: 4-1 Carried. (WFO, BTS, DJT, REL - yes) (PCP – no)

Mechanic Street Warehouse Development Plan, Stormwater Management Plan, Major Business Complex Special Permit, Flexible Parking Options Special Permit, and Water Resource District Special Permit, Mechanic Street, Continued Public Hearing.

JSK explained the project to date.

Present: Joe Antonellis, Attorney, Conor Nagle of VHB, John Cappellano of LPC Northeast, Sean Chrisom of Lincoln Property Company, and Pat Dunford of VHB.

Mr. Nagle explained that the majority of items in the peer review comments have been completed. Stormwater for the subdivision road has been included and incorporated into the plan set. A fence will be added along the guardrail to prevent snow push over that.

JSK stated that the Applicant has agreed to a condition that requires a blast/structural engineer to inspect that process and to assess the structural integrity of the retaining walls. Test pits will have to be done prior to the issuance of foundation permits and this will be a condition of the decision. SP for earth removal will be needed from ZBA. JSK stated that there was concern from the Conservation Commission that for safety, the old driveway be backfilled with plantings to close off that access point. In addition, language must be added to the Decision to preserve the open space. Mr. Nagle agreed to both the backfilling and the open space at the Conservation Commission meeting last night.

Attorney Antonellis stated that the Applicant understands that they have to contract with the Town for the police detail at the site for a four hour minimum twice a day. JSK will ask the PD what they prefer and it will be a daily matter for a number of years.

JSK clarified that this permit is for warehouse and distribution use. Hours of operation have not been stated done but believes this site warrants it.

DJT suggested that nearby abutters submit pictures of their homes so that if the blasting creates cracks in their foundation they have proof. Attorney Antonellis responded that the blasting this will be supervised by the Fire Department and they will mandate pre- and post-condition surveys. However, Attorney Antonellis is not adverse to that being a condition in the decision.

Public Comments & Questions:

Lucia Caccavelli representing Mrs. Rubrigi stated that no one has contacted her and they had previously asked if they would. She is very concerned about the basin and where the pipe is being installed. It is wooded and all ledge. She asked where the pipe will begin and end. Mr. Nagle explained and showed on the plan. Ms. Caccavelli was very concerned about Mrs. Rubrigi's garage and her property getting water. Mr. Nagle explained that they are creating a valley to put in the road and are taking water away that currently drains here. The basin cannot be moved it has to be at the lowest point to catch the water. JSK will discuss the grading of the plan with Mr. Rubrigi in his office. Ms. Caccavelli was concerned about the location of the driveway and the traffic flow heading east and turning onto the site. WFO explained how the site entrance will work. Ms. Caccavelli asked if during the blasting would do things have to be taken off walls and will she be notified each time. WFO responded that she does not have to take things off walls. JSK added that the Fire Department will be notifying the abutter. Attorney Antonellis stated that he would like to a pre-blast survey and get into her house with a Town Official to inspect. They can compare the pre- and post-blasting condition at her home. A blasting schedule is a strict requirement by the Fire Department.

JSK explained that he could begin drafting a Decision but would recommend not closing the hearing until after the Con Com has closed.

PCP: Motion to draft a favorable Decision for the Mechanic Street Warehouse Development Plan, Stormwater Management Plan, Major Business Complex Special Permit, Flexible Parking Options Special Permit, and Water Resource District Special Permit, Mechanic Street.

DJT: Second.

Discussion: BTS would like JKS to talk to PD about the detail and funding. Antonellis will work on the open space plan and this could be a condition of the Decision.

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

WFO: Motion to continue the public hearing for the Mechanic Street Warehouse Development Plan, Stormwater Management Plan, Major Business Complex Special Permit, Flexible Parking Options Special Permit, and Water Resource District Special Permit, Mechanic Street to June 27, 2019 at 7:00 p.m.

PCP: Second.

Discussion: None.

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

General Business:

- ☐ **ANR**
- ☐ **As-Built Certifications**

- ☐ **Discussions:**
- ☐ **JSK introduced new coordinator Amy Sutherland and welcomed her aboard.**

D&N Estates Bond

JSK explained the bond and why the Board has to sign it. He also explained that the permit has to be renewed and extended. Def. Sub regulations do not have an expiration regulation.

BTS: Motion to extend the Definitive Subdivision and Stormwater Management Plan Permit for D&N Estates for three years to June 13, 2022 and to accept the Subdivision Security Bond in the amount of \$180,000.00.

PCP: Second.

Discussion: None.

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

William Way Solar Definitive Subdivision Bond

JSK explained the Subdivision Security Bond in the form of a Tripartite Agreement.

BTS: Motion to accept the Subdivision Security Bond Tripartite Agreement in the amount of \$176,000.00 for the William Way Solar Definitive Subdivision.

PCP: Second.

Discussion: None.

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

- ☐ **5/23/19 Minutes Signing**

PCP: Motion to sign the May 23, 2019 Meeting Minutes.

BTS: Second.

Discussion: None.

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

- ☐ **Voucher Reports** – JSK explained the vouchers
- ☐ **Board Payroll Signing**

BTS: Motion to sign the April – June 2019 Board Payroll.

DJT: Second.

Discussion: None.

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

BTS: Motion to adjourn.

PCP: Second.

Discussion: None.

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

Meeting Adjourned at 8:45 p.m.

6/13/19 Public Hearing Documents List

Bellingham Shores Major Residential Development Special Permit, Definitive Subdivision, and Stormwater Management Plan, Continued Public Hearing

1. Continuance Request from Attorney Roelofs for 6.13.19

Mechanic Street Warehouse Development Plan, Stormwater Management Plan, Major Business Complex Special Permit, Flexible Parking Options Special Permit, and Water Resource District Special Permit, Mechanic Street, Continued Public Hearing

1. Plan - 4th Submission - 5.21.19
2. Plan - Preliminary Phasing 5.21.19
3. Plan - Erosion Control Notes & Details 5.21.19
4. Stormwater Pollution Prevention Plan (SWPPP) DRAFT - Spring 2019
5. VHB - Mitigation Narrative for Conservation Commission 5.21.19
6. BSC - 3rd Comments 6.7.19
7. VHB - Response to BSC 3rd Comments 6.12.19

Minutes Accepted on: 6/27/19
(Date)

Jean Keyes
(Prepared by: Jean Keyes)

William F. O'Connell Jr.
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