



# BELLINGHAM PLANNING BOARD

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

## Meeting Minutes August 9, 2018

**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

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

### **866 South Main Street Hindu Temple Development Plan and Stormwater Management Plan Permit, 1<sup>st</sup> Public Hearing. Decision Deadline: 9/10/18**

JSK read the public hearing notice.

### **BTS: Motion to open the public hearing for 866 South Main Street Hindu Temple Development Plan and Stormwater Management Plan Permit.**

DJT: Second.

Discussion: None.

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

JSK explained the project to date and the documents received and explained the Dover Amendment MGL 40A S 3 and the religious use. Because of the religious use, the Board is obligated to review this project only for the health, welfare, and safety of the town but the project is not necessarily bound by the zoning bylaws. The Applicant has agreed to participate and comply with a reasonable baseline for complying with the zoning bylaws for this review. For example, the Applicant has proposed a 56' tower so it would be prudent for the applicant to explain why for religious reasons it must be this high. The wetlands have not been delineated yet. Peer review has been contracted for stormwater and traffic and it is important for the peer review to do a thorough review of these items.

Present: Travis Brown, Andrews Survey & Engineering, Muthu Meyyappan of Sri Shiva Temple

Mr. Meyyappan explained that he has been a resident of the town for 13 years and is a member of the congregation. Their temple is currently in Bellingham Plaza and they would like to have a temple located in its own home. The conservation land on this property is perfect for the ambience of the temple and the land is good for the temple's purposes. This is an education center and is open to the public not just people practicing Hinduism. Everyone is welcome.

Mr. Brown explained the plan and the access to the site. The facility has two levels with the upper level for worship and education and the lower level for dining. The northerly part of the parcel will have the chief priest's house and three other buildings that will temporarily house foreign visitors for special

occasions and students taking courses. The housing will have 12 bedrooms plus the 4 bedrooms in the chief priest's house.

On-site septic will be constructed and town water will service the site. This is not like a conventional church. People are in and out during the day similar to a supermarket. The temple is open during the hours of 9:00 am - 12:00 p.m. and 5:00 p.m. - 8:00 p.m. and people are not entering and exiting all at once. The temple will be located in the woods and, due the tall trees and the slope of the land, it will not really be visible from South Main Street. Auto turn information has been provided to fire department.

PCP questioned the traffic counts and Mr. Meyyappan stated that on a typical Monday through Friday there is minimal traffic with 5-10 throughout morning hours and maybe 20-30 cars during the evening hours. Weekends they expect 50-100 cars combined for the morning and evening hours. There are special occasions six to ten times per year that attract larger crowds. During those events, they expect 100-200 vehicles. The on-site parking was designed to accommodate those festivals occasionally using overflow parking at the high school with shuttle bus service and a police detail. PCP asked if noise is an issue. Mr. Brown responded that all functions are inside the building. Mr. Meyyappan added that the temple's indoor space is open to create the atmosphere for meditation and worship.

The Board was concerned about the height of the tower and asked if it could be lower. Mr. Brown explained that the peak of the tower would be 14' above the roadway but there are trees that are that tall already there. There may be spots where the public could see the peak but for the most part the trees are just as tall as the tower. Mr. Meyyappan explained that it is customary for temples to have a tall tower. The Hindu temple height is part of the religion and the purpose for cleansing of the spirit. Temples in other cities have much larger towers. Mr. Meyyappan further stated that they realized that a higher temple would not fit in this location or in this town. The temple wanted to honor and respect the regulations of the town. If the height were to be changed, they would have to consult with the chief who is abroad. Building a temple is much more complicated than constructing a regular building as there are specific requirements for size. This is not about one culture or another but for everyone and they want to be good neighbors.

JSK pointed out several suggestions and outstanding issues:

- The drainage system basins may be constructed underground. This would preserve the natural buffer and wildlife and maybe pull in some of the parking away from the parcel lines.
- Waivers are needed
- Additional exterior lighting is needed. Mr. Brown responded that a photometric plan will be provided.
- The elevations on plan do not show the walk-out level of the temple. Mr. Brown responded that he will provide revised plans.
- A signage plan needed.
- The Board of Health has recommended three separate systems
- A traffic study will be able to guide the number of parking spaces that will be needed. It would be good if the Applicant can remove impervious surface that is not needed.
- The police safety office must comment on the sight lines at the entrance

#### Public Comments and Questions:

Brian Perrico of 875 South Main Street is trying to understand where this will be located, will he see it from his front window, what will it look like, and what will it be made of. He also asked how high this structure is and is it pleasing to the eye. PCP responded that the height of the building is 14' above the street but trees will block it. BTS suggested that the Applicant could float a balloon in the air so the neighbors could see how high it will be. JSK added that all plans, elevation plans, and documents are posted on the website.

Gary Gagnon of 878 South Main stated that this temple will be directly behind his house and he will see the building because there are no trees. Trying to get out of his driveway takes 15 minutes sometimes and if a traffic cop is there will never get out. Mr. Gagnon believes that this will devalue his house. Mr. Gagnon was also concerned about only one entrance and that how emergency apparatus cannot get in.

Jerry Daigle, Bellingham Police Chief, of 896 South Main Street had several questions:

1. Did Conservation Commission walk the site? Mr. Brown responded that they are scheduled to do so on 8/18/18
2. Are there any traffic counts? Mr. Brown responded that they do not have this yet
3. What is the size of the entrance? Mr. Brown responded that it is 24'
4. Are there sidewalks? Mr. Brown explained that a sidewalk will be along the entrance road into the facility.
5. Is there a buffer zone to the property lines for clearing? Mr. Brown showed limit of clearing and is not opposed to additional screening on northern cul-de-sac.
6. Questioned the lighting on site. Mr. Brown explained that most of the lighting will be less intense in residential section and all the rest will comply with the zoning bylaws.

WFO asked Chief Daigle to comment on the traffic on South Main Street. Chief Daigle asked if an event has 200 people between the hours of 5-8 pm, it would be a nightmare for big event. The traffic is heavy in both directions and he is curious to see traffic counts. The temple would have to hire a safety officer during big events. The sight distances are pretty good. Mr. Brown responded that everyday use will not create traffic problems but the big events 6-8 times a year will have larger impact on traffic volumes. Mr. Meyyappan clarified that most events are on weekends but some dates fall on weekdays; half of the events are on dates set by the temple and half are religious holidays. But people won't be exiting at the same time like a church.

Robert Chimeno of 870 South Main asked that when talking about the temple in Ashland, how does this building compare? Do they charge money for food if they are open to the public? Mr. Meyyappan responded that they are open to public and they don't charge for food at the temple. This building is similar to the one in Ashland. The size of the building is based upon the size of the land and is not directly related to the size of the congregation. Mr. Chimeno asked why this building has to be so close to his building (Town Line Power Equipment). Mr. Brown explained that there are significant wetlands on this site that limit where the temple and other buildings can be located. They have located the temple as far back as possible on the site.

Craig Morris 865 South Main is concerned about lighting as he will have a direct view of the temple right down the driveway. Questioned how the water table will be affected. Mr. Brown responded that they are working with a lighting engineer and will be cognizant of the impact. He also explained that they have to be off the water table due to the stormwater requirements.

Brian Cook of 67 Chestnut Street stated that he owns property to the south of this project and has proposed a house on that lot. His concern is the lighting of the parking lot, the number of cars, and the lighting from the traffic shining onto his property. PCP assured Mr. Cook that the Board will work with the Applicant to ensure that the lighting does not shine into abutters properties. Mr. Cook added that he would like to shrink the parking lot so that it doesn't come so close to his property and requested a privacy fence instead of chain link fence as show on the plan.

Richard Gannon of 879 South Main Street asked if the entrance and egress is the same road. Mr. Brown responded yes and that it is 24' wide

**WFO: Motion to continue the public hearing for 866 South Main Street Hindu Temple Development Plan and Stormwater Management Plan Permit to September 27, 2018 at 7:00 p.m.**

REL: Second.

Discussion: None.

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

**Discussion: Post Office Place Definitive Subdivision - Request for determination of Major or Minor Modification**

JSK explained the request and that this would be either major or minor modification.

Present: Chris Nation, developer of Post Office Place.

Mr. Nation explained that he would like to change the three front lots to residential as it makes sense so that there is no confusion with a business component on the front of the site. This is an allowed use in this zone. Septic plans were drawn in same manner as the four lots in the rear.

JSK added that three houses would significantly reduce the impervious surface and a B1 zone can have residential.

The Board agreed that this is a minor modification.

**BTS: Motion to accept the change to residential units as a Minor Modification.**

PCP: Second.

Discussion: None.

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

**Zoning Bylaw Amendment for Zoning Map for Maple Street, 1<sup>st</sup> Public Hearing**

JSK read the public hearing notice.

**WFO: Motion to open the Public Hearing for the proposed Zoning Bylaw Amendment for Zoning Map for Maple Street.**

BTS: Second.

Discussion: None.

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

JSK gave an overview of the proposal and Board is tasked with two initiatives:

1. Every day development review for the town.
2. Long-term planning and the future of the town and how it is growing and how growth is coming to the town.

Town looked at how it can improve the zoning districts to better align the zoning with existing infrastructure. The Board has looked at 79 Hartford Ave and Farm Street as well for rezoning.

This discussion is about the proposed amendment to the zoning map for Maple Street from Pine Street to Route 495. The town has seen large increase in traffic along Maple Street and because of the industrial zoning it is still conducive to industrial development which would result in an increase in truck traffic. An increase in industrial development on this part of Maple Street, beyond what has already been permitted will be a real challenge for the town. The Zoning Map has not been changed significantly since the 1960's and it is time to take a fresh look at the zoning districts and decide how best align them. This amendment is a clear picture of what needs to be changed.

JSK further clarified that this public hearing is being held for residents to provide comments and then the Planning Board will vote to recommend or not recommend at the Special Town Meeting in October. This then goes to the Board of Selectmen for their vote. The zoning does not change unless the article is passed at Town Meeting by a 2/3 majority vote of the residents.

WFO added that the genesis of this rezoning goes back a long time. The Planning Board has reviewed many proposals for Maple Street. This is proactive step on the Town's behalf to protect the residents on this street. This is not a decision made by the Planning Board, the chairman of the Planning Board, or the

Board of Selectmen. The Planning Board will make recommendation and the Board of Selectmen will or will not send it to Town Meeting.

PCP added that the town has had opportunities over the years to change the zoning but it wasn't changed. This road is turning into an industrial corridor and the Board does not want to have trucks going through a residential area. Consequently, the Board is being proactive by proposing this zoning change and moving the industrial zone away from the residential zone.

#### Public Questions and Comments:

Ari Paturzo of 10 Stonehedge Road stated that he appreciates the Board's efforts and he agrees with the change to residential. He would like to request that the eastern side of Maple Street all the way to Route 495 be changed to residential as well. Mr. Paturzo believes the town could limit the truck traffic as well by rezoning that area as well.

JSK responded that the Board cannot add properties to what has already been submitted for this public hearing. The Board would have to take this on as a separate initiative and hold a new public hearing. JSK explained that land owners can also bring forward zoning changes, but he cannot add this to the current proposal.

Joe Evan of 5 Tam O Shanter Road in Franklin represents Maplegate Realty Trust and owns Maplegate Country Club. Mr. Evan stated that the owners of the country club are opposed any type of rezoning at this time. Rezoning would prevent the owners from developing industrial use and would prevent them from accessing the industrial land they own in Franklin. Part of the land is in Franklin and part is in Bellingham and both are zoned industrial now. Mr. Evan believes that this would be a land taking. Mr. Evan would like to have conversation with both Franklin and Bellingham on how to develop this site. Mr. Evan added that he needs to protect the owners' interest of their land in Franklin. He further stated that this off-the-cuff zoning change is a tremendous burden to the owners of this property. Mr. Evan stated that he has discussed this with Jeff Nutting, Franklin Town Administrator and Denis Fraine, Bellingham Town Administrator to make something work so that both towns benefit and we benefit as land owners.

JSK explained that Mr. Evan's family has discussed different options with him. DJT added that this is not an off-the-cuff process. Mr. Evan responded that he did receive notice and believes the proposal is illogical but is willing to discuss options. There is a high demand for large box industrial as well as considerable interest in over-55 community. DJT responded that the Board is concerned that Mr. Evan is going to construct an industrial building on the Franklin part of his property and then use Bellingham to access the site. Bellingham will bear the wear and tear on its infrastructure of the trucks that access the Franklin site using exclusively Bellingham roads.

WFO stated that he appreciates the position Mr. Evan is in but the Planning Board is looking out for the best interest of Bellingham. Big box industrial greatly impacts our town. WFO added that he appreciates the unique situation of his land in Franklin but has to protect interest of the Bellingham residents. The Board is not picking on his property.

BTS thanked Mr. Evan for explaining his position and his willingness to work with the town. Over 55 would work very well around the golf course. The Board is not hostile towards anything. JSK added that rezoning to residential would be slightly more in favor for this land owner than the zoning as is for an over 55 development. Mr. Evan added that he would have to get Franklin to rezone as well.

Will Boyle of 174 Maple Street added that he is in the same situation as Mr. Evan and asked when the next Town Meeting will be held. JSK responded that the Special Town Meeting is scheduled for late October but will be continued until 2<sup>nd</sup> week of November. This is the first meeting regarding Maple Street rezoning proposal.

John Bocce of 146 Maple Street stated that he bought his land because it was industrial and asked what will happen if it is changed to residential. JSK explained nothing would change for the existing use but any change in use would not be allowed. Mr. Bocce stated that he thinks the value of his land would go

down tremendously and is opposed to the change. Mr. Bocce further asked how to stop trucks that are already using that road and BTS responded that they are trying to stop future industrial growth.

Bob Roth stated that he is representing 118 Maple Street which is now industrial land on which there is a welding shop. If the owners sell the property after rezoning then the land would lose the industrial use. So, the owners are opposed to the change.

Mel of Maple Street now has a landscape business in an industrial zone and what would happen if zoning changed. JSK explained every use in place now would be allowed but if the property changes use, expands, or if the owner sells the property then industrial use would not be allowed. JSK then commended the Board for looking at long-range planning for the town.

**DJT: Motion to close the Public Hearing for the proposed Zoning Bylaw Amendment for Zoning Map for Maple Street.**

REL: Second.

Discussion: None.

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

Board members agree that this is the best solution for future development. This is a positive change for the town and impacts to existing businesses will be minimal over time. This is just a recommendation.

WFO stated that he appreciates the impacts to certain businesses but the Board has been elected to serve the interests of the Town of Bellingham.

**DJT: Motion to support the Article as written and to submit it to the Board of Selectmen and to provide recommendation to Fall Special Town Meeting the rezoning of Maple Street from the Industrial District to the Suburban District for the following locations: 118 Maple Street, Assessors Map and Parcel 20-63; 136 Maple Street, Map and Parcel 26-7; 146 Maple Street, Map and Parcel 26-6; 151 Maple Street, Map and Parcel 26-2AA; 160 Maple Street, Map and Parcel 26-9; 161 Maple Street, Map and Parcel 26-1; 164 Maple Street, Map and Parcel 26-10A; 166 Maple Street, Map and Parcel 26-11; 169 Maple Street, Map and Parcel 26-1A; 170 Maple Street, Map and Parcel 26-10; 174 Maple Street, Map and Parcel 26-10B; 186 Maple Street, Map and Parcel 32-7; 231 Maple Street, Map and Parcel 32-3A; 235 Maple Street, Map and Parcel 32-3+; Maple Street, Map and Parcels 32-10, 32-9, 32-8, 32-5A, 26-6A, 26-03, 32-05, 20-62, 20-64, 20-61.**

BTS: Second.

Discussion: None.

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

**General Business:**

- ☒ **ANR**
- ☐ **As-Built Certifications**
- ☒ **7/12/18 and 7/19/18 Minutes Signing**

**WFO: Motion to sign the July 12, 2018 and July 19, 2018 Meeting Minutes.**

BTS: Second.

Discussion: None.

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

- ☒ **Voucher Reports** - JSK explained the voucher report.

JSK explained the next meeting agenda and encouraged the Board to talk with him about it.

**WFO: Motion to adjourn.**

BTS: Second.

Discussion: None.

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

**Meeting Adjourned at 9:15 p.m.**

**8/9/2018 Public Hearing Documents List**

**866 South Main Street Hindu Temple Development Plan and Stormwater Management Plan Permit**

1. Application for Development Plan 7.10.18
2. Application for Stormwater Management Permit 7.10.18
3. Certificate of Ownership 7.10.18
4. Abutters List - Certified 6.11.18
5. Narrative 7.10.18
6. Rendering 7.10.18
7. Property Deed 5.2.1975
8. Quitclaim Deed 11.5.1963
9. Operation & Maintenance Plan 5.15.18
10. Stormwater Management Report 5.15.18
11. Traffic Impact Report 4.18.18
12. Plans - 1st Submission - 5.15.18
13. Public Hearing Notice 8.9.18
14. DiMartino DPW - Plan Mark Up 7.17.18
15. Kupfer Staff Checklist 7.16.18
16. Catalano BOH Comments 7.24.18
17. Plan - Elevations and Floor 8.6.18

**Zoning Bylaws Amendments – Zoning Map for Maple Street**

1. Public Hearing Notice 8.9.18
2. Abutters List - Bellingham - Certified 7.9.18
3. Abutters List – Franklin – Certified 7.9.18

**Discussion - Post Office Place – Request for a Determination of a Major or Minor Modification**

1. C. Nation – Request for Modification 8.2.18
2. Septic Plans for Lots B1-2-3 – 7.16.18

Minutes Accepted on: 8/23/18  
(Date)

Jean Keyes  
(Prepared by: Jean Keyes)

William F. O'Connell Jr.  
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Brian T. Salisbury  
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Peter C. Pappas  
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