



# BELLINGHAM PLANNING BOARD

10 MECHANIC STREET BELLINGHAM, MASSACHUSETTS 02019

## MEETING MINUTES

**Thursday, September 14, 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  
Tina Griffin, Recording Secretary – via Zoom

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

### **CONTINUATION OF PUBLIC HEARING**

#### **Zero Maple Street:**

The applicant, Nick Tiernan, NERT LLC, and owner, 239 Maple LLC, propose to construct a 12,250 square foot industrial style building consisting of 7 for lease units at "0" Maple Street in Bellingham, approximately 7.2 acres of land, shown on Assessor's Map 37, Lots 3 and 3A zoned Industrial.

A meeting continuation for Zero Maple Street has been requested by the applicant.

**Mr. Salisbury made a motion to continue this Hearing until Thursday, October 12, 2023. The motion was seconded by Mr. Mobilia and the passed unanimously.**

### **CONTINUATION OF PUBLIC HEARING**

#### **SNETT Trail:**

The applicant and owner, Michael Burr, proposes a 6-lot residential subdivision on approximately 26.4+/- acres of land on the west side of Lake Street in Bellingham, shown on Assessor's Map 80-09-01 zoned Agriculture.

At the last meeting, the Town Planner was asked to draft a possible decision for SNETT Trail Estates to be reviewed at this meeting. The applicant has since asked to hold off on the possible decision for tonight's meeting until he speaks with the Conservation Commission. The applicant has requested to be placed on the next available meeting agenda.

**Mr. Salisbury made a motion to continue this Hearing until Thursday, September 28, 2023. The motion was seconded by Mr. Trebino and passed unanimously.**

**CONTINUATION OF PUBLIC HEARING**

**North & 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.

Mr. Connell stated that he is Chairman of the Board and regardless of the last name, there is no relation between he and the law firm representing the applicant.

The applicant's representative, Nicholas Lombardo, was present to discuss some planned changes that have been made to the proposed project for townhouses at North & Blackstone Street. Since the last meeting with the Board, the applicant had a community meeting with the neighbors and have developed a revised concept plan. The new concept plans were shown to members present and gave a breakdown on further changes to the project site. The most significant change in the plans is to reduce the number of units from 36 to 18. This is a 50% reduction in the density of the project and would reduce the number of buildings from 12 buildings to 6 buildings with three 2-bedroom townhouses in each. This would leave nearly all of the existing woods that can be seen from Blackstone Street undisturbed, and the area would be subject to a conservation restriction. In addition, there would also be an expansion to the conservation area to improve the area that's close to the neighbors on North Street.

A revised plan was shown on screen for the members present to review. The new plan shows the first building on the site having an 84' setback from Blackstone Street. That is three times the legally required minimum setback of 30' and is 20' further back from the last plan set that was developed. The area from Blackstone Street is showing Green Giant Arborvitae and would be nearly three times what a single-family home could be setback. The Blackstone Street side would also have the space for an expanded visitor parking that would be shared with people amongst the development. Additional details and pictures, such as parking, mailbox areas, roadways, driveway, etc. was presented by Mr. Lombardo.

Board Members had concerns regarding the parking areas that are located at each unit. The proposed visitor parking may help with some of the additional vehicles, but there is a concern regarding people trying to park on the street, which would not be allowed.

Deputy Milot from the Fire Department was present and said he will be working with the Water Department regarding the volume of water calculations, as well as calculations from the sprinkler companies, if the project progresses forward. It also needs to be made sure that the turning radius coming in from Blackstone Street would meet the turning radius that was provided by the Planning Board. It is also preferred to have a separate inlet and outlet in the loop so that there are two separate areas of egress coming in and out.

The Chairman said that some changes have been recommend and are moving along with this proposed project. More discussion will need to continue regarding the entrances, addressing of concerns from the Fire Department and DPW, and the addressing of additional parking concerns, etc.

At this time the meeting was opened up to the residents and the Board listened to suggestions and concerns regarding the thinning of trees that would take place over the Fall & Winter months, in which the residents would be looking right into the back of the development. There is also concern about people not being able to see vehicles that are coming around the corner due to the sharpness of the turn.

The Chairman made a recommendation that the residents reach out to the DPW in regard to proper signage and also reach out to the Police Department to discuss periodically setting up a speed trap in that area. Depending on power in the area, there could be possible discussion of electrical signage and speed control, if the project continues to move forward. The project still has a lot of items that need to be addressed and as it proceeds forward, there will need to be a lighting plan, landscaping plan, and peer review. The Chairman thanked the applicants for the efforts they have made so far, and for working with the neighbors on some of their concerns as well.

**Mr. Salisbury made a motion to continue this Public Hearing until Thursday, October 12, 2023. Motion was seconded by Mr. Devine and a voice vote unanimously passes.**

**PUBLIC HEARING:**

**Maple Street, LLC.**

The applicant, NextGrid Mescalbean, LLC, and owner, Maplegate Realty Trust, propose a solar array which consists of 74+- acres of land to be redeveloped for a proposed solar array of which only 9.8 acres is in Bellingham. The current access road is located through the Town of Bellingham at parcel 26-0009 and is proposed to remain and function as the primary access road for the Solar Array Project. The Solar Array project is in the Town of Franklin and will be for the construction of a new 15,000=- KW solar field along the new gravel access drives, associated utilities, and stormwater management components located in the northern portion of the existing Maplegate Country Club property at 160 Maple Street Bellingham, shown on Assessor's Map 26-0009, zoned suburban. The plans were prepared by Bohler Engineering.

The Chairman provided the following information on the MA General Laws, Subsection 240-18P proposal in two communities (where part of the proposal is located in Bellingham and part in the adjacent municipality). The provision of development plan review shall apply as follows:

- Applicability of the Development Plan review shall be determined by testing the entire proposal in both communities against all thresholds

Subsection 240-16A – item D:

- Submittals for the portion lying in the town of Bellingham shall be as specified, as according to Subsection 240-17

For the portions lying outside the town of Bellingham, only those items necessary for the determination of the subdivision C, of this session, need to be submitted

Item number C

- The proposals shall be approved, provided that the portion lying outside the town of Bellingham compliance with the requirements of the Zoning Bylaws and provided that outcome from the entire development for impacts limit by the terms of this bylaw, such as light over spill, subsection 240-49b, compliance measuring value.

Attorney Peter Brown was present on behalf of the property owner. There was an introductory meeting on the North portion of the project on August 10, 2023, and tonight's introductory meeting is to provide information on what is being referred to as the South portion of the project. This is its own separate application with its own property dimensions and.

At the previous meeting, there was discussion regarding the applicability of the Dover Amendment to the North project. A very similar one has now been filed for with the South project. We have provided some correspondence to Attorney Goldberg and requested it, just stating that the Dover Amendment does clearly apply to this project but does not in any way eliminate the Boards review with respect to permitting of the project.

The meeting was then turned over to Mr. DiBona from Bohler Engineering, on behalf of the applicant. An overview of the entire project does include elements of the entire golf course, as it exists today. All 3 Parcels that make up the components of Parcels 1, 2, and 3 were previously established through an ANR process with the Town of Franklin. The Bellingham lot, which is along the Maple Street frontage, is a total of 3.77 acres of the lower portion of the site. This makes up the complete acreage of 65 acres. That Bellingham lot portion would only have development associated with utility poles and electrical conduit that would be provided for the solar array that will be all located within the Town of Franklin lots.

The site exhibit shows the access point to the property located in the North section of the project, which is located at 160 Maple Street. The current access drive to the golf course is going to still be maintained as the primary access through the North Parcel and then through easements that would provide access through Parcel 2 and then into Parcel 3. There is not a separate access driveway in that area. However, to accommodate the utility poles that are going to be proposed and to allow for a gravel access point for maintenance or access for the utility, we are proposing a 20' by 10' wide gravel access way. This would be directly adjacent to the to the current shoulder of the driveway. Once you get through the New England Power easement, then everything after the entrance on the right side of the plan would be located in the Town of Franklin where the 15,000-Kilowatt solar array system would be located.

There is a proposed area that is approximately 40' wide and 25' deep into the site location that is being proposed to have the 4 utility poles on the Bellingham lot. These would be required in order to make connection to Parcel 3, which is for the project development in Franklin. A shared sketch showed these poles will also have connection from that point to the underground conduit that would come back onto either side. From there it would be picked back up and brought to the transformer pad.

The requirement to be able to make sure that the utility company does have access to the point is necessary, in case they ever have to go out there with a vehicle, or service equipment, etc.

Mr. DiBona shared his screen to give some context on how the site works. The overall solar development is situated on Parcel 3. There's an existing Y-shaped wetland feature, towards the middle of the southern portion of the golf course. A new access culvert is being proposed, to go over the wetlands and make that connection so that the gravel access drive, which has turnaround spaces at the end would be able to have direct access to each of the two Transformer Pad locations. A sketch of these details were shown to members present. Mr. DiBona stated that from his standpoint, this is all that they are proposing to cover tonight as far as the overall outline of the project.

The Chairman opened the meeting to the public and heard questions and concerns about the types of panels that may be used, high water tables in the area that cause flooding in yards and homes, the value that would be lost in the area by removing a golf course and additional concerns about the actual property becoming a solar array.

People present also made reference to the Dover Amendment and how it gives solar companies the right to build anywhere regardless of zoning, except if it affects public health, safety, or welfare, which this could very well do. The applicant's representatives made notes of the resident's questions and concerns and said they will work to get some of these questions answered for them by the next meeting.

Board members had additional questions for the applicant regarding poles on the parcels and if they could instead be placed underground in order to not have them in the line of sight. Vegetation was also a concern for discussion, and why the project is being done as 2 separate sets of plans with 2 projects located on the same property.

Deputy Milot from the Fire Department was also present and expressed some concerns on Parcel 3, with the entrance and exit onto Maple Street. The number of vehicles that would be going in and out with the construction portion of the project, especially on this entrance part of Maple Street where there is a small "S" curve in the road, right in front of the property. This would also need to be looked into further by the Police Department in regard to that area, which is where maintenance vehicles would be accessing the area on a regular basis. More detail will need to be looked into further in order to protect the safety of people traveling on Maple Street, if the project does progress forward. Also, with the solar array being so far into the property and actually into the Town of Franklin, water supply concerns and where the water will come from needs to be established so that the distance doesn't exceed what could be carried for the area.

Mr. DiBona said they are still working out those details and will have answers to these questions as well as others that were brought up tonight, on before the next meeting. He is hoping to be able to address a number of these questions that are in relation to both Parcel 1 and Parcel 3.

Board members thanked residents for taking the time to write their letters of concern and recommendations for the project and sending them to the Planning Board office. Ms. Sutherland will be placing these on file with all the project documents and asked the residents that did read from documents tonight to please forward a copy to the Planning Board office when they have a moment.

**Mr. Salisbury made a motion to continue the Public Hearing for Parcel 1, until Thursday, October 12, 2023, and continue the Public Hearing for Parcel 3, until October 28, 2023. Mr. Mobilia seconded, and the motion passes unanimously.**

**GENERAL BUSINESS:**

**Next Meeting:**

The next Planning Board Meeting will be held on Thursday, September 28, 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 9:06 pm. Mr. Devine seconded, and the motion passes unanimously.**

**Meeting adjourned.**

Respectfully Submitted,

*Tina M. Griffin*

Recording Secretary