



# BELLINGHAM PLANNING BOARD

10 MECHANIC STREET BELLINGHAM, MASSACHUSETTS 02019

## MEETING MINUTES

Thursday, October 26, 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

### 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

#### **Bungay Brook Inclusionary Housing Townhouse Dwelling:**

In accordance with the Town of Bellingham's Zoning By-Laws §240-101, Special Residential Use – Townhouse Dwelling Inclusionary Housing, the applicant, Elite Home Builders, LLC, and owner, TRG Family LTD Partnership, propose where the 11 affordable two-bedroom units will be on-site, by lottery with associated improvements at 30 Locust Street in Bellingham, approximately 57+/- acres of land, shown of Assessors Map 93-22, zoned Agriculture and Suburban.

At the last meeting, Board members requested information in regard to the differences between market rate units and the inclusionary housing units. The applicant's representatives were present at tonight's meeting to discuss some of the differences in housing details between the two types of units.

The applicant first wanted to further discuss the option of not having the inclusionary housing on the site currently that is being developed. He was trying to construct those residences in an area owned by the Housing Authority. There has been a lot of communication back and forth with the Housing Authority, but it appears that the site being previously discussed was no longer going to be an option.

The applicant said that there are other locations that might be an option for the inclusionary housing units that would not be on the Bungay Brook site but could instead be their own community. The Town's decision requires the applicant to have the inclusionary housing done before the first occupancy permit would be issued.

The Chairman stated that a motion was made at the last meeting, to move forward with the on-site inclusionary housing. That motion was approved and is in the minutes. A concern was also raised by the applicant's partner at the last meeting, that they didn't want to jeopardize the number of units that

are in the process of selling. Therefore, the inclusionary housing for this project will need to be included on-site.

The inclusionary housing is for 7 residents of Bellingham that will be in a lottery and the other 4 units could be for applicants outside of Bellingham, which meets criteria that was dated and signed by the Selectboard on September 13, 2023.

Board members then discussed the placement of where these more affordable units would be placed, in which they are currently showing to be in the middle of the tri-flexes. Mr. Devine read § 240-179 of the Town's Provisions, as stated below:

Provisions applicable to affordable housing units on- or off-site.

**A.** Siting of affordable units. All affordable units constructed or rehabilitated under this bylaw shall be situated so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units.

**B.** Minimum design and construction standards for affordable units. Affordable housing units within market-rate developments shall be integrated with the rest of the development and shall be compatible in external design, appearance, construction, and quality of materials with other units.

**C.** Timing of construction or provision of affordable units or lots.

Some Board members had concerns about all of the inclusionary housing units being placed between the outside units and each one of them having 2 neighbors, instead of 1, which is a less desirable location for each. These units would all have less windows and would neighbors on each side. Board members agreed and let the applicant know that some of these units should be placed at the ends and not all be center units. In addition, the Board also addressed some of the amenities of the inclusionary housing, being that they don't have dishwashers, fireplaces, kitchen islands, recessed lighting, or air conditioning. It would be distinguished as affordable housing from the outside, as you would see there's no air conditioning going to those units. Under the Town's by-law, it clearly states that if something can be visually seen to make it an inclusionary housing unit, it can't be done.

There are 108 total units to be built on this site, of which only one of the inclusionary units has been constructed so far, and it is a middle unit. Members and the applicant agreed to move 3 of the inclusionary housing units to end units and discussed which unit numbers they would be.

Air conditioning for these inclusionary housing units that the applicant was constructing was also discussed. The applicant was not planning to put air conditioning in the inclusionary housing units, this was further discussed between the Board and applicant.

**Mr. Salisbury made a motion to move 3 of the inclusionary units to the outside unit numbers that were discussed, as well as including air conditioning in all of the 11 inclusionary housing units. The motion was seconded by Mr. Trebino and the motion passes unanimously.**

The Town Planner will write a favorable decision which can be read, and previous motions could be removed, if agreed upon.

**Mr. Salisbury made a motion to continue this Hearing until Thursday, November 9, 2023, at 7:00 pm. Motion was seconded by Mr. Devine and the motion passes unanimously.**

### **CONTINUATION OF PUBLIC HEARING**

#### **WS Development:**

The applicant, W/S Bellingham IV Associates LLC, and owner, Bellingham N Main Street II LLC, Hartford Av. Associates LTD, W/S 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.

WS Development has requested a meeting continuation from tonight's agenda.

**Mr. Salisbury made a motion to continue this Public Hearing until Thursday, November 16, 2023, at 7:00 pm. Motion was seconded by Mr. Devine and passes unanimously.**

### **GENERAL BUSINESS**

#### **186 Maple Street – Gate Discussion**

Ms. Sutherland let the property owner and representatives know that this item was put on the agenda to let them know that the Board visited the site on Saturday and seen the fence repaired but they had some questions regarding the gate. This Condition was previously worked on diligently with the Board, in which they did require a gate to be placed at the entrance to that property. This would limit access beyond the solar farm and give limited access to the Maplegate maintenance building.

It was previously stated that the entry gate should be opaque, and a minimum of 8' in height. It is to be constructed as the same material as the fence along Maple Street so that the gate will provide a visual barrier and limits the impact of the project on a public way. The entry gates shall be closed at all times when not being used for entry to the premises.

We are back here this evening because it has not been completed as of yet.

Mr. Salisbury let Ms. Biskey know that there was a lot of time spent with this project, and specific talks about the gate. That is why it was important enough to have its own paragraph incorporated into the Boards decision. It was surprising to see the gate that the Board spent so much time talking about, end up just becoming a chain across that entryway, and doesn't serve the purpose that the Board intended. The fencing that is currently there has fallen down a number of times and you can see right through it. The site itself hasn't been maintained. The Board agreed that it could be an easy fix if the gate that was intended to be constructed was installed. It would go a long way to the aesthetics and security of the site, as well as make that neighborhood a little better without having to see a bunch of fences and a chain across the entryway.

Jesse White, Maintenance Manager for this facility was present at tonight's meeting and told the Board that the site is secure and that both sites beyond the service road has gates with chains and locks. There isn't a lack of security to the site due to a vinyl gate not being on the golf course service road.

Mr. Devine responded that Condition Number 13 of the decision clearly states there would be a gate there, which should have been put up at the project to start with. The decision that is recorded in the Registry of Deeds clearly states that the gate would be put up and not a chain going across the entryway.

Ms. Biskey stated that she works with the operations side of the facility and not the construction side. She is currently working to find the email or communication between them and the Town on why the change was made and the gate wasn't installed.

Mr. Devine again stated that the gate was specifically called out in the decision and was a concern. The Board did spend many long nights discussing this Decision and the gate was placed in the Decision, which was unanimously approved. If the applicant had wanted to address the gate Decision with the Board, they would have had to come back in front of the Board and discuss reasonings for wanting that item removed from the original Decision.

Ms. Biskey asked for a continuation until the next meeting, in order to be able to provide the Board with more information on why the gate installation was not completed and in order to get quotes to install a gate.

The next meeting would be to entertain a motion to construct the gate that has been described in the Conditions. The Chairman stated that judging from the Board, they are in favor of staying with the original Decision and Conditions.

The applicant will be present at the November 9<sup>th</sup> meeting, with more information on a timeframe of the gate installation, after getting bids from contractors and estimated timeframe for the installation.

#### **187 Farm Street – Extension of Permit**

The owner of 187 Farm Street has requested a project extension of two years, with a one-year project report at a Public Meeting of the Planning Board.

Mr. Halsing from Land Planning was present on behalf of the property owner, who has been progressing in construction over the past few years. He has the retaining wall built and he's bringing material in and processing it, but he needs a lot of fill on the site. He did install some screening across the front for the neighbors and has placed some plantings out there as well. He has put in sprinklers and also has a water truck on site to keep the dust down. However, due to the high cost of materials and the challenges over the past few years, construction has not gone at the pace that was anticipated. Therefore, an extension of two years on the permits is being requested, if possible, so that the owner has time to finish it up.

**Mr. Salisbury made a motion to continue this Hearing until the first meeting in December of 2024, to get the project status, with the Condition that the property continues to be secure and maintained. Mr. Trebino seconded, and the motion passes unanimously.**

**BELLINGHAM PLANNING BOARD MINUTES FOR OCTOBER 26, 2023 - CONTINUED**

**ANR Plan – Prospect Street, Lot 1 R**

The Chairman let members know that the ANR Plan for Prospect Street, Lot 1 R has proper access from the public. However, the plan indicates that the Lot is now undersized and doesn't meet the Zoning Requirements for the Town of Bellingham. The owner has been shaving off pieces of the Lots in Bellingham and transferring it to Lots on Prospect Street in Franklin, in order for them to be sold as buildable Lots. The Town Planner wanted to clarify on the plan submitted by Mr. Petrozzi that Lot 1 R is no longer a buildable Lot in Bellingham and is in non-conformance due to the size being reduced, in which it no longer complies with the Bellingham Zoning requirements.

**Mr. Salisbury made a motion stating that Lot 1 R is undersized and is no longer considered to be a buildable Lot, due to it now being non-conforming. Mr. Trebino seconded, and the motion passes unanimously.**

**Approval of Minutes**

**Mr. Salisbury motion was made to approve the minutes from the September 28, 2023, Planning Board Meeting, as presented. Motion was seconded by Mr. Devine and the motion passes unanimously.**

**Mr. Salisbury made a motion to adjourn the meeting at 8:42 pm. Motion was seconded by Mr. Mobilia and the motion passes unanimously.**

**NEXT MEETING**

Thursday, November 9, 2023, at 7:00 pm.

Thank you,

*Tina M. Griffin*

Tina M. Griffin  
Recording Secretary

*Approved 1/25/24*

