



## BELLINGHAM PLANNING BOARD

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10 MECHANIC STREET  
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### **Meeting Minutes** **Thursday, December 10, 2020** **7:00 pm**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place. **This meeting will be via the Zoom online option; see information and instructions at the end of the agenda.**

#### **Present at the Meeting:**

William F. O'Connell Jr. (WFO), Chairman  
Brian T. Salisbury (BTS), Vice Chairman  
Dennis J. Trebino (DJT), Member  
Russell E. Lafond (REL), Member  
Philip M. Devine (PD), Member  
Elizabeth Berthelette, Associate Member

#### **Other Officials:**

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

Chairman O'Connell opened the meeting at 7:00 pm.

#### **CONTINUATION PUBLIC HEARING**

##### **Red Mill on the Charles:**

The Chairman opened the continued hearing for Red Mill on the Charles for the Definitive Plan, Zoning Bylaws Article XXIX Downtown Residential Development Overlay District and §240-54, Stormwater Management. The applicant, Snowflake, LLC c/o Kevin Lobisser propose a 118-lot residential subdivision of land containing 114 single family lots and four multi-family lots on 85.6+/- acres between Mill Street and Mechanic Street in Bellingham, shown on Assessor's Map 51, 13-1, zoned Suburban and Business-1. The Board was made aware that the applicant has provided updated plan sets for the Board's review. The Town's peer review engineer is working through the drainage analysis. The Board is in receipt of information about the connector road. The peer

review and balance for the rest will be at the next mtg. The power point was shared by the applicant. The applicant provided an overview from the previous meeting. The third meeting with the Conservation Commission was held. There will be a follow-up meeting held on January 13, 2021 with the Commission. There were comments received from DPW and the next round of revisions will address those comments. The goal is to address all comments with responses at the next meeting. The applicant wants all approval by the Spring 2021. There were five waiver requests.

- Section 245-13 D (2)(a) Basin slopes in filled areas shall not exceed one vertical to four horizontal (4:1)
- Section 245-15A (2) Sidewalk is required on both sides of a collector road
- Section 245-15C (a) Trees are to be planted no less than 10 feet from the sidewalk
- Section 245-15 C.(2)(d) Spacing of trees is required 40-foot intervals
- To allow the retaining walls in lieu of off-graded slopes to minimize impacts to wetland resource areas.

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The Chairman noted that there is not enough information to act on the waivers at this point until the full peer review is provided. The tree placement identified where it might be too tight was discussed. The applicant will color code the placement of the trees on the plan.

BSC Consultant, Frank DiPietro indicated that they did initial review and looked at waivers for the conservation and also the connector road. Those review will be down before December 24, 2020. The waiver for 2 to 1 slope on basin on the town property needs to be done very carefully. This slope needs to be stabilized very well. This basin is right against the wetland area. There could be a condition with a monitoring agent for the basins since it is a large project. The applicant is not opposed to this being a condition. The earth removal is enormous over 600,000 yards. This will be built in phases with access roads. There is no timeframe associated with this. A question was asked on how to manage and put limitations on traffic while this is being done. This needs to be discussed further. This earth removal permit will be heard in front of the Zoning Board of Appeals. This project is in three separate phases. This will be market driven and could take anywhere from three to five years. There is a possibility that there could be a traffic light on Mechanic Street. It was suggested to give an estimate on how much removal will be needed in each phase. This could be provided in writing. The applicant noted that there could be subphases. This will all need to be in writing as relative to the phases. The slope of connector road and drainage and how this will be handled was discussed. There is a concern about the flow not collected will cause flooding in another area. This will need to be looked at by Consultant so that the slope does not erode. The applicant noted that this was discussed at the Conservation meeting with a cascade grade which will address this. The Consultant communicated that if the waivers are not granted the plan will need to be changed significantly. The next step is to finalize the peer review.

**On a motion made by Brian Salisbury and seconded by Dennis Trebino, the Board voted by Roll Call to unanimously continue the hearing until January 14, 2021 at 7:00 pm.**

**Roll Call Vote:**

William F. O'Connell Jr.	aye
Brian T. Salisbury	aye
Dennis J. Trebino	aye
Russell E. Lafond	aye
Philip M. Devine	aye

Discussion: None.

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

**CONTINUATION PUBLIC HEARING**

**Bellingham Shores:**

The Chairman opened the continued public hearing for Bellingham Shores Major Residential Development Special Permit, Definitive Subdivision, and Stormwater Management Plan.

The applicant representative Sean Malone was present.

The Board was informed that the review is essentially complete. The mitigation list was updated on November 9, 2020. The Board discussed at the last meeting having the conditions for the project be drafted. The final plans have been provided and are dated December 2, 2020. The phasing plan was also provided. The conditions were reviewed. The screen share was provided by Sean Malone. The phasing plan was shown on the screen which was color coded into sections. The next part of the discussion focused on reviewing the conditions for this project.

The discussed conditions:

Condition #7: There was a donation of Lot 10 and also Open Space. The applicant thinks this is a generous donation of the \$100,000 for the conveyance of the "triangle parcel". The Board noted that there was testimony that there was debris and problems. It is their recommendation to see if this amount can be increased.

Condition #8: The next condition discussed was relative to the inclusionary housing special permit requirement. The language is that no occupancy permit shall be issued until the applicant has submitted a special permit application to the Planning Board. All affordable units must qualify for inclusion on the inventory.

Condition #9: The applicant will need to install a signal at the Center Street/South Main Street prior to the issuance of the 25<sup>th</sup> occupancy permit.

Condition #10: This condition is relative to the phasing plan such that each building permit consists of a minimum of 20 lots as shown on the Approved Plan. It was suggested to put the word maximum instead of minimum. The applicant shall also apply and receive an occupancy permit for a minimum of 75% of the lots within each building phase. There was a suggestion to include language that the transition of the building phase may be reviewed and amended upon approval of the Board at the Planning Board meeting upon request of the applicant. Another

suggestion was to include language that prior to the construction for each infrastructure phase, sediment and erosion controls shall be installed. The Board would like language added that would include that mature vegetation be preserved, furthermore that any mature vegetation be saved and wrapped to avoid clear cutting.

Condition #18: The Board shall require a minimum of six building styles to be constructed at Bellingham Shores. No more than two buildings of the same style shall be sited directly adjacent to one another. This will be reviewed by the building inspector. This language was put into the conditions to evaluate ways in which the applicant needs to provide an enhanced neighborhood character to this subdivision.

The Board members have agreed to meet on December 17, 2020 to discuss the conditions and draft decision further. This will be provided to the applicant to review along with a draft of the meeting minutes.

**On a motion made by Brian Salisbury and seconded by Dennis Trebino, the Board voted by Roll Call to unanimously continue the hearing until December 17, 2020 at 7:00 pm.**

**Roll Call Vote:**

William F. O'Connell Jr.	aye
Brian T. Salisbury	aye
Dennis J. Trebino	aye
Russell E. Lafond	aye
Philip M. Devine	aye

Discussion: None.

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

**PUBLIC HEARING, 0 South Maple Street:**

**On a motion made by Brian Salisbury and seconded by Dennis Trebino, the Board voted by Roll Call to unanimously open the hearing for 0 South Maple Street.**

**Roll Call Vote:**

William F. O'Connell Jr.	aye
Brian T. Salisbury	aye
Dennis J. Trebino	aye
Russell E. Lafond	aye
Philip M. Devine	aye

Discussion: None.

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

The Board is in receipt of the Town Planner checklist. The applicant representative Steven O'Connell was present representing Turning Point Engineering.

The Chairman indicated that for transparency, the Engineer and applicant are not related.

The Engineer indicated that this plan is for a Development Plan Approval, § 240-54, Stormwater Management, and §240-60, Flexible Parking Options Special Permit.

The applicant provided a screen share of the project.

The applicant, Eastland Partners, Inc. and owner, Cx3 Properties, LLC, propose to construct a 9,600 square foot industrial building with associated improvements at 0 South Maple Street in Bellingham, approximately 25,500+/- square feet of land, shown on Assessor's Map 57-8, zoned Industrial. A portion of this building will be designated for a retail component with warehousing with customer showroom with service counter, small offices, break room and restrooms. This portion of the building will be 2,400 sq. ft. The area above the retail area is a mezzanine for future buildout. The prospective tenant employs 6 to 8 employees. There will be 11 parking spaces needed to operate the business efficiently. No new access driveway from South Maple Street will be constructed as part of the building construction project. There are landscape plantings proposed on the street side of the building. This site is currently undeveloped. This building will be serviced by town water and private on-site sewage disposal system. The applicant is requesting a waiver from the parking to reduce the number of parking spaces required for the proposed buildings. With the 19 spaces provided, there is more parking available than is needed for the proposed use. The applicant believes that this project complies with the intent as noted in the town's master plan. The site plan was next shown and reviewed. The soil testing was conducted and favorable for the drainage. There will be roof run-off collected and will not need to be treated. It will be an isolated system. There will be a series of catch basins. The dumpster will be screened and located for operation and pick up but is not in view of the residential properties across the street. The lighting was shown. The building mounting should be adequate and no more will be recommended. The business sign was shown and proposing one of similar scale and will be lit from the ground with low level light. The easements proposed were reviewed.

The applicant was provided with the checklist. The Board would like a single sheet landscape plan provided. There was nothing about a traffic study, but the Board could determine if this is needed. The applicant needs to provide narrative there will not be environmental impacts on this site. The stormwater needs to have review. It was recommended to have peer review of the stormwater. The Board would like to see screening for the residential abutters along with keeping as many trees as possible. There is concern about the turning radius.

There were no comments from the public.

**On a motion made by Brian Salisbury and seconded by Philip Devine, the Board voted by Roll Call to unanimously continue the hearing until January 14, 2021 at 7:00 pm.**

**Roll Call Vote:**

William F. O'Connell Jr.	aye
Brian T. Salisbury	aye
Dennis J. Trebino	aye
Russell E. Lafond	aye
Philip M. Devine	aye

Discussion: None.

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

**GENERAL BUSINESS:**

**Master Plan Adoption:**

The discussion of the Master Plan Adoption will be moved to the evening of December 17, 2020.

**Macy Estates Bond:**

The Board was informed that the only thing the town is waiting on is the As-Built Plan signatures from the Board of Selectmen and the Planning Board.

**On a motion made by Brian Salisbury and seconded by Russell Lafond, the Board voted by Roll Call to recommend pending signatures releasing the Macy Estates Bond.**

**Roll Call Vote:**

William F. O'Connell Jr.	aye
Brian T. Salisbury	aye
Dennis J. Trebino	aye
Russell E. Lafond	aye
Philip M. Devine	aye

Discussion: None.

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

**Approval of Minutes:**

**November 12, 2020 Meeting Minutes:**

**On a motion made by Brian Salisbury and seconded by Dennis Trebino, the Board voted by Roll Call to unanimously accept the minutes from November 12, 2020.**

**Roll Call Vote:**

William F. O'Connell Jr.	aye
Brian T. Salisbury	aye
Dennis J. Trebino	aye
Russell E. Lafond	aye
Philip M. Devine	aye

Discussion: None.

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

**Charter and Bylaw Committee:**

This will be starting in January 2021. There needs to be a member from the Planning Board. Member Salisbury and Chairman O'Connell would like to serve on this committee.

**FUTURE MEETING:**

- December 17, 2020

**ADJOURN:**

**On a motion made by Brian Salisbury, and seconded by Dennis Trebino, the Board voted by Roll Call vote to adjourn the meeting at 9:42 pm.**

**Roll Call Vote:**

William F. O'Connell Jr.	aye
Brian T. Salisbury	aye
Dennis J. Trebino	aye
Russell E. Lafond	aye
Philip M. Devine	aye

Discussion: None.

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

Meeting Adjourned at 9:42 pm.

Respectfully Submitted,

Amy Sutherland

Recording Secretary

Minutes Accepted on:

1-14-20

Amy Sutherland