



BELLINGHAM PLANNING BOARD

10 Mechanic Street, Bellingham, Massachusetts 02019

MEETING MINUTES

Thursday, March 14, 2024, 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
Philip M. Devine	Member
Dennis J. Trebino	Member
Nick Mobilia	Member
Robert Lussier	Alternate Member

ADDITIONAL OFFICIALS PRESENT:

Tim Aicardi, Building Commissioner
Tina Griffin, Recording Secretary – via Zoom

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

DRAFT DECISION

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.

The applicant was present and let members know that he is in agreement with the draft decision and doesn't have any further comments for the Board regarding the decision requests.

Mr. Trebino made a motion to approve the Flexible Parking Special Permit for the proposed warehouse parking lot. Motion was seconded by Mr. Salisbury and the motion passes 5/1. Mr. Devine does not support this motion.

Mr. Salisbury made a motion to approve the updated Major Business Complex Special Permit that was reviewed by Board Members. Motion was seconded by Mr. Trebino and the motion passes unanimously.

Mr. Trebino made a motion to approve the revised and updated plan decision. Motion was seconded by Mr. Salisbury and the voice vote passes unanimously.

PUBLIC HEARING

Prospect Hill Village:

The applicant and owner, Wall Street Development Corp., Inc., proposes to construct 156 two-bedroom townhouses in 52 buildings, with 3-townhouse dwellings in each building, as well as associated improvements. The primary and secondary access to the project will be off Prospect Street in Franklin (the Development). The property is located off Prospect Street approximately 72 +/- acres of land, shown of Assessor's Map 65-Lot 20 & 22, Assessor's Map 69, Lot 87 zoned Agriculture. The plans were prepared by GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, MA 01746.

Lou Petrozzi from Wall Street Development Corp. Inc. was present at tonight's meeting to give an update on the proposed project of building 156 two-bedroom townhouses, in 52 buildings. Mr. Petrozzi recently conducted an informational neighborhood meeting at the Senior Center, on February 28th, for approximately 80 people that attended. A link to the video of the meeting has been provided to the Planning Board Administrator for review if members would like to watch.

Mr. Petrozzi let the Board members know of items that were discussed that night and shared plans for the proposed project with everyone that was present tonight. Pictures show what the area had looked like when he first purchased it, which was basically all gravel. Over the years, without doing anything to the property that was previously excavated, there was vegetation that had regrown on the property. In the process of acquiring this property, the town's master plan was looked at, some research was done on the Zoning, and what the available infrastructure of the property was. There isn't any municipal water or sewer on Prospect Street from the town of Franklin. There is sewer on Oxford Drive in Franklin, which is on the other side of the road. When the property was purchased there was already a certain amount of zoning that was allowed on the site which did allow for multi-unit townhouse development on site, with a special permit. In 2021 there were various discussions in regard to building a detached single family development, along with some assisted living components for people that are 55 years old and older. When proposed to the town, Mr. Petrozzi was told that single family detached condominiums were not allowed in Bellingham. It was at that time when Mr. Petrozzi had requested an amendment be put into the Zoning by-law that would allow this type of project. This request was not considered by the town, in which the town then amended the Zoning by-law to prohibit townhouse development. As a developer, certain Regulations are in place that allow them to protect the value of a property that was purchased, based on a certain set of Regulations that were changed after it was purchased by Mr. Petrozzi. That is what allowed a preliminary subdivision plan to be filed prior to the adoption of that Zoning amendment, followed by a definitive subdivision plan which was filed as well. That plan is the 20 lot subdivision that was filed as a placeholder for the opportunity to preserve the Zoning for a multi-unit townhouse development. One of the goals with this project was to provide a diversity of housing choices and develop properties that are convenient to transit opportunities that are available with the Franklin Train Station. While trying to move forward in that direction the Zoning change took place, and the focus then became a subdivision plan. In the process of going through the subdivision approval, which was concluded, the new development that was concentrated on is the 156 units. Bellingham's multi-unit development bylaw of density is measured by how many sf. you have on the property, which is 1-bedroom for every 10,000 sf. of land area. That is how the development of 156 units was calculated.

Mr. Petrozzi has had several departmental meetings with town officials since then, in which one of the biggest concerns is that Public Safety emergency access in an unexpected event that would prevent

access to the property. At that time, Mr. Petrozzi had proposed to make a connection to Lakeview Avenue as an emergency access only, with a gate that would only be usable by Emergency Fire, EMT's, or Police. A copy of the memo provided from the former DPW Director suggests that Mr. Petrozzi provides an avenue in order to make that connection. This connection is not needed but would be done as an accommodation for what is believed to be a public safety issue. Residents of Lake Street don't want any through traffic. However, it is not anything that is being proposed as a roadway for the public and if developed, it would only be for use by public safety officials. The current proposal has a looping road system from Prospect Street, looping through the site, and then also providing emergency access out to Lakeview Avenue. Having two ways in and out of the property is typically the requirement for any type of development when you have the lengths of roadway that are shown in this plan. This was proposed to be done in a way that has the least amount of impact in the existing vegetation. The plan being shown has a cluster of development in the area that is currently sand and gravel. Getting to that point of design, the next step would be providing an infrastructure design for water and sewer. The town has a water easement from the homeowner of 137 Lakeview Avenue that runs through the property, loops through the Recycle Center, and then goes out back to South Maple Street. The water main is on the property that is now owned by Mr. Petrozzi and would be tied into the town's water main. The 12" water main would be looped through the site and will be determined from the DPW what direction it should take as far as staying within the project or going in a different direction.

As far as septic, Wall Street Development had purchased the land that made up the old railway with the intention to extend the sewer from the pumping station on Cross Street to this site by gravity. The site would be pumped up to a manhole where it would then go by gravity, down Blackmar Street, down Cross Street and then into the pumping station.

There was also concerns on the amount of traffic that would be added to Lake Street and Prospect Street as well as concerns of the intersection at Lake Street. Mr. Petrozzi shared a plan that shows clearing of the land area at the intersection, which would provide public safety for that area and intersection, as well as improvement for traffic.

The entire property measures 71.7 acres, of which 12 acres is wetland and wouldn't have any building taking place on it. The upland area on the site is 59 acres, which is available to build on. If you divide the square footage by the 10,000 sq. ft. that was talked about, it would be a total of 312 bedrooms. Making each unit have 2 bedrooms, is how the 156 units were determined. Under this proposal, there would be impervious surface areas with 12.7 acres of roadways, .47 of sidewalks, 2.28 acres of driveways and 8 acres of buildings. The total of developed impervious area would be approximately 15.5 acres. Disturbance to the area in order to build those units would end up being approximately 31.9 of the 71 acres. This would make the net disturbance to be approximately 26 acres, which would make the proposal to be 39.8 acres to stay the way it is and remain in its existing situation.

Mr. O'Connell let everyone present know that tonight's meeting was to discuss concepts of items that are in front of them this evening and were in the books that were provided in time for this meeting. Mr. Petrozzi had stated that he was using his placeholder on this property. However, for the benefit of the residents in town, the Planning Board hadn't looked at the houses on this development as a placeholder. It took two years to get to this point so far and the Board would like to have residents attend meetings in order to address any concerns about the proposed project.

Residents were present at tonight's meeting to express concerns and ask questions regarding traffic studies, the number of school students that might be added to Bellingham, water system and catch basin plans, as well as other items. Mr. Petrozzi and Board Members answered any questions that information was available for and asked residents to please continue to attend meetings regarding this proposal in order to keep them informed on any decisions.

Mr. Salisbury let residents know that some of the points raised tonight may not be something that the Planning Board can legally consider. However, the applicant is required to pay for an engineer that will evaluate their plan. That process will unfold as the project proposal moves forward. A traffic engineer on behalf of the town will review the runoff and where water is going, and all of those considerations. There will also be discussions and review of traffic concerns that residents have. It is encouraged that residents attend all meetings if possible, as well as Conservation Commission meetings that will take place, which would also address the public's concerns.

Mr. O'Herron let everyone in attendance know that Mr. Petrozzi owns the land and prior to changing bylaws, the applicant reserved his right to build. In order to do that, he made a proposal for the homes. It was a placeholder which reserved the applicant's rights to do multi-family units. Based on the town's bylaws there are now tri-plex's, in which the applicant was able to reserve his Rights. There has been concern from many people regarding the density being too much, which is why peer review hasn't been initiated yet. The Planning Boards objective is to work parallel with the Conservation Commission, in regard to peer review.

Mr. Petrozzi commented that the infrastructure of the plan isn't going to change based on density, stormwater, or sewer. Therefore, the applicant is requesting that peer review be done in order to point out any aspects of the plan that are non-compliant, or not feasible. That would then provide information to the applicant on what would need to be done in order to make the plan compliant.

Mr. Mobilia made a motion to have peer review start their process with the applicant's site, and to continue this Public Hearing until Thursday, May 9, 2024. Motion was seconded by Mr. Devine and the voice vote passes unanimously.

Bellingham Shores Lot Releases

The owner is progressing forward through the subdivision and in order to meet deadlines for the Closings of houses that have been purchased, the Lots would need to be released from the Covenant. A Bond value has been set by the DPW and upon a vote from the Planning Board they would be provided with the Bond Certificate.

Mr. Salisbury made a motion to approve the Release from Covenant, subject to the Release of Security in a form that is satisfactory to the town. Motion was seconded by Mr. Trebino and the voice vote passes unanimously.

Mr. Salisbury made a motion to accept the Bond amount set by the DPW, subject to the receipt of Security. Motion was seconded by Mr. Trebino and the motion passes unanimously.

Prospect Street – Release of Covenant

Mr. Petrozzi let members know that this Lot has been sold to the builder that was building the property on the Prospect Street site. When he went to the bank all of the Lots that were sold to him show on the ANR Plan, except for this Lot, which was previously shown on the definitive plan. The ANR Plan has been signed by this Board, as well as the Town of Franklin’s Board, but there is a small portion of the Lot that is included onto this Lot for a septic system that is in Bellingham. The bank’s attorney is suggesting this be released from the Covenant. The owner already has his building permit from the Town of Franklin and has started construction at that location. Board members are aware that the DPW has no outstanding concerns with this request.

Mr. Trebino made a motion to release the Covenant for the Prospect Street property that is listed on the definitive plan. Motion was seconded by Mr. Salisbury and the voice vote passes (4-1 Mr. Devine denied).

Next Meeting:

The next Planning Board Meeting will be held on Thursday, March 28, 2024, 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 10:21 pm. Mr. Mobilia seconded, and the motion passes unanimously.

Meeting adjourned.

Respectfully Submitted,

Tina M. Griffin

Recording Secretary

Approved March 28, 2024