



# BELLINGHAM PLANNING BOARD

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## **Meeting Minutes April 28, 2016**

*MEETING LOCATION: ARCAD MEETING ROOM – MUNICIPAL CENTER*

### **Present at the Meeting**

Brian T. Salisbury (BTS), Chairman  
William F. O'Connell Jr. (WFO), Vice Chairman - absent  
Peter C. Pappas (PCP), Secretary  
Dennis J. Trebino (DJT), Member  
Bruce W. Lord (BWL), Member  
Nikyda Resto (NR), Alternate

### **Other Officials:**

James S. Kupfer (JSK), Town Planner and Zoning Compliance Officer  
Jean Keyes (JK), Planning Board Coordinator

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

**7:00 p.m.**

### **Pine Acres Definitive Subdivision – As-Built Acceptance Discussion and Road Acceptance Recommendation Discussion**

JSK explained the discussion items. DPW has reviewed the As-Built and sent letter stating that all infrastructure has been completed and the As-Built has been confirmed and accepted.

### **BWL: Motion to recommend acceptance of the As-Built Plans for the Pine Acres Definitive Subdivision.**

PCP: Second.

Discussion: None.

Vote: 4-0. Motion Carried. (BTS, PCP, DJT, BWL)

### **BWL: Motion to recommend acceptance of Pine Acres Avenue in the Pine Acres Definitive Subdivision.**

PCP: Second.

Discussion: None.

Vote: 4-0. Motion Carried. (BTS, PCP, DJT, BWL)

**Calarese Professional Building Development Plan, 2 South Maple Street – Request for determination of major or minor modification**

Present: Don Nielson of Guerriere & Halnon and Ron Calarese, owner of the property. Mr. Nielson submitted a plan of the subdivision of one unit and the original approved plan dated March 9, 2009.

JSK explained the request from the Applicant. JSK suggested that in the future, the Board allow him to perform an administrative review of the future tenant and use so it would not have to come back before the Board. If anything is substantially different or if the use changes the parking, then JSK will have them discuss it with the Board. Mr. Nielson stated that the site has 3 spaces that were not built that could be built if needed in the future.

**BTS: Motion to approve the subdividing of one unit as a minor field change to the Calarese Professional Building Development Plan, 2 South Maple Street.**

BWL: Second.

Discussion: None.

Vote: 4-0. Motion Carried. (BTS, PCP, DJT, BWL)

**Hartford Village II, Hixon Street, Development Plan, Stormwater Management Permit, Special Permit for Special Residential Use – Multi-Family Dwellings, 1<sup>st</sup> Public Hearing, Decision Deadlines: 6/27/16, 7/2/2016****BTS: Motion to waive the reading of the public notice for the Hartford Village II, Hixon Street, Development Plan, Stormwater Management Permit, and Special Permit for Special Residential Use – Multi-Family Dwellings.**

PCP: Second.

Discussion: None.

Vote: 4-0. Motion Carried. (BTS, PCP, DJT, BWL)

JSK gave an overview of the project and that the Town will be using a peer review for the project and he is in the process of getting the Scope of Work agreed upon and signed. The Department of Environmental Protection and the Conservation Commission will also be reviewing the septic.

Present: Attorney Joe Antonellis, J.P. Connolly and Steve O'Connell of Andrews Survey & Engineering, Bradley Wright, Applicant, and Jason Plourde of Tighe & Bond Traffic Engineers.

Attorney Antonellis explained the project. Easements are reserved for access to the project. The new units would be larger than the existing units and would also be age restricted to owners who are over 55 years of age. The Applicant is hoping that this new development will be incorporated into the existing condos' master deed and trust documents so that there is an age deed restriction. They are proposing to rebuild the septic system to current standards and tie all new units into that system. The Applicant is proposing a separate detention pond for the new development but would like to work with the Town's peer reviewer to see if they can use the existing one if it is in accordance with what the Town and residents' want. The Applicant believes this project will have a positive impact to the Town as the new residents will be paying taxes but will need few services from the town. Market studies show that there is a need for housing for those who are over 55 years of age. The Applicant hopes to have the new units completed within 24 months.

BWL asked if this is a new development. Attorney Antonellis stated that they are hoping the existing condo association will agree to extend the phasing rights. This could be Phase II so that all the land will be one common area. If the association does not agree, the Applicant can create a standalone development. They would prefer to have one entire community managed by one association.

Mr. Connolly explained the proposed road connections and the septic system. The road will be 26' wide with Cape Cod berms and catch basins with granite curbing behind. Access is a roundabout with one egress off Village Lane. Grading will correct the land so that it will slope west to east. To accomplish this,

they will cut east and fill west with limited impacts. They propose that fire truck apparatus can get in and out of the new development and there is an emergency access onto Hixon Street. Mr. O'Connell explained that they would like to build a temporary construction access road off Hixon Street that is made of compacted gravel. They have studied overhead wire clearance and feel it is the best option and it will minimize the impacts to the residents. The Applicant has applied for a NOI with the Conservation Commission and they are still in public hearings. There will be no untreated runoff into the wetlands. They have designated snow storage that will be managed onsite and all drainage from the roofs, paved areas, etc., will be captured. Runoff will not be increased to the west and overall runoff will be reduced from what is occurring now.

Mr. O'Connell also explained that the Applicant is asking for a waiver to the 100' buffer requirement for the multi-family special permit. JSK asked the Applicant to look at abutting structures and to show on the plans how close they are to the property line. JSK would like the Applicant to stake out the rear footprint and where screening will end so that the Board can visit the site to see how close the buildings would be to the abutters without the 100' buffer.

BTS was very concerned about construction trucks using Hixon Street and asked how many residents would be affected. Mr. Connolly responded that seven residents of Hixon Street would be affected, but once the heavy equipment is delivered there will not be a heavy intensity of truck traffic. BTS stated that if this new section is to be incorporated into the existing condo development, the trucks should go through that development. BWL agreed and further added that the condo roads are not conducive to that type of traffic at all. This will be an extremely intrusive project and having construction vehicles enter through Hixon Street would be less oppressive.

The Board was also concerned with no second egress for this site. Mr. O'Connell responded that the Applicant could propose Hixon Street as a second access road, but he does not believe that the increase in traffic warrants it and they would have to eliminate one building (tri-plex) from the proposed project. JSK replied that the Board has to discuss this issue and the access. PCP responded that the Board is not just focused on traffic counts. The Board has to consider public safety and if Village Way is blocked, there is no way for the residents of the new section to get out. BWL and PCP would like the Applicant to seriously consider a second egress.

JSK stated that he has reviewed the submittal and has several items that need to be discussed:

1. Phase 1 & 2: A management structure needs to be identified. In addition, the Board will require documentation stating that the current owners agree
2. Trees currently on Village Way: Will the Applicant be moving them and will the screening be preserved for Phase I. Mr. O'Connell responded that the trees will be preserved and more will be added.
3. Residents on Hixon are concerned about possible septic impacts to their well water.
4. Lighting plan: Was not submitted and the bylaw requires it.
5. Traffic Report: The Board has received the initial report but would like to see practical data. The Board would like a traffic count that is done on site in real time and how that data will be impacted by traffic from the new units.
6. Detention Basin: Would like the Applicant to try to extend and use the current detention basin in the existing development for the new units so that the second proposed basin is eliminated. This would preserve more wooded area.

Questions from the Public:

Harry Hamjian of 35 Hixon Street stated that he added an addition to his home which is 17'5" from the border of the property and it is not shown on the plan. He is objecting to the proximity and the waiver of the 100' buffer. The natural habitat would be affected and there would be noise and sound impacts especially if blasting will occur. Mr. O'Connell responded that elaborate testing was done and there will be no blasting of bedrock. They will maintain the existing tree line as close to the property line as possible and will add more screening. JSK responded that the Board will go and see the property.

Evan Miller of 40 Hixon Street presented his own plan to the Board showing the 100' buffer zone and the impact if were to be waived. Mr. Miller read the bylaw for the buffer zone to the Board. He stated that if the Board allows the waiver, the Applicant still must accomplish the other objectives of the buffer. The Applicant is trying to get a development into site on which it does not fit. The supplemental plantings they are supposed to be 30' in diameter and what the Applicant is proposing do not meet that requirement. The impact of the rear façade of the buildings is a straight flat line that is 28' tall. There is no vegetation proposed for the back of the property. Additionally, urban design does not put higher priced product at the back of the development. The Cape Cod berm is cheap and will not hold up and the burden to repair would then be on the condo association. The traffic impact report should take into account the 8 unit development across the street. Mr. Miller then presented a plan showing the development with the proposed buffer zone waiver and what it would look like with the 100' buffer zone.

Kelly Benkart of 31 Hixon Street said that there will be more than 7 homes affected by the construction access road. Hixon Street is a very narrow road and it does not support that type of traffic. They have difficulty now on Hixon and it cannot handle the additional construction. The six new houses going in further up Hixon also disrupts the residents. Ms. Benkart has many concerns about this project including once septic for two associations. She can smell gas from septic now. She lives next door and her 2-car garage is not on the plans. Ms. Benkart does not want the project to move forward as there are greater impacts than what are being discussed.

Donna Moran of 24 Hixon Street stated that she has a well and she is very concerned about well water and ground water and how the new development will affect the water flow and the septic flow. Currently the emergency access comes out onto Hixon and water comes out of that road when rains or snows and then freezes in the winter. She has teenagers in her yard almost daily and the construction traffic cannot be handled by Hixon. This is a very narrow road and the construction would create headaches during the 24 months of construction. Ms. Moran does not want the project to move forward. She also asked if this can be hooked up to town sewer. JSK stated that the DPW has no plans to connect the project to town sewer there. Ms. Moran also asked if the Can septic be encased in bentonite. Mr. O'Connell responded that they will use that product on the downslope side but it cannot go underneath.

Abby Cirioni of 501 Village Way questioned the need for 2-car garages. Very few residents now have two cars. Mr. Wright responded that they thought it would be nice to provide four parking spaces to get cars off the street. Ms. Cirioni was also concerned about cars exiting to Hartford Ave as it is very difficult.

Bill Redman of 120 Hartford Ave asked if the Applicant will prevent any additional water coming off the project and going running down Hixon and onto his property. The water overruns the catch basin and a large puddle forms especially when leaves accumulate. Mr. Connolly responded that when the project was designed, they wanted to reduce that burden. The solution was to correct the grading to move water away from Hixon and reducing the runoff by more than half. Mr. Redman asked the Board to have the Applicant point out where the catch basins will be located on the plans and Mr. Connolly pointed them out. Mr. Redman also asked if construction traffic could be routed up Belanger, across Moss, and down the construction road. Mr. O'Connell responded that the Applicant discussed this at length but they will have problems with the trucks not being able to make the turns and there are many more houses that will be passed on that route.

Flo Burns of 31 Hixon asked how close the temporary access road will be to the property line. Mr. O'Connell responded. Ms. Burns responded that now the street has heavy equipment, school buses, and existing construction vehicles and there are problems now with traffic from those vehicles. On her property, there is an additional 2-car garage and playgrounds in the yard that are not shown on the plan. She stated that the new project is too close to her property.

**PCP: Motion to continue the public hearing for the Hartford Village II, Hixon Street, Development Plan, Stormwater Management Permit, and Special Permit for Special Residential Use – Multi-Family Dwellings to May 12, 2016 at 7:00 p.m.**

BTS: Second.

Discussion: None.

Vote: 4-0. Motion Carried. (BTS, PCP, DJT, BWL)

**Miscellaneous:**

**General Business:**

- ☐ **ANR's**
- ☐ **As-Built Certifications**
- ☐ **4/14/16 Minutes Signing**

**BTS: Motion to sign the April 14, 2016 Meeting Minutes.**

PCP: Second.

Discussion: None.

Vote: 4-0. Motion Carried. (BTS, PCP, DJT, BWL)

- ☐ **Sign Vouchers**

**BTS: Motion to sign the Vouchers.**

DJT: Second.

Discussion: JK explained the vouchers and payroll.

Vote: 4-0. Motion Carried. (BTS, PCP, DJT, BWL)

**Spectra Pipeline** – JSK explained that project and that there is extremely minimal impact in Bellingham.

**BTS: Motion to adjourn.**

DJT: Second.

Discussion:

Vote: 4-0. Motion Carried. (BTS, PCP, DJT, BWL)

Meeting Adjourned at 8:30 p.m.

**Meeting Documents & Exhibits:**

Pine Acres Definitive Subdivision Road Acceptance

1. DiMartino Letter regarding street acceptance 4.19.16

Hartford Village II, Hixon Street

1. Certified Abutters List 3.29.16
2. Application Cover Sheet 4.6.16
3. Application for Development Plan 4.6.16
4. Application for Special Permit – Multi-Family 4.6.16
5. Application for Stormwater Management Permit 4.6.16
6. Board of Health Comments from Mike Catalano 4.7.16
7. Deed for Property 5.15.1985
8. Locus Map 4.6.16
9. Narrative 4.6.16
10. Plan Set 4.4.16
11. Property Plan 5.8.2000
12. Stormwater Management Report 3.31.16
13. Traffic Report 9.24.15
14. Waiver Request 4.6.16
15. Landscape Plan submitted by resident Evan Miller 4.28.16
16. Massachusetts Statutory Quitclaim Deed 5.23.2000

Minutes Accepted on: 5/12/16  
(Date)

Jean Keyes  
(Prepared by: Jean Keyes)

Brian Salisbury  
Brian T. Salisbury

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