



BELLINGHAM PLANNING BOARD

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Meeting Minutes May 12, 2016

MEETING LOCATION: ARCAND MEETING ROOM – MUNICIPAL CENTER

Present at the Meeting

Brian T. Salisbury (BTS), Chairman
William F. O'Connell Jr. (WFO), Vice Chairman
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.

Reorganization of Planning Board: Chairman, Vice Chairman and Secretary

BWL: Motion to nominate all current Bellingham Planning Board officers to remain in their same roles and to vote for all officers at once.

PCP: Second.

JK polled each Board member:

Planning Board Member	Yes	No	Abstain
Brian T. Salisbury	X		
William F. O'Connell Jr.	X		
Peter C. Pappas	X		
Dennis J. Trebino	X		
Bruce W. Lord	X		
Motion Carried	5	0	0

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

Pine Hollow Estates Inclusionary Housing Special Permit, Countryside Way, 1st Public Hearing, Decision Deadline: 6/25/16

Bruce W. Lord (BWL) recused himself from the public hearing and left the meeting.

BTS: Motion to waive the reading of the public notice for the Pine Hollow Estates Inclusionary Housing Special Permit, Countryside Way.

PCP: Second.

Discussion: None.

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

Present: Alan Nash, Applicant and Bellingham's Deputy Fire Chief Mark Poirier

JSK gave an overview of the special permit and stated that the Applicant is required to have of four (4) inclusionary units for this project.

Mr. Nash explained the phasing plan:

- Phase 1: Clear all land, install erosion control and detention basin
- Phase 2: Install 400' of road to build twelve units of which two will be affordable. Will be installing part of the septic system and they are still working with the Board of Health (BOH) on that plan. Will be installing all utilities to get these units completed. JSK recommended that the Board include a condition in this Decision that to proceed, the project has to have a BOH-approved septic plan.
- Mr. Nash explained that he previously spoke with JSK who suggested that one affordable unit should be built for every nine units built. In addition Brookside Road must be completed before occupancy permits can be obtained for Phase 2. Prior to issuance of the first occupancy permit, the gated emergency access must be constructed at Brookside Road.
- Phase 3: Will consist of twelve units with one affordable unit. Mr. Nash informed the Board that all turnarounds will comply with Fire Department regulations.
- Phase 4: Nine units will be constructed with one affordable unit.
- Phase 5: The extension of Sophie's Way will be completed to connect to Bellwood Circle and the Bellwood Circle loop will be completed.

Mr. Nash explained to the Board that he anticipates the project to take 2 ½ years to complete.

PCP was concerned about emergency access during construction. He does not want the Bellwood Road construction to wait until the end of the project in Phase 5. PCP explained that there are too many people in Brook Estates and Bellwood Condos to not have the emergency access until the end of the project. The Board instructed Mr. Nash that Bellwood Road should be completed after the 24th unit is done and before the 25th unit is built and the certificate of occupancy is issued. So, this would be after Phase 3. Mr. Nash agreed and understands the Boards' concern.

The Board discussed the order of construction for the affordable units in conjunction with the issuance of occupancy permits:

- Inclusionary Unit 1 and 2 must receive an occupancy permit prior to the 12th overall occupancy permit.
- Inclusionary Unit 3 must receive an occupancy permit prior to the 24th overall occupancy permit.
- Inclusionary Unit 4 must receive an occupancy permit prior to the 32nd occupancy permit.

JSK and the Board agreed that construction hours for the project should be 7 a.m. to 7 p.m. Monday through Friday and 8:00 a.m. to 4:00 p.m. on Saturday. There will be no work on Sundays or holidays.

JSK asked if Mr. Nash will supply LAU App form to DCHD before work begins and Mr. Nash responded yes.

Public Questions:

Sharyn Stacoffe of 11 Countryside asked why construction vehicles are on site already. She also informed the Board that the condo association documents are not sealed as the Board had been told previously. There are restrictions for work hours in the private sale documents. BTS responded that the condo association can enforce that agreement through the courts but not through the Planning Board. Ms. Stacoffe also asked if the hydrants can be tested to be sure there is enough water pressure. Deputy Poirier responded that the water department takes care of that and will check it. Deputy Poirier also informed Ms. Stacoffe that the Fire Department's trucks have built in pumps.

John Watson of 47 Countryside Road questioned if all the affordable units are interior units. Mr. Nash responded yes. Mr. Watson stated that the affordable units must be a fair representation of all units.

Deputy Poirier asked Mr. Nash if the water line will be installed during the construction of the road and prior to the building of any units. For the safety of all current residents and construction workers, there has to be water on site put out a fire. Mr. Nash confirmed that the water line will be installed when the road to the units is constructed. Deputy Poirier informed Mr. Nash that the emergency access gate should have a Fire Department lock with a 2-chain system. On the chains, there should be two locks: one with a Fire Department lock and one with the Applicant's lock. Mr. Nash agreed and will comply.

BTS: Motion to close the public hearing for the Pine Hollow Estates Inclusionary Housing Special Permit, Countryside Way.

WFO: Second.

Discussion: None.

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

WFO: Motion to draft an approval for the Pine Hollow Estates Inclusionary Housing Special Permit, Countryside Way with the conditions and revised phasing that was discussed.

NR: Second.

Discussion: None.

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

Bruce W. Lord (BWL) returned to the meeting.

Hartford Village II, Hixon Street, Development Plan, Stormwater Management Permit, Special Permit for Special Residential Use – Multi-Family Dwellings, Continued Public Hearing, Decision Deadlines: 6/27/16, 7/2/2016

Present, Bradley Wright, Joe Antonellis, Attorney for the Applicant, J.P. Connolly of Andrews Survey & Engineering, Jason Plourde, traffic engineer from Tighe and Bond. Bellingham Deputy Fire Chief Mark Poirier.

JSK gave an overview and stated that he and several members of the Board visited the site and it was very beneficial. The peer review is not initiated yet. The Applicant is here to discuss what has been presented to date and the observations made at the site visit.

Attorney Antonellis gave an overview of the project to date and stated that the Applicant has made a good faith effort to respond to a good number of the Board's questions from the last meeting. Attorney Antonellis gave the Board one copy of the Supplemental Traffic Assessment dated May 6, 2015 (2016) that was conducted at the site. The Applicant is confident that they can meet the waiver of the 100' buffer with a careful screening plan.

Deputy Poirier stated that his main concern is the entrance from Hartford Ave to Hixon Street that is proposed as the route construction trucks will use. Deputy Poirier would like to see that entrance area enlarged and telephone pole moved. Fire trucks have great difficulty making the turn and if another vehicle is on Hixon Street, it is almost impossible to do so. Deputy Poirier informed the Board that he sent fire truck turning radius information to both the Board and the Applicant. He would also like to see

accessibility for that vehicle to turn and maneuver within the development. This is not the extent of his concerns as he may have more concerns as the project review continues.

Mr. Connolly explained the exhibits and responded that a fire truck can make the turn onto Hixon with crossover of 4' onto the oncoming traffic lane. If the telephone pole is moved, it does not make much difference for turning. Deputy Poirier responded that if pole is removed there would be better capability of the fire truck making that turn and Mr. Connolly agreed.

The Board discussed several concerns with the temporary construction access road. JP stated that during construction the temporary road would be gravel. In addition, the Applicant is now proposing using the temporary construction road for permanent emergency access using a grass pave product instead of asphalt as it is a flat road. It would go between two buildings. Deputy Poirier responded that he believes that grass pave is not within the code for fire apparatus, but will check and get back to JSK. In addition, there is an incline of 2-4% on that road. BWL stated that this project needs to have direct access to road and a secondary way to exit.

Public Questions:

Donna Moran of 24 Hixon Street stated that during the winter the current emergency access is full of snow. Deputy Poirier responded that the Applicant will have to correct that situation and make that area safer for access for both the Fire and Police departments prior to any more construction.

Mr. Connolly explained that they have added to the plans several items that were missing and they have addressed the screening and grading issue. The footprint of the development has not changed or moved.

The Board had lengthy discussion with the Applicant concerning the proximity of the units to the abutters' property and the lack of any significant buffer zone as proposed. They advised the Applicant to explore shifting the project to the east and south. JSK stated that the consensus is that the Applicant must talk to the Conservation Commission about a possible disturbance to the 100' buffer. The buffer as proposed will not suffice. JSK is hopeful that the peer review scope will be completed shortly and the engineer will begin reviewing the project. In addition, all town departments will provide comments as well.

Jason Plourde explained the Supplemental Traffic Assessment. As the Board previously requested, they have done actual traffic counts on the existing site. They compared the actual traffic counts at Village Lane exiting to Hartford Ave and compared it with the previously presented ITE data. In all cases the ITE data are higher. Mr. Plourde explained that this means that the ITE data is over conservative.

Harry Hamjian of 35 Hixon Street pointed out several items on the Plan displayed by Mr. Connolly including a structure on his property. He thanked the Board for their site walk. Mr. Hamjian stated that the 100' buffer has a purpose and it is significant to protect privacy. Seventy-five percent of the Applicant's project is asking for buffer to be waived just to put in more units. Mr. Hamjian asked the Applicant to eliminate the back two buildings and Mr. Connolly responded that he may be able to shift things about 20' but will make no promises. There is no simple solution.

JSK reminded the Applicant that the Board has stated that they want the 100' buffer addressed.

Kelly Benkart 31 Hixon Street asked how much land around the buildings will be disturbed. Mr. Connolly explained that the limits of disturbance are shown on the plan. Ms. Benkart was extremely concerned that the Applicant is asking for a waiver of the 100' buffer and that the proposed buffer would be possibly only be 10-15'. Ms. Benkart stated that the Bylaw says that decks cannot be excluded and that vegetation cannot be disturbed. She is asking the Board to not grant this waiver as it will infringe on her property rights. She further stated that the Applicant can build on his land but not whatever he wishes. In addition, the road, which will be on the side of her house, will not have a 100' buffer. Ms. Benkart stated that her rights should not be pushed aside.

Michael Sullivan of 32 Hixon Street stated that the new access is problematic. Hixon Street is in very poor condition with giant potholes. His house vibrates when trucks hit potholes. Mr. Sullivan stated that the residents at the end of Hixon Street do not have a second egress. He does not think there is enough room to put a second egress to this project on Hixon Street as it cannot handle the additional traffic. He does not believe a construction road is needed when they can access the site through the existing Hartford Village development.

Donna Moran of 24 Hixon wanted to know when the Supplemental Traffic Assessment was done. Plourde explained that the days and dates are in the report.

BTS: 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 June 23, 2016 at 7:00 p.m.

WFO: Second.

Discussion: None.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

Miscellaneous:

Pine Hollow Estates Special Permit for Residential Uses (Townhomes) – Mylar signing

General Business:

- ☐ **ANR's**
- ☐ **As-Built Certifications**
- ☐ **4/28/16 Minutes Signing**

BTS: Motion to sign the April 28, 2016 Meeting Minutes.

BWL: Second.

Discussion: None.

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

- ☐ **Sign Vouchers**

BTS: Motion to sign the Vouchers.

DJT: Second.

Discussion: JK explained the vouchers and payroll.

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

BTS: Motion to adjourn.

BWL: Second.

Discussion:

Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

Meeting Adjourned at 8:40 p.m.

Meeting Documents & Exhibits:

Hartford Village II, Hixon Street.

1. Deputy Chief Poirier Email & Plan RE Turning Radius 5.3.16
2. Kupfer Staff Memo 5.11.16
3. Tighe & Bond Supplemental Traffic Assessment Report 5.6.15 (2016)

Pine Hollow Estates Inclusionary Housing Special Permit

1. Application for Special Permit 4.21.16
2. Certified Abutters List 4.19.16
3. DCHD Application and Letter
4. MCO Housing Services Flyer

5. Plan Set dated 10.1.14
6. Stormwater Report dated 8.7.14
7. Traffic Study dated 3.13.14
8. Public Hearing Notice 4.21.16
9. Pine Hollow Estates Development Plan and Stormwater Permit Decision 2.19.16

Minutes Accepted on: 5/20/16
(Date)

Jean Keyes
(Prepared by: Jean Keyes)

Brian Salisbury
Brian T. Salisbury

William F. O'Connell Jr.
William F. O'Connell Jr.

Peter C. Pappas
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Dennis J. Trebino
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Bruce W. Lord
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