



# BELLINGHAM PLANNING BOARD

10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
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## Meeting Minutes July 28, 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.

### **Maple Street Drainage & Maintenance, Scenic Road Special Permit, Continued Public Hearing. Decision Deadline: 7/29/16**

Present: Don DiMartino, DPW Director

Mr. DiMartino explained the most recent Plan revision and notified the Board that he has met with several abutters on Maple Street who would like to have trees planted on their property in the easement.

BTS suggested other locations where screening would be desired. Mr. DiMartino said he will talk with the property owner and see if they would like trees.

### **Public Questions/Comments:**

Johnathan Weismoore of 50 South Maple Street asked if the Town can plant trees on South Maple Street. There is a lot of truck traffic on that section of road and it is very loud. In addition, with a new warehouse going in, he is concerned about noise. Mr. DiMartino explained that he is not opposed to it but it is not on the scenic road. If they cannot find locations for the trees on Maple Street, then he would be willing to look at South Maple Street but will not plant trees all over town.

### **WFO: Motion to close the public hearing for the Maple Street Drainage & Maintenance Scenic Road Special Permit.**

DJT: Second.

Discussion: None.

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

**WFO: Motion to draft an approval for the Maple Street Drainage & Maintenance Scenic Road Special Permit with conditions discussed.**

PCP: Second.

Discussion: None.

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

**Ann-Marie's Meadows Definitive Subdivision, 314 Center Street, 1<sup>st</sup> Public Hearing. Decision Deadline: 10/15/16**

**WFO: Motion to waive the reading of the public hearing notice for the Ann-Marie's Meadows Definitive Subdivision, 314 Center Street.**

DJT: Second.

Discussion: None.

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

Present: Bill Halsing of Land Planning Inc. and Applicant/Owner Joe Corriveau

JSK gave overview and stated that the Fire Department and Conservation Commission (Con Com) have no issues with this project.

Mr. Halsing gave an overview of the plan and noted that if the waiver is granted for the roadway width, the wetlands would not be affected at all. He has spoken to the Con Com and they are in favor of minimal disturbance. Additionally, the one new house that would be proposed for the site would require Con Com approval. The roadway has a turnaround at the end and the Fire Chief said it was adequate. The site will be using well water which is a much cheaper and more economical way to build this house. The road will remain a private way.

JSK suggested that the Board require the Applicant to have a homeowners association which would specify common maintenance of the private way. If the road were to become a public way, it would have to meet all DPW requirements to be accepted by the Town. BWL informed the Board that having a homeowners association helps all owners. Mr. Corriveau responded that he planned to have a homeowners association. Mr. DiMartino suggested that each individual property owner have the right to the right of way. Mr. Halsing responded that this will be part of each owner's deed and it will be a part of homeowners association.

Public Questions/Comments - none

**BWL: Motion to close the public hearing for the Ann-Marie's Meadows Definitive Subdivision, 314 Center Street.**

WFO: Second.

Discussion: None.

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

**WFO: Motion to draft an approval for the Ann-Marie's Meadows Definitive Subdivision, 314 Center Street subject to conditions discussed.**

BWL: Second.

Discussion: None.

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

**JK Landscaping & Firewood, 170 Mechanic Street, Bulk Storage Special Permit, Continued Public Hearing. Decision Deadline: 7/29/16**

Present: Michael Scott of Waterman Design Associates, Applicants John Kauker IV and John Kauker V

The Board and Applicant discussed the following items and came to agreement:

1. Concrete blocks will be placed in front of the log piles when not using and will be removed when using. This is to prevent the logs from sliding.
2. The height of the piles will be no higher than 15'.
3. The slope on the site will be stabilized with loam and hydro seed. The loam will be done immediately and the hydro seed should be done by October 1, 2016.
4. Screening through the use of bushes and fencing will be installed on either side of the Antron building to shield the public view from the back of the site where the logs and piles are stored. The fence will have a gate and Knox Box with a key provided to the Fire Department.
5. The applicant will work with the abutter to shield the light from trespassing onto her property.
6. The drainage basin will be cleaned out and maintained going forward. In addition, the applicant will submit a Stormwater Operation and Maintenance Plan for the basin.
7. Twenty-feet (20') clearance in front of all piles will be maintained at all times.
8. The hours of operation will be Monday-Friday from 7:00 am to 6:00 pm and Saturday will be for deliveries only.
9. If additional uses are added to the site, the applicant must come back before the Board.

Public Questions/Comments:

Lucia Caccavelli, who is representing abutter Virginia Rubrigi of 164 Mechanic Street asked for clarification of where will the fencing be installed. Mr. Scott explained that it will not be along the property line and showed on the plan where it would be located.

**WFO: Motion to close the public hearing for the JK Landscaping & Firewood, 170 Mechanic Street, Bulk Storage Special Permit with conditions discussed.**

DJT: Second.

Discussion: None.

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

**WFO: Motion to draft an approval for the JK Landscaping & Firewood, 170 Mechanic Street, Bulk Storage Special Permit with conditions discussed.**

BWL: Second.

Discussion: None.

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

**Asphalt Engineering LLC, 190 Farm Street, Bulk Storage and Scenic Road Special Permit, 1<sup>st</sup> Public Hearing. Decision Deadline: 9/12/16**

**BTS: Motion to waive the reading of the public hearing notice for the Asphalt Engineering LLC, 190 Farm Street, Bulk Storage and Scenic Road Special Permit.**

PCP: Second.

Discussion: None.

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

JSK gave an overview of the project and explained to the Board that this is a temporary solution and the applicant plans to submit a Development Plan in the spring.

Present: Mark Allen of Allen Engineering, Nathan Moreland, Applicant and Owner, and Erin Landry of Asphalt Engineering.

Mr. Allen explained that the business is one where they stockpile and recycle asphalt for reuse in new projects. The piles are constantly in flux but they need a 2 ½ acre storage area for a temporary solution. The wetlands have been delineated and they are not in the resource areas or buffer zones. They will stake the erosion control limits at 10' from the buffer zone. In the spring, they will be submitting a full Development Plan application and a Stormwater Management Permit application to try and move facility to this site. The site will eventually contain a small office, a 4-bay vehicle storage building, and the piles of asphalt will be stored in the back of the site. This is just a quick solution now as the business desperately needs storage for the asphalt.

Ms. Landry explained that they are ready to go as soon as a permit is granted. Mr. Allen said they have to clear undergrowth, dig a trench, and some additional work which is about a week or two of work.

BWL questioned if the Medway portion is a separate deed and Ms. Landry responded yes. Mr. Allen said that the Medway parcel is not part of the temporary storage and the Medway parcel may not be needed in the full development plan. If necessary, they will apply to Medway as well.

The Board was concerned with noise and traffic impacts to the neighbors. Mr. Moreland stated that the crushing sound is not that loud as it just sounds like an engine running. The crushing is usually done at the end of the season. Ms. Landry explained that there are 1-6 trucks per day from the site between the hours of 7:00 am to 5 or 6:00 pm.

BTS was concerned that the exit is directly across from a resident. BWL responded that the manner in which they are coming to the Board allows the Board to revisit it with the full Development Plan and address any concerns then. Ms. Landry responded that they are in a residential neighborhood now and they have had no issues with neighbors. Only about 5-6 % of the aggregate they process is brought to this site. JSK confirmed that no noise complaints have been received.

**Public Question/Comments:**

Harry Hamjian of 35 Hixon Road asked if there would be any issues with water runoff. Mr. Allen responded that there would be no impact and there is nothing toxic.

Rich Windus of 824 Maplebrook Road is an abutter to their current location on South Maple Street and he stated that he never hears their trucks.

JSK stated that if any operation is loud in nature, he could be contacted and he could use a decibel meter to obtain a baseline reading.

**WFO: Motion to close the public hearing for the Asphalt Engineering LLC, 190 Farm Street, Bulk Storage and Scenic Road Special Permit.**

DJT: Second.

Discussion: None.

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

**BWL: Motion to draft an approval for the Asphalt Engineering LLC, 190 Farm Street, Bulk Storage and Scenic Road Special Permit with conditions discussed.**

WFO: Second.

Discussion: None.

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

**Hartford Village II, Hixon Street, Continued Public Hearing Development Plan, Stormwater Management Permit, Special Permit for Special Residential Use – Multi-Family Dwellings.  
Decision Deadlines: 8/26/16, 8/26/16**

**BTS: Motion to continue the public hearing for Hartford Village II, Hixon Street, Development Plan, Stormwater Management Permit, and Special Permit for Special Residential Use – Multi-Family Dwellings to September 8, 2016 at 7:00 p.m.**

WFO: Second.

Discussion: None.

Vote: 4-1 Carried. (Yes - BTS, WFO, DJT, BWL) (No - PCP)

**Premier Equipment, Inc. 47 South Maple Street, Development Plan Review and Stormwater Management Permit, 1<sup>st</sup> Public Hearing. Decision Deadline: 9/6/16**

**BWL: Motion to waive the reading of the public hearing notice for the Premier Equipment, Inc. 47 South Maple Street, Development Plan Review and Stormwater Management Permit.**

PCP: Second.

Discussion: None.

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

JSK explained that the Applicant missed the July 14, 2016 deadline (in accordance with M.G.L. Chapter 40, Sec 11) for mailing abutter notices. According to Town Counsel, Jay Talerman, the Board cannot have discussion about this project at this first public hearing. The Board must open the public hearing and then immediately continue the hearing until August 11, 2016 at which time discussion can be held. JSK also stated that the Applicant has confirmed that the abutter notices have been mailed.

**BTS: Motion to continue the public hearing for the Premier Equipment, Inc. 47 South Maple Street, Development Plan Review and Stormwater Management Permit to August 11, 2016 at 7:00 p.m.**

BWL: Second.

Discussion: None.

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

**160 High Street Lot 1 & Lot 2 Development Plan Review, Stormwater Management Permit, Major Business Complex Special Permit, Flexible Parking Special Permit, Scenic Road Special Permit, 160 High Street, Continued Public Hearing, Decision Deadline: 9/29/16**

**BTS: Motion to continue the public hearing for the 160 High Street Lot 1 & Lot 2 Development Plan Review, Stormwater Management Permit, Major Business Complex Special Permit, Flexible Parking Special Permit, Scenic Road Special Permit, 160 High Street to September 8, 2016 at 7:00 p.m.**

DJT: Second.

Discussion: None.

Vote: 4-1 Carried. (Yes - BTS, WFO, DJT, BWL) (No - PCP)

**Zoning Bylaws Discussion** – JSK has been working on some updates and he asked the Board to review his suggestions and provide feedback.

**General Business:**

- ☐ **ANR's**
- ☐ **As-Built Certifications**
- ☐ **6/23/16 Minutes Signing**

**BTS: Motion to sign the June 23, 2016 Meeting Minutes.**

PCP: Second.

Discussion: None.

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

- ☐ **Sign Vouchers**

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

WFO: Second.

Discussion: BTS wants to know why the Board signs the vouchers. JSK will look into this and see if it can be eliminated. JK explained the vouchers.

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

**WFO: Motion to adjourn.**

PCP: Second.

Discussion: None.

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

Meeting Adjourned at 9:30 p.m.

**Meeting Documents & Exhibits:**Maple Street Drainage

1. Plans – 2<sup>nd</sup> Submittal – 7.13.16
2. DPW Presentation to the Board – 6.28.16
3. Plans – 3<sup>rd</sup> Submittal – 7.28.16

Ann Marie's Meadows Definitive Subdivision

1. Application – 6.2.16
2. Waiver Request – 5.23.16
3. Submission Fee Calculation – 6.2.16
4. Plans – 1<sup>st</sup> Submission - 5.23.16
5. Abutters List – Certified – 5.24.16

Asphalt Engineering Bulk Storage Special Permit

1. Application – 7.6.16
2. Plans – 1<sup>st</sup> Submission – 7.6.16
3. Abutters List – Certified – 6.29.16
4. Narrative
5. Kupfer Staff Memo – 7.25.16
6. Allen Engineering –Response to PSC Comments – 7.27.16

Premier Equipment Development Plan & Stormwater Mgmt Permit

1. Abutters List – Certified 6.16.16
2. Application – 7.7.16
3. Narrative – 7.7.16
4. Parking Plan – 1990
5. Plans – 1<sup>st</sup> Submission – 6.24.16
6. Public Hearing Notice – 7.28.16
7. Quitclaim Deed – 5.10.10
8. Stormwater Management Report – 7.7.16
9. Subdivision – Recorded Plan – 3.9.1988

160 High Street Lots 1 & 2

1. Continuance Request from D. Kelly – 7.22.16

Zoning Bylaws – Discussion concerning possible revisions

1. Zoning Bylaw Changes DRAFT for 2016 October TM from J. Kupfer

Minutes Accepted on: 8/11/16  
(Date)

Jean Keyes  
(Prepared by: Jean Keyes)

Brian T. Salisbury

William F. O'Connell Jr.  
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Peter C. Pappas

Dennis J. Trebino  
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