



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 657-2892
PlanningBoard@bellinghamma.org

Meeting Minutes April 27, 2017

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.

BTS thanked NR for being on the Board for approx. 4 years and noted that this is her last meeting. There are too few people like NR who go out of their way to volunteer and do a difficult job for little thanks and no compensation. On behalf of the Board, BTS thanked NR for her service.

Crystal Springs Inclusionary Housing Special Permit Modification for 2 Indian Run Road and 826 South Main Street, 1st Public Hearing.

BWL: Motion to waive the reading of the public hearing notice for the Crystal Springs Inclusionary Housing Special Permit Modification for 2 Indian Run Road and 826 South Main Street.

DJT: Second.

Discussion: None.

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

BTS: Motion to open the public hearing for the Crystal Springs Inclusionary Housing Special Permit Modification for 2 Indian Run Road and 826 South Main Street.

BWL: Second.

Discussion: None.

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

Present: Mark Allen, Allen Engineering, Attorney Mark Greenwald

Attorney Greenwald explained the modification applications and described the renovation to the unit at 826 South Main Street. He further explained that the unit has been completely renovated and new septic system will be installed. This unit is a condo and is more like the Crystal Springs condo units than the unit at 2 Indian Run Road. Attorney Greenwald submitted the Regulatory Agreement to the Board for signing.

JSK stated that he is comfortable without Department Housing and Community Development (DHCD) approval in writing prior to the Board signing. These two units will be on the subsidized housing inventory list. He further explained what the inclusionary housing bylaw is to the public.

BTS: Motion to close the public hearing for the Crystal Springs Inclusionary Housing Special Permit Modification for 2 Indian Run Road and 826 South Main Street.

BWL: Second.

Discussion: None.

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

WFO: Motion to draft a favorable decision to amend the Crystal Springs Inclusionary Housing Special Permit for 2 Indian Run Road to change the unit to 826 South Main Street and all conditions from the previous IHSP carried forward with modifications to the specific unit characteristics and is contingent upon final approval by the State of the First Amendment of Regulatory Agreement and Declaration of Restrictive Covenants for Ownership Project

BWL: Second.

Discussion: None.

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

Crystal Springs Inclusionary Housing Special Permit Modification for 7 Fleetwood Road and 828 South Main Street, 1st Public Hearing

BWL: Motion to waive the reading of the public hearing notice for the Crystal Springs Inclusionary Housing Special Permit Modification for 7 Fleetwood Road and 828 South Main Street.

DJT: Second.

Discussion: None.

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

BTS: Motion to open the public hearing for the Crystal Springs Inclusionary Housing Special Permit Modification for 7 Fleetwood Road and 828 South Main Street.

BWL: Second.

Discussion: None.

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

Present: Mark Allen, Allen Engineering, Attorney Mark Greenwald

Attorney Greenwald explained the modification applications and described the renovation to the unit at 828 South Main Street. He further explained that the unit has been completely renovated and new septic system will be installed. This unit is a condo and is more like the Crystal Springs condo units than the unit at 7 Fleetwood Road. Attorney Greenwald submitted the Regulatory Agreement to the Board for signing.

JSK stated that he is comfortable without Department Housing and Community Development (DHCD) approval in writing prior to the Board signing. These two units will be on the subsidized housing inventory list. He further explained what the inclusionary housing bylaw is to the public.

Norman Morley of 12 Glenbrook Ave stated that his is an abutter and that the Applicant has cleared the land and left dead trees. In addition, the trench around the property line and holds ground water to prevent it from coming into his property. The Applicant's contractor was told to not cover the trench. However, the Applicant has put tree stumps and boulders in the trench and it is becoming small ponds. The trench should not be covered. Mr. Morley asked if someone from the Town can inspect this situation and make sure the stumps and boulders are removed and the proper pipe and stone installed. Abutter – clean it out, put stone in it. Trench has always been there and it not part of the new construction.

Mr. Allen explained that they are aware of the trench have discussed it with the Board of Health and they are fine with it. The Applicant has full intention to fill the trench properly and complete the work. BTS stated that JSK and Tim Aicardi, the Building Inspector, will work to ensure the trench is properly finished.

Barbara Kneeland of 1 Fleetwood Road asked when the Applicant will be starting the work. Attorney Greenwood responded that the Applicant has been waiting to see what the Planning Board's decision is before beginning the work. Ms. Kneeland asked if 7 Fleetwood Road will be held to original conditions in the IHSP. BTS responded that the 7 Fleetwood Road affordable unit (single family) will be out of the Board's control once this permit is modified.

Tim Aicardi, Bellingham Building Inspector asked if there is there an approved septic plan for 826 and 828 South Main Street and Mr. Allen responded yes.

BTS: Motion to close the public hearing for the Crystal Springs Inclusionary Housing Special Permit Modification for 7 Fleetwood Road and 828 South Main Street.

BWL: Second.

Discussion: None.

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

WFO: Motion to draft a favorable decision to amend the Crystal Springs Inclusionary Housing Special Permit for 7 Fleetwood Road to change the unit to 828 South Main Street and all conditions from the previous IHSP carried forward with modifications to the specific unit characteristics and is contingent upon final approval by the State of the First Amendment of Regulatory Agreement and Declaration of Restrictive Covenants for Ownership Project

BWL: Second.

Discussion: None.

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

Urban Air Trampoline and Adventure Park Development Plan and Stormwater Management Permit, 191 Mechanic Street, 1st Public Hearing. Decision Date: 5/22/17

JSK read the public hearing notice and explained the documents that were submitted. He further stated that there are only a few outstanding items and that the Board should be focusing on the Plans – 2nd Submission.

Present: Jesse Johnson from Bohler Engineering, Chad Darling from Urban Air, Ron Muller of Ron Muller & Associates Traffic Engineering and Consulting Services

Mr. Johnson explained the proposed plan and that this will be the first Urban Air facility in Massachusetts. Mr. Johnson then explained the stormwater management system, lighting plan, landscaping plan, building façade, signage, and the consideration of on-site septic. In addition, Mr. Johnson described leaving the existing treeline at the back of the property and adding screening on the side facing the abutters. The lighting plan was also discussed and Mr. Johnson stressed that no light will trespass onto the abutters property. Furthermore, the closest abutter is 250' away

Mr. Darling explained the hours of operation with peak hours on Friday, Saturday, and Sunday. Their core customer base is family members with small children having birthday parties. Their customer goal for the month is 10k customers.

The Board wanted assurances that no light will trespass and the outside lights will be dimmed or turned off after hours. Additional concerns were expressed about alcohol being served at a trampoline facility. Mr. Darling explained that they have a strict no-alcohol policy for those using the trampolines. Additionally, this facility will not have a bar atmosphere. The Board also wanted to be sure that fencing was placed around the detention basins.

The Board and JSK would like to see an aerial plan showing abutters.

The Board further questioned the Applicant about sound insulation, connecting this lot to other lots for traffic flow, and sidewalks on the site. Mr. Johnson responded to all questions and stated that they can only control the traffic on their site and not the front site. Mr. Muller responded that connecting to the industrial site behind this site would not make sense as this site could then be used as a cut-through which would not be good.

Mr. Muller explained the Traffic Impact and Access Study dated 3.28.17 and that BETA has reviewed it and has provided comments. There were two accidents at that intersection as noted by Bellingham Police Department and MassDOT. BETA has recommended that the existing for sale sign on the corner blocks the line of sight and should be relocated. Trip generation estimates were based upon an existing facility in Texas which is of the same size and estimated number of employees. BETA asked them to look at a facility in Norwood on Route 1 in Massachusetts that is comparable and the traffic counts for that facility confirmed the numbers they had used in their Study. BETA responded that they were comfortable with those numbers. An auto-turn analysis has proven that emergency apparatus can maneuver around site.

Mr. Johnson discussed the potential for a secondary access if needed; however, that access does not seem to be necessary now based upon traffic counts.

The Board was suggested that the Applicant should consider extending the sidewalk from the restaurant immediately in front of this site to the facility

JSK stated that this is an active corridor with near-term growth pattern and this is one piece of a large puzzle. The Town is making it a priority to start mapping out a master plan for this corridor.

JSK commented that BETA's comments concerning the rear detention basin state that test pits have not been dug or witnessed. JSK suggested that the Board could choose to waive that standard based upon the functioning and groundwater of other detention basins. Mr. Johnson explained that the Applicant intends to dig test pits and hopes they will be done as a condition of the approval (decision) as they have to dig test pits for septic and would like to do that at a later time. The Board responded that they are comfortable with that scenario.

BTS commented on the exterior façade plan that was submitted and Mr. Darling responded that this is a preliminary design as the final design was not ready yet. Additionally Mr. Clark submitted copies of the sign mock-up that would be consolidating all other signs on the property in front with one for this project. The Board likes the consolidation but does not like the Urban Air sign as it is not in keeping with the area. They would like this sign appropriately sized.

JSK added that the rear of the site has a hefty buffer and would suggest that the Board condition that if the Applicant plans any development of the rear parcel they have to come back to the Planning Board.

Public Comments and Questions: None.

BTS: Motion to continue the public hearing for the Urban Air Trampoline and Adventure Park Development Plan and Stormwater Management Permit, 191 Mechanic Street to May 11, 2017 at 7:00 p.m.

WFO: Second.

Discussion: None.

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

Asphalt Engineering LLC, 190 Farm Street, Development Plan, Stormwater Management Permit, Scenic Road, Bulk Storage Special Permit, Continued Public Hearing. Decision Deadline for Development Plan: 5/26/17

JSK explained the current progress to date.

Present: Erin Landry Moreland and Eric Moreland of Asphalt Engineering LLC, Attorney Jim Roberti, Tom Houston from PSC, Mark Allen of Allen Engineering

Mr. Allen explained the waiver request letter given to the Board that lists all requested waivers.

Mr. Houston explained his responses to each waiver request:

1. Waiver request: The backside of basin will be constructed below existing grade for 2 of 3 basins.
Basins on the back of the site could not be constructed at grade by it can be engineered with steep slopes and a narrow top it can be done. However a Town representative must confirm the condition of the subgrade prior to the construction of the basins. The basins must be carefully designed and a Town representative must supervise compaction. The Applicant is trying to make changes and get guidance from the Board but the Applicant has not submitted engineered plans of the basins for review. Mr. Houston emphasized that these comments were informal as he has not seen the final design of the embankments. JSK responded that he would like to have PSC monitor the construction of the basins.
2. Waiver Request: Waive the 10' wide access at the top of the detention basin berm.
Mr. Houston explained that the Applicant has provided 15' of access on some and 8' on others. JSK explained that the Board can condition the decision that if there are any concerns over maintenance, the Applicant provide an agreement to go on site to review. The Applicant and Attorney Roberti stated that they are comfortable with that. Mr. Houston reiterated that no plan has been submitted by the Applicant, but based upon Allen's explanation, there seems to be no problem with this. A Minimum width of 8' is sufficient to secure stability and 15' access is sufficient. BWL added that he is concerned about narrowness of the 8' berm to handle large storm. Mr. Houston responded that basins must be designed for the 100-year storm event. The direction of surface water is into the basins on this site and sheet flow would collect in the basin and would not have an erosive effect on the outside of the berms. Mr. Houston is not seeing erosion as cause of blowing out the embankments. The berm must have sufficient impervious characteristics and with supervised construction it should be ok.
3. Waiver Request: Waive the requirement for a 6' chain link fence around drainage basins in the rear.
Mr. Houston explained that there will be a full fence around the basin closest to Farm Street but the Applicant is looking for waiver for basins in the rear. There will be no pedestrians in the rear and this site has wildlife in that area. Don't want to impinge there movements near the water area. Additionally there are no ATVs on site or tracks from ATVs. Mr. Houston does not see the need to fence the rear basins.
4. Waiver Request: No disturbance within 25' of a vegetated wetland.
Mr. Houston explained that the Conservation Commission will have to approve this waiver but the Applicant is looking for a Planning Board waiver too. The Applicant is looking to have a waiver to grant no disturbance within 10' of vegetated wetlands.

BTS explained to the Applicant that the Board's approvals of the waivers are subject to submittal of the final plans. Mr. Allen responded that he will provide everything by next meeting.

Ms. Landry provided the Board with copies of Spill Containment Pad memo and the Sage Environmental Reclaimed Asphalt Pavement Environmental Summary.

JSK stated that the footprint of the building will probably fit the site; however, the decision will be conditioned such that the Applicant must come back before the Board for a development plan review of that building within three (3) months. JSK would like the Applicant remove this building from the revised plans so the final plan shows exactly what the Board is approving. All Board members agreed that this course of action is fine.

Public Questions and Comments:

Tim Aicardi, Bellingham Building Inspector asked if the Con Com's Order of Conditions will include the building. Mr. Allen responded that it will not but the basin has been designed to accommodate a future building. The same plan will be submitted to the Con Com.

Mrs. Sivits of 208 Farm Street asked the Board where the storage will be and what will be done on the site. Ms. Landry explained the process of collecting the material and then crushing it which takes approximately over 5 days once a year. This process will be done in the very rear of the property. Mr. Sivits stated that this material is carcinogenic and can provide many studies stating this. Ms. Landry responded that it does not. JSK responded that he has discussed this with the Board of Health and MassDEP and the Applicant has to get a MassDEP permit to satisfy regulations for crushing onsite.

BTS: Motion to continue the Asphalt Engineering LLC, 190 Farm Street, Development Plan, Stormwater Management Permit, Scenic Road, Bulk Storage Special Permit public hearing May, 2017 at 7:00 p.m.

WFO: Second.

Discussion: None.

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

1st Public Hearing for article on the May 2017 Town Meeting Warrant:

New Article XXVIII, 55+ Active Adult Overlay District. To establish an overlay district at the New England Country Club site.

DJT recused himself as he is a direct abutter to the project.

BTS: Motion to open the public hearing for the New Article XXVIII, 55+ Active Adult Overlay District

WFO: Second.

Discussion: None.

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

JSK gave an overview of the project.

Present: Ron Bonvie, President of Bonvie Construction, Frank Bonvie, and Tori Spillman.

Mr. Ron Bonvie explained the project which will be similar in type to Southport in Mashpee and will be an over 55 development. He will be working in conjunction with property owner of the property Rod Walkee.

Mr. Ron Bonvie explained that this overlay is one piece of the proposal. He hopes to build a private development with restricted access for residents and public access to the golf course. There are only plusses for the community and no negatives:

- Traffic counts are minimal as most residents stay at home on a daily basis due to the access to on-site amenities.
- No school aged children
- Town will receive tax income of about \$500K for every 100 units built
- Private roads - so no drain on the Town services for plowing or maintenance
- Restricted entrance - Card reader will be used to enter the site and so there should be very little police activity on the site
- Sprinklers will be installed in every unit for fire protection
- Private trash pickup
- Sewer will be connected to Woonsocket's system
- Water - will only be tied into town water for the condos and not for the golf course
- The Town will be responsible for nothing from the entrance in

BWL stated that he went to Mashpee and spent a day at Southport and talked to members of Board of Directors and several residents. He then visited Mashpee town hall and talked to municipal employees. He could not find anyone who said anything negative. BWL strongly believes that this is a good project that produces money for the town. The over 55 group is a higher income group with most retiring at 60+

and they are very ambitious. The involvement of the residents in the town will be a boon to local businesses and help develop the area near the site. BWL hopes that this will lead to an upgrade of the Pulaski Boulevard area. This development will help the town tremendously and was very impressed and BWL had not expected that. BWL would like to see the Warrant Article edited and suggested that the BTS and Mr. Ron Bonvie work on the motion that is more compatible with the Town's zoning. WFO and PCP agreed with BWL.

JSK suggested that he hold a one-time workshop with the Applicant to address concerns to get the Article and Motion to a level at which the PB will support. PCP responded that the real focus of the overlay is the over 55 aspect and the rest of the information will be part of a Special Permit.

WFO asked Mr. Ron Bonvie if he would be willing to sign a Development Agreement with the Town. Mr. Bonvie replied that he would be agreeable but he would have to talk to Mr. Walkee about that as well.

BTS had two concerns: 1) 8 units per acre seems crowded. Mr. Ron Bonvie responded that to preserve open space at 50% of the property, the units have to be close. The golf course will always be open space in perpetuity. However, the project will not get 8 units per acre for all 170 acres. 2) Affordable housing units are a town requirement and with the overlay the town will not be gaining any from this. BWL explained that there is an incompatibility between affordable and over 55. Mr. Ron Bonvie responded that he is very concerned about his ability to sell affordable units because the price would not be acceptable given the market rate homes. He hopes to sell the units for \$400-\$500k.

JSK – DHCD confirmed that if there are 100 units 20% can't say 55 and over if inclusionary housing aspect. For this type of development he would have to build off-site. The overlay exempts them from the inclusionary housing.

BTS agrees more plusses than negatives but is uncertain about removing the inclusionary housing aspect. PCP suggested that he would rather not have the inclusionary component in the town meeting article and would like to leave it to the Board. JSK stated that if it is removed from the article, the Applicant would have to obtain a variance from the ZBA. The Planning Board cannot waive it and so the only way to accomplish this is to create an overlay that is exempt from the inclusionary housing requirement.

Mike Soter, member of the Board of Selectmen stated that they have to leave in the affordable housing information in the overlay so that everyone has the ability to see it and vote on it. This is a very good project and Mr. Soter applauds the outreach Mr. Ron Bonvie has done. Affordable houses in town are not selling.

Dan Ranieri of 5 Reservoir Drive agrees with most benefits and stated that he has never seen a developer reach out to the community the way this developer has. Mr. Ranieri does not believe the issues with wording will be a problem at town meeting. This one of the best projects he has ever seen and is a value to the community.

WFO: Motion to recommend support of the New Article XXVIII, 55+ Active Adult Overlay District at the June 2017 Town Meeting based on changes that will be discussed with the subcommittee and the JSK.

BWL: Second.

Discussion: None.

Motion withdrawn by WFO to continue the public hearing.

BTS: Motion to continue the public hearing for the New Article XXVIII, 55+ Active Adult Overlay District to May 11, 2017 at 7:00 pm.

WFO: Second.

Discussion: None.

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

General Business:

- ☐ **ANR's**
- ☐ **As-Built Certifications**
- ☐ **4/13/17 Minutes Signing**

BTS: Motion to sign the April 13, 2017 Meeting Minutes.

PCP: Second.

Discussion: None.

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

- ☐ **Voucher Reports** - JSK explained the report.
- ☐ **DHCD IHSP** – JSK explained the no age restriction if 80% is met for both on- and off-site units for IHSP

NR: Motion to adjourn.

BWL: Second.

Discussion: None.

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

Meeting Adjourned at 10:30 p.m.

4.27.17 Public Hearing Documents List

Active Adult Use Overlay District – Zoning By-Law Amendment

1. AAOD Proposed Zoning By-Law Final
2. Public Hearing Notice 3.21.17

Crystal Springs IHSP Modification for 2 Indian Run Road and 7 Fleetwood Road

1. Abutter List – Certified 3/16/17 for 2 Indian Run Road
2. Abutter List – Certified 3/16/17 for 7 Fleetwood Road
3. Abutter List – Certified 3/16/17 for 826 South Main Street
4. Abutter List – Certified 3/16/17 for 828 South Main Street
5. Application for 826 So. Main Street 3.22.17
6. Application for 828 So. Main Street 3.22.17
7. Catalano BOH Comments 3.23.17
8. Condo Unit Deed for 826 & 828 So. Main Street
9. Crystal Spring Phase II S.P. Modification Decision 2.26.11
10. Crystal Spring Phase III IHSP 2 Indian Run Rd Decision 1.8.15
11. Crystal Spring Phase III IHSP 7 Fleetwood Rd Decision 1.22.15
12. Narrative 3.6.17
13. Property Card for 826 So. Main Street
14. Property Card for 828 So. Main Street
15. Property Location for 826 & 828 So. Main Street
16. Public Hearing Notice – 826 So. Main Street – 2 Indian Run Rd 4.27.17
17. Public Hearing Notice – 828 So. Main Street – 7 Fleetwood Rd 4.27.17

Urban Air Trampoline and Adventure Park Development Plan and Stormwater Management Plan Permit

1. Abutter List for Bellingham – Certified 3.21.17
2. Abutter List for Franklin – Certified 3.23.17
3. Application for Stormwater Management Permit 3.23.17
4. Application for Development Plan 3.23.17
5. Drainage Report 3.23.17
6. Narrative 3.23.17
7. Plan – Generic Elevation Detail 3.12.17
8. Plans – 1st Submission – 3.23.17
9. Public Hearing Notice 4.27.17
10. Traffic Impact Letter 3.21.17
11. Urban Air Overview 3.23.17
12. Traffic Impact and Access Study 3.28.17
13. BETA – 1st Comments 4.13.17
14. Kupfer Staff Memo 4.18.17
15. Bohler Response to BETA Comments 4.24.17
16. Drainage Reports – Revised 4.24.17
17. Plans – 2nd Submission 4.24.17
18. Building Façade 4.25.17
19. DiMartino Comments 4.26.17
20. Sign Mock-up 4.27.17
21. Catalano BOH Email RE DEP Filing 4.27.17
22. BETA – 2nd Comments 4.27.17
23. Indoor Floor Plan & Renderings 4.19.17

Asphalt Engineering Development Plan, Stormwater Management Permit, Scenic Road Permit, and Bulk Storage Special Permit

1. Waiver Requests for Detention Basin Fencing and Slope 4.13.17
2. Spill Containment Pad 4.27.17
3. Waiver Request Letter – all waivers 4.27.17
4. Sage Environmental – Reclaimed Asphalt Pavement Environmental Summary 4.27.17

Minutes Accepted on: 5/11/17
(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
Peter C. Pappas

Dennis J. Trebino
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Bruce W. Lord
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