



BELLINGHAM PLANNING BOARD

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

Meeting Minutes May 11, 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. Trébino (DJT), Member
Bruce W. Lord (BWL), Member
Vacant - 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.

Reorganization of the Board

WFO: Motion to name Brian T. Salisbury Chairman of the Planning Board

DJT: Second.

Discussion: None.

JK polled the Board members regarding the vote for Chairman. The results of the poll are:

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		
Vote	5		

The Board voted 5-0 to name Brian T. Salisbury as the Chairmen of the Planning Board.

BTS: Motion to name William F. O'Connell Jr. Chairman of the Planning Board

BWL: Second.

Discussion: None.

JK polled the Board members regarding the vote for Vice Chairman. The results of the poll are:

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		
Vote	5		

The Board voted 5-0 to name William F. O'Connell Jr. as the Vice Chairmen of the Planning Board.

WFO: Motion to name Peter C. Pappas as the Secretary of the Planning Board.

DJT: Second.

Discussion: None.

JK polled the Board members regarding the vote for Secretary. The results of the poll are:

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		
Vote	5		

The Board voted 5-0 to name Peter C. Pappas as the Secretary of the Planning Board.

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

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

Mr. Johnson explained the changes to the plan and discussed the completion of the soil testing for both the detention basin and septic system, and the continuation of the sidewalk to the site. The DPW wants the gas line updated on the plan when do the construction drawings.

JSK explained:

1. Signage – updated sign concept was submitted and the location of the sign was discussed. Mature trees do block the sign so they have to be removed and replicated in kind. All other signs on the site on Mechanic Street must be removed including the “for sale” sign.
2. Building elevation – the façade will be made of ribbed metal steel and the jumper designs will be vinyl or painted. Mr. Darling stated that the building will be fully ADA compliant.
3. Secondary Access – full secondary access would be beneficial with a connection to the neighboring Rapid Refill property. This would provide access to South Maple and Route 140. The

Applicant will have to get approval from the Rapid Refill owner. George Levine, owner of the Shoppes on Mechanic plaza stated that he agrees to it. JSK added that the PB would have to amend both permits and the Rapid Refill permit would be amended to reduce parking. PCP like this idea especially for emergency access. JSK stated that the Board could condition this approval on this egress being constructed, or gaining security to have it built.

Public Comments:
None

WFO: Motion to close the public hearing for the Urban Air Trampoline and Adventure Park Development Plan and Stormwater Management Permit, 191 Mechanic Street

DJT: Second.

Discussion: None.

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

BTS: Motion to draft an approval for the Urban Air Trampoline and Adventure Park Development Plan and Stormwater Management Permit, 191 Mechanic Street with conditions discussed

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 and added that this permit will only allow the Applicant to access the back of the site to store materials. The Applicant must come back to the Board within three months from this approval with a submittal for a development plan for the front of the property that includes the building, truck storage, traffic review, etc. JSK stated that the OEM plan has been updated, but the basin configurations are still outstanding and are not on the most recent plan. JSK received the copy of the Medway Zoning Board's decision and it includes pile heights of no more than 30' above grade. The Planning Board agreed and stated that they would like it as a condition of the decision. Additionally, receipt of the state permit would be conditioned in the decision and the Board agreed.

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

Ms. Erin Landry Moreland explained that she talked with Ms. Sivits about her concerns about the storage of the materials and the crushing process. Ms. Landry Moreland explained to the Board misting when crushing and the spill containment pad will be installed in the fueling station. Concerning their application for a State permit, Ms. Landry Moreland stated that she met with the State and there are no concerns with the project and no reason they would not get the permit. Once Conservation Commission finalizes the plan, they will submit to the State for the permit and they will provide the PB with the permit number once received.

PCP questioned what happens with the runoff from the piles. Mr. Allen explained that the entire property, including the piles, is captured into the stormwater system which is outside the resource areas. Ms. Landry Moreland added that this has been the main focus of the Conservation Commission permit review.

Public Questions and Comments:

Mrs. Sivits of 208 Farm Street brought research that she gathered concerning health risks from asphalt and gave it to the Board. She stated that there are more deaths from asphalt than from smoking. This is a public health risk. Crushing will produce dust that will leach into the stream. Ms. Landry Moreland explained that they are not manufacturing asphalt on the site and there is no raw material on the site. There is no gas coming from the crushing process and the minor dust will be controlled with the misting. DEP has verified that this material is not prohibited and no gas is emitted during crushing.

JSK – the use is simply for bulk storage, the crushing would be reviewed for impacts to neighbors. We are looking at the development plan, odor, noise etc. of the crushing, stormwater, containing the dust. The state's requirement is specifically for the crushing not for the storage. The state permit is a condition of our permit.

After discussion, the Board agreed that they would like to condition the decision that crushing would not exceed 20 days annually.

BTS: Motion to waive the requirement to construct the detention basin construction below existing grade for two basins.

WFO: Second.

Discussion: None.

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

BTS: Motion to waive the requirement to have 10 foot wide access around the top of the berm.

WFO: Second.

Discussion: None.

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

BTS: Motion to waive the 6 foot tall chain link fence on detention basins #1 and #2.

WFO: 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, Development Plan, Stormwater Management Permit, Scenic Road, Bulk Storage Special Permit public hearing with all conditions and continue the public hearing to May 25, 2017 at 7:00 pm.

BTS: Second.

Discussion: None.

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

Hartford Village, Village Lane, Modification to the 1999 Special Permit and 2000 Development Plan Decisions and the Hartford Village II, Hixon Street, Development Plan, Stormwater Management Permit, Special Permit for Special Residential Use – Multi-Family, Continued Public Hearing.

Brad Wright, Applicant, Joe Antonellis, Attorney for the Applicant, JP Connolly of Andrews Survey & Engineering

Attorney Antonellis explained that the Applicant has requested a waiver of the 100' buffer zone and the Board has not made a determination about this waiver. The Applicant respectfully requests that the Board make a decision on that waiver.

Mr. Connolly explained the placement of the unit next to the septic system and provided the Board with documentation entitled "DEP - Construction in Fill 5.11.17" and "DEP Guidelines for Install of Impervious Barriers & Slope Stabilization for Septic 5.11.17." Impervious barriers and walls are permitted next to septic systems by DEP. JSK explained that the Planning Board and the Board of Health (BOH) have raised this as a concern. The BOH would like a peer review of the septic system and the wall. Mr. Connolly responded that the Applicant wants to lock down the number of units which is contingent on the septic design. The system as is could move forward with septic design. Then he would submit the plan to the BOH and DEP for review. If either the BOH is not satisfied with the DEP review, then the Applicant would authorize a peer review of the septic.

JSK explained that the BOH has no authority to decrease a unit if the septic system fails DEP approval. Attorney Antonellis responded that the Applicant believes the engineering is sound and believes the system will work.

Attorney Antonellis presented and discussed the "Antonellis Memo in support of Waiver Request 5.11.17" and requested that the Board grant the waiver. Mr. Connolly explained the extensive screening that will be planted behind the entire northernmost building to screen the abutter. There will be a mixture of trees and bushes that will provide dense screening for the entire structure. Attorney Antonellis explained that the purpose of buffer is to provide screening for a building that may otherwise be intrusive. This is not a substantial waiver request. He understands the neighbors' concerns but this type of issue impacts all other residents when houses are built in other parts of the town. The new tree line and bushes will meet the intent of the buffer zone bylaw which would then allow the Board to grant the waiver. The bylaw was adopted to allow the Board to review it on a case-by-case basis. He does not believe that the buffer was designed to prevent one particular abutter from seeing anything.

PCP stated that whether the Board does or does not waive the buffer zone, he would like language in the decision that the existing buffer zone cannot be cleared. He further stated that with screening the buffer is still effectively maintained. BWL agreed and stated that the plantings are more important than the actual distance and will give the privacy that the abutters want.

Public Questions and Comments:

Harry Hamjiiian of 35 Hixon Street stated that the bylaw is there to protect the abutters. The cul-de-sac is very visible but the real focus is Unit 9. Mr. Hamjiiian would like the Applicant to eliminate one unit which would then remove the entire building from the buffer zone. Mr. Hamjiiian then explained the contents of his letter dated 5.3.17 and stated that he would rather have the building moved out of the buffer zone than receive additional screening.

Lynn Hamjiiian of 35 Hixon Street stated that she is not trying to prevent the project but would like the building moved out of the buffer zone.

WFO questioned Attorney Antonellis about the letter from Ms. Katz concerning the development of open space. Attorney Antonellis responded that each unit owner's deed states that the property would be developed. All owners received this information.

After lengthy discussion, the Board agreed that they would like screening both on the on abutter's property and along the Hartford Village II property line.

BWL: Motion to grant the waiver of the 100' buffer zone with no more than 30' intrusion into the buffer zone provided that two rows of screening be provided as proposed on the plan and a second row on the abutter's property and with the small movement of the buildings closer to the interior of the property. Allow intrusion of north east building into the buffer on the cul-de-sac.

WFO: Second.

Discussion: JSK added that the northernmost building could intrude no further than 30' into the buffer zone and the Board agreed.

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

JSK again questioned the septic system peer review and Attorney Antonellis responded that the Applicant is confident that the system will pass the BOH and DEP review. He suggested that it be a condition of the decision. Mr. Connolly agreed to the peer review after DEP review if the BOH wants it. The Board stated that they are comfortable with this.

BTS: Motion to continue the public hearing for Hartford Village, Village Lane, Modification to the 1999 Special Permit and 2000 Development Plan Decisions and the Hartford Village II, Hixon Street, Development Plan, Stormwater Management Permit, Special Permit for Special Residential Use – Multi-Family, to June 8, 2017 at 7:00 pm.

WFO: Second.

Discussion: None.

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

Continued 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 an abutter to the project.

Present: Attorney Joe Antonellis, Frank Bonvie

JSK reviewed the edits of the new article to be sure the Board is satisfied. PCP explained that the intent was to bring the language of the article to a point so residents at Town Meeting would not be overwhelmed. The revised article also projected to the future so the overlay would be simpler but would maintain the Board's authority in the future.

Attorney Antonellis explained that he will be working on constructing a development agreement with the Town and the developer so that it will be executed prior to Town Meeting in June.

WFO: Motion to recommend the New Article XXVIII, 55+ Active Adult Overlay District at the June 2017 Town Meeting that has been fully vetted by the Planning Board.

BWL: Second.

Discussion: BTS questioned how the open space percentage would work if part of the parcel were to be sold. Attorney Antonellis explained that the entire site is all 340 acres and an application would be submitted for the entire site. 170 acres always has to be open space and the golf course is included and it will stay open space.

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

Decision Discussions & Signings:

- ☐ **Crystal Springs Inclusionary Housing Special Permit Modification for 2 Indian Run Road and 826 South Main Street.**

WFO: Motion to sign the Crystal Springs Inclusionary Housing Special Permit Modification for 2 Indian Run Road and 826 South Main Street.

PCP: 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.**

WFO: Motion to sign the Crystal Springs Inclusionary Housing Special Permit Modification for 7 Fleetwood Road and 828 South Main Street

PCP: Second.

Discussion: None.

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

General Business:

- ☐ **ANR's**
- ☐ **As-Built Certifications**
- ☐ **4/27/17 Minutes Signing**

BTS: Motion to sign the April 27, 2017 Meeting Minutes.

WFO: Second.

Discussion: None.

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

- ☐ **Voucher Reports** - JSK explained the report.

WFO: Motion to adjourn.

DJT: Second.

Discussion: None.

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

Meeting Adjourned at 10:00 p.m.

5.11.17 Public Hearing Documents List

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

1. Sign Mock Up 5.4.17
2. Floor Plan – Revised 5.3.17
3. Plans – 3rd Submission 5.8.17
4. Waiver – Locus Plan 5.8.17
5. Building Façade Example – Revised 5.9.17

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

1. Town of Medway - ZBA Notice of Decision 4.24.17
2. Plan – 4th Submission 5.2.17
3. Allen Engineering – Response to PSC 2nd Comments 5.2.17
4. Drainage Analysis 5.2.17
5. PSC – 3rd Comments 5.10.17

Hartford Village Modification of the Development Plan and Multifamily Development Special Permit Decision and Hartford Village II Development Plan, Stormwater Management Permit, Special Permit for Special Residential Use – Multi-Family Dwellings

1. DEP Guidelines for Install of Impervious Barriers & Slope Stabilization for Septic 5.11.17
2. DEP - Construction in Fill 5.11.17

Public Comments Received:

1. Katz Letter RE Hartford Village II and Hartford Village Modification 4.18.17
2. KiLuzio Email RE B. Lord's Comments 4.14.17
3. Hamjiiian – 9th Letter 5.3.17

MINUTES OF THE PLANNING BOARD MEETING

May 11, 2017

Minutes Accepted on: 5/25/17
(Date)

Jean Keyes
(Prepared by: Jean Keyes)

Brian T. 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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