



BELLINGHAM PLANNING BOARD

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Meeting Minutes June 8, 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.
Alternate - vacant

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.

Discussion:

☐ **Town of Bellingham Open Space Plan Draft**

Gino Carlucci, consultant for the Conservation Commission and Mike O'Heron of the Conservation Commission (Con Com) are seeking a letter of support from the Board for the Open Space and Recreation Plan. They will also be asking the Board of Selectmen (BOS) for a letter of support.

Mr. Carlucci explained the reason for the plan and for submitting it to the State for approval. Once approved by the State, the town is eligible for grants which would help purchase open space and advance recreation in the town. An ADA compliance plan is also included in the draft.

BWL stated that he has not had the opportunity to read the document and would not want to give his support until he could do so. The Board agreed to continue the discussion at the next meeting so they have time to read the plan.

Irving Gas Station, 310 and 320 Pulaski Boulevard, Development Plan and Stormwater Management Permit, 1st Public Hearing. Decision Date: 7/18/17

JSK read the public hearing notice.

Present: Frank C. Monteiro, Principal, MHF Design Consultants, Inc., Mike McLaughlin, of Irving Oil Marking, Applicant, Jennifer Daigle of Irving Oil Planning Department, traffic consultant Heather Monticup of GPI, and Bellingham Deputy Fire Chief Mark Poirier

WFO: Motion to open the public hearing for Irving Gas Station, 310 and 320 Pulaski Boulevard, Development Plan and Stormwater Management Permit.

DJT: Second.

Discussion: None.

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

Mr. Monteiro gave an overview of the proposed project and stated that the Applicant must appear before the BOS for a gas station permit. In addition, the Applicant has to submit a Notice of Intent application to the and Con Com. Three parcels will be purchased but the Applicant intends to keep the convenience store and gas fueling stations out of the residential zone and the buffer area and will be removing the impervious surface in that area. Mr. Monteiro stated that he did receive the DPW comments that were submitted to JSK and will be addressing those issues. The site will be connecting to the sewer line on Pulaski Boulevard. In addition, they are proposing a 20' high sign at the street.

JSK asked the Board if they want a peer review of the stormwater and traffic as both would be valuable. BTS explained that the ingress and egress and number of curb cuts may be troublesome and thanked the Applicant for a thoughtful design. At Cumberland Farms across the street, fencing was installed to provide screening for the neighbors. BTS stated that 24-7 hours of operation is going to be a tough sell as the Board did not approve it for Cumberland Farms and is generally trying to be considerate of the neighbors by restricting the hours of operation.

WFO asked the Applicant to consider:

- Adding a right- turn lane on the southbound side of Pulaski into the first entrance;
- Installing signage at the fuel pumps so that cars are facing one direction;
- Adding a third lane to the Westminster Street exit for left turn only to Westminster.

Deputy Chief Poirier explained that this plan will need a plan review through the Fire Protection Engineer, through his office, and through the State Fire Marshall. The fire lane must be shown on the plan and the plan must be presented to him for approval. The convenience store will require two attendants in the store at all times due to the size of the project and the monitoring of the fuel pumps. Deputy Poirier explained that remaining on site is a fuel oil tank at the back of the building.

BWL explained the origination of the lots and noted that there is a stream or culvert under Westminster. Mr. Monteiro stated that they are not going to change that either and they will be connecting to that drainage system. They hope to reduce the amount of flow into the street system. The Applicant did dig test pits and is aware of the standing water on the site.

Public Questions and Comments:

Harry Law of 41 Pleasant Street is an abutter to the site in the rear. Mr. Law questioned how much additional road traffic will be added to Westminster Street and added that the traffic is bad now due to the cars exiting from Cumberland Farms. Mr. Law stated that he believes this is the worst intersection in town. There is flooding in his yard now and there are ducks swimming in the area. The culvert cut across his property is full all the time and he cannot access the back of his property. Mr. Law stated that there is a second culvert that goes under Pleasant Street and this one and the Westminster Street culvert are not buried very far down so the water sits there. BTS explained that the traffic peer reviewer will look at that situation and the flooding will be reviewed by the stormwater peer reviewer. Mr. Law asked if there will be a fence separating his property from the site. He stated that CVS is a very good neighbor and the plans have worked out well. He does not want 24 hour operation and questioned what time will deliveries be made. In addition, he does not want the site or building lighting shining onto his property. BTS responded that these are all good points and thanked him.

Joseph Leblanc and Sara Leblanc of 31 Arthur Street both have same concerns but their main concern is the traffic. Traffic from Cumberland Farms has created a situation where they have to go the opposite way to get to their home. The lights from Cumberland Farms shine into their home. They suggested that a smaller sign would be better and noted that the fence from Cumberland Farms does not block sound or light. Mr. Leblanc suggested that within a small area there are 30 fuels pumps for gas and is this really necessary. The Thundermist Car wash causes cars to back up onto Pulaski.

Amanda Trudeau of 20 Westminster Street welcomes new businesses but does not think the Board realizes how much water is in the area. This is not a wetland, it is an ocean with water 5-6' deep. On Westminster Street near Pleasant Street the water is coming up and drains cannot handle it. The water ruins the roads when it rises up and takes away the asphalt. Ms. Trudeau is concerned about where the water will go when the land has been reconfigured. The storm drains are not working now and there is no sewer back from Pulaski Boulevard. The traffic is very bad and she can hear Honey Dew drive through

ordering every minute of the day. Ms. Trudeau would like to keep this a nice neighborhood. The traffic cuts through Winter Street and is very dangerous. She thinks it is a very bad idea to open it up to Westminster Street as traffic on Westminster Street is horrendous on that side. The bus stop has been moved because it is so dangerous due to the traffic.

BTS suggested a site visit for the Board with the Applicant and residents.

Linda Tanfani of 10 Pleasant Street stated that she has lived there for 30 years and the neighborhood become very bad. She can't sit out on her deck because of the traffic. The roads are like speedways and she won't allow her grandchildren in front yard. The traffic is horrible as drivers block her, swear at her, and try to hit her. Police come at quiet times and not at 7:30 am. when the bus is picking up or after 4:00 pm when it is a nightmare. Water is an issue with the area like a swamp and a family of ducks swimming there. She saw someone put something down the drain in front of her house and down not know what it was. She has the same concerns as the other abutters and she wants her neighborhood to be safer.

BTS explained that the Board does not have the authority to fix problems outside this project. The Board can work on this project and make sure that this does not make the problems worse. The public safety officer will weigh in on the traffic and speeding issues.

Charles Trottier of 81 Pleasant Street stated that he has lived 55 years in the town. He suggested that the Applicant not use the same firm who did the traffic study for Cumberland Farms as he believes they missed the mark completely on that location. There needs to be certain right-hand turn in only and left-hand turn only entrances/exits like Rapid Refill on Mechanic Street. The cut through traffic will be a problem as well from Pulaski Boulevard to Westminster Street. Mr. Trottier also believes that two curb cuts are crazy. Drainage is a big problem as there is a lot of water sitting during snow or heavy rains and Pleasant Street gets flooded. This water creates dangerous situations in the winter. Mr. Trottier suggested that the Board must really study the situation. The lighting is shining into houses from CVS and the fencing is falling down and no one is taking responsibility. Mr. Trottier stated that adding lights to a location where there previously were no lights will make a difference for the worse. Additionally, he believes that there is not enough room for all the pumps and suggested that the Board put everything in writing.

JSK stated that he will begin the peer review process and will propose a joint peer review with the Con Com.

BTS: Motion to continue the public hearing for Irving Gas Station, 310 and 320 Pulaski Boulevard, Development Plan and Stormwater Management Permit to July 27, 2017 at 7:00 p.m.

WFO: Second.

Discussion: None.

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

Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard, Continued Public Hearing. Definitive Subdivision Decision Deadline: 6/19/17

JSK explained the reason for the continuance. The Applicant has not resolved the easement issue with National Grid. The easement elevation can be lowered and raised per JP Connolly.

BTS: Motion to continue the Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard public hearing to June 22, 2017 at 7:00 p.m.

WFO: Second.

Discussion: None.

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

Stall Brook Business Park Development Plan, Stormwater Management Permit, Scenic Road Permit, and Bulk Storage Special Permit, 187 Farm Street, Continued Public Hearing. Development Plan Decision Date: 7/3/17

JSK explained reason for continuance request to June 22nd due to Con Com discrepancy

BTS: Motion to continue the Stall Brook Business Park Development Plan, Stormwater Management Permit, Scenic Road Permit, and Bulk Storage Special Permit, 187 Farm Street Public Hearing to June 22, 2017 at 7:00 p.m.

WFO: Second.

Discussion: None.

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

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.

Present: J.P. Connolly of Andrews Engineering, Joe Antonellis, Attorney for the Applicant, and Brad Wright, Applicant

JSK explained the project to date.

Attorney Antonellis stated that he and his client are hoping to move forward tonight and close the public hearing. He has prepared an agreement concerning the screening issue and spent time with Mr. and Mrs. Hamjiian.

Deputy Fire Chief Poirier has been in contact with Mr. Connolly concerning moving buildings closer with 25' gap. Deputy Poirier stated that the Fire Department will agree to recommendation of 25' between buildings and strongly stated that there will be adequate room to save lives and protect property.

JSK explained the status of outstanding issues:

- Moving the telephone pole at Hartford Ave and Hixon Street must be completed. The Applicant agreed. Deputy Poirier questioned if a truck can enter Hixon in the correct lane with the pole removed and Mr. Connolly explained that the current plan does show relocation of pole and that there is adequate access.
- Deputy Poirier questioned the turning radius of the cul-de-sac and Mr. Connolly stated that he expanded the cul-de-sac and it is 41.5' and it is adequate and it is shown as such on the plan.
- The easement will be a condition of the decision.
- The DWP must be satisfied with utilities and must approve them prior to the next Planning Board meeting.
- A stop sign must be installed at the internal intersection and must be shown on the plan.
- Test pits were taken off schedule but questioned if additional test pits were done. Mr. Connolly stated that the test pits were done Nov 18, 2016.
- The mature trees that will be saved will be wrapped/marked and will be a condition of the decision.
- Slope of basins waiver has been accepted as the peer review said it would function properly
- Construction hours need to be determined. The Board and Applicant agreed to 7:00 a.m. to 5:00 p.m. Monday through Friday and no work on Saturdays or Sundays. If the Applicant needs an additional day for working, they can apply for a Saturday work permit.
- DJT asked if the drainage problem in the corner was addressed on or near the new road. Mr. Connolly explained that they are going to regrade the road to direct the stormwater to the drain using a speed bump of sorts.
- Cluster mail boxes must be accessible with a clear path and walkway from the units to the site.
- WFO asked how the Applicant plans to keep the dirt and dust down. Mr. Wright explained the items that will be used to keep the dust down. In addition, they will perform daily maintenance to

pick up litter. They would like to be done in, hopefully, 18 months but definitely less than 34 months.

- The building to the north will intrude no more than 30' into buffer and a landscape buffer will be added to the back of that building and along the Hamjiiian's property resulting in a double buffer. Attorney Antonellis has prepared the agreement but he would like to have that language incorporated into the Board's Decision. The Developer will warrant the plantings for 1-year from installation and will replace them if they die. The trees on the Hamjiiian's property will be planted before construction.
- JSK will include language in the Decision that states that the Applicant must apply for an Inclusionary Housing Special Permit. Attorney Antonellis suggested that the Special Permit application has to be filed and approved before an occupancy permit is issued for units 13 through 18 (check) the two units must be identified. The units will most-likely be off-site and they do not have to be restricted to over 55 owners, they just have to be affordable.

Public Comments and Questions:

Mr. Harry Hamjiiian of 35 Hixon Street stated his final concerns:

- Important that the buffer information be in writing.
- Concerning the screening on the project, what happens if some of the bushing used for screening dies. BTS explained that a one-year warranty is reasonable and is standard. WFO like the decision to be clear and to document that the Applicant is not responsible for the trees on the Hamjiian's property after the 1-year warranty has expired.
- Will the narrowing of the gap between the buildings change the intrusion into the buffer zone to 23'. Attorney Antonellis stated that the plan will show the building at the reduced intrusion and that is where the foundation will go. JSK stated that there will be no more than a 30' intrusion into the buffer zone and the language will be clearly stated in the decision, on the approved plan, and on the as-built plan.
- If the Applicant hits ledge during construction and the height of the foundation is changed, will this be reviewed. JSK explained that the elevations are the actual buildings themselves. Mr. Wright explained that if this happens, the abutter may see a little more roofline and not more building.
- The tree clearing should be no closer than indicated on the plan. Mr. Hamjiiian agrees that the large trees should be marked and not removed.
- Questioned if the lights are required on the cul-de-sac. Mr. Connolly stated that the Applicant did not propose any lights in that area.
- Questioned the snow dumping area as it is not labeled on the plan. Mr. Hamjiiian would like to see signage stating maximum height of snow piles and that it cannot be pushed onto his property. Mr. Wright agreed to put a sign up.

Attorney Antonellis finally stated that all agreements are all in place with Hartford Village and they are being reviewed by Town Counsel. The two properties will merge and Mr. Wright will reserve the development rights to build the 18 units in Hartford Village II. Once built, these units will become part of the Hartford Village condos. The only rights the Developer will have is to build the 18 units, he cannot amend the existing units.

Attorney Antonellis thanked the Board for their patience with this process and thanked Jim Kupfer for his openness and availability.

WFO: Motion to close the public hearing for Hartford Village, Village Lane, Modification to the 1999 Special Permit and 2000 Development Plan Decisions.

DTJ: Second.

Discussion: None.

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

WFO: Motion to close the public hearing for the Hartford Village II, Hixon Street, Development Plan, Stormwater Management Permit, Special Permit for Special Residential Use – Multi-Family.

DJT: Second.

Discussion: None.

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

BTS: Motion to draft an approval for the Hartford Village, Village Lane, Modification to the 1999 Special Permit subject to the conditions discussed.

DJT: Second.

Discussion: None.

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

BTS: Motion to draft an approval for the Hartford Village, Village Lane, Modification to the 2000 Development Plan Decisions subject to the conditions discussed.

DJT: Second.

Discussion: None.

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

BTS: Motion to draft an approval for the Hartford Village II, Hixon Street, Development Plan, Stormwater Management Permit subject to the conditions discussed.

DJT: Second.

Discussion: None.

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

BTS: Motion to draft an approval/denial for the Hartford Village II, Hixon Street, Special Permit for Special Residential Use – Multi-Family subject to the conditions discussed.

DJT: Second.

Discussion: None.

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

Discussion:

☐ **JK Firewood and Landscaping Bulk Storage Special Permit Non-compliance discussion**

JSK explained the issues with the project and the Town's Building Inspectors' actions to date. JSK recommends that the Board authorize him to invite the Applicant in and see if everything has been completed. The Decision was very clear about what needs to be done and when. PCP questioned how many conversations have JSK and the Building Inspector has had with the Applicant. JSK responded that they have had three site visits and have provided two written notices. PCP stated that the Applicant has been given plenty of time to conform and plenty of notice and believes that the permit should be rescinded now as they have had almost a year to comply. BTS responded that in fairness, the Board needs to bring him in and give a chance to explain. The Board requests that JSK ask the Applicant to appear at the next meeting.

General Business:

- ☐ **ANR's**
- ☐ **As-Built Certifications**
- ☐ **5/25/17 Minutes Signing**

BTS: Motion to sign the May 25, 2017 Meeting Minutes.

PCP: Second.

Discussion: None.

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

- ❑ **Voucher Reports** - JSK explained the report.
- ❑ **Woodland Hills Definitive Subdivision** – Return of excess peer review funds voucher signing
JSJ explained the process and request.

WFO: Motion to sign the Voucher for the return of excess peer review funds for Woodland Hills Definitive Subdivision.
PCP: Second.
Discussion: None.
Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)
- ❑ **Norfolk Registry** – Rules & Regulations Letter – Board signing
Board agreed and letter signed
- ❑ **Planning Coordinator Contract Discussion and Payroll Change Notice Signing.**

DJT: Motion to sign the Fiscal Year 2018 Contract for Planning Board Coordinator Jean Keyes.
WFO: Second.
Discussion: Board thanked JK for all work done.
Vote: 5-0 Carried. (BTS, WFO, PCP, DJT, BWL)

WFO: Motion to adjourn.

DJT: Second.

Discussion: None.

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

Meeting Adjourned at 9:20 p.m.

6.8.17 Public Hearing Documents List**Irving Gas Station Development Plan and Stormwater Management Permit**

1. Abutters List– Certified 5.15.17
2. Applications for Development Plan 5.18.17
3. Applications for Stormwater Management Permit 5.18.17
4. Certificates of Ownership 5.18.17
5. Plans – 1st Submission 5.18.17
6. Stormwater Management Report 5.18.17
7. Narrative – Memorandum in Support of Applications 5.18.17
8. Attorney Cornetta Submittal Letter 5.18.17
9. Kupfer Staff Memo 6.1.17
10. Traffic Impact and Access Study 5.31.17
11. DiMartino Comments and Water Main Plan and Road-Sidewalk Mark-up Plan 6.6.17

Town of Bellingham Open Space Discussion

1. Open Space and Recreation Plan Draft 5.31.17

Minutes Accepted on: 6/22/17
(Date)

Brian T. Salisbury
Brian T. Salisbury

Peter C. Pappas
Peter C. Pappas

Bruce W. Lord
Bruce W. Lord

Jean Keyes
(Prepared by: Jean Keyes)

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

Dennis J. Trebino
Dennis J. Trebino