



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
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PlanningBoard@bellinghamma.org

Meeting Minutes June 22, 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.
Associate - 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.

Bulk Storage Discussion initiated by BWL

BWL would like the Board to sponsor an article for the October Town Meeting to revise the Town's Bulk Storage By-Laws. BWL asked for the Board's approval to go forward. BWL explained that he is looking to move the By-Law from the Zoning By-Laws to the General By-Laws to help with enforcement of infractions and to remove grandfathering. The Board discussed the issue and determined that they would prefer to have JSK form a committee to review the Bulk Storage By-Law and suggest changes. BWL further stated that his reason for addressing this issue at this meeting is to put the residents and businesses of the town on notice that the town is looking into this issue. BWL does not want to put anyone out of business that is properly handling the mulch. BTS and JSK suggested that a subcommittee be formed to look into possible changes.

BTS: Motion to form a subcommittee to review the Bulk Storage By-Law.

PCP: Second.

Discussion: JSK informed the Board that to get this onto the October 2017 Town Meeting, he must submit a placeholder on the Town Warrant within the next three weeks.

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 that he spoke with engineer and is getting closer to obtaining approval from National Grid. He recommended to the Applicant that if there is no new information about the easement at the next meeting, then the Board may ask to withdraw without prejudice. DJT wants all easement documentation in writing when the Applicant appears at the next meeting. The Board is considering having the Applicant re-notice the neighbors.

BTS: Motion to continue the Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard public hearing to August 24, 2017 at 7:00 p.m.

DJT: Second.

Discussion: Phil Devine of 8 Deer Run Road will keep notifying the neighbors of when the hearings are being held and he agreed with the Board that the abutters should be re-noticed. Mr. Devine stated that the easement will be a major issue.

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 the project to date and that an overview will be presented tonight and status of Con Com.

Present: Bill Halsing, Land Planning, Inc. and Matt Fasolino, Applicant

Mr. Halsing explained the project and explained that they have a valid former Order of Conditions that expires in 2019 from the Conservation Commission (Con Com) for the prior project that was approved for that site. The Applicant recently learned that the current project will require a Notice of Intent filing with the Con Com and that they will go forward with the project as submitted currently to the Planning Board. The discussion with the Con Com is why they have not appeared before the Planning Board until now.

Mr. Halsing explained the previous plan and that the changes that have made. The basic footprint is the same but the building is smaller, the parking had been reduced, and the landscaping plan has been revised. The rear of the project will be bulk storage. The Applicant would like to make this his home base to store mulch, brick, sand, etc., for his landscaping business. They have added an earthen berm around whole area to contain any runoff and have redesigned the stormwater system. The amount of impervious surface has been reduced and the septic system will be on the front of the property.

The Board discussed the bulk storage issue and informed Mr. Fasolino that they are uncomfortable with mass bulk storage. Mr. Fasolino explained that there would be bins to hold the product and it will not be a mass storage area. There will be smaller piles of multiple materials no higher than 15' stored in the bins with a misting sprinkler system overhead. DJT stated that he would like to see plans to include storage bins, heights, etc. JSK suggested that the Applicant submit a conceptual plan of what the stockpiling may be.

Mr. Halsing explained that within six months of approval, the Applicant will put in drainage and then within six months of that, the building would be constructed. BTS explained that the Board does not want a contractor's yard with no building. The Board will be conditioning a strict timetable for the construction of the building that will be enforced and there will be ramifications if the Applicant is not in compliance. The Board needs to protect the town.

BWL disclosed that about 10 years ago he worked with Bill Halsing personally and wanted the public to be aware of this.

JSK explained that a joint peer review would be conducted for both the Planning Board and the Con Com. The Applicant must submit a site plan that contains more details about traffic and the building that will be constructed.

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 August 10, 2017 at 7:00 p.m.

WFO: Second.

Discussion: None.

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

Decision Discussion and Signing – 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. Decision Deadline: 9/6/17.

JSK explained that the Applicant has not submitted final updated plans so the Decisions could not be completed and signed. They should be ready for signing at the July 27, 2017 meeting.

Discussion:

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

JSK explained that the Board would vote to support this Plan if there aren't any concerns or questions.

BTS: Motion to support the Bellingham Open Space and Recreation Plan.

PCP: Second.

Discussion: None.

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

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

Present: John Kauker Jr., Applicant, John Kauker Sr., owner of Antron Engineering

JSK explained the outstanding items.

Mr. Kauker Jr. explained that they have not complied with the Special Permit due to time constraints but nine of the ten outstanding items have now been completed. Mr. Kauker Jr. stated that the Building Inspector suggested that he use the large boulders on the site and place them around the detention basin. The Board agreed with boulders around the basin. In addition, he explained that since the fence had to be 4' away from the building, it would not keep people out of the area. So that is why the bushes were planted instead.

JSK stated that in his opinion the Decision stated that a fence must be installed as that is the requirement. The intention of the permit is to screen the use from the main thoroughfare and so he still considers that item outstanding. BWL agreed and stated that screening would be better with a fence as it would help both businesses to look more attractive. BWL wants the town to be more attractive and the installing the fence behind the bushes would help. Mr. Kauker Sr. stated that his customers don't see the firewood behind the building and he thinks the shrubs look nice.

WFO questioned the seeding of grass on side of the building. Mr. Kauker Jr. responded that it is coming in and is greener.

PCP stated that the permit was granted in August of 2016, which is over a year ago, and he is trying to understand why the Applicant has not complied with the conditions of the Decision in the time frame detailed in the Decision. The Applicant must comply with the conditions and no changes should be made.

JSK stated that this Applicant was operating a bulk storage business on the site without a Special Permit. The Board asked him to come in and did not shut the business down. The Board worked with the Applicant to obtain the Special Permit. The Board explained that if the Applicant does not comply with the specific timelines detailed in the Decision, then this would be a violation of Zoning By-Laws and each violation would be a separate offense. The Board can recommend that the Building Inspector and Zoning Enforcement Officer reach out and issue violations or the Board can wait until the fence is installed then act. BWL explained that if the Board rescinds the Decision, the Applicant is out of business. Mr. Kauker Jr. stated that he understands. PCP reiterated that the Applicant should be following the Decision.

BTS asked the Applicant to come back before the Board on July 27, 2017 and, if all items have been completed, no further action will be needed. If there are still outstanding items, then zoning violations will be pursued.

BTS: Motion to continue the JK Firewood and Landscaping Bulk Storage Special Permit discussion to July 27, 2017.

WFO: Second.

Discussion: None.

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

☐ **Hillside Estates Definitive Subdivision – Damon Road – Bond Release Request**

JSK explained that the Planning Department has all documentation necessary to release the remaining bond. The road has been accepted at Town Meeting and a letter has been received from the DPW Director stating that infrastructure all has been completed. The Quitclaim Deed has been recorded and submitted to Planning. The street lighting needs to be completed but the Applicant has provided a check for \$6,000.00 that will be held in escrow as security for completion of this item.

BTS: Motion to release the remaining bond being held for the Hillside Estates Definitive Subdivision.

WFO: Second.

Discussion: None.

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

General Business:

Pine Hollow Estates: JSK gave an update on Pine Hollows and stated that all work on the site is in accordance with the permit and they are in compliance with the Decision.

Cell Phone Policy: WFO initiated the discussion and stated that the Board should adopt a policy to shut off cell phones during the meetings. The public has complained about this because they don't know what is being communicated through phones use during the meetings. BWL has a personal situation and needs his phone accessible. WFO has had the public text him during and after the meeting and it is not appropriate. JSK suggested that the Board needs to exercise restraint and only use their cell phones for emergencies.

Alternate Planning Board Member: JSK explained that the Board of Selectmen (BOS) has identified a candidate to possibly fill the vacant Alternate Member seat on the Planning Board. Since the Planning Board appoints the Alternate Member jointly with the BOS, the Planning Board members have to meet and interview this candidate. The Board expressed their desire to attend the BOS meeting to meet and interview the proposed Alternate Member.

- ☐ **ANR's**
- ☐ **As-Built Certifications**
- ☐ **6/8/17 Minutes Signing**

BTS: Motion to sign the June 8, 2017 Meeting Minutes.

PCP: Second.

Discussion: None.

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

☐ **6/13/17 Minutes Signing****BTS: Motion to sign the June 13, 2017 Meeting Minutes.**

WFO: Second.

Discussion: None.

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

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

☐ **Board payroll**

BTS: Motion to sign the Board's payroll.

WFO: Second.

Discussion: None.

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

DJT: Motion to adjourn.

BWL: Second.

Discussion: None.

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

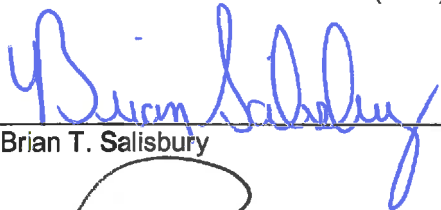
Meeting Adjourned at 8:20 p.m.

6.22.17 Public Hearing Documents List

Hillside Estates Definitive Subdivisions

1. Tayara Letter - Bond Release Request 6.14.17

Minutes Accepted on: 7/27/17
(Date)



Brian T. Salisbury



Peter G. Pappas



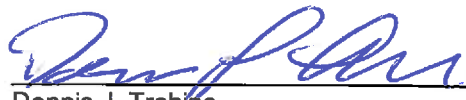
Bruce W. Lord



(Prepared by: Jean Keyes)



William F. O'Connell Jr.



Dennis J. Trebino