



# BELLINGHAM PLANNING BOARD

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10 MECHANIC STREET  
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## Meeting Minutes July 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.  
Philip Devine (PD), Associate

### **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 welcomed PD as the new Associate member.

### **Discussion:**

- ☐ **160 High Street Lot 1 & Lot 2 - Discussion to Determine a Major or Minor Modification to the Final Plan.**

Present: Attorney Frank Marinelli, Present: David Kelly of Kelly Engineering Group, Inc. David Vroman of Campanelli, Rob DeMarco of Campanelli, Molly Kelly of Kelly Engineering

Attorney Marinelli described the project and the modifications that the Applicant considers to be minor. These changes do not change any of the infrastructure.

JKS added that the Fire Department offered comments concerning these changes and Attorney Marinelli stated that they will comply with all comments. BWL questioned if any changes impact conservation and Attorney Marinelli responded that the Conservation Commission (Con Com) approved minor changes last night.

PCP questioned how the does having multiple tenants change the traffic. JSK stated that the traffic is based upon square footage and, since the size of the building has not changed, the traffic analysis has not changed. PCP stated that different uses create different traffic and DJT responded that the use is not changing.

**WFO: Motion that the proposed changes to 160 High Street Lot 2 are Minor Modifications.**

BWL: Second.

Discussion: None.

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

**160 High Street, Lot 1, Development Plan and Stormwater Management Permit Amendment, 1st Public Hearing. Decision Date: 9/5/17**

JSK read the public hearing notice.

**BTS: Motion to open the public hearing for the 160 High Street, Lot 1, Development Plan and Stormwater Management Permit Amendment.**

WFO: Second.

Discussion: None.

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

JSK explained the proposed amendment before the Board and described the documents submitted for this project.

Present: Attorney Frank Marinelli, Present: David Kelly of Kelly Engineering Group, Inc. David Vroman of Campanelli, Rob DeMarco of Campanelli, Molly Kelly of Kelly Engineering

Attorney Marinelli explained the changes to the building and the site and the need to construct 95 parking spaces. The stormwater calculations have been peer reviewed and confirmed by PSC, the Town's peer reviewer. The Sound Study has been completed and peer reviewed by CavanaughTocci who found that the noise is in compliance with the By-laws.

JSK responded that these changes were discussed at the Con Com last night. Peer reviewer PSC has confirmed that the changes are in compliance with stormwater regulations. Additionally, peer reviewer, CavanaughTocci has confirmed that the changes are in compliance with the noise by-laws. JSK added that the Applicant will be back before the Board to discuss the erosion controls but it will not be a public hearing.

**Public Questions and Comments:**

Mike Soter, Chairman of the Planning Board stated that the Planning Board has extensively looked at this project and the Town has been moving rapidly on a grant to improve the intersection at Route 140 and Maple Street. The Board's approval tonight is crucial to the \$1.5 million dollar grant moving forward. The grant applied for intersection improvement based on feedback from the Planning Board. Mr. DeMarco has worked with the BOS extensively to move this project forward. Mr. Soter asked the Board to approve the changes tonight and move rapidly to improve the intersection.

**WFO: Motion to close the public hearing for the 160 High Street, Lot 1, Development Plan and Stormwater Management Permit Amendment.**

BWL: Second.

Discussion: None.

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

**WFO: Motion to that the changes are minor to the 160 High Street, Lot 1, Development Plan and Stormwater Management Permit Amendment Decision.**

BWL: Second.

Discussion: None.

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

**WFO: Motion to approve the 160 High Street, Lot 1, Development Plan and Stormwater Management Permit Amendment Decision.**

BWL: Second.

Discussion: JSK explained the Decision and that the Town Counsel reviewed it. BWL instructed the Applicant that when they find a buyer, he would like the Applicant to introduce them to the Board so the Board has familiarity. This will not be to discuss changes, but to know who the town is dealing with. Mr. DeMarco agreed to make an introduction once the tenant is under agreement.

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

**Irving Gas Station, 310 and 320 Pulaski Boulevard, Development Plan and Stormwater Management Permit, Continued Public Hearing. Decision Date: 8/25/17**

JSK explained the project to date asked the Applicant to delve into peer review issues and provide responses. Stormwater is different from what was originally presented. Peer review will be at next meeting.

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 Richard Cornetta, Attorney for Applicant.

Mr. Monteiro explained that the Applicant has been to two Con Com meetings and walked the wetlands with Con Com members and the wetlands consultant. BSC has completed first peer review and they have responded. He has discussed the drainage connections with DPW Director Don DiMartino and JSK. There are a few changes to the plan including eliminating the second driveway on Pulaski Blvd and consequently, the traffic study had to be amended. Deputy Fire Chief Poirier asked them to add fire lanes to the site and they have complied. They added additional screening on back of site and added 6' high white PVC fence around the back perimeter of the site. The lighting has been changed to comply with town regulations. They have made minor utility adjustments and they agree to match Cumberland Farms operation hours which would be 5:00 am – 10:00 pm.

Mr. Monteiro additionally described the two waivers that the Applicant is requesting. He expects another review by BSC and will be going back to the Con Com in two weeks.

Ms. Monticup described the traffic study both present and future and added that BSC provided four traffic comments. The Fire Department has approved traffic area and the intersections. Ms. Monticup explained that passby traffic was studied as well and that PB regulations state that they have to restrict passby traffic to 25%. However, this is no longer a MEPA requirement and the Applicant can now use ITE rates but the Planning Board has to approve that. Ms. Monticup pointed out that Cumberland Farms did not use the 25% passby requirement. They have eliminated one driveway on Pulaski Blvd and added two exit lanes to the remaining exit and the supplemental traffic study is based upon these changes. All levels of service are fine with these changes. Supplemental analysis looked at aligning placement of the driveway on Pulaski Blvd with Arthur Street but there analysis shows that it is better not aligned with Arthur Street.

BTS responded that he appreciates reducing to two driveways and the elimination of one on Pulaski Blvd. BTS is concerned about the Pulaski entrance being an exit and entrance. Ms. Monticup explained that Arthur Street is a very low volume roadway and analysis shows that there will be gaps in the traffic. The driveways are self-regulating and if one is backed up the drivers will use another. More problems will be created if the driveway is one way.

BWL this mirrors Cumberland Farms and the Board cannot expect this Applicant to do anything different than them.

WFO questioned the reduction of lighting on Pulaski Blvd as the Board is trying to beautify the area. JSK responded that they are not removing the actual poles they just have to remove them from the photometric plan. The lights have to be maintained by the Applicant and have to be moved onto the Applicant's property. Additionally, the style of light has to match Cumberland Farms' lighting

DJT questioned if the guide wires of the telephone pole that is located on the property will be in the way of the trash bins. Mr. Monteiro responded that he will check and make changes if it is an issue.

DJT also questioned if detention pond capacity for 100-year storm. Monteiro – is sized to accommodate and is less than what is there today in 100 year storm.

BWL asked about drainage in adjacent lot behind the site and the pool of water on Westminster. Mr. Monteiro responded that the Applicant is not changing the adjacent lot or Westminster Street but the stormwater management system will improve the runoff. DJT added that the Con Com stated that no one can touch the back of the lot. JSK will ask the DPW to clean up the debris in the area.

PD questioned if the side entrance to Westminster Street will be a problem as it is up against a drive through across the street at Honey Dew. Mr. Monteiro responded that the exits are not lined up and the exit from Irving Gas Station is further down Westminster than the Honey Dew drive through.

JSK stated that the rear detention basin has been extended into the paper street. Attorney Cornetta responded that they are working on gaining legal right to that access. JSK also asked the Applicant to make the sign to the gas station more to human scale and to improve the aesthetics. Mr. Monteiro – does not want to put stone around the sign but the Applicant will landscaping that area and will lower the sign to 15'. PCP requested a rendering of the landscaping that is proposed for near the sign.

JSK added that the stormwater will be discussed in detail at the next meeting. However, the Con Com was concerned the buoyancy of the ground water and the separation to ground water requirement. Mr. Monteiro stated that the weight of soil is heavier than buoyancy of the water and the Applicant is not anticipating a problem with buoyancy.

#### Public Comments and Questions:

Ronald Lussier of 26 Wrentham Street stated that his business, Thundermist Car Wash, is directly across from this site. New conflicts will be created with the exiting from his business and this new business. He wants to give credit to the Planning Board that they will ensure that the streetscape will improve and look nice and he appreciates that. Mr. Lussier stated that Cumberland Farms first presented with two driveways that were reduced to one on Pulaski. But the Cumberland Farms driveway entrance and exit is becoming the most frequent place for car accidents on Pulaski Blvd. Lot of business owners on the street believe the same thing. How can this be stopped? Mr. Lussier stated that the Planning Board made a mistake by not allowing the southern driveway on Pulaski. This would have given relief to the northern exit. Very few drivers use the Winter Street exit as consumers want to pull into the front of the business. Two driveways allows for a sharing of the burden for the ins and outs to the property. DJT responded that the problem is that the other driveway on Pulaski exiting from this site would be almost on top of Westminster Street and that is why the second driveway was eliminated. PCP added that the second Pulaski exit at Cumberland Farms would be too close to Winter Street. Mr. Lussier responded by saying that the proof is in the pudding and the most frequent accidents in town are happening at the northern driveway of Cumberland Farms.

Harry Law of 41 Pleasant Street questioned the hours of operation 5:00 am to 10:00 pm 7 days per week. The Board confirmed that the hours will mirror Cumberland farms. Mr. Law was concerned about the lighting at the back of the building. BTS responded that the light will be seen but the light will stay on the site. Mr. Law then questioned if the detention pond will be holding water or will drain. Mr. Monteiro responded that the basin will hold water temporarily and will discharge slowly. Mr. Law asked what can be done about mosquitos that might be attracted to that water and Mr. Monteiro stated that the basin will have water for short period of time and then drain.

**BTS: Motion to continue the Irving Oil Gas Station Development Plan and Stormwater Management Permit Continued Public Hearing to August 10, 2017 at 7:00 pm.**

BWL: Second.

Discussion: None.

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

**Discussion:**

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

JSK explained the process to date and stated that the fence has been installed. All that remains to be done by the Applicant is to comply with the As-Built procedure.

Present: John Kauker, and John Kauker Jr.

Mr. Kauker Jr. explained that the Knox box is ordered and wanted Board's okay to move forward with the As-Built process. The Board agreed that with the submission of an As-Built plan that has been approved by the DPW, the Applicant will be fully compliant.

**Decision Discussion and Signing:**

**JSK explained the changes to the plan and the Decisions.**

- 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.**

**BTS: Motion to sign the Modification to the Hartford Village, Village Lane, November 11, 1999 Special Permit Decision.**

WFO: Second.

Discussion: None.

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

**BTS: Motion to sign the Modification to the Hartford Village, Village Lane, April 27, 2000 Multifamily Development Plan Special Permit Decision.**

WFO: Second.

Discussion: None.

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

**BTS: Motion to sign the Decision for the Hartford Village II, Hixon Street, Development Plan and Stormwater Management Permit.**

DJT: Second.

Discussion: None.

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

**BTS: Motion to sign the Decision for the Hartford Village II, Hixon Street, Special Permit for Special Residential Use – Multi-Family.**

DJT: Second.

Discussion: None.

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

**General Business:**

- ☐ **ANR – 160 High Street Lot 1 & Lot 2 – Campanelli Development LLC**  
JSK explained the ANR to split Lot 1 and Lot 2 and they are in compliance with all requirements

**WFO: Motion to sign the ANR Plan for 160 High Street Lot 1 & Lot 2**

DJT: Second

Discussion: None.

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

- ☐ **As-Built Certifications**
- ☐ **6/22/17 Minutes Signing**

**WFO: Motion to sign the June 22, 2017 Meeting Minutes.**

DJT: Second.

Discussion: None.

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

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

**DJT: Motion to adjourn.**

WFO: Second.

Discussion: None.

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

Meeting Adjourned at 8:45 p.m.

**7.27.17 Public Hearing Documents List****160 High Street Lot 1 & Lot 2 – Amendment - Discussion – Request for Determination of a Major or Minor Modification**

1. Acoustical Evaluation of Final Plan by Tech Environmental (Sound Study) 12.23.16 Revised 1.5.17
2. Bellingham Conservation Commission – Order of Conditions 2.22.17
3. Development Plan & Stormwater Management Permit Decision 1.26.17
4. Drainage Calculations – Supplemental 6.27.17
5. Fire Access Autoturn Exhibit 1.5.17
6. Flexible Parking Special Permit Decision 1.26.17
7. Kelly Engineering Letter RE Amendment 6.27.17
8. Kupfer Staff Memo Update 7.3.17
9. Major Business Complex Special Permit Decision 1.26.17
10. Operation & Maintenance Plan & Long-Term Pollution Prevention Plan 2.9.17
11. Peer Review of Revised Sound Study by CavanaughTocci Comments 1.9.17
12. Photometric Lighting Plan 6.27.17
13. Plan Set - 1st Submission 6.27.17
14. Plans – Fire Access 6.27.17
15. Project Layout and Stormwater Management Report Peer Review by PSC 2.1.17
16. Scenic Road Permit Decision 1.26.17
17. Stormwater Management Report - Final - 1.18.17
18. Tech Environmental Memorandum – Acoustical Evaluation 6.27.17
19. Deputy Fire Chief Mark Poirier Comments 7.7.17
20. CavanaughTocci – 1<sup>st</sup> Comments on the Sound Study 7.18.17

160 High Street Lot 1 Development Plan & Stormwater Management Permit Amendment, 1<sup>st</sup> Public Hearing

1. Application for Development Plan Amendment to Lot 1 – 7.6.17
2. Application for Development Plan Amendment to Lot 1 – signed – Rcvd 7.11.17
3. Abutters List – Certified 7.7.17
4. Deputy Fire Chief Mark Poirier Comments 7.7.17
5. Kelly Engineering Letter RE Amendment to 160 High Street Lot 1 - 7.6.17
6. Tech Environmental Memorandum – Acoustical Evaluation 6.27.17
7. Plan Set - 1st Submission 6.27.17
8. Plans – Fire Access 6.27.17
9. Drainage Calculations – Supplemental 6.27.17
10. Public Hearing Notice
11. CavanaughTocci – 1<sup>st</sup> Comments on the Sound Study 7.18.17
12. PSC Comments regarding Stormwater Management 7.23.17

Irving Oil Gas Station Development Plan & Stormwater Management Permit

1. BSC – 1<sup>st</sup> Comments 7.10.17
2. GPI Response to Traffic Peer Review Comments 7.24.17
3. GPI Supplemental Traffic Analysis 7.14.17
4. Sight Line Triangle Plan 7.24.17
5. MHF Response to BSC Peer Review Dated 7.10.17 – 7.24.17
6. Plans – 2<sup>nd</sup> Submission 7.24.17
7. MHF Waiver Requests 7.24.17
1. Stormwater Management Report 7.24.17
2. DiMartino Comments RE Westminster Drains Modifications 7.25.17

Minutes Accepted on: 8/10/17  
(Date)

Jean Keyes  
(Prepared by: Jean Keyes)

Brian T. Salisbury  
Brian T. Salisbury

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