



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
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PlanningBoard@bellinghamma.org

Meeting Minutes August 10, 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.

Discussion:

☐ **Highridge Road, Lots 27A & 28A – Merit Homes LLC**

JSK explained the reason for the discussion and the documentation provided for the Board to review.

Present: Tim Jones, Applicant.

Mr. Jones explained that he received a variance from the ZBA to build a subdivision with less than 10 lots and that now he wants to split off one of those lots as an ANR. Mr. Jones further stated that he is not increasing the number of lots (87) but just changing one to an ANR lot.

The Board held a lengthy discussion but agreed that the Definitive Subdivision Plan must be modified to change the number of lots that are on the approved plan. Changing the lots to another configuration is a modification to that plan.

JSK stated that the ANR plan does not meet the Subdivision Rules and Regulations standards and thinks that Mr. Jones needs to modify the permit because the lot needs to be substantially in conformance with the lots on the plan. JSK agreed that the ANR not the right avenue.

The Board asked Mr. Jones to reconsider his options and talk to his legal counsel about those options.

☐ **ANR – Highridge Road, Lots 27A & 28A – Merit Homes LLC**

Based upon the discussion described above, the Board did not sign the ANR Plan.

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: 8/31/17

JSK explained that the Applicant has requested a continuance because the first peer review comments have not come back yet.

BTS: Motion to continue the public hearing for the Stall Brook Business Park Development Plan, Stormwater Management Permit, Scenic Road Permit, and Bulk Storage Special Permit, 187 Farm Street to August 24, 2017 at 7:00 p.m.

WFO: Second.

Discussion: None.

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

Irving Oil 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.

Present: Frank C. Monteiro, Principal, MHF Design Consultants, Inc., Mike McLaughlin, of Irving Oil Marking, Applicant, traffic consultant Heather Monticup of GPI, Richard Cornetta, Attorney, Town Peer Reviewer, Frank DiPetro from BSC

Mr. Monteiro gave the Board an update on the progress to date and the minor changes that were made to the plan. Additionally, he explained that their title attorney is researching the paper street issue and if they cannot obtain the necessary information to use that street, they will redesign the detention basin to be completely on one lot.

The Board questioned the cleanup of the debris on the rear of the paper street. JSK clarified that the DPW will be cleaning the catch basins but will not be clearing out the debris on the rear of the paper street.

Mr. DiPetro explained that he has read all the materials and has responded to all comments from the Applicant. The stormwater flow off the site will be reduced from pre-development conditions and the stormwater will be properly treated.

Ms. Monticup gave an update on the traffic analysis due to the elimination of one driveway on Pulaski Boulevard. BCS agreed with the placement of the driveway and explained they are requesting a waiver from the Board for the pass-by rate. The analysis says that the T-intersection works better than the 4-way intersection if the driveway were to be lined up with Arthur Street as there are more conflict points at a 4-way intersection as opposed to an off-set intersection.

Ms. Monticup addressed Mr. Lussier's concerns submitted in his email dated August 8, 2017. She explained that the Irving site driveway is south of the Thundermist carwash driveway. Mr. Lussier claimed that the majority of trips go left out of his site. Ms. Monticup clarified that the Irving site less than a seven second impact delay on the Thundermist carwash driveway and that it does not change the level of service. Additionally, Ms. Monticup explained that Mr. Lussier stated that his business is a leisure business so his peak traffic times do not coincide with peak commuter traffic.

JSK clarified several points that have to be addressed by the Board and the Applicant including fuel delivery and Mr. Monteiro responded that he will check on fuel delivery times and get back to Board.

Public Comments and Questions:

John Murray, owner of several businesses on Pulaski Boulevard stated that there has been a gas station on this site for 52 years and Westminster Street has always worked fine. People using Westminster are people who know it. The variable in last two years is that the new Cumberland Farms has created problems with entering and exiting both at that site and at the Honey Dew donuts site. One driveway on Pulaski Boulevard at Cumberland Farms creates a cluster of traffic problems but two driveways would have alleviated some traffic. The Board has a choice to make this site easier. The Board clarified that in the Cumberland Farms situation, they did not want Cumberland Farms' southern driveway so close to Winter Street. The Board asked Mr. Murray if he has a problem with people turning left out of his driveway and Mr. Murray said no. Mr. Murray then stated that people are afraid to walk up Pulaski Boulevard at night because it is so dark. His site is very well lit and his neighbors appreciate that. JSK responded that this is the reason why the Board has required the Applicant to install street lighting that is very well lit.

John Sexton of 340 Pulaski Boulevard stated that he is present to represent the Oakland Avenue Realty Trust. He questioned who will be checking on the paper streets. JSK responded that use of that street will be conditioned in the Decision that it has to be reviewed by Town Counsel. Mr. Sexton stated that Oakland Ave and Savern Street travel along the side of Coyle's parking lot and he is not sure who owns Savern. Mr. Sexton is not convinced that Oakland Ave goes with this property and he intends to protect the rights of the owner and it does not have a current use. Mr. Sexton asked if the Applicant will be installing fencing and the Board responded yes. The Board advised Mr. Sexton to get a lawyer to navigate his rights.

Ron Lussier of 26 Wrentham Street stated that Ms. Monticup's statement is false that the traffic would be worse if the driveway on Pulaski Boulevard lined up with Arthur Street. At the last meeting, GPI stated that an offset driveway would be ideal. Mr. Lussier explained both with language and by a plan drawn by him how the traffic exiting Thundermist carwash, which he owns, would conflict with the traffic exiting left out of Irving. Mr. Lussier further stated that 75% of his customers are from Rhode Island and have to turn left to exit but GPI stated now that most customers would turn right out. Thundermist's peak hours are all day long with Saturday being the slowest day and that there have been zero accidents in 10 years at his site. Mr. Lussier explained that he would like the driveway located opposite Arthur Street so there will be no bottleneck at the carwash. Additionally, Mr. Lussier stated that he is very happy that Irving is coming to the area. Mr. Lussier asked the Board if the traffic engineer he has hired can make a presentation to this Board and can talk to GPI and BSC. BTS responded that Mr. Lussier does not need the Board's permission to hire an engineer. JSK clarified that Mass General Law describes that the Applicant has to pay for the Town to hire peer review services to review the project.

Linda Trudeau of 20 Westminster Ave questioned which party decides who has the right to access the detention pond and paper street. The Board explained that the Applicant and Bellingham Town Counsel would review the situation and documentation. Ms. Trudeau stated that it is wonderful to have businesses coming into the area and also questioned if lighting will be changed. Mr. Monteiro responded that the street lamps along the road will be moved onto the site and. Ms. Trudeau also questioned the liner under detention pond and Mr. DiPetro responded that it will be 6" below the bottom of the basin and extend under the sides.

BTS: Motion to continue the public hearing for Irving Oil Gas Station, 310 and 320 Pulaski Boulevard, Development Plan and Stormwater Management Permit to August 24, 2017 at 7:00 p.m.

PCP: Second.

Discussion: None.

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

Discussion:☐ **Bulk Storage Zoning By-Law Revision**

JSK explained that BWL and the Board previously proposed that the bylaw be reviewed and changed and he has incorporated recommendations into the proposed bylaw. The changes would include defining bulk storage as an accessory use to a functioning business with an office. Also, it associates bulk storage with a contractor's yard and a special permit is needed. A new general bylaw is proposed that has a licensing process with a cap on the number of licenses issued, such as the used car licensing. The proposed cap would be five. The Board of Selectmen would issue the licenses and would decide if the licensees would be transferrable. The purpose of this discussion is to decide to move forward and put it on the warrant for the next town meeting. The language will change during the public hearing discussion, but the Board needs to put a placeholder on the warrant. As proposed, a license has to be available to an Applicant before they come to the Planning Board for a Special Permit.

BWL stated that he would like to restrict bulk storage as much as possible. He is concerned about two additional bulk storage projects coming before the Board shortly and believes that they need a direction before they submit. BWL stated that a proposal of a general bylaw negates any grandfathering of a proposal after the fact. BWL clarified that a contractor's yard has many components and should be restricted. Once the bylaw is proposed, it prevents grandfathering. Specifically, BWL requested additional requirements for bulk storage and materials used in a contractor's yard to be added to the proposal presented before the Board. BWL would like to see requirements for indoor storage only, that indoor storage must be sprinkled, and limit the heights to 20 feet.

PCP: Motion to advance the bylaw review process and place it on the Town Warrant for the October Town Meeting.

WFO: Second.

Discussion: None.

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

General Business:

- ☐ **As-Built Certifications**
- ☐ **7/27/17 Minutes Signing**

BTS: Motion to sign the July 27, 2017 Meeting Minutes with the correction stated by DJT.

WFO: Second.

Discussion: None.

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

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

BTS: Motion to adjourn.

WFO: Second.

Discussion: None.

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

Meeting Adjourned at 9:15 p.m.

8/10/17 Public Hearing Documents List

Irving Oil Gas Station Development Plan & Stormwater Management Permit

1. Property Record Card for 351 Pulaski Blvd – Thundermist Car Wash 8.1.17
2. GPI Traffic Analysis at Thundermist Car Wash 8.1.17
3. BSC – 2nd Comments 8.2.17
4. MHF Response to BSC 2nd Peer Review Comments 8.7.17
5. Plans – 3rd Submission 8.4.17
6. Stormwater Management Report 8.4.17
7. DiMartino Comments 8.9.17

Public Comments:

1. Ronald Lussier email dated 8.8.17

Highridge Road Discussion for Lots 27A and 28A

1. Highridge Estates – Special Permit Decision 10.26.2000
2. Highridge Estates – Definitive Subdivision Decision 7.9.2001
3. ZBA Variance for Major Residential Development 8.1.13
4. Highridge Estates – Agreement between Applicant and Town 9.7.16
5. Land Planning Letter RE No Modification 8.8.17

Bulk Storage Use and Zoning Bylaw Amendment

1. Kupfer Staff Memo RE Bulk Storage DRAFT Zoning Bylaw Changes 8.8.17

Minutes Accepted on: _____

(Date)

(Prepared by: Jean Keyes)

Brian T. Salisbury

William F. O'Connell Jr.

Peter C. Pappas

Dennis J. Trembino

Bruce W. Lord