



# BELLINGHAM PLANNING BOARD

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10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
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## Meeting Minutes August 24, 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 - absent  
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 thanked Tom Donnelly for working the cable TV equipment for 5 years.

### **Irving Oil Gas Station, 310 and 320 Pulaski Boulevard, Development Plan and Stormwater Management Permit, Continued Public Hearing. Decision Date: 9/15/17**

PCP questioned the reason for the continuation and JSK explained.

**BTS: Motion to continue the public hearing for Irving Oil Gas Station, 310 and 320 Pulaski Boulevard, Development Plan, and Stormwater Management Permit to September 14, 2017 at 7:00 p.m.**

DJT: Second.

Discussion: None.

Vote: 4-0 Carried. (BTS, 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: 8/25/17**

Present: JP Connolly, Andrews Survey & Engineering

PD recused himself from the discussion as Associate Board Member because he is an abutter to this project.

JP Connolly submitted a new Plan at the meeting dated 7/6/17. This plan was not submitted prior to the meeting and JSK instructed Mr. Connolly that the Board has not had time to review the revision. Additionally, he reminded Mr. Connolly that all documentation must be submitted prior to the meeting. Mr. Connolly explained the changes to the plan, drainage basins, and the feedback that he has received from

National Grid. This project will require a lot of earth removal and the Applicant will be submitting an earth removal special permit application to the Zoning Board.

The Board was dissatisfied with the lack of information and an assent letter from National Grid concerning their easement. Mr. Connolly does not know how long it will be until this letter. The Board is reluctant to proceed without that letter in hand and is also reluctant to condition the Decision. The Board is also concerned about the standing water on the site and does not like the very high 20' grade behind the furthest house as it is very close to the house. Mr. Connolly responded that all water is draining away from the house and the building footprint can be changed. He stated that he can meet the zoning bylaws and subdivision regulations.

JSK explained that a peer review of the newly revised plan must be completed and that the Board is in a holding pattern until National Grid provides the assent letter.

**BTS: Motion to continue the Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard public hearing to September 28, 2017 at 7:00 p.m.**

DJT: Second.

Discussion: PCP stated that adding a condition to the Decision about National Grid may have to be an option.

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

**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: 9/29/17**

JSK explained the reason for the continuance.

**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 xxx at 7:00 p.m.**

DJT: Second.

Discussion: None.

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

**24 Williams Way, Map 48 Lots 1-3 and 15, Preliminary Subdivision, 1<sup>st</sup> meeting. Decision Date: 11/4/17**

JSK explained the preliminary subdivision project before the Board.

Present – Mr. Jesse Johnson of Bohler Engineering, Matt Clark the Applicant and Tom Clark

Mr. Johnson explained the project and the preliminary plan. Would like feedback on four potential waivers:

1. Second egress waiver as there is no viability for the second egress. This will be a private roadway and it is typical for large residential subdivision or a very large industrial subdivision.
2. Waiver to off-set the center of right of way for the road. They have shifted the road to allow for better grades and they don't have to have sidewalks because it is an industrial subdivision.
3. Waiver from the water main looping requirement. They have no way to loop the water main.
4. Waiver from the cross-section requirement for an industrial roadway with curbing and sidewalks on both sides.

BTS stated that a 2<sup>nd</sup> egress is not necessary but the Board will have to get feedback from a peer reviewer and the Fire and Police departments.

BTS stated that the Board is very sensitive to residential abutters and would like the Applicant to minimize impacts. Mr. Johnson explained that the proposed structure would be 500' to abutters.

JSK added that the Applicant must expand the stormwater basin or add second basin. Mr. Johnson responded that he will design the basin based upon the end user and the size of buildings. JSK expressed his interest in holding a Site visit with the Board once an application for a Definitive Subdivision has been submitted.

JSK stated that he is very concerned about the clearing that has already been done on property and both he and the Building Inspector, Tim Aicardi have asked the Applicant to install erosion controls to ensure that nothing washes off the site onto other properties. Finally, JSK stated that the 100' buffer is a requirement and he would like the Applicant to enhance that.

**BTS: Motion to accept the Preliminary Plan subject to conditions the meeting concerning the 24 Williams Way, Map 48 Lots 1-3 and 15, Preliminary Subdivision.**

BWL: Second.

Discussion: None.

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

**JD Raymond, 174 Maple Street, Development Plan and Stormwater Management Permit, 1st Public Hearing. Decision Date: 9/5/17**

JSK read the public hearing notice.

**BTS: Motion to open the public hearing for JD Raymond, 174 Maple Street, Development Plan and Stormwater Management Permit.**

PCP: Second.

Discussion: None.

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

Present – Attorney Gary M. Hogan and Engineer Matthew A. Waterman for the Applicant.

Attorney Hogan gave explanation of background of this property and explained that this Development Plan process was initiated due the Cease and Desist Order issued by the Town. This has been s a bulk storage facility for 30 years and is zoned industrial. They have cleaned up the site and they run more efficiently and more quietly, but they want to address the concerns and complaints relative to the site to make fairly significant improvements that address noise, traffic, and aesthetics. They want to be a better neighbor for the town.

JSK added that the Zoning Board of Appeals (ZBA) has heard this Cease and Desist issue and was trying to determine if a Special Permit was necessary. After lengthy Discussion with the Applicant a compromise with ZBA was reached and the ZBA directed the Applicant to submit a Development Plan application and a Development Agreement. JSK further stated that a decision has not yet been issued by the ZBA and it is his opinion that it is premature for the Planning Board to act on a project that has an active Cease and Desist order. Once the ZBA has issued a decision, then the Planning Board can act on this Development Plan review.

BWL stated that these properties are a mess and are horrible and they are not what the Town wants. He believes that the Cease and Desist Order was proper and should be enforced and the Planning Board should not act on this now.

Mr. Waterman reiterated that the reason the Applicant is here tonight is due to the negotiating with the ZBA and promised to ZBA that this Development Plan will be filed and to show progress. They are just following through with what was promised to ZBA and they were not trying to circumvent the ZBA. The Planning Board agreed and stated that they did not interpret his filing as trying to circumvent the ZBA.

**BTS: Motion to continue the public hearing for JD Raymond, 174 Maple Street, Development Plan and Stormwater Management Permit to September 14, 2017 at 7:00 p.m.**

DJT: Second.

Discussion: None.

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

**General Business:**

☐ **ANR – Behind Mohawk Path & Plymouth Rd, Map 14, Parcel 42 – Gately**

Present: Paul DiSimone of Colonial Engineering stated that he will provide a pdf of the signed plan and the proof of recording to the Planning Department.

JSK explained the ANR and BWL recused himself from the ANR.

**BTS: Motion to sign the ANR for Map 14, Parcel 42.**

DJT: Second.

Discussion: None.

Vote: 3-0 Carried. (BTS, PCP, DJT)

☐ **As-Built Certifications**

☐ **8/10/17 Minutes Signing**

**BTS: Motion to sign the August 10, 2017 Meeting Minutes.**

BWL: Second.

Discussion: None.

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

☐ **Board Payroll Signing**

**BTS: Motion to sign the Board's payroll for July – September 2017.**

BWL: Second.

Discussion: None.

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

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

PCP asked JSK about several ongoing issues including the Dunkin Donuts curb cut and sign at the corner of Route 126 and Hartford Ave, the Cumberland Farms ponding issue, Taft Estates, and the Ron Bonvie over 55 development.

**BTS: Motion to adjourn.**

DJT: Second.

Discussion: None.

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

Meeting Adjourned at 8:14 p.m.

**8/24/17 Public Hearing Documents List**

Irving Oil Gas Station Development Plan and Stormwater Management Permit

1. Attorney Cornetta Continuance Request 8.22.17

Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit

Stall Brook Business Park Development Plan, Stormwater

1. PSC – 1<sup>st</sup> Comments 8.15.17

24 Williams Way Preliminary Subdivision

1. Abutters List – Certified 7.18.17
2. Application – Preliminary Subdivision 8.3.17
3. Bohler Engineering – Narrative 8.3.17
4. Plans – 1<sup>st</sup> Submission 8.2.17
5. Public Notice 8.4.17

JD Raymond, 174 Maple Street Development Plan & Stormwater Management Permit

1. Abutters List – Certified 7.26.17
2. Application – Development Plan 8.4.17
3. Application – Stormwater Management Plan 8.4.17
4. CavanaughTocci – Sound Report – Final 7.31.17
5. Certificate of Ownership 8.4.17
6. Fire Prevention Plan – Received 8.4.17
7. Flood Insurance Rate Map 7.17.12
8. Land Tech Letter RE Project Filing 8.3.17
9. Locus Map 8.3.17
10. Narrative 8.3.17
11. NEHS Habitat Map – Received 8.3.17
12. NRCS Soil Survey 7.13.17
13. Plans – 1<sup>st</sup> Submission 8.3.17
14. Quitclaim Deed – Recorded 1.31.14
15. Stormwater Management Report 8.2.17
16. TEPP LLC Traffic Assessment 8.2.17
17. Public Hearing Notice 8.4.17
18. DiMartino Comments 8.9.17

MINUTES OF THE PLANNING BOARD MEETING

August 24, 2017

Minutes Accepted on: 9/14/17  
(Date)

Jean Keyes  
(Prepared by: Jean Keyes)

Brian T. Salisbury  
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William F. O'Connell Jr.  
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