



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 657-2892 PlanningBoard@bellinghamma.org

Meeting Minutes November 9, 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.

Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard, Continued Public Hearing. Definitive Subdivision Decision Deadline: 12/15/17

Present: J.P. Connolly of Andrews Survey & Engineering

JSK explained the project to date and stated that the Applicant has not responded to the peer reviewer's comments. JSK explained that the Board asked for the Applicant to re-notice the abutters using a Certificate of Mailing and asked Mr. Connolly if he has complied. Mr. Connolly responded that he mailed the notices on November 7, 2017. The Board was concerned that the notice was not mailed in time for the abutters to receive it and attend the meeting. Mr. Connolly offered to re-notice for the next meeting and did not expect to close the public hearing tonight. PCP explained that the Board re-noticed the abutters as a courtesy. BTS stated that Mr. Connolly should re-notice for the next hearing and do so in a timely manner.

Mr. Connolly explained the updates to the plan and discussed the easement deed that is dated July 19, 1946. Mr. Connolly also explained that the basin will be relocated outside the right of way in an area between Lots 1 and 2. Consequently, the Applicant will have to ask for a waiver because the basin will not be on a separate parcel. Mr. Connolly also submitted an easement deed that he believes shows evidence of a 60' wide easement and suggested that National Grid agrees with the 60' easement.

BWL responded that there is no documentation showing that National Grid has agreed to the 60' wide easement and the easement deed dated July 12, 1962 shows a 100' easement. PCP added that National Grid states specifically that their letter is not definitive concerning allowing the Applicant to use the easement and the Board does not know how long it will take the utility company to make a determination. PCP suggested that they review the project as if the easement were not available.

BTS spoke to Mr. Connolly and explained that the Board has told the Applicant many times that this plan is not viable because of the potential problems that may be generated. He suggested that the Applicant may want to withdraw and come back once they have a definitive plan and determination from National Grid concerning the easement.

Mr. Connolly agreed to explain this information to the Applicant and will respond to the Board with an answer by the next meeting.

Public Questions and Comments:

Stacey Danner of 4 Deer Run would like a copy of the plan and was directed by JSK to check the website. Ms. Danner asked if the Board will have a decision at the next meeting or will Mr. Connolly talk to the Applicant and withdraw. Mr. Connolly explained that they could withdraw and reapply when everything is ready. Ms. Danner asked if he will come to the meeting with a plan that the Board can vote on and Mr. Connolly responded that he hopes so.

The Board then instructed JSK that in the future, they would like all documentation to be submitted to the Planning Department on the Friday before the meeting. JSK agreed to post this change and will enforce this deadline immediately.

The Board gave notice to Mr. Connolly that they Board will be making a decision on this project at the next meeting so the Applicant should be ready to move forward or should withdraw the project.

BTS: Motion to continue the Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard public hearing to January 11, 2018 at 7:00 p.m. with re-notice to the abutters.

BWL: Second.

Discussion: None.

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

Asphalt Engineering LLC, 190 Farm Street, Industrial Building Development Plan and Stormwater Management Plan Permit, Continued Public Hearing. Development Plan Decision Date: 11/26/17

JSK explained the project to date.

Present: Mark Allen, Allen Engineering and Applicants Nate Moreland and Erin Moreland.

Mr. Allen explained that the Stormwater Operation and Maintenance Plan has been completed he provided a copy to JSK. BTS clarified all conditions.

Ms. Moreland requested that they be allowed to keep the garage doors open while working as the work generates very little noise. BWL agreed but made the Applicant aware that they will be subject to zoning noise regulations.

WFO asked about the Stormwater Operation and Maintenance Plan and the possible use of de-icing material. Ms. Moreland responded that they do all own snow removal and do not use de-icing materials.

The Board discussed the driveway entrances and exits and JSK suggested that the signage at the entrances be marked clearly with trucks only where appropriate to prevent conflicts between cars and trucks. PD questioned item #4 of the peer review's 2nd Comments and Mr. Allen clarified.

The Board discussed when a decision could be signed and BWL stated that he would like the Plan sheet Page 1 – Overall Site Plan – 11.8.17 incorporated into the final plan set and all previous decision mentioned in this decision. JSK responded that he could have the decision drafted Monday night and then send it to Town Counsel but he does not know when it will come back. The Board agreed to tentatively hold a meeting on the November 16, 2017 at 7:00 p.m. to sign the decision if it comes back from Town Counsel in time for the Agenda to be posted.

BTS: Motion to close the public hearing for the Asphalt Engineering LLC, 190 Farm Street, Industrial Building Development Plan and Stormwater Management Plan Permit.

DJT: Second.

Discussion: None.

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

BTS: Motion to draft a favorable decision for the Asphalt Engineering LLC, 190 Farm Street, Industrial Building Development Plan and Stormwater Management Plan Permit.

WFO: Second.

Discussion: None.

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

General Business:

- ☐ **ANR**
- ☐ **As-Built Certifications**
- ☐ **10/26/17 Minutes Signing**

WFO: Motion to approve the 10/26/17 Meeting Minutes

PCP: Second.

Discussion: None.

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

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

WFO: Motion to adjourn.

PCP: Second.

Discussion: None.

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

Meeting Adjourned at 7:50 p.m.

November 9, 2017 Public Hearing Documents List

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

1. PSC – 2nd Comments
2. National Grid Letter 9.27.17
3. Plan – Lot 1 Floor Plan 10.15.17
4. Plan – Lot 2 Floor Plan 7.29.03
5. Plan – Lot 3 Floor Plan 6.30.16
6. Plans – 3rd Submission 11.3.17
7. Stormwater Management Report & O&M Plan 11.3.17
8. Easement Deed - Submitted by Applicant 7.19.1946 – submitted at the meeting

Public Comments:

1. Easement Deed provided by Phil Devine of 8 Deer Run Road who is a direct abutter 7.12.1962

Asphalt Engineering LLC, 190 Farm Street, Industrial Building Development Plan and Stormwater Management Plan Permit

1. Plans – 2nd Submission 11.3.17
2. Allen Engineering – 1st Response Letter 11.3.17
3. Refueling Plan 11.7.17
4. PSC – 2nd Comments 11.8.17
5. Stormwater Management System O&M Plan 9.21.17 – submitted at the meeting
6. Plan sheet Page 1 – Overall Site Plan – 11.8.17 – submitted at the meeting

Minutes Accepted on: 12/14/17
(Date)

Jean Keyes
(Prepared by: Jean Keyes)

Brian T. Salisbury
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