



BELLINGHAM PLANNING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
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Meeting Minutes April 26, 2018

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
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.

Bellingham Shores, Cross Street/Silver Lake Road/South Main Street Preliminary Subdivision meeting. Decision Deadline: 5/25/2018

JSK explained the status of the project.

Present: Elizabeth Mainini of Guerriere & Halnon

Ms. Mainini explained that the Applicant wants to provide additional information that was requested at the last meeting specifically the buildability of the lots shown on the Yield Plan.

JSK explained that the Applicant was supposed to provide the upland and impervious thresholds in chart format and were supposed to be working through a peer review to confirm this information. However, the Applicant has not provided any of the information requested and has not responded to his requests to have a peer started.

Ms. Mainini responded that the Applicant is hesitant to go through a full peer review because the yield plan is very similar to the previous yield plan.

BTS and the Board were very concerned that the reason for this continuance is because the Applicant does not want negative comments made about the Silver Lake project at the meeting concerning this project. In addition, the Board stated very clearly that they do not continue matters for PR reasons. BTS stated that it he finds it troubling that the Board has been asked to continue this meeting when the Applicant has not responded to the Town's requests and that public has made an effort to attend. Ms. Mainini clarified that it was Guerriere and Halnon's recommendation to request a continuance not the Applicant's and that they did not want negative comments about the Silver Lake Road project to affect this project.

WFO stated that the Board has a lot of concerns about this project. The Board represents the citizens of this town and are also residents. The Silver Lake Road project is connected to this project by the fact that it is the same builder/developer. WFO added that he is very sorry and is reluctant to give a continuance based on the Applicant's lack of cooperation with the Town. WFO further clarified that he is only keeping in mind the behavior of the developer of the Silver Lake Road project and not the actual problems of with that subdivision.

JSK stated that there is a yield plan but the Board is asking for more details on the plan and then verification of that yield plan by a peer reviewer. Ms. Mainini responded that the Applicant believes it does not make sense to do a full peer review because very little has changed from the previous plan. BTS responded that previously the Board and the Applicant agreed with a course of action and you are wasting the Board's time now due to a perceived PR issue. Ms. Mainini disagreed with that statement and stated that there was no way to prevent the public from attending and voicing concerns about the other project. But these are two separate projects and at the previous meeting the residents were concerned with the other project. WFO added that he Board is familiar Mr. Fafard's history. People have their right to express their concerns about the environment they are living in now in the other project.

The Board and JSK agreed that they would like a full peer review of the Yield Plan to confirm the data.

Public Comments:

Melissa Vaillancourt of 99 Silver Lake Road stated that she does not appreciate this request for a continuance and it is frustrating that the work on the Silver Lake Road project has not been completed. She asked Ms. Mainini to please appreciate the amount of distrust and frustration that the residents have with her client. The developer has a crappy record and has destroyed everything that was wonderful about her house. Ms. Vaillancourt further stated that she is really impressed with the Board and their actions to date concerning this project.

Debra Kasper of 30 Cross Street is very concerned about the trash on her street. She stated that the DPW told her that it is the landowner's responsibility to clean up the trash.

John Constantino of 83 Silver Lake Road stated that there was a lot of debris from the Cross Street project that was dumped in the swale on his road. When the developer started to clean it up, he took it and put it behind someone's fence. In addition, there is also piping left over from the construction on Cross St. The debris is not even on Fafard's property but he was supposed to clean it up. PCP suggested that the homeowner where the trash is located should report it to the Board of Health.

PCP: Motion to continue meeting for the Bellingham Shores, Cross Street/Silver Lake Road/South Main Street Preliminary Subdivision to June 14, 2018 at 7:00 p.m.

BTS: Second.

Discussion: None.

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

Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard, Continued Public Hearing. Definitive Subdivision Deadline: 5/18/18.

JSK explained the status of the project and that the PSC's comments came in today.

PD recused himself as he is a direct abutter.

Present: Stephen O'Connell, Andrews Survey & Engineering

Mr. O'Connell explained the current revisions to the plan and that the Conservation Commission (Con Com) and JSK found a vernal pool in the front lot and so Parcel A will not be used for a house lot. The final peer review comments from PSC came in today and stated that all items have been addressed.

JSK explained that PSC recommended that some language be updated and recommends that the Board not close the public hearing until those changes have been made.

PCP asked that the Decision be conditioned so that nothing can be put into the vernal pool by homeowners. JSK added that the Board has a letter in their packets from the Con Com with its recommendations for both the Board and the Homeowner's Association and these recommendations can be included in the Decision.

The Board agreed to waive the requirement that the basin must be located on a lot that does not contain a house. The Board also agreed that the basin could be partially located within a house lot.

Public Comments and Questions:

John Walden of 5 Deer Run Road is very concerned about the detention basin as the one already on Deer Run looks horrible. Additionally, he does not want to look a chain link fence and a nasty, unmaintained area. BTS asked the Applicant if he will plant shrubbery to screen the basin and Mr. Stephen O'Connell responded that if the fence requirement is waived, the detention basin will hardly be noticed. He also agreed to add shrubbery to the side of the basin on Deer Run Road. Mr. Walden was concerned that snow will be plowed across Deer Run Road and into his property and PCP responded that this will not be allowed.

Phil Devine of 8 Deer Run Road stated that this has been going on for 1 ½ year and the plans have been heavily vetted plan. He is concerned about stormwater issues and asked if the Plans can remain exactly as drawn so that the houses aren't moved around. Can the foundation locations be conditions as part of this project? JSK responded that there may be some minor alterations and the Board agreed that they are not concerned about the minor alterations. Mr. Devine is also concerned that the Applicant will be back in front of the Board looking for the 3rd house. Mr. Stephen O'Connell responded that the third lot does have enough frontage to be a conventional lot or a backlot.

JSK listed conditions of the Decision for the Board.

PCP: Motion to draft a favorable decision for the Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard, Continued Public Hearing.

DJT: Second.

Discussion: None.

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

BTS: Motion to accept the Withdrawal Without Prejudice of the Backlot Division Special Permit, 799-801 Pulaski Boulevard.

WFO: Second.

Discussion: None.

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

BTS: Motion to continue the Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard, Continued Public Hearing to May 10, 2018 at 7:00 p.m.

DJT: Second.

Discussion: None.

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

300 Hartford Ave Development Plan Modification and Development Plan, Stormwater Management Plan Permit, and Flexible Parking Special Permit. Development Plan Modification and Development Plan Decision Deadlines: 4/27/18.

JSK explained the status of the project and the documents received to date.

Present: Travis Brown, Andrews Survey & Engineering, Ross Smith, Applicant on behalf of the Self-Storage Facility, Tom Pozerski, Merrill Engineers on behalf of the car wash project.

Mr. Brown explained the status to date and the changes to the plans and added that a vernal pool has been on the site and he will revise the plans to be 50' away from that pool. Soil testing is scheduled. JSK reminded Mr. Brown that the drainage system must be 50' away from the vernal pool.

Mr. Pozerski explained the plan, the location of the car wash, the queuing lanes, the landscaping, signage, and fire turning safety information. He stated that the car wash will not be impacting the stormwater system or the Dunkin Donuts drive through. JSK explained that Mr. Pozerski has to use the Town's auto turn plan.

Mr. Pozerski explained the traffic data based upon actual car wash sites in other areas. This real-time traffic data shows that a full traffic study is not required and he respectfully asked the Board to waive this requirement. JSK asked if the Applicant can provide traffic evidence of near-by self-storage and car washes. Mr. Brown did provide numbers for self-storage and Mr. Pozerski stated that he can provide additional information as well. JSK added that the peer review will be looking at traffic as well.

PCP agreed that the car wash does not need a traffic study. However he and BTS disagreed with the location of car wash and asked Mr. Pozerski if he considered moving the car wash to the back of the lot behind the building. Mr. Pozerski responded that he believes that the rear location is less favorable and car stacking will cause more confusion. The Applicant will add signs, curbing, and lane markings so those exiting from the car wash will have a nice clean exit out of the site.

WFO asked if a guardrail can be installed in front of the gas storage tanks and Mr. Pozerski responded that they will do that. DJT would like the Applicant to check to be sure there enough frontage in front of the car wash so person exiting can detail their car.

BTS asked about the status of screening for the abutters and Mr. Brown offered to extend the existing 8' fence.

Diane Cerminara of 306 Hartford Ave asked if the storage building be moved back and the fencing be extended to shield them. Mr. Brown responded that the proposed plan reflects this and the abutter would not see into the facility. Unfortunately, the front building cannot be moved back.

Joe Cerminara of 306 Hartford Ave asked if bushes will be planted or will the fence be pushed back so he does not have to look at it. He thinks the project is great but wants the fence pushed 5' back and to be screened by bushes. BTS stated that the Board is sensitive to abutters and works with the Applicant so they are properly screened. The Applicant has expressed desire to work with abutters to come to an agreement. However, the Board is currently in the middle of this review process and hopefully the Applicant and Mr. Cerminara can come to an agreement.

JSK stated that he would like the Applicant to consolidate signs so that there is one sign showing the various business on the site. Mr. Pozerski stated that he is planning to work with Mr. Brown about this. Finally, JSK reminded the Applicants that an assent letter must be provided from the Algonquin Gas Company.

BTS: Motion to continue the 300 Hartford Ave Development Plan Modification and Development Plan, Stormwater Management Plan Permit, and Flexible Parking Special Permit, Continued Public Hearing to May 10, 2018 at 7:00 p.m.

WFO: Second.

Discussion: None.

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

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: 4/30/18

JSK explained the status of the project and that while the Bulk Storage Permit is a grandfathered use, a license is required from the BOS. JSK explained the waivers have been approved.

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

BTS: Motion to close 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.

DJT: Second.

Discussion: None.

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

BTS: Motion to Approve the Stall Brook Business Park Development Plan, Stormwater Management Permit, Scenic Road Permit, and Bulk Storage Special Permit at 187 Farm Street.

WFO: Second.

Discussion: None.

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

Discussion:

- ☐ **Hartford Village II & Hartford Village – Inclusionary Housing Discussion - canceled**
- ☐ **Ann-Marie's Meadows Definitive Subdivision – Form G - Certificate of Release – Lot Releases**

JSK explained the request and all items have been completed.

WFO: Motion to sign the Form G – Certificate of Release for Ann-Marie's Meadows Definitive Subdivision.

DJT: Second.

Discussion: None.

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

- ☐ **Macy Estates Definitive Subdivision – Stormwater Pollution Prevention Plan (SWPPP)- Discussion**

JSK explained the SWPPP

Present: Mark Allen, Allen Engineering

Mr. Allen explained the reason for the SWPPP. All erosion controls have been staked & inspected and the road has been staked. JSK stated that he and Don DiMartino, DPW Director, have reviewed the SWPPP and have found it acceptable.

WFO: Motion to Approved the Stormwater Pollution Prevention Plan for the Macy Estates Definitive Subdivision.

BTS: Second.

Discussion: None.

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

General Business:

- ☐ **ANR**
- ☐ **As-Built Certifications**
- ☐ **4/12/18 Minutes Signing**

BTS: Motion to sign the April 12, 2018 Meeting Minutes.

WFO: Second.

Discussion: None.

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

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

WFO: Motion to adjourn.

DJT: Second.

Discussion: None.

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

Meeting Adjourned at 9:15 p.m.

4/26/18 Public Hearing Documents List

Bellingham Shores, Cross Street/Silver Lake Road/South Main Street Preliminary Subdivision meeting

1. Kupfer – Yield Plan Mark Up 4.19.18

Nerina Estates Definitive Subdivision, Stormwater Management Permit, and Backlot Division Special Permit, 799-801 Pulaski Boulevard, Continued Public Hearing.

1. Andrews Survey & Eng Response to PSC 3rd Comments 4.6.18
2. Plans - 5th Submission 3.20.18
3. Stormwater Management Report & O&M Plan - Revised 3.20.18
4. Conservation Commission Letter RE Vernal Pool 4.17.18
5. PSC - 4th Comments 4.18.18
6. PSC – 5th Comments 4.26.18
7. PSC – Final Comments 4.26.18

300 Hartford Ave Development Plan Modification, Development Plan, Stormwater Management Permit, and Flexible Parking Special Permit

1. Andrews Survey & Engineering Letter - Agreement for Joint Hearing 4.4.18
2. Plans – 2nd Submission 3.26.18
3. Operation & Maintenance Plan – Revised 3.28.18
4. Stormwater Management Report – Revised 3.26.18
5. Car Wash - Application - Development Plan 4.4.18
6. Car Wash - Certificate of Ownership 4.4.18
7. Car Wash - Quitclaim Deed – Recorded 7.20.17
8. Car Wash - Master Deed of Hartford Ave. Condominium – Recorded 9.21.15
9. Car Wash - Narrative 3.2.18
10. Car Wash - Car Wash Brochure and Specs 4.4.18
11. Car Wash - Plans – 1st Submittal 3.8.18
12. Public Hearing Notice - 2ND Notice 4.26.18
13. Car Wash - Kupfer Staff Checklist 4.10.18
14. DiMartino DPW Comments RE Self Storage 4.18.18
15. DiMartino DPW Comments RE Car Wash 4.18.18
16. Plan – Single-Story Elevation for Self-Storage 4.4.18
17. Plan – Two-Story Elevation for Self-Storage 4.5.18

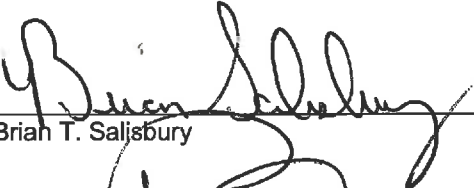
Stall Brook Business Park Development Plan, Stormwater Management Plan Permit, Scenic Road Permit, and Bulk Storage Special Permit

1. Plan Set - 5th Submission 4.16.18
2. Decision - DRAFT - Development Plan and Stormwater Management Plan
3. Decision - DRAFT - Bulk Storage Special Permit
4. Decision - DRAFT - Scenic Road Permit

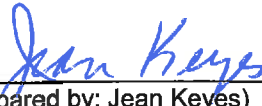
Macy Estates Definitive Subdivision Discussion

1. Stormwater Pollution Prevention Plan (SWPPP) 4.25.18

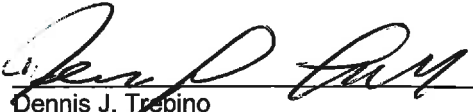
Minutes Accepted on: 5/10/18
(Date)


Brian T. Salisbury


Peter C. Pappas


(Prepared by: Jean Keyes)


William F. O'Connell Jr.


Dennis J. Trebino