



# BELLINGHAM PLANNING BOARD

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

## Meeting Minutes September 27, 2018

**MEETING LOCATION:** ARCAND MEETING ROOM – MUNICIPAL CENTER

### **Present at the Meeting**

William F. O'Connell Jr. (WFO), Chairman  
Brian T. Salisbury (BTS), Vice Chairman  
Peter C. Pappas (PCP), Secretary  
Dennis J. Trebino (DJT), Member  
Russell E. Lafond (REL), Member - absent  
Philip Devine (PD), Associate

### **Other Officials:**

James S. Kupfer (JSK), Town Planner and Zoning Compliance Officer  
Jean Keyes (JK), Planning Board Coordinator - absent

WFO opened the meeting at 7:00 p.m.

### **866 South Main Street Hindu Temple Development Plan and Stormwater Management Plan Permit Continued Public Hearing. Decision Deadline: 10/30/18**

JSK explained the Dover Amendment from Mass General Law and the project and documents received to date.

Present: Travis Brown, Andrews Survey & Engineering, Muthu Meyyappan, Applicant,

Mr. Brown explained the revisions to the plans based upon peer review comments, Conservation Commission (Con Com) comments, and information from the Fire Department. Major change is to the grading of the roadway. The second detention basin was eliminated based upon the changes. The dormitory building has been moved and the duplexes have been moved. Screening has been added to screen an abutter. They conducted a meeting with the abutters to gain input and adjust the plans to accommodate their concerns. They reduced parking by 11 spaces due to the addition of a gravel fire lane. The height of the temple remains the same which is 14' higher than the trees. Mr. Meyyappan stated that they took all comments from the abutters seriously and they have addressed most of their concerns.

JSK added that stormwater will be peer reviewed again. Traffic peer review came back fairly good with some minor changes.

DJT asked about the sidewalk on South Main Street and if the Applicant could extend it from the driveway to the property line. Mr. Mayyappan responded that they could extend the sidewalk.

Police Chief Daigle stated the Fire Department wanted the gravel road to help get apparatus around the site if there are people living in the dormitories. He suggested that the Applicant clarify this with the Fire Department again because there will not be many people in the dormitories. In addition, he would like to see better screening or fencing. Mr. Mayyappan stated that this is one level building and is not meant for long-term residents and they want to do what the Fire Chief wants. JSK asked Mr. Brown if the gravel road was removed and the building remained where it is, could additional screening be provided. Mr. responded that yes additional screening could be provided if the gravel road were removed.

Public questions and Comments: None.

JSK explained the meeting with the Con Com and that the phasing of the project needs to be defined. JSK is concerned about clearing the entire site at once and he recommends delineating phase 1 and 2 and including a condition in the Decision for the phasing plan. Phase 1 would be to clear front area first and Phase 2 would be to clear the back area where the housing would be. Mr. Brown explained that they have proposed a phasing plan. Mr. Mayyappan explained that the construction is based upon fund-raising and agreed with the proposed phasing plan. Mr. Brown explained that the septic system may have to be located in the back and the road to the back of the lot may have to be cut to accommodate.

JSK suggested that the SWPPP be conditioned in the Decision. The parking has been reduced already and Con Com has requested further reductions. He suggested that the Applicant meet with him and the building Inspector to be sure it isn't reduced too much. JSK suggested that "no parking" signs be placed on one side of the driveway to ensure fire access.

**BTS: Motion to continue the public hearing for 866 South Main Street Hindu Temple Development Plan and Stormwater Management Plan Permit to October 11, 2018 at 7:00 p.m.**

DJT: Second.

Discussion: None.

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

**24 William Way Definitive Subdivision, Continued Public Hearing. Decision Deadline: 11/2/18**

**24 William Way Lot 1 Development Plan, Stormwater Management Plan, and Special Permit for Marijuana Cultivation Continued Public Hearing. Development Plan Decision Deadline: 10/2/18**

**24 William Way Lot 2 Development Plan, Stormwater Management Plan, and Special Permit for Marijuana Cultivation Continued Public Hearing. Development Plan Decision Deadline: 10/2/18**

JSK explained to the public the Board is discussing all three public hearings at one time.

Present: Jesse Johnson, Bohler Engineers, Matt Clark, Applicant, Brandon Pollock of Theory Farms, Applicant, Phil Paradis of BETA Group, Inc., the town's peer reviewer.

Mr. Johnson explained the location of the screening that has been added. There was a significant rain event recently and the runoff would be eliminated with the construction of the new infiltration basin.

Mr. Clark explained that they hired an odor control consultant and will make that person available to the Board of Health or anyone who has a complaint. The Town can engage the consultant at the Applicant's expense. The odor issues at the current facility are being mitigated.

Mr. Clark then explained the HVAC system for the two new buildings. There is no release of inside air to the outside. The air is treated and conditioned inside the building. Odor is a matter of perception and professional smellers will go in and evaluate the issue.

PCP asked how the consultant will know the difference between an actual skunk and the odor from the facility. Mr. Clark explained that the skunk smell would not be coming from the facility because that odor only happens when the product is burned. They do not burn at the facility. Brandon Pollock of Theory Farms explained their product has a citrus smell. Most of the odor is caused when plants are harvested and this occurs only 1-2 days per month.

JSK directed the Board to a condition written in the draft Decision that identifies how to monitor the odor issues. He spoke with the EPA and inserted this condition based upon their input and suggestions. This would be a model for other communities. After the facilities are up and running, the Town can send an industrial hygienist to see if there are any issues. JSK also included in the condition post construction monitoring to be done on an annual basis at the expense of the Applicant. JSK also explained that Condition #3 will also help to address these concerns.

Mr. Pollock stated that they want to leave a good impression in this town so that they can expand to different regions. They will be asking the town for a letter of recommendation.

JSK explained that the erosion controls must be constructed if the Board makes a decision tonight. Until the basin is constructed there will be ongoing issues from water runoff.

**Public Comments & Questions:**

Todd Antosh owner of the business at 140 Mendon Street stated that the nearest abutter to the Applicant's existing building in Bridgewater is ¼ mile away and it is a smaller building. He still smells odors from existing building onto his property and it was very strong on the back of his property. Mr. Clark does not doubt that this is real and is in the process of trying to remedy this problem. They have to create a vacuum in the building so the odor does not escape and use carbon filters as well. Mr. Pollock explained that the smell is not hazardous.

Mr. Roland Byam of 148 Mendon Street stated that he was not notified of first two meetings and asked why the basin will only hold enough water for a 10-year storm. The overflow is directed to his property. Mr. Johnson explained how the stormwater system and infiltration basin works. They did not look beyond the 10-year event because the property area would not accommodate holding the water from a 100-year storm. In addition, they are working within the guidelines of the state and local bylaw. Mr. Byam asked about the parking and why a pervious surface was not used. JSK responded that zoning bylaw requires paved parking so that runoff that is captured can be put into the stormwater system. This stormwater system and engineering solution will solve the runoff problem for all abutters. Mr. Johnson added that impervious surface is used so that any auto leaks would not go directly into the ground.

Phi Paradis of BETA discussed the cleared site and how it changed the hydrology of the site. They recommended using a more conservative infiltration rate which is what the Applicant did. There should be no issues post-construction with runoff.

**WFO: Motion to close the public hearing for 24 William Way Definitive Subdivision, 24 William Way Lot 1 Development Plan, Stormwater Management Plan, and Special Permit for Marijuana Cultivation, and the 24 William Way Lot 2 Development Plan, Stormwater Management Plan, and Special Permit for Marijuana Cultivation.**

BTS: Second.

Discussion: None.

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

WFO appointed PD to vote on the Special Permits for 24 William Way Lot 1 and Lot 2.

**BTS: Motion to approve the 24 William Way Definitive Subdivision.**

PCP: Second.

Discussion: None.

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

**BTS: Motion to approve the 24 William Way Lot 1 Development Plan and Stormwater Management Plan.**

DJT: Second.

Discussion: None.

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

**BTS: Motion to approve the 24 William Way Lot 1 Special Permit for Marijuana Cultivation.**

DJT: Second.

Discussion: None.

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

**BTS: Motion to approve the 24 William Way Lot 2 Development Plan and Stormwater Management Plan.**

DJT: Second.

Discussion: None.

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

**BTS: Motion to approve the 24 William Way Lot 2 Special Permit for Marijuana Cultivation.**

PCP: Second.

Discussion: None.

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

**189 Mechanic Street Development Plan Modification and Stormwater Management Plan Modification, Continued Public Hearing. Decision Deadline: 10/21/18.**

JSK explained the project and documentation received to date.

Present: Jesse Johnson, Bohler Engineering, Matt Clark, Applicant, Phil Paradis and Jacklyn Centracchio of BETA, the Town's peer reviewer.

Mr. Johnson explained the modifications to the plan and how safety was improved concerning truck traffic. They have now avoided cross traffic issues with overflow parking from the Urban Air facility. In addition, they have added a new sidewalk on the expanded landscape island. Signage will be installed to direct the traffic and a rumble strip will be created to force trucks to go the correct way around the building. They have addressed all stormwater and parking concerns.

Ms. Centracchio of BETA discussed the traffic study and the number of trips exceeds the town's regulations. She stated that if the facility will be open on Saturday then a traffic study should be done; however, the Applicant asked for a waiver for the traffic impact study. Mr. Centracchio suggested that the Applicant obtain Saturday traffic data from the Urban Air facility. Mr. Clark explained that there is no anticipated Saturday truck traffic.

JSK explained that the Applicant is proposing a building with an office and warehouse use. If the use changes to anything outside of those uses, the Applicant has to come back before the Board. Mr. Clark responded that it will be office/warehouse use with very limited Saturday hours.

**BTS: Motion to continue the public hearing for the 189 Mechanic Street Development Plan Modification and Stormwater Management Plan Modification to October 11, 2018 at 7:00 p.m.**

DJT: Second.

Discussion: None.

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

**DJT: Motion to draft a favorable Decision for the 189 Mechanic Street Development Plan Modification and Stormwater Management Plan Modification.**

PCP: Second.

Discussion: None.

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

**Discussion:**

- ☐ **Master Plan 2019-2010 Planning Initiatives** – JSK explained the initiatives for 2018-2019 and that the Town must start engaging in the Master Plan process through the Master Plan Implementation Committed (MPIC). The MPIC needs two Planning Board members to be on the MPIC and PCP and BTS volunteered. According to the Town's Charter, the Master Plan must be updated.

**PCP: Motion to reinvigorate the MPIC to begin working on the Master Plan.**

BTS: Second.

Discussion: Asked about the structure of the working group.

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

- ☐ **P.J.'s Request for a Minor Modification** – discussion tabled as no one was present from P.J.'s and no documentation was provided.

- ☐ **New England Country Club – Release of Covenant**

JSK explained the covenant was created with the previously approved subdivision that was never built. Current Town Counsel instructed JSK that the Applicant needed to create this Covenant Release for the Board to sign to clear the title of the land. JSK does not have it tonight because the Applicant has to review the Town Counsel's changes.

BTS wants to review the changes made by the applicant and then Town Counsel afterwards. JSK explained that there is no hurry to do this and the Board can sign it at the next meeting.

**DJT: Motion to sign the Release of Covenant upon review of Town Counsel's final review of the language for the New England Country Club. DJT withdrew the motion.**

**General Business:**

- ☐ **ANR**
- ☐ **As-Built Certifications**
- ☐ **9/13/18 Minutes Signing**

**BTS: Motion to sign the September 13, 2018 Meeting Minutes.**

DJT: Second.

Discussion: None.

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

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

**DJT: Motion to adjourn.**

BTS: Second.

Discussion: None.

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

**Meeting Adjourned at 8:50 p.m.**

9/27/18 Public Hearing Documents List866 South Main Street Hindu Temple Development Plan and Stormwater Management Plan Permit

1. PSC – 1<sup>st</sup> Comments Traffic 8.8.18
2. Signage Plan 9.1.18
3. PSC – 1st Comments Stormwater & NOI 9.7.18
4. Andrews Survey & Eng - Response to PSC Stormwater Comments 9.17.18
5. WSC - Response to PSC 1st Comments on Traffic 9.21.18
6. Operation & Maintenance Plan - Revised 9.17.18
7. Plans - 2nd Submission - Revised 9.17.18
8. Plans - Elevation and Floor - Revised - 9.21.18
9. Plan - Photometric - Revised 9.17.18
10. Stormwater Management Report - Revised 9.17.18

189 Mechanic Street Urban Air Development Plan Modification

1. BETA – Peer Review Comments 9.24.18
2. BETA – 2<sup>nd</sup> Peer Review Comments 9.27.18
3. Bohler – Response to BETA Comments 9.26.18
4. Drainage Report – Revised 9.25.18
5. Plan – 2<sup>nd</sup> Submission 9.25.18

24 Williams Way Definitive Subdivision24 Williams Way Lot 1 Development Plan, Stormwater Management Plan, and Special Permit for Marijuana Cultivation

1. HVAC Specifications 9.22.18

24 Williams Way Lot 2 Development Plan, Stormwater Management Plan, and Special Permit for Marijuana Cultivation


1. HVAC Specifications 9.22.18

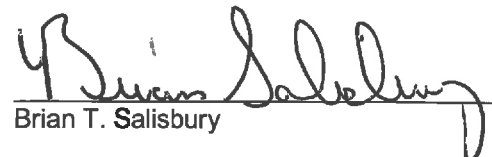
Master Plan – 2019-2020 Planning Initiatives Discussion

1. Master Plan 2019-2020 Planning Initiatives Chart

Minutes Accepted on: 10/11/18  
(Date)

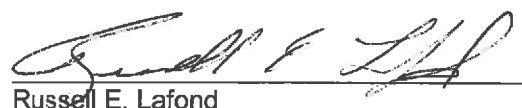
(Prepared by: Jean Keyes)

  
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