MEMBERS PRESENT VIA ZOOM:
Brian Wright (BW) – Chairman
Peter Gabrielle (PG) Vice Chairman
Arturo Paturzo (AP) – Member
Brian T. Salisbury (BTS) – Member
Rayan Shamas (RS) - Member
James Jeschke (JJ) - Alternate Member
Joseph Flanagan (JF) – Alternate Member

ALSO PRESENT VIA ZOOM:
James S. Kupfer, Town Planner and Zoning Compliance Officer
Amy Sutherland, Recording Secretary

Chairman Wright opened the Zoning Board of Appeals meeting at 7:00 PM.

The Chairman expressed his appreciation to member James Dunlea for serving on the Zoning Board of Appeals for over nine years and welcomed new member Rayan Shamas who recently was elected in to replace Member Dunlea.

CONTINUATION PUBLIC HEARING:
90 Newland Avenue Map 8 Lot 61:
Variance – Side Setback Request –
Applicant Susan Amendola (requesting a withdrawal)

The Town Planner informed the Board that there was an email from the petitioner requesting the withdrawal of the variance for 90 Newland Avenue.

On a motion made by Member Gabrielle and seconded by Member Salisbury the board voted unanimously to accept the withdrawal of the variance for 90 Newland Avenue as requested.

CONTINUATION PUBLIC HEARING:
Comprehensive Permit – Extension Follow-Up – Lakeview Estates:
The continuation hearing for the Lakeview Estates Comprehensive Permit was opened.
The Town Planner provided an update on the status of Lakeview Estates. Phase One is progressing. There have been several building permits being issued along Candlelight Lane. There continue to be conversations with the applicant about dust control measures. There was a storm event on Sunday June 28, 2020 which impacted the abutters/residents quite dramatically. The applicant was out on-site Monday June 29, 2020 morning working to get things cleaned up. The Attorney for the applicant informed the Board that materials were provided this afternoon for the Board to review about the remediation. The Engineer for the applicant Elizabeth Mainini from Guerriere and Halnon explained her interpretation of the flooding on Silverlake Road. It was explained that after the rain event, Wellington of Fafard went to site, took videos and photos and sent those to Guerriere and Halnon who in turn reached out to the Director of DPW Don DiMartino who keeps track of rain fall amounts. It was communicated that there was 4 inches of rain in a 90-minute period of time. The Engineer next read from a letter which explains the four different levels of storm events. She further communicated that drainage for projects are typically designed around the 100-year storm event. It is her opinion that since there was so much peak flow and rain in such a short period of time, it was double of what would be expected during a 100-year storm. The design for this was done by Guerriere & Halnon. She further explained that there is only enough room there to design structures to handle the smaller storms. Town Planner Jim Kupfer communicated that the applicant does own 150 acres which directly abuts this property, same ownership so there is room to expand the basin. Moving forward there needs to be a better strategy to address this issue. Engineer Mainini replied that Basin C is adequately designed for the development. She further explained that there are two different systems in place. One system for the Fafard site and second the town drainage system. It is her opinion that the town drainage system is the one as designed was unable to handle that storm. Moving forward Guerriere & Halnon would like to separate the town drainage from Fafard drainage so that it is clear that the drainage system from Fafard is not what is causing the issues in Silverlake Road. She further communicated that the basin changes which will be proposed will be reviewed by DEP and Conservation Commission.

Member Salisbury communicated that this has been an ongoing problem. The corrections proposed are troubling since it is to simply to prove or disprove the liability on the part of Fafard. Both systems were designed by Guerriere & Halnon knowing that this area was prone to flooding. Residents have testified that there was not flooding in the past and now these residents have flooding in their basements. There is additional space and land next to this which could be used to make the drainage system situation better.

Ms. Mainini explained that her company will be reaching out to another engineering firm to have review of their work. There were improvements made to the swale. The intention of splitting the two systems is so that the basin outflow does not block the outflow from Silverlake Road. The only way to prevent flooding would be to have an area of storage for the water in a flash flooding situation. Fafard has also agreed to put in an additional pipe from the basin to the swale. This will slow some of the out letting water at the swale which was a concern of the Conservation Commission.
The discussion next moved to Phase 2 and the water truck which is in site. It was suggested to increase this water usage. DEP has reached out to the town directly asking us to work with the contractor to control the dust.

The general contractor explained what was being done on the site to address the issues since the storm. Several areas have been stabilized and sprayed with hydoseed. There were waddles placed in all the locations where loamed where the water blew out. There were also berms and check dams put in place to divert the water toward the basins. There has also been daily sweeping on site. The waddles and catch dams were in place prior to the storm.

The meeting was opened to the Board members of the zoom audience. Member Paturzo asked for clarification on the 100-year storm and also would like the use of the abutting land to be explored as an option to improve the drainage. Member Gabrielle communicated that this is getting frustrating since every time there is a major storm there are issues. He wants this fixed. Member Shamas asked if there were other catch basins of the same size which had the same problem, and will a swale be able to handle this water going into the lake and flooding basements again at such a rapid pace.

Ms. Mainini explained that the basin did not fail, it held all the water it needed to hold. There was no overflow water. This is what is allowed by the regulations. Engineer Paxon communicated that this was designed with the 100-year storm which is the requirement. This system does not need to be any bigger. The water in this storm event did not have enough time to dissipate due to the amount of water falling during a short period of time. The problem is when you have two separate systems coming into one manhole. The DEP asked if they could have a test hole at the bottom of the basin to determine ground level water. He further stated that the basin is not the issue. He further referenced a report from EcoTec which showed no sedimentation in the lake.

The meeting was next opened to members of the public.

**Resident Kristen Mohr – 93 Silverlake Road:**
Ms. Mohr explained that her property sits directly across the catch basin and it continues to be effected by water, sediment and sand from the storms. The water and sediment go into her driveway, garage and bathroom along the side of her property. She has documentation showing that since 2016 there have been 16 different times where flooding has been an issue. She has photographs showing the path of the water going into the lake and doesn’t understand why the applicant and Engineer are not held responsible.

**Resident, John Constantino, 83 Silverlake Road:**
Mr. Constantino has resided at his location for 36 years and until these developments came in flooding has never been an issue. He also wanted clarification on the following items: the town’s drainage being a part of this, the temporary road, and if there is a plan is to do something with this area.
Ms. Mainini explained that when the town regraded the road and improved it, Guerriere and Halnon was to look into some drainage attenuation to help with drainage with the catch basin at Silverlake Road which discharges to the underground basin. There were also catch basins installed near Candlelight Lane along with a particle separator. There were improvements made for some drainage. Mr. Poxon explained that the temporary road was created by the developer when trying to protect water from Candlelight going to Silverlake Road. This was a created bypass around the house. He does not know why this is still there.

**Resident Mark McNamara, 42 Brion Road:**
Mr. McNamara indicated that he has lived in this area almost 31 years and has never had this type of flooding and the 100-year storm event is an excuse as it has been over the last three years. It was also noted that there was hydroseeding done a day before this meeting. There was a meeting two months ago where it was mentioned that this hydroseeding was to occur. We are now more than 5 weeks out and no grass. He is also upset about dust measures. The last concern is the sweeping of the street. The machine being used for this is not working and all it is doing is kicking the rocks into the road. The Fafard Company seems to be reactive and not proactive.

The General Contractor responded that the area was hydroseeded. He has also been in touch with the town and DEP about multiple times about dust control measures.

There was a recommendation to have the DPW Director at the next meeting.

The Board next discussed the one-year extension request. There is currently a security bond in place and there are additional permits which need to be requested which can be used as leverage when dealing with this developer. The applicant is still in phase one at this point. It was suggested that this not be extended for the requested time. It was also noted that if it is not granted, the problems will still be there. The attempt is to resolve the issues and monitor it closely as opposed to shutting everything completely down.

**On a motion made by Brian Salisbury and seconded by Art Paturzo, it was voted to continue discussion this at the August 6, 2020 meeting where the applicant can give an update on the action plan.**

Chairman Wright took over the seat as Chairman of the meeting.

**Comprehensive Permit – 40 B 161 Mechanic Street.**
Prior to the opening of the Comprehensive Permit for 161 Mechanic Street, member Paturzo recused himself.

**On a motion made by Brian Salisbury and seconded by Art Paturzo, it was voted the open the hearing for the Comprehensive Permit at 161 Mechanic Street.**

The public hearing notice was read.
Member Gabrielle informed the Board that he is direct abutter of the property owner at Lot 4A. This should not be a conflict but just wanted it noted in the record.

The Town Planner informed the Board that the Board of Selectmen have recommended and voted at their meeting support of this as a friendly 40 B project. This project would get the town above our 10% requirement for affordable housing. The town is currently at 8.7%.

The applicant presented a brief power point presentation of the Curtis Apartment by Mr. Russell Dion, Campanelli Companies. The development team was introduced. The application is for project eligibility under the Local Initiative Program (LIP) for the proposed Curtis Apartment project has been approved. The development is for 250 rental units and 63 of those units will be affordable. The project is located on approximately 15 acres of land on the east side of Bellingham along Rt. 140 Mechanic Street. This application is to be considered a friendly 40B project which creates a pedestrian friendly project with a resident friendly environment. This project will have a friendly feel with the inclusion of shade trees, benches, and a sidewalk which will extend on Mechanic Street. There will also be a central green area for gathering and recreating with others. There is a club house area with outdoor patio, game room, work hub spaces, exercise equipment, dog walking area, fire pit and grilling stations for all to use. The network path will connect the street network to neighboring business areas. There will be 2.5 acres of open space. There will also be a playground, dog park and recycling center on site. There will be a total of five (four-story) buildings on site, and nine (9) covered parking structures. There will also be covered garages and 425 parking spaces. The applicant would like to create a continuous lot for future development.

Bohler Engineering Representative Jesse Johnson provided information regarding the drainage on site. The report which was completed addresses a comparative analysis of the pre-and post-development site run off conditions. The was also a review of the calculations documenting the design of the proposed stormwater conveyance/management systems. This analysis also included the five design points where stormwater runoff currently drains under existing conditions. This project has been designed to meet or exceed the Stormwater Management Standards. There will be a deep-sump, hooded catch basins which are proposed to collect and route runoff from the paved parking areas to the proposed surface and subsurface infiltration areas. The catch basins will capture stormwater runoff to one of two proposed subsurface infiltration systems or a surface basin. There will also be a sediment forebay and two propriety treatment units prior to infiltration. Roof runoff has been designed to directly flow to the treatment system. The project will be connected to town water and sewer. The applicant will work closely with the DPW to create a looping system and will tie into Mechanic Street.

The Traffic Impact and Access Study was completed by Ron Muller Associates. This study was to evaluate the impacts of a proposed apartment development to be located on Mechanic Street. There is a secondary egress only driveway proposed east on the main site driveway that will be restricted to right-turns-out only and will provide emergency
access. Lincoln Properties has committed to the future signalization of the main intersection with a dedicated eastbound left-turn lane and a channelized westbound right-turn lane into the site. The proposed project is expected to generate 1,360 weekday daily vehicles trips with 84 trips (22 entering and 62 exiting) generated during the weekday and 107 (65 entering and 42 exiting) during the weekday pm peak hour. Rt. 140 road will also be widened in this area. There will also be a DOT sidewalk along the frontage of the property.

The floor plans of the buildings were shown for the one, two- and three-bedroom apartments with the affordable units distributed equally among the buildings. The amenities with the schematic club house design were shown. The breakdown of the unit summary was explained. There will be 95 one bedroom, 31 one bedroom with den, 99 two bedroom, 25 two bedrooms for a total of 250 units. The next chart shown was in school age children which would attend the school district. The projection is that with this project there would be an additional 35 children to the school district. The tax analysis information was provided along with projections.

The applicant is seeking several waivers which will be reviewed further at a future meeting.

The Chairman thanked the Campanelli Team for their presentation and discussed the next steps. This will include initiating peer review for specifically traffic and drainage/stormwater. The ZBA members expressed concern about the traffic impact on Mechanic Street. The Town Planner will initiate the peer review.

A question was asked about the limited and the market rate apartments. The timeline for permitting also appeared to be rather aggressive. The applicant responded that there will be no difference between the regular and affordable units. The owner entity will be Campanelli LLC.

The Board would like to see what the elevation of the apartment buildings would look like from the street with the four stories. The applicant can provide a rendering for the next meeting.

**Public Comments:**
A question was asked if the traffic team looked at Maplebrook Road since residents will avoid Mechanic Street due to the traffic issues on this street. The applicant communicated that they did not look at the impacts of this road but are open to looking at this.

**Lisa Hunt, 3306 Maplebrook Rd.**
Ms. Hunt is concerned about the carport section in the back of the site. She would like to maintain privacy of the tree line. The applicant indicated that they would have liked to have a preapplication meeting with the abutters but due to COVID was not able to. The applicant would like to walk the line with the abutter. A site walk will be scheduled prior to the next meeting. Ms. Hunt also communicated she has lived here for over 30 years
and the traffic has grown significantly over the years. She was wondering if there has been discussion to expand the parking at Forge Park since the traffic in this area is so difficult. The applicant responded that they have been in touch with Gatra the local bus services who do not have a stop near this location.

**Tasks to Work On:**
- Reclarify the buffer in back
- Delineate the line of disturbance (tape off)
- Lighting (headlights) from the vehicles at the back of the sight going onto the abutting properties.
- Conduct water pressure tests
- Provide renderings of height
- Traffic Analysis of Maplebrook Area
- Fire Department comments

**On a motion made by Member Salisbury and seconded by Member Gabrielle the Board voted unanimously to continue the hearing to August 6, 2020.**

**General Business:**
- The minutes from the last meeting will be tabled until the next meeting.

**Board Re-Organization:**

**Chairman:**
On a motion made by Member Gabrielle and seconded by Member Paturzo, the Board voted unanimously to appoint Brian Wright as the Chairman for the Zoning Board of Appeals.

**Vice Chairman:**
On a motion made by Member Paturzo and seconded by Member Salisbury, the Board voted unanimously to appoint Peter Gabrielle as the Vice Chairman for the Zoning Board of Appeals.

**Adjourn:**
On a motion made by Member Gabrielle and seconded by Member Paturzo the board voted unanimously to adjourn the meeting.

The meeting adjourned at 10:00 PM.
Minutes Accepted on 8/14/2020

(Date) Amy Sutherland (Prepared by)

Brian Wright

Arturo Patruzo

Rayan Shamas

Peter Gabrielle

Brian T. Salisbury