



# BELLINGHAM ZONING BOARD

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10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
(508) 657-2852 [ZoningBoard@bellinghamma.org](mailto:ZoningBoard@bellinghamma.org)

Minutes of Meeting  
August 1, 2019

## Present

Brian Wright (BW) – Chairman  
James Dunlea (JD) – Vice Chairman  
Arturo Paturzo (AP) – Member  
Brian T. Salisbury (BTS) – Member  
Peter Gabrielle (PG) – Member  
James Jeschke (JJ) – Alternate Member  
Joseph Flanagan (JF) – Alternate Member

## Other Attendees

James S. Kupfer (JSK) – Town Planner and Zoning Compliance Officer  
Laura Renaud (LR) – Clerk

7:00 PM

BW opened the meeting.

## **Continuation -Extension Follow-up Lakeview Estates**

### **Extension for the completion of essential infrastructure as required in the Comprehensive Permit**

Sitting In; BTS, JD, AP, PG

BW recused himself. JD will sit in as chairman.

Bob Poxon, site engineer, Mike Harrington (MH), site manager and South Center Realty Attorney were in attendance.

JSK stated that there was a walk through with applicable departments and the applicant to create a punch list of outstanding infrastructure concerns. The applicant's attorney stated they are requesting a one year extension.

MH went through the list of items still outstanding. Such as getting erosion control blankets around the pump station on Dupree Drive, repairs on the existing fence around the retention basin on Dupree Road, adding two sections of paving on Dupre Drive , working with the Conservation Commission to replace a small pipe under

Dupre Drive, re-grade three sewer manhole covers on Dupre Drive, as well as completing the drainage system on Silver Lake Road. According to MH, currently it is 80% done and is waiting for a water quality structure to be delivered.

Additionally, future paving of the subdivision and the details of that will be sent to Don DiMartino and JK. The light poles were not yet installed but MH met with the power company and they would like us to install one more light base and then lights will be installed on Candlelight Road.

The board discussed the time frame for granting the extension.

No public comments.

JSK felt there was progress made this past summer but a punch list remains of essential infrastructure for Phase I. The applicant asked for a one year extension once the punch list is complete as a 6 month extension would bring them to after the construction season ends. She said they would come back in a month with a completed punch list and then seek the one year extension at that time.

Public Comments: BW asked about the maintenance of open area. MH stated it is their responsibility to maintain until street acceptance.

JD motion to continue to September 5<sup>th</sup> hearing to see if the punch list is completed.  
AP second.  
All in favor.

**Continuation - Burton Woods off Sunken Meadow Road -Lot 2  
Hidden Meadow Road II Realty Trust – Edward Gately Trustee  
Comprehensive Permit Request 40B  
Sitting In: BW, JD, AP, BTS and PG**

JSK explained at the last meeting the board requested amendments to the plan set. JSK explained the additional information that has been received over the last two months. The plan set for review is dated July 26, 2019. The latest round of peer review is dated August 1 which will highlight the drainage and the storm water analysis. In the PSC memo there are items regarding an order of conditions from conservation. Later in the document it provides the storm water analysis (see page 9, 10, 11).

The applicant reviewed the updated plan and spoke of the fencing along the backside and at the retention basin. There will be pine trees as the vegetated buffer. There were questions about the site distance at the intersection of Sunken Meadow Road and Pine Street. PSC explained that the intersection is in compliance with the standards.

PSC went over the main outstanding issues based on the peer review. Comment 1, impact in the riverfront. There is 20,000 square feet of riverfront alteration. That is not compliant with the state regulation. There are several units around the cul-de-sac that extend in to the 200 foot buffer. To bring it back into compliance they would have to disturb 10% or less of the 116,000 square feet and they are at 17% without the basin. The applicant will take a closer look at it and possibly adjust. JSK stated Conservation Commission did bring it up at their meeting. They asked for further analysis. The applicant agreed to work on this issue for the next meeting to mitigate that disturbance.

PSC stated some concern using the tp-40 calculation for measuring stormwater. This is currently the measurements used by the State. PSC suggested more modern measurements that are used by Conservation's local bylaw. JSK suggested taking in this information and have our engineer look at it. We can also provide guidance to the applicant for ways to minimize the flow to the large basin such as direct recharge at each house. The applicant stated they are in compliance with the state standard.

JSK referred to sheet 6 of the plan set, the south side, units 1 and 2, And suggested the shallow basin does not need to be there. The board requests further evaluation without that basin is necessary. The applicant agrees with that.

In regards to the big basin, the applicant explained there is a security fence around it. It would recharge into the ground within a maximum of 72 hours. There is an access road. The town will have the key.

The board asked if there was a review of the site lines. JSK stated that there was not a peer review of the site line issue but JSK said it can be done. PG stated the exit out of there project is a driveway onto Sunken Meadow Road and asked if that is where the site line should be discussed? JK explained it is at the discretion of the board. The board should determine that there is adequate access to the site. The intersection of Pine Street and Sunken Meadow is the town of Franklin. JK stated Sunken Meadow is a private way and Pine Street is the first public way from this site. The applicant is not proposing any changes right now.

BTS stated it is a determination by the board, ingress and egress. Pine Street is a small winding road. The board needs to make sure it is safe. The trees along roadway were put just for a consistent look around neighborhood but more can be added.

Based on a concern sent by an abutter, JSK spoke with MA housing and they have not changed their position regarding site eligibility.

JSK explained an erosion control plan was added. This illustrates the clearing, hay bales and silt fences. JSK didn't see entry gates, wants to see vehicles parking on site,

and staging areas. Applicant agreed to work on that with Conservation Commission. The applicant stated they would follow the towns work hours for the construction.

**Public Comments:**

A resident asked about the pine trees and if it would be enough of a barrier as not to see in neighbor's yards. The applicant stated a minimum of 6 feet at planting. The applicant stated they are responsible for the care of the trees. There will be an HOA and they would be the contact. The board would like to see as much staggering as possible with the trees. The applicant agreed.

A resident questioned as to why the board is discussing Franklin speed limits? The board looks into public safety. There has to be adequate access to the site if people can get in and out of the roadway safely. It is reviewed by a professional.

A resident asked about hours of construction. The applicant will put together a timeline of construction which the Building Commissioner will review.

An abutter stated that the lot doesn't have rights to access from Sunken Meadow Road to another parcel other than the site. Town Counsel was aware of those comments and has stated that it is not a public matter. The vehicles have to proceed to another lot. JD suggested a review of the easement situation by Counsel again. The board agreed. JSK will bring it to Town Counsel again.

No more public comments.

AP motion to continue to September 5, 2019.

JD second.

All in favor to continue.

**Minutes – June 6, 2019**

AP motion to accept as presented.

JF second.

All in favor to accept.

Meeting adjourned 8:30 PM

Approved 9/5/2019