



**TOWN OF EASTON**  
**Planning & Zoning Board**  
136 Elm Street  
North Easton, Massachusetts 02356  
Tel: (508) 230-0630 Fax: (508) 230-0639

**Meeting Minutes**  
**Monday, August 16, 2010**

Present: Christine Santoro, Chair; Walter Johnson, Clerk; Dan Smith; Gregory Strange;  
Peter Deschenes; Brad Washburn, Planning Director

Christine Santoro called the meeting to order at 6:30 p.m.

Note: during tape recording of meeting, tape jammed mid-way through. The first hour and then remaining approximately 20 minutes of the meeting were captured on the tape recording.

**BOARD BUSINESS**

Chair Report

Christine Santoro welcomed everyone to the meeting. The alternate position on the Planning Board is vacant and has been advertised in the newspaper and on the Town's website. If you know of anyone interested in the position, please encourage them to apply. There is a South Coast Rail Workshop being held on Thursday, August 19, 2010 at the Easton Middle School. They will discuss the proposed station in Easton near Roche Brothers Plaza. On August 24, 2010, the Frothingham Hall Steering Committee is holding a LEED Charette at 6:00pm. Ms. Santoro and Planning Director Brad Washburn will meet weekly to review Planning Board projects.

Meeting Minutes

Dan Smith moved to approve the meeting minutes dated August 2, 2010. Gregory Strange seconded. Motion passes. 4-0-0. Walter Johnson abstained as he did not attend the August 2, 2010 meeting.

Board Clerk Walter Johnson signed the previously approved meeting minutes from June 21, 2010, July 19, 2010, and August 2, 2010.

**OTHER BUSINESS**

Roche Brothers Way

The board received a request from Jim Sperber to continue the public hearing for Roche Brothers Way. Gregory Strange moved to continue Roche Brothers Way to the September 13, 2010 meeting. Peter Deschenes seconded. Motion passes. 5-0-0.

Planning Session

Brad Washburn noted that former Planning Director Alice Savage had talked about making updates to the town Bylaws, and that he is open to suggestions for potential changes to the current Zoning Bylaws. Mr. Washburn will draft a list of starting points to discuss at the next

Planning Board meeting on September 13<sup>th</sup>. Please email him suggestions a few days before that meeting.

Gregory Strange noted that the Town boards tend to work independently and that he would like to see Planning take the lead on something of a bi-annual meeting where other boards that are involved in planning are invited to discuss the town's vision, direction, and issues they are facing. The Town's Master Plan has not been updated since 1973. Ms. Santuro noted that there have been discussions that made progress with regard to affordable housing and inclusionary zoning. Brad Washburn will provide the board with a table/ diagram that explains the requirements on how affordable housing works.

**FIELDSTONE ESTATES / SILVER DRIVE**

Residential Compound / Definitive Subdivision (#09-02)

- Bond Establishment
- Lot Release
- Light pole

Present: Douglas King, builder

Mr. King stated that he put up a letter of credit for the amount of the bond based on the Street Inspection Report from Land Use Agent Stephanie Danielson. Brad Washburn will find out if Town Counsel needs to review the letter of credit. Mr. King stated that he would like to have the lots released and requested accurate language for the letter of credit for the bank. Ms. Santuro noted that Stephanie Danielson had comments regarding the road binder and a progress as-built. Mr. King stated he is aware of these issues. Ms. Santuro also inquired about the light pole, noting that the Planning Board and builder need to be certain that the light pole installed will be serviced by the utility company. It appears that the town does not have requirements on light poles in terms of design, height, color and shape. Mr. Washburn will look into light pole design standards that are already approved by National Grid and follow-up with Mr. King.

Gregory Strange moved to approve the bond for \$66,114. Walter Johnson seconded. Christine Santuro added that the language in the letter of credit needs to be approved by Town Counsel. Gregory Strange amended his motion pending approval of wording by Town Counsel. Motion passes. 5-0-0.

Gregory Strange moved to release all remaining lots pending receipt of bond. Peter Deschenes seconded. Motion passes. 5-0-0. Christine Santuro, Dan Smith, Peter Deschenes, Walter Johnson, and Gregory Strange signed the Form F Lot Release Form. Brad Washburn will hold onto the signed form until the Town receives the letter of credit.

**CONTINUED SITE PLAN REVIEW: 639 WASHINGTON ST**

Site Plan Review (#10-21): The Learning Experience

Present: Attorney Jim Burke representing applicant; Walter Hermineau, Project Engineer

Attorney Burke stated that the setup working directly with Woodard & Curran in a timely fashion has worked well. Mr. Hermineau cited the letter from Woodard & Curran dated August 9, 2010 which reviewed all the comments from their previous letter, noting that Woodard & Curran's determination at the end of each comment was, "No further comment," and that Woodard & Curran recommends the project. Mr. Washburn stated that the Planning Department recommends approval of the project. Ms. Santuro opened the floor for comment. Hearing none, Gregory Strange moved to approve the amended site plan for 639 Washington Street. Walter Johnson seconded. Motion passes. 5-0-0.

## **76 UNION STREET**

Site Plan Review: Change of use

Present: Don Borgeson, Borgeson's Auto; David Howe, resident

Mr. Borgeson stated that he is intending to move his auto repair business from the center of town to 76 Union Street, noting that he has been a resident of Easton for 55 years. Ms. Santuro raised a comment from DPW Director Wayne Southworth that during a heavy rainstorm this past March, the property at 76 Union Street flooded and it appears that the culvert under the driveway is inadequate. Mr. Borgeson responded that there are four boards holding water back, and that if those boards had been relieved that the area would not flood, stating that DPW did not know about the boards during the March storm. Ms. Santuro asked if it warrants more attention to explore other solutions. Ms. Santuro also stated concerns about the change of use at the property; the previous business was a glass shop and Mr. Borgeson plans to run an auto repair shop. Mr. Borgeson responded that he gave the necessary certificates to the Planning Department and that he has authorization from DEP for the holding tank which will be located at the back of the building. Gregory Strange asked if the project has to go through site plan review for the building's new use. Brad Washburn responded that Mr. Borgeson could re-use the existing site plan if nothing is changing and if there will be no modification to the exterior of the building. It was agreed that modifying the parking area would require a new site plan. Ms. Santuro echoed similar concerns about change of use requiring a new site plan. She also stated she would like to look into DPW concerns regarding the flooding. Dan Smith asked if Mr. Borgeson plans to grow his business at the new location. Mr. Borgeson responded that the move is precipitated by circumstances with his current landlord and that the business is not growing. He has two employees, services 8-10 cars per day, and he does not take any more cars than he has room to work on.

Resident David Howe stated that he owns 1/3 of the lake that abuts 76 Union Street, that he has lived there for 15 years and he described how the area floods: land first, then building, then road. He also stated that the plan Mr. Borgeson submitted to the board is from 1983 and since that time pavement has washed away and changes have been made to the property. Mr. Howe also stated his concerns with traffic, noting that traffic backs up from Rt. 138 to Clara Howard Way and that 37 children board the school bus near the location. He also mentioned that the property borders vegetative wetlands. Ms. Santuro stated that the property is zoned industrial. Mr. Borgeson stated that he is not changing anything on the property, that he is using the existing building. Dan Smith requested comments from the police and fire departments and DPW with suggestions to remedy the flooding situation. Chief Stone suggested adding a sign on the property to exit

with caution. Mr. Washburn suggested the applicant submit a letter to the Planning Board summarizing what he will be doing on the site and the number of cars that will be on the site.

The board scheduled a site walk for Wednesday, September 1, 2010, at 4:30pm. Mr. Borgeson will check to make sure the property owner can attend. Dan Smith moved to continue the hearing to the September 13, 2010 meeting. Gregory Strange seconded. Motion passes. 5-0-0. Mr. Borgeson will follow-up with the building inspector to see if he can begin work on the inside of the building.

**CONTINUED PUBLIC HEARING: 210 POQUANTICUT AVE.**

Special Permit ó Estate Lot (#10-15)

Present: Attorney David Marsan; George Collins, Engineer; Resident Gregory Strange

Gregory Strange recused himself from the board as an abutter to Eugene Packersø property. Mr. Marsan stated that he previously submitted a brief which outlined how the lot at 210 Poquanticut Avenue is eligible for a special permit. Noting Chief Stoneø concerns at the last Planning Board meeting, the applicant has decided to use the existing driveway rather than creating a separate driveway to reach the road. Project Engineer George Collins provided the Planning Board members with revised plans showing an easement off of the existing driveway. Chief Stone stated that he did not receive these revised plans and noted that upon a brief site inspection there were two granite columns at the entrance to the existing driveway which made the entrance narrow and might create an access issue with being able to get a fire truck into the driveway. Mr. Marsan responded that the applicant will solve that issue by removing the granite columns. Chief Stone stated that he does not have an objection to a shared entrance if the posts are removed. Dan Smith stated that the boardø public safety issue with the previous submittal is addressed by using a shared driveway. Ms. Santuro stated concern regarding the fact that the Planning Board received the plans this evening and that the Planning Director has not had a chance to review them, neither has the Police Department had a chance to comment on them. Mr. Collins stated that the site distance is approximately 250 feet conservatively. Mr. Marsan quoted the Police Chiefø comment on the previous proposal (see project file). Ms. Santuro responded that the Police Chief does not have a copy of this revised plan. Resident Gregory Strange stated that cars have a better vantage point coming out of Mr. Packerø driveway. Brad Washburn stated that the Planning Departmentø primary concern was the second driveway; positive feedback from the police and fire departments will address those concerns.

Peter Deschenes moved to close the public hearing. Walter Johnson seconded. Discussion ensued around scheduling a decision for the next Planning Board meeting. Walter Johnson moved to accept the plans as submitted with conditions as noted by Fire Chief and Police Chief. Dan Smith seconded. Motion passes. 5-0-0.

**CONTINUED PUBLIC HEARING – 202 PROSPECT STREET**

Special Permit ó Estate Lot (#10-19)

Common Driveway (#10-20)

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Present: Todd Pilling, Pilling Engineering; Attorney David Marsan; Bill Humphrey, builder; Residents Walter Newell, David Hardy, Bobby Fried, Greg Bielski, Robert Klein, Cathy & Bill Hohenstein, Laura Griffin

Todd Pilling stated that after the last Planning Board meeting, he changed the radius to 36 feet at the end of the common driveway. He looked into putting a residential fire sprinkler system into the houses and the applicant has decided not to do the sprinkler system. Ms. Santuro cited the letter from Woodard & Curran dated August 9, 2010, noting that ideally there will be no runoff from the property. Mr. Pilling responded that they do have a slight increase in runoff from the property; yet because the application is not a subdivision it does not fall under subdivision rules and regulations regarding stormwater management. Mr. Pilling described the 6% increase in runoff as one gallon per minute across the 500-foot property line, noting that the applicant maintains watershed patterns and direction of flow as required. Ms. Santuro raised concerns over Woodard & Curran's Finding #4 regarding depth of cover on the culvert. Mr. Pilling responded that is the depth of the culvert running over Prospect Street. If the pipe cannot handle the runoff, the water will flow onto the applicant's property anyway, and that the applicant is not obligated to deal with any increase in runoff. Using pavestones on the driveway, wells onsite, and infiltrating roof runoff has brought the number down to 6%. Mr. Pilling stated that most of the abutting water problems stem from underground water, not runoff. Regarding the driveway, Mr. Pilling stated that the applicant will not put in a hydrant or run a water line. The proposed driveway is 700 feet long. Fire Chief Stone stated that as an advocate for public safety and the safety of the firefighters, he still recommends they install residential sprinklers. Normal subdivision fire hydrants are 500-feet apart. The proposed location of the turnaround where the driveways merge means that a fire truck may have to back up 250 feet. Builder Bill Humphrey went into detail on the problems with installing residential sprinkler systems on smaller homes and the resulting liability. Chief Stone responded that the discussion needs to be with a fire protection engineer and that Mr. Humphrey's issue with meter size is unfounded because there are residential sprinkler systems that work off of smaller meters. Mr. Humphrey expressed his frustration with the project and its hurdles. Ms. Santuro responded that the board understands his frustration and is addressing issues specifically on the 202 Prospect Street property. Planning Director Brad Washburn raised Planning Department concerns, the first being with Woodard & Curran's Finding #2 (see project file for Woodard & Curran letter dated August 9, 2010). Mr. Pilling responded that putting crushed stone on the side of the driveway will catch debris running into the driveway. Re: Finding #3 condition of approval and changes to drainage patterns, Mr. Pilling stated that they have not yet designed the houses and garage space and will provide the information when the design for the house is underway. Re: Finding #4, Mr. Pilling and Mr. Washburn discussed adding a second 60" culvert to reduce runoff to Prospect Street. Ms. Santuro stated that she would like comment from Woodard & Curran on what 6% runoff means. Mr. Marsan interjected that their application is for two special permits, stating that they have provided sufficient proof of compliance. Ms. Santuro responded that the Planning Board is responsible for safety concerns and the planner's concerns have not yet been addressed. The Planning Department recommends the board follow-up on the two minor issues raised in Findings #2 and #4. Gregory Strange pointed out that many years ago the developer of the abutting properties did not account for the amount of water the homeowners would be dealing with, and to say that no development can happen at 202 Prospect as a result unfairly punishes the current owner; two houses on 6-7 acres of land with a 6% increase in runoff, taking by-laws into

consideration, does not sound unreasonable. Mr. Strange also noted that it would be difficult for the board to go against the recommendation of the Fire Chief. Dan Smith stated that the applicant has taken measures to address runoff; the board is concerned with public safety. Mr. Smith asked the applicant to reconsider putting in a residential sprinkler system. Mr. Humphrey again raised the difficulties with residential sprinkler systems, particularly with New England weather. Chief Stone noted that there are many communities in Bristol County where residential fire protection sprinkler systems are running off of wells. Walter Johnson suggested putting a fire hydrant closer to the house. The builder responded that it was a cost issue. Ms. Santuro stated that a dialogue needs to happen between Woodard & Curran and the applicant.

Resident Walter Newell raised three issues: 1) the distance from the closest fire hydrant to the entrance to the driveway. Todd Pilling responded approximately 50-feet; 2) who maintains the 6ö pipes under the driveway and ensures they are not clogged. Todd Pilling responded the pipe is part of the agreement for the common driveway and that the homeowners are responsible for its maintenance because it is on private property; 3) the application for special permit is signed by the lawyer and it needs to be signed by the landowner; a signed P&S does not mean ownership of the property. Ms. Santuro stated that she will look into the matter.

More homeowners raised concerns regarding maintenance of the pipe(s), volume of runoff onto their property, and compliance with the Zoning By-laws and Planning Board mission (see project file for letter from resident David Hardy dated August 16, 2010). David Hardy addressed the issues raised in his letter.

Todd Pilling stated that the applicant would be willing to withdraw the common driveway special permit application and requested that the board vote on the estate lot special permit. Ms. Santuro expressed concern regarding the owner signature on the original application. Mr. Washburn stated that the Planning Department issues are with the culvert under the driveway, noting that two 6ö pipes would be easy to show, and the written description of the intention of the design of the pavers and how much flow they are designed to contain or not contain. Mr. Humphrey provided detail on the benefits of pavers on a driveway.

Gregory Strange moved to continue to the September 13, 2010 meeting. Peter Deschenes seconded. Motion passed. 5-0-0.

### **CONTINUED 670R WASHINGTON STREET: DEAN MILL COMPLEX**

Site Plan Review, Car Wash & Professional Office Building (#10-06)

Present: Todd Pilling

Todd Pilling submitted a letter requesting to continue the Dean Mill Complex Site Plan Review to the next Planning Board meeting. Because of the robust schedule on the September 13, 2010 meeting agenda, Peter Deschenes moved to continue the Site Plan Review to September 27, 2010. Walter Johnson seconded. Motion passes. 5-0-0.

### **ADJOURN**

Walter Johnson moved to adjourn the meeting at 8:55pm. Peter Deschenes seconded. Motion passes.

Respectfully submitted by Randi Graham, Recording Secretary.