



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

**Meeting Minutes**  
**Monday, December 6, 2010**

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

Christine Santoro called the meeting to order at 6:35 p.m.

**FORM A: 414 CENTER STREET / EVANGELICAL CONGREGATIONAL CHURCH**  
**(#10-30)** Present: Bruce Pilling, Pilling Engineering

Bruce Pilling requested the board endorse a Form A/ Approval Not Required for the plan for 414 Center Street which was discussed at the November 22, 2010 Planning Board meeting. Brad Washburn talked to town counsel per board request. Town Counsel advised that the plan is adequate as-is and there is no need for a two-step process. Peter Deschenes motioned to endorse the Form A/ANR for 414 Center Street. Walter Johnson seconded. Motion passes 5-0-0.

Christine Santoro, Walter Johnson, Peter Deschenes, Dan Smith, and Gregory Strange signed the plan titled, "Plan of Land in Easton, Massachusetts prepared for Craig Higgins" and dated November 9, 2010.

**CONTINUED PUBLIC HEARING**

**409 / 433 Depot Street "Beech Tree Estates"**

**Definitive Subdivision / Open Space Residential Development (#10-24)**

Present: Attorney Richard Staiti, representing petitioner; Dino Susi, owner

Project Engineer David Crispin was not able to attend tonight's meeting. Mr. Staiti noted that there appeared to be some confusion and misunderstanding with the applicant's plan; issues that had previously been accepted were challenged by the board at the previous meeting. In order to provide clarity on the project and address the concept of OSRD, Mr. Staiti reviewed the process the applicant and plan have gone through. The owner has carefully examined all options for the parcel of land and Mr. Staiti believes it complies with Section 7-15 of the Zoning Bylaws Open Space Residential Development (OSRD).

At the May 26, 2009 Planning Board meeting the applicant presented the board with a preliminary review of a 6-lot OSRD. The plan was discussed and the applicant received follow-up comments and constructive criticism in a memo from the previous Town Planner Alice Savage. Per recommendations by the board, Town Planner, and Fire Chief, the applicant applied for and received a special permit from the Zoning Board of Appeals to work in the floodplain, plotted locations of fire hydrants on the plan, reduced the number of units from six to five, and increased the width of the road from 18 feet to 22 feet. Because the Zoning Bylaw allows a

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common driveway to access no more than three houses, they added a second common driveway to access two of the houses. They also addressed questions about drainage and soil tests by adding catch basins. Mr. Staiti expressed frustration with the board's questioning of the project's compliance with OSRD at the previous meeting. Mr. Staiti outlined the requirements of OSRD and went into detail on how their project complies with the OSRD. In terms of preserving open space, the project's open space is contiguous with a parcel of land owned by the Town of Easton. The applicant's intentions are to keep the development consistent with the surrounding area by building single family homes and to convey the OSRD open space to the Town of Easton.

Mr. Staiti presented the board with other development options for the parcel: traditional subdivision, 40B housing, and OSRD. Mr. Staiti presented a plan of how the land could be subdivided traditionally into 5 more evenly sized parcels and then presented a plan for a 14-unit 40B project on the site. Mr. Susi clarified that the 40B plan is presented not as a threat but to illustrate that they have explored all options. Mr. Staiti stated that the applicant has complied with all of the requirements of Zoning Bylaw Section 7-15 and that the applicant made changes accordingly from the feedback they received at the 2009 meeting. Mr. Staiti distributed copies of Alice Savage's memo dated May 21, 2009 and Chief Stone's recommendations dated September 10, 2010. The applicant is open to modifying the presented plan. Tonight's goal is to gauge the board's comfort level with the plan as presented.

Ms. Santoro clarified that the plan before the board is a new submission and is considered to be a new application. Brad Washburn encouraged the board to decide whether or not the plan meets the requirements for an OSRD. It was suggested to re-do the roadway layout so as not to have two parallel common driveways. It was clarified that access to the property is across a 40-foot granted right-of-way; the paved surface is on Susi Trust land, the right-of-way accounts for the balance of the 40-foot width. Walter Johnson suggested changing the name of the project.

Gregory Strange stated that he recently listened to the tapes from the 2009 Planning Board meeting with the applicant and he disagrees with Mr. Susi's interpretation of the board's feedback from that meeting. Mr. Strange does not think the project as presented is a proper use of the OSRD bylaw. The purpose of the OSRD is to allow flexible development guidelines for a developer in return for preserving open space that could otherwise be developed. The majority of the Susi property is wet, most of which would likely be protected under State or local wetlands regulations anyway; and the remaining undeveloped uplands are inaccessible. Applying for an OSRD is the only way for the Susis to build 5 or 6 houses on the remaining buildable upland. Mr. Susi stated that their engineer Mr. Crispin determined that 50% of the uplands will remain undeveloped. Mr. Staiti stated they are building on less than 2 acres of a 17-acre parcel and that there is accessible open upland that they are choosing to not be developed.

Mr. Washburn stated that the Planning Department would prefer an option that minimized environmental impacts. Christine Santoro stated that the project appears to meet most OSRD requirements. The board needs more discussion and the engineering changes need to be reviewed. Mr. Staiti requested continuation to January 3, 2011 which gives the applicant time to make the requested engineering changes. In order to better illustrate what they are preserving and per the bylaw's reference to environmentally sensitive areas, Mr. Washburn requested the applicant bring a plan that represents a feasible standard subdivision to the January 3<sup>rd</sup> meeting (as opposed to the displayed plan at tonight's meeting where the parcel was nearly equally

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divided into five parcels regardless of wetland resource areas). Walter Johnson motioned to continue to January 3, 2011. Peter Deschenes seconded. Motion passes 5-0-0.

The board took a 5-minute recess.

## **OTHER BUSINESS**

### Continued Preliminary Subdivision Review (#10-31) – Eldrick Woods

Present: Frank Ribelin, Engineer; George Fossella, owner; Fire Chief Stone

Mr. Ribelin presented a preliminary plan proposing a 6-lot OSRD on 20-acres of land. The applicant previously submitted a Form A that altered some of the adjoining lots and enabled them to present this project to the board. The plans have notes in the upper left corner which tabulate area to state they comply with current upland regulations. The subdivision would be designed in accordance with applicable regulations. All structures are to be built outside of the 100-foot wetland buffer zones. The applicant met with Planning Director Brad Washburn to discuss the plan. Mr. Ribelin described the project as seen on the plan. The common area is 17.5 acres and depicted on Sheet 2. The wetland line was flagged and upland in that area was not counted in their calculations. Six lots are clustered in another upland area. With regard to the Affordable Housing Guidelines, the applicant would prefer to make payment in lieu of a unit of housing. The numbers in the corner of the plan also illustrate the number of lots the applicant could have with a standard subdivision. Department of Public Works has an existing easement on this section of Prospect Street, as depicted on the plan. Chief Stone suggested locating the fire hydrant at the end of the cul-de-sac. The project will likely be called Prospect Glen and not Eldrick Woods. Mr. Fossella is working with Stephanie Danielson on concurrent review with Conservation Commission. All dwellings are outside the 100-foot wetlands buffer but a portion of some of the lots are in the buffer zone. There was discussion around bridge access to the property. Mr. Ribelin noted a home at the end of Arthur Road where the Conservation Commission granted bridge access to the home. The Planning Department recommends showing calculations when the applicant submits a definitive plan. Walter Johnson motioned to accept the preliminary plan as presented. Dan Smith seconded. Motion passes 5-0-0.

### Housing Production Plan update

Present: Tim Harrigan, Community Housing Planner

Tim Harrigan, Community Housing Planner distributed a draft of the Housing Production Plan to the board. Under regulation 40B, municipalities who have not met the required threshold are allowed to submit an Affordable Housing Plan. If the town has one of these plans in place and is creating enough units of affordable housing (approximately 0.5% per year) then the town can deny 40B permits. There was a delayed start to the plan due to the departure of the previous Planning Director Alice Savage. Easton's current plan expires on February 1, 2011; the deadline to finish the updated plan is January 2011. The consultant developing the plan is hoping for comments and edits by the end of December and they will respond to Tim in early January. Mr. Harrigan suggested the Planning Board consider adding a meeting mid-January to vote on adopting the plan as the Board of Selectmen will be discussing the plan on January 24. The Planning Department will review the plan to insure it complies with State regulations. Submission of the Housing Production Plan does not require a public hearing.

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Dan Smith motioned to add January 18<sup>th</sup> to the Planning Board meeting schedule to discuss affordable housing. Walter Johnson seconded. Motion passes 5-0-0. This meeting will also be kickoff meeting for subcommittee work.

Tim Harrigan also updated the Affordable Housing Trust board on the Planning Board's comments relative to inclusionary zoning. Mr. Harrigan drafted an opt-out payment guideline pursuant to the Affordable Housing Trust's recommendation that takes the Planning Board's concerns into consideration. The Planning Board may begin considering the guideline at their public hearing on December 20, 2010. The Affordable Housing Trust has an open seat on their board. They are hoping to find a housing housing developer to serve on their board. Those interested please contact Planning Director Brad Washburn.

Signatures: 202 Prospect Street

- o Special Permit Common Driveway (#10-20)
- o Special Permit Estate Lot (#10-19)

Todd Pilling will submit updated plans with requested changes for signature at the December 20, 2010 meeting.

**BOARD BUSINESS**

Chair Report

A January 18, 2011 meeting date will be added to the Planning Board's meeting schedule. Location to be announced.

Minutes

Walter Johnson motioned to approve the minutes from the Monday, November 22, 2010 Planning Board meeting as presented. Peter Deschenes seconded. Change number of parking spaces to "30-some." Motion passes 5-0-0.

Zoning Bylaw Discussion

Christine Santoro met with Brad Washburn to discuss subcommittees and what is feasible to accomplish in time for the next Town Meeting agenda. Mr. Washburn suggested one subcommittee discuss four topics: building height; multi-family use in residential district; Rt. 138 corridor study; implementation of new signage bylaw, specifically internally illuminated signs. Subcommittee recommendations will go back to the full Planning Board for review. Subcommittee meetings will start January 18, 2011 and take place off-weeks from regular Planning Board meetings to address these four zoning by-law changes. Brad Washburn will confirm subcommittee meeting dates with Planning Board members. Subcommittee meeting agendas will be posted at least 48-hours in advance on the Town's website. Dan Smith would like to start working on renewable energy.

**ADJOURN**

Walter Johnson motioned to adjourn at 8:30pm. Dan Smith seconded. Motion passes 5-0-0.

Meeting minutes respectfully submitted by Randi L. Graham, Recording Secretary.