



Town of Easton
PLANNING & ZONING BOARD

Minutes
May 23, 2011

The Easton Planning & Zoning Board held a business meeting on Monday, May 23, 2011 at Easton Town Hall, Selectmen's Office, 136 Elm Street, North Easton, Massachusetts.

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

Absent: Gregory Strange; Wayne Benson, Jr. (alternate)

Tonight's meeting is being recorded by Easton Cable Access Television.

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

SITE PLAN REVIEW

785 Washington Street "Evolution Sports Performance" (#11-01)

Present: David Howe, Evolution Sports Performance, Applicant; Engineer Brian McCarthy, R.J. O'Connell & Associates, Inc., site civil engineers

Brian McCarthy described the project located in a business district on 1.73 acres of land. The property to the north is a residential condominium complex, to the west is a wooded area of wetlands, the south has commercial development. The site consists of an existing 10,600 square foot commercial building with associated paved parking, a gravel area, and concrete pads. The existing septic field is at the front of the property. The previous use of the site was a crane rental and storage facility, up until one year ago. A portion of the site is located in the 100-year flood plain. An intermittent stream runs across the northern edge of the site with associated bordering vegetative wetlands. The site is in the buffer zone of those resource areas. Approximately 95% of the site was developed and previously disturbed. There are currently two accesses from Washington Street with no curbing or traffic control. Currently there is no stormwater management system.

The applicant is seeking a change-of-use to an athletic training facility called Evolution Sports. Evolution Sports plans to move from their existing facility in the Easton Industrial Park. The

proposed development at 785 Washington Street consists of remodeling the existing building, adding 100-square-feet to the existing building, removing gravel areas and adding an artificial turf training area and on-on-one basketball court. Lighting will be installed on the side of the training area; three lights will be mounted 30-feet high and directed to the field. The parking area will be improved to show 41 parking spaces. Existing lights on the front of the building will light the parking lot. The developer plans to reduce the width of the curb cuts, add handicap parking and a sidewalk and landscaping along front of building. The front parking will include curbed areas to control stormwater runoff. The applicant will install a new stormwater runoff system and a new 6" water line. The building will include a sprinkler system in case of fire. Mr. McCarthy described the stormwater management system; the bio-retention area will be within the 100-yr floodplain. There is an existing non-conformity in the back; the existing setback is 35 feet where 40 feet is required. The existing tree-lined buffer between the property and residential area will remain. The applicant will provide additional plantings along the northern and western edges of the property.

The applicant has submitted a Notice of Intent to the Conservation Commission and DEP. The applicant also submitted an application to the Zoning Board of Appeals for a special permit for intended use and a special permit for use within the 100-year flood plain.

Brad Washburn read the comments from the Town Departments (see file) which included Police, Fire, DPW and Water Department.

The site is not within an aquifer protection district. The stormwater management system has been reviewed by Woodard & Curran and the applicant has met all standards. The Town received Woodard & Curran's response to the applicant's comments today. The application is under review with the Conservation Commission tonight as well. The Planning Department recommends approval with the caveat that the developer will hold off on installing sidewalks and put the sidewalk funding aside in escrow. David Howe stated he is willing to do that.

The board inquired about lighting, buffers, the bio-retention area, and use of the facility. The facility will train athletes ages 8 to adult. Adult classes will take place in the morning; youth classes will take place after school hours. Summer hours will be approximately 6am to 8:30pm. The facility is designed for training only and not for competitions. Maximum occupation will average around 35 people at one time. Building design plans were submitted to the Building Department. The front and one side of the building will be redone: resided, re-painted, windows will be replaced, a small canopy will be added on the front. There will be no on-site storage of chemicals. The components of the stormwater system will receive a quarterly inspection and cleaning as needed. An operational maintenance plan is included in the stormwater report.

Peter Deschenes motions to approve the plan with changes as addressed in the peer review Woodard & Curran letter. Walter Johnson seconded. Motion passes 4-0-0.

BOND REDUCTION REQUESTS

Present: Mark Perron, T&M Realty Trust; Stephen Ando, resident 15 Josie's Way

Mark Perron submitted bond reduction requests to the Planning Department for four streets: Truman Drive, Josie's Way, Settler's Way, and Possum Run Road.

Truman Estates (Truman Drive) - Mr. Perron explained an issue with the water main loop. The plan approved by the Planning Board (~1997) has a water main loop on it. But the water main loop was twice denied by the Conservation Commission (most recently ~2003). Mr. Perron inquired about amending his original subdivision plan. Brad Washburn will follow-up with the Water Department and Department of Public Works. Road Cost Estimate shows outstanding work yet to be done. Town is currently holding \$28,349.04. Peter Deschenes motioned to release \$5,888.04 from surety on Truman Drive. Dan Smith seconds. Motion passes 4-0-0.

Barg Farm (Josie's Way) - Dan Smith motioned to reduce the bond holding for Josie's Way to \$11,697.00. Walter Johnson seconded. Motion passes 4-0-0.

Settler's Run (Settler's Way) - Mr. Perron provided detail on an issue with a resident's stone wall and fence that are built on the right-of-way. Mr. Perron said that the homeowner at 124 Howard Street is agreeable to not planting more trees. Brad Washburn will work with Mark Perron to address the issues with the right-of-way. Chair suggested rewording the Road Cost Estimate to say "remove stonewall and fence", not "relocate." Peter Deschenes motioned to reduce the surety amount by \$9,291.38. Walter Johnson seconded. Motion passes 4-0-0.

Possum Run Road (Mill Pond Estates) - Mr. Perron gave an update on the work that has been done to date and requested a reduction in the bond amount. Dan Smith motioned to reduce the bond by \$6,094.18. Walter Johnson seconded. Motion passes 4-0-0.

OTHER BUSINESS

Hampden Drive Rear property access, 1135 Pearl Street, Brockton

Present: Sisto Volpe, Volpe Realty LLC; Bruce Pilling, Pilling Engineering

Sisto Volpe is before the board to continue a discussion started at the April 13, 2011 Planning Board meeting. His property and buildings are located in Easton but his street access and address is Pearl Street in Brockton. This has caused confusion when requesting emergency services, as Easton will say they do not service a Brockton address. Mr. Volpe pays property taxes to the Town of Easton. Planning Director Brad Washburn spoke with Town Counsel to find a remedy; the project needs to go through a regular subdivision review process to provide formal access to the property and give it an Easton address. Mr. Volpe will need an engineer and possibly a land use attorney. Brad Washburn will follow-up with the to the Easton Police and Fire Departments, and Brockton and West Bridgewater _____ to coordinate efforts for where Brockton and Easton's roadways will meet. Mr. Volpe will return before the board with a draft proposal and preliminary sketch of his plan.

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The Board took a 2-minute recess and resumed at 7:45pm.

539 Bay Road, Retail in Residential District

Present: Pam and Nelson Rodrigues, residents

Mr. and Mrs. Rodrigues live at 539 Bay Road and wish to open an antiques shop in the historically significant barn on their property. They applied for a variance with the Zoning Board of Appeals and were denied because it was seen as a retail operation. They are before the Planning board to find a solution that would address their unique situation. Their application to the ZBA was supported by the Planning Board and the Historical Commission. 539 Bay Road is the second oldest house in Easton. The Rodrigues' currently have a farm stand through which they are allowed to sell vegetable, eggs, and flowers. The barn and house have historic preservation restrictions on them. Their proposed use of the barn would not alter the appearance of the barn or the existing six gravel parking spaces. Their proposed shop would use approximately 15% of the square footage of the barn. They would be open part-time during off-peak hours and they would be closed in the winter months. Pam Rodrigues read the board a summary of the history of the property and how they hope to use it. Chair suggested looking at other town bylaws where similar unique businesses are allowed along rural roads. Brad Washburn will follow-up with Mr. and Mrs. Rodrigues.

104 Main Street

Present: Douglas Cardinale, builder

Mr. Cardinale distributed copies of a photo of the handicap ramp he built at 104 Main Street along with specifications for building wheelchair accessible ramps (see file). Mr. Cardinale provided detail on why and how he built the ramp to ADA specifications. Mr. Cardinale acknowledged that the ramp he built was not in accordance with the site plan approved by the Planning Board. The Assistant Building Inspector issued Mr. Cardinale a letter outlining several issues and addressing the need for an amended site plan. The Historical Commission has expressed concerns with the aesthetics of the ramp. The Planning Board recommended Mr. Cardinale formally submit an amended site plan and present it at a Planning Board meeting with Building Inspector and members of the Historical Commission present to help inform the building design process and ADA compliance. Dan Smith motioned to continue to June 27, 2011. Peter Deschenes seconded. Motion passes 4-0-0.

Meeting Minutes

There was not a quorum (who were also present at the April 25 meeting) to vote on the April 25, 2011 minutes.

Peter Deschenes motioned to approve the minutes from the May 2, 2011 Planning & Zoning Board meeting. Dan Smith seconded. Motion passes 3-0-0 (Walter Johnson abstains as he was not present at the May 2 meeting).

Signatures

The Planning & Zoning Board signed the following documents for Street Acceptance:

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- Two paper plans titled, "As Built Street Acceptance Plan, Alderwood Drive, Station 0+00 to Station 6+00, Easton, Massachusetts" and dated June 11, 1990
- One mylar titled, "Street As-Built and Acceptance Plan, Corey Drive, Easton, MA, Surveyed for Donald & Adina Colangelo" and dated May 21, 2010
- One mylar and one paper plan titled, "Roadway As Built Plan & Profile of Oak Leaf Lane, Easton, MA" and dated 2-22-10

The Planning Board also signed one mylar and four color paper copies of the new Zoning Map approved at the May 16, 2011 Town Meeting, titled "Town of Easton, Massachusetts: Zoning Map" and dated May 16, 2011.

ADJOURN

Walter Johnson motioned to adjourn the meeting at 8:22pm. Peter Deschenes seconded. Motion passes 4-0-0.