



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

**Meeting Minutes**  
**Wednesday, August 13, 2008**

Members Present: Christine Santoro, Chair; Colin Gillis, Vice Chair/Clerk; Walter Johnson, Gregory Strange, Carol Symmons, Alexander Maller

Staff Present: Alice Savage, Staff Planner; Pamela Almeida, Recording Secretary

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

**6:30 P.M. GENERAL BUSINESS**

**Request for Lot Release - Union Village Extension (Emily Lane)**

Present: Douglas A. King

Per Staff report, a written request to release all lots (6, 7 & 8) was submitted August 4, 2008. The surety amount was established at the last meeting in the amount of \$30,432. Recommendation is to release the three remaining lots subject to receiving a proof of posting of surety and receiving a copy of the recorded Amendment to Form E and plan.

Colin Gillis motions to release lot 6, 7 & 9 pending proof of posting of surety and receipt of copy of Amendment to Form E and plan, seconded by Walter Johnson. Motion passes (5-0)

**Request for Lot Release - Peterson Acres – Form F (Lot Release: 3 & 5)**

Per Staff report, the applicant is requesting to amend the covenant to allow the release of lots 3 & 5 and hold lot 4 as surety. Recommendation is to release lots 3 & 5.

Colin Gillis motions to hold lot 4 for surety and release lots 3 & 5, seconded by Gregory Strange. Motion passes (5-0)

**Board of Appeals Request for Comment - 146 Sheridan Street, Special Permit#08-09**

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The applicant seeks a Special Permit to raze an existing single family residence and replace with a new residence not more nonconforming than the existing structure.

Walter Johnson motions to recommend, seconded by Colin Gillis. Motion passes (5-0)

**Board of Appeals Request for Comment - 104 Main Street, Special Permit #08-10**

The applicant seeks a Special Permit to enlarge a nonconforming building.

Colin Gillis motions to recommend, seconded by Gregory Strange. Motion passes (4-1-0) Vote to recommend: Colin Gillis, Walter Johnson, Gregory Strange and Carol Symmons. Vote not to recommend, Christine Santoro.

**Board of Appeals Request for Comment (not on agenda) – 548 Bay Road, Administrative Appeal #08-11 and Special Permit #08-12**

Per Staff report, the petitioner is seeking to construct an in-law apartment as an addition to a lawfully pre-existing home on a 30,000 square foot lot. This enlargement of a non-conforming use requires a Special Permit from the ZBA under Section 9 of the Zoning By Law. The Building Inspector has additionally ruled that the in-law apartment constitutes a separate dwelling unit, therefore requiring a special permit for a 2-family home. The petitioner is seeking an administrative appeal on this ruling from the ZBA, concurrent with the Special Permit application for the enlargement. The applicant is *not* seeking a permit for a 2-family home, nor would he qualify for such a permit if one was applied for. At issue is that the Zoning By Law does not define single-family home, although the addition proposed does seem to qualify as a “dwelling unit” in its own right. Recommendation: Recommend denial of both claims. The petitioner’s request appears to construct two dwelling units on a single lot without a Special Permit.

Item #1: Administrative Appeal #08-11 – Appeals the denial of a building permit by the Building Inspector constituting that the construction is a 2-family home. Does the Board think this is a 2 family dwelling? If so, recommendation of the appeal will agree with the Building Inspectors decision, therefore would need to file for a special permit. If does not recommend the appeal, will overturn the Building Inspectors decision and would not need a special permit.

Colin Gillis motions to endorse the administrative appeal, seconded by Walter Johnson. Motion passes (3-2-0) Vote to endorse: Colin Gillis, Walter Johnson and Carol Symmons. Vote to not to endorse: Christine Santoro and Gregory Strange.

Item #2: Special Permit #08-12 – Applicant is seeking a Special Permit to enlarge a non-conforming structure to add an in-law apartment addition.

Colin Gills motions to recommend allowing the addition as shown with separation of the units, seconded by Walter Johnson. Motion denied. (2-3-0) Vote to endorse: Colin Gillis

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and Walter Johnson. Vote to deny: Christine Santoro, Gregory Strange and Carol Symmons.

### **Open Space Plan Letter of Recommendation**

Colin Gillis motions to endorse the Open Space Plan by submitting a letter of recommendation, seconded by Gregory Strange. Motion passes (5-0)

### **Discussion of Sub-Committees formed at July 30<sup>th</sup> meeting**

Alexander Maller, not present at the last meeting, asked for an explanation as to what the two sub-committees would be doing. The first sub-committee is the Master Plan Committee consisting of Gregory Strange, Colin Gills and Walter Johnson. The second is the Zoning Committee consisting of Christine Santoro, Gregory Strange and Alexander Maller. It was explained that both of these sub-committees are to explore and investigate and bring information back to the Planning Board in a way to 'get the ball rolling' towards updating the Master Plan. Both sub-committees agendas will need to be posted 48 hours before the meeting, minutes taken and have to be held in a public place (i.e., Town office building, school, etc.). Date, time and place to be set at the discretion of the members of each sub-committee.

### **7:30 P.M. CONTINUED SITE PLAN REVIEW**

Gilmore Plaza, 627 Foundry Street (08-13); Peter Gilmore, Richard Sweeney, Tetra Tech Rizzo

Present: Richard Sweeney, Tetra Tech Rizzo; Peter Gilmore

Richard Sweeney went over the recommendations by both the Staff Planner and outside consultant, Woodard & Curran and showed how they complied with each. Woodard & Curran had one condition: proof proper function of the infiltration systems. They recommend, as a condition of approval, a report by a competent professional certifying the systems were installed in accordance with the plans provided to the Planning Board.

Staff Planner conditions:

1. Isometric Line Drawing (SPF 1.06 (22)). Site plan guidelines require an isometric line drawing showing the site in relation to its surroundings. Staff recommends that the applicant submit such a drawing or request a waiver for this requirement. Richard Sweeney informs that Board that a request for waiver to this requirement has been submitted.
2. Site Plan Guidelines 2.01 Access (7). Pedestrian access to the site entrance must be provided via walkways or by other means assuring protection and separation from vehicle traffic. Staff recommends that as a condition of approval, crosswalks be painted across site driveways, connecting the southern driveway to the ATM site and the northern driveway to the restaurant bump-out. Richard

Sweeney shows where the crosswalks have been added to the plan. He explains the sidewalks and curbing at these areas have been adjusted with minor grading and layout changes to accommodate the crosswalks.

3. Site Plan Guidelines 2.05 Lighting (2). “A minimum of two foot-candles is required at all locations...The lights should not be allowed to shine on or disturb neighboring property.” The plan reflects a few areas where the lighting will be less than two-foot candles and lighting shows some spillover light to 95R Highland Street. Staff recommends the applicant request, and the Board should grant a waiver of the two-foot candle minimum at all locations and accept the lighting plan presented. Richard Sweeney informs that Board that a waiver request of the two-foot candle minimum lighting at all locations has been submitted.

Board members continue to express their concern of the ‘employee parking’ in the rear of the property, far away from either building or other parking areas. Richard Sweeney requests the Board grant a parking waiver of the 11 parking spaces in the rear of the property, understanding that if anything is to be done in this area in the future, a modification will have to be submitted to the Board.

Colin Gillis motions to

1. Accept the request for parking waiver of 11 parking spaces in the rear of the property and eliminating the gravel parking lot with the conditions this will be followed up in writing to the Planning & Zoning Board
2. The applicant submit a report issued by a competent professional certifying proper installation of the stormwater management infrastructure, per Woodard & Curran’s report
3. The applicant provides a painted crosswalk across the throat of the main driveway, per Staff Planners report,

seconded by Walter Johnson. Motions pass (5-0-1) Alexander Maller abstains.

**8:00 P.M. CONTINUED PUBLIC HEARING**  
Residential Compound / Definitive Subdivision

Harvey Estates – North Main Street (08-10); D.K.W. Builders – David Welch

Staff Planner, Alice Savage, reads a letter received from Attorney Michael Sites asking for a continuance due to additional issues that need to be resolved at the request of the review by Woodard & Curran.

Colin Gillis motions to continue the public hearing to September 10, 2008 at 7:30 p.m., seconded by Walter Johnson. Motion passes (6-0)

**APPROVAL OF MINUTES**

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Walter Johnson motions to approve the meeting minutes of April 23, 2008 as submitted, seconded by Carol Symmons. Motion passes (4-0-2) Colin Gillis and Gregory Strange abstain.

Gregory Strange motions to approve the meeting minutes of July 30, 2008 as submitted, seconded by Walter Johnson. Motion passes (5-0-1) Alexander Maller abstains.

**DISCUSSION**

Stoneforge – Gregory Strange notified the Board it was noticed that some handicapped parking spaces at Stoneforge are ‘blacked out’ and being used as ‘express pick up’. Questioned if this is in violation of the approved plan and if a modification to the plan should be filed?

Walter Johnson motions to recommend the Zoning Enforcement Officer be notified, to review and see if there are any violations to the plan, seconded by Colin Gillis. Motion passes (5-0)

**ADJOURNMENT**

Walter Johnson motions to adjourn at 8:35 p.m., seconded by Gregory Strange. Motion passes (6-0)

Respectfully submitted by Pamela Almeida, Recording Secretary.

Signed by

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Colin Gillis, Vice Chair/Clerk

\_\_\_\_\_  
Date