



TOWN OF EASTON
Planning & Zoning Board
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Meeting Minutes
Monday, August 2, 2010

Present: Christine Santoro, Chair; Dan Smith; Gregory Strange; Peter Deschenes;
Stephanie Danielson, Land Use Agent; Brad Washburn, Planning Director

Absent: Walter Johnson, Clerk

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

BOARD BUSINESS

Chair Report

Christine Santoro welcomed two new staff people to the meeting: Brad Washburn, Planning Director, and Tim Harrigan, Community Housing Planner. Mr. Washburn spent the last five years doing waterfront planning for the Boston City Redevelopment Authority working on waterfront master plans. Mr. Harrigan graduated with a degree in economic development and will be working on implementing Easton's affordable housing plan which provides assistance to first time homebuyers and will increase the stock of affordable housing in Easton.

The Planning Board has attended two site walks since the last Planning Board meeting. On July 29, 2010 the board conducted a site walk to review the parking lot layout at Roche Brothers. Roche Brothers parking configuration was on the agenda for tonight's meeting but they have chosen to continue to the next meeting because of jury duty obligations. The other site walk was at 202 Prospect Street. The board will discuss their visit at the next Planning Board meeting on August 16, 2010.

Meeting minutes

Peter Deschenes moved to approve the July 19, 2010 meeting minutes. Gregory Strange seconded. Motion passes. 4-0-0. These minutes as well as the minutes from June 21, 2010 (approved at previous last meeting) will be signed at the next Planning Board meeting.

CONTINUED: SITE PLAN REVIEW: 639 WASHINGTON ST

- Site Plan Review: The Learning Experience

Present: Attorney Jim Burke, property owner William Adams, and project engineer Walter Hermineau

Ms. Santoro opened the continued site plan review for 639 Washington Street. Attorney Burke stated that they provided the necessary information to Woodard & Curran and that Woodard & Curran responded with comments. Mr. Hermineau addressed the comments individually (see

Woodard & Curran letter in project file dated July 30, 2010 (Letter Report #2 of 639 Washington Street). Mr. Hermineau spoke with Filipe Cravo who is the engineer doing the review at Woodard & Curran. Mr. Hermineau told Mr. Cravo that his firm will make the recommended changes and send them back to Woodard & Curran as soon as possible. In response to comment #3 regarding peak runoff rates, a number was transposed incorrectly which resulted in a typo in the table. Mr. Hermineau will correct the typo. #3C refers to an area at the southwest corner of the property where the Woodard & Curran engineer was concerned about water discharging onto the neighboring property. Mr. Hermineau stated that he will increase the grade right up to the adjacent property in order to keep runoff on the applicant's property. In response to comment #4, Mr. Hermineau stated that he had provided the information in the model but did not include a summary table. Mr. Hermineau will provide a table in the concise format the Town requires. Stephanie Danielson added that this table should be provided in the initial report, as it makes the information easier to read and more accessible to lay people and staff. Comment #8B refers to the fact that the elevation shown on the plan and in the text do not match. Mr. Hermineau explained that the number on the plan is a typo, and the correct number is in the text. Woodard & Curran also requested detail for the outlet manifold and Mr. Hermineau has provided that information. Regarding comment #9, Mr. Hermineau's information had been provided in the detail of the plan; Mr. Hermineau will show the elevation in plain view. Regarding comment #12, the information has already been changed and will be resubmitted; catch basins will be inspected on a quarterly basis. Stephanie Danielson inquired about the Illicit Discharge Compliance statement. Mr. Hermineau responded that he had already produced the document but that Woodard & Curran was requesting the owner sign and date it. In comment #14 Woodard & Curran stated that the subsurface infiltration basin should be within ten feet of the property line. Mr. Hermineau stated that this is an easy change as they are within six feet at the front of the property and 12 feet at the back, and that he will change it so that it is within 10 feet of the property line.

Attorney Burke stated that the applicant will make the recommended changes and overnight mail them to Woodard & Curran by Friday. He requested that the Town authorize Woodard & Curran to get comments back to Mr. Hermineau with sufficient time for the plan to be in its final stage by the next Planning Board meeting on August 16, 2010. Ms. Danielson will recommend as such. Gregory Strange requested that the Planning Board receive comments from Woodard & Curran with sufficient time to review them before the Planning Board meetings. Christine Santuro thanked Stephanie Danielson for reviewing the information within the short timeframe.

Gregory Strange motioned to continue the public hearing to the August 16, 2010 Planning Board meeting, time to be determined. Peter Deschenes seconded. Motion passes. 4-0-0.

The board discussed catch basin review and tracking and noted that letters to property owners should be sent out regularly to ensure stormwater systems are operational.

CONTINUED PUBLIC HEARING – 210 POQUANTICUT AVE
- Special Permit of Estate Lot

Christine Santuro stated that the board received a request from Mr. Eugene Packer to continue the hearing to August 16, 2010 because with Mr. Strange's recusing himself from the hearing (as

an abutting property owner), there are not enough votes for a quorum on a special permit. The applicant or representative may need to submit in writing a grant extension form extending the timeframe to render a decision. Dan Smith moved to continue the hearing to August 16, 2010. Peter Deschenes seconded. Motion passes. 3-0-0. (Gregory Strange recused himself from the vote.)

CONTINUED PUBLIC HEARING: BARG FARM (JOSIE'S WAY)

- Updated Street Inspection Report
- Request for bond reduction

Present: Mark Perron, TM Realty Corp and Trustee of Howard Street Realty Trust; residents Harry Pepper, Steve Zienerj and Mike Sanpietro

Christine Santuro opened the continued public hearing for Barg Farm/ Josie's Way. Stephanie Danielson provided a brief background of the project and then stated that Mr. Perron submitted a request for release of funds. In the spring the Planning Board sent a letter to Mr. Perron stating that the construction of the roadway in the Barg Farm subdivision needed to be completed, otherwise the board would pull the bond to complete the road. Many residents had concerns about the safety of the unfinished roadway. Also, a letter of credit representing the surety was about to expire. The Town has since taken possession of the cash bond. Last week Ms. Danielson completed a street inspection report and updated road cost estimate. Ms. Danielson summarized the work that remained to be done at the time of her report: loaming up to the sidewalks; grass strips had not yet been installed and both areas needed to be seeded. Special mounds and remaining monuments needed to be installed. Ms. Danielson identified the requirements of the subdivision bylaw that states that every lot must have at least three trees no more than 20-feet from the roadway. Mr. Perron showed pictures of the areas that have since been loamed and seeded (see project file for pictures). He stated that the special bounds are in, the grading is finished, and they will start setting the concrete bounds. Mr. Perron continued that the area was seeded today, that the work is nearly done and that the residents are happy. Regarding the number of trees, Mr. Perron stated he will complete what it is that is required by the subdivision bylaw. Gregory Strange inquired about how the buyers were informed that Josie's Way is a private road. Mr. Perron responded that there is a homeowners agreement and that in the purchase and sale agreement it is stated that Josie's Way is and always will be a private road. Mr. Perron stated that the homeowners have not yet been charged dues for the homeowners association. Ms. Santuro explained that until a certain number of lots are sold, that Mr. Perron is the trustee of the homeowners association. Once the minimum number of lots are sold, then the homeowners take over the association and dues are collected. Mr. Strange inquired about the status of the detention basin and whether or not it has been inspected by an engineer. Mr. Perron responded that the basin on the right side as you enter the subdivision is not working as a detention basin, that its sole purpose is to collect runoff from the surrounding lots. Mr. Perron stated that Mr. Dunn, an engineer, inspected the drainage basins and that the drainage was in compliance; when the as-builts and monuments are done, the basins are supposed to hold water. Mr. Strange then inquired about the trees and Mr. Perron stated that the trees will be put in. Ms. Santuro stated that the road needs to be completed by August 31, 2010 and inquired about releasing all of the bond amount less \$30,183, which is the cost of the work left to complete plus three years escalation. Ms. Santuro then opened the hearing to comments

from the public. Harry Pepper of 133 Howard Street inquired about the residential buffer between properties that is required when a private home abuts the association part of a residential compound (see proposed 75-foot landscaped screening areas on original plan in project file). Ms. Danielson stated that the road cost estimate does not speak to the buffer between the properties. Ms. Santuro clarified that the buffer is not part of the street inspection, that it is part of the larger subdivision project. Mr. Perron responded that he will do the planting after the road is completed. Ms. Danielson recommended that an additional amount be held to ensure the residential buffer planting is completed. There was discussion around the amount to be held and whether funds for landscaping could be held as part of the road cost estimate amount. Ms. Santuro inquired about the original plan from 4-5 years ago and whether it referenced the types of trees to be planted in the buffer. Mr. Perron stated he estimates approximately \$100/tree and approximately 15 trees per each of two buffer zones. The board agreed on holding an additional \$7,000 for the landscape buffer, which Ms. Danielson clarified will include the 3-year escalation, resulting in a total amount held of \$37,183.

Gregory Strange moved to release the bond funds with the exception of \$37,183. Peter Deschenes seconded. Motion passes. 4-0-0.

Resident Mike Sanpietro inquired about the completion of the retention ponds. Ms. Danielson responded that the plans show the grades of the ponds and stated that the ponds are supposed to function as designed. Ms. Danielson continued that Mr. Perron recently put the drainage online from the street so that the ponds will take drainage from the road. Mr. Perron clarified that the catch basin by Mr. Sanpietro's property is designed to handle runoff only from the lots surrounding the basin. When it fills, there are relief areas to move the excess water. Ms. Danielson added that the design of the drainage system is reviewed by the Town's peer engineering firm. When the town receives the as-builts it will ensure that the road is constructed in compliance with the approved plan. Mr. Sanpietro inquired about fencing and the proximity of the sidewalk to the catch basin. Ms. Danielson responded that the town does not have requirements that the basins be fenced off. Resident Steve Ziener; stated that a 30-foot bin truck damaged the street last week and asked if it was related to Mr. Perron's roadwork. It was determined that the truck was related to one of the neighboring homeowners and not Mr. Perron. Ms. Santuro added that up until now, Mr. Perron has been the trustee of the homeowner's association. Once the subdivision is completed, there will be an association meeting and the homeowners association will elect its own trustees.

OTHER BUSINESS

Request for Comment ZBA

335 Bay Road

Christine Santuro opened discussion of the request for comment from the Zoning Board of Appeals for 335 Bay Road special permit. Board members asked about the specific details of the permit and why it was going before the ZBA. Gregory Strange noted that he would rather not see two-family zoning determined by the need for an in-law setup. The board discussed the differences between two-family dwellings and in-law units and agreed that the Zoning Bylaws should address these types of housing.

Dan Smith moved that the planning board make no recommendation with the comment that the existing Zoning Bylaws need to be modified to address two-family and in-law dwellings. Gregory Strange seconded. Motion passes. 4-0-0.

36 Lothrop Street

Ms. Santuro opened discussion of the request for comment from Zoning Board of Appeals for 36 Lothrop Street. The applicant wishes to allow a cooking station for an in-law unit. The board discussed the reasoning as to why the applicant needs a special permit. Dan Smith suggested that the board modify the Zoning Bylaws to define a single family home with in-law suite versus two-family dwelling.

Gregory Strange moved that the planning board make no recommendation with the comment that the existing Zoning Bylaws need to be modified to address two-family and in-law dwellings. Peter Deschenes seconded. Motion passes. 4-0-0.

54 Washington Street

Special permit request to continue operating pet boarding facility under new ownership, as was granted under previous special permit. Considering no problems with the permit, Peter Deschenes moved to recommend the permit. Dan Smith seconded. Motion passes. 4-0-0.

Zoning Bylaw Discussion

Gregory Strange recommended a 45-minute Zoning Bylaw discussion session at the September 13, 2010 Planning Board meeting. Christine Santuro asked that board members bring two or three recommendations each.

Next meeting cancelled

Gregory Strange moved to cancel the Planning Board meeting on August 30, 2010. Peter Deschenes seconded. Motion passes. 4-0-0.

Further discussion re: peer review during construction monitoring

Stephanie Danielson stated that one of the Land Use Agent's tasks is to provide construction monitoring while roads are being built. When there are multiple projects underway, it can sometimes prove difficult for the Land Use Agent to oversee construction at different sites at the same time. If the number of projects spikes again in the future, the board might want to consider the cost of hiring a contractor to oversee construction monitoring and requiring the applicant to submit a deposit to pay for the cost of the monitoring. This would apply to projects of any size. Ms. Danielson also recommended requiring a deposit for an interim progress report project review such as when drainage components are installed, elevations need to be taken and reviewed to make sure the site has been graded properly and pipes are laid at correct elevation and locations. Currently, if the applicant is not providing progress report as-builts to compare with the approved plan, the town cannot be sure the project has been constructed properly. Ms. Danielson stated that she updated the road cost estimate and street inspection report for Silver Lane and requested that the applicant submit a progress as-

built. If there are major variances, Ms. Danielson recommends having Woodard & Curran review it. Gregory Strange suggested adding a clause that the road binder not be exposed for multiple years, as happened at Josie's Way. When the applicant requests an extension, they should be responsible for repair to the binder. Ms. Danielson agreed that the binder should not be exposed for multiple years. Mr. Deschenes suggested adding a timeframe for road completion. Ms. Santuro suggested using a calendaring system. Ms. Danielson added that when the Town pulls a bond, someone needs to oversee the work that needs to be completed, and she suggested contracting with someone to oversee road completion if the Town were to pull a bond, noting that this is what other towns such as Middleboro do.

ADJOURN

Peter Deschenes moved to adjourn the meeting at 8:43pm. Dan Smith seconded. Motion passes. 4-0-0.

Respectfully submitted by Randi Graham, Recording Secretary.

Signed by,

Date
