



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

Meeting Minutes
Monday, May 11, 2009

Present: Christine Santoro, Chair; Walter Johnson, Gregory Strange, John Duggan and Peter Deschenes, Alice Savage, Acting Director of Planning, Pamela Almeida, Recording Secretary

Absent: Colin Gillis

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

6:30 P.M. BOARD BUSINESS

Chair Report

Christine Santoro spoke of the Green Communities Committee. She explains that this committee examines all the municipal buildings regarding cost savings on energy. More recently, it was discussed adding a Planning Board member to their committee. The committee presently has two vacancies. If anyone is interested, they were instructed to forward their application and letter of interest soon and suggested to contact Kit Minsky for the committee meeting schedule.

Christine Santoro mentioned two vacancies on the Affordable Housing Partnership (advises BOS on policy, the plan) committee. Alice Savage believes there is a new member, therefore only one vacancy exists. Also, there is a vacancy on the Affordable Housing Trust committee (control over the money).

Christine Santoro reads that the Old Colony Planning Council notification of their invite to their 42nd Annual meeting which will be held on Thursday, May 28, 2009 at 6:00 p.m. in Halifax. The cost is \$25.00 and the guest speaker will be Robert DeLeo.

Christine Santoro reminds everyone the Annual Town Meeting is on May 18th. All financial articles are being postponed to June 8th.

Planning & Zoning Board
Meeting Minutes, May 11, 2009

Alice Savage informed the Board that Douglas A. King Builders has submitted their NOI to the Conservation Commission and will submit their plan approval this Friday. A joint meeting will be scheduled with Planning & Zoning and Conservation Commission (June 17, 2009, Wednesday). Christine Santoro agrees some joint meetings would be helpful. Alice would like the members to block out the following dates: June 17, 2009 (Wednesday) as a joint meeting; July 22, 2009 (John Duggan may be away), August 12, 2009, September 2, 2009, September 23, 2009. The meetings will be at 6:30 p.m. The applicant was interested in acquiring approval in phases. 1. Site Plan Approval (traffic plan, road, stormwater system and building footprint) with condition to come back before receiving building permits for approval of. 2. Architectural detail, lighting and landscaping.

Gregory Strange voices his concern with approving in phases, feeling the applicant may not present what was proposed. He feels that if the approval process is separated, the Board would lose their control. Gregory Strange states the reason we fought to be the PAA, was to have a say in the project. There was no talk of phasing were which buildings would be done first. Mr. Duggan agrees, as this is the first 40R, should take process carefully.

Ms. Savage explains the applicant's reason for approval in phases, was that they do not have the building drawings complete, and do not want to spend the money in advance before getting approval.

Ms. Santoro asked for a consensus of the Board of how they feel of the project in phases. Unanimously the Board is not in favor of approving in phases.

Approval of minutes: April 13, 2009, April 27, 2009

Walter Johnson motioned to approve the meeting minutes of April 13, 2009, seconded by John Duggan, motion passes (4-0).

Walter Johnson motioned to approve the meeting minutes of April 27, 2009, seconded by Gregory Strange, motion passes (4-0)

Signatures only for approved meeting minutes: March 16, 2009 and March 30, 2009 (Colin absent. Put for next meeting for signature)

Comments for ZBA: SP#09-06, 54 Washington Street Dog Kennel

Per letter of summary of filing received from Pilling Engineering: the applicant presented to the Zoning Board of Appeals a Special Permit (07-27), it was represented that 10 parking spaces were available on site. However, only 4 are available. There are an additional 8 spaces on the abutting property, but there is no agreement with the abutter to utilize them. The letter further states that Condition #13 of the Special Permit (07-27) requires that the proposed kennel provide 10 parking spaces to accommodate the patrons. The current Zoning Bylaw requires 5 spaces for the proposed use with a possible 25%

reduction if allowed by the Planning Board. Due to limited area on the site and the number of spaces required by the Zoning Bylaw, providing 10 spaces is neither possible nor practical. A new filing has been submitted to the Planning Board for the proposed kennel. The new filing is seeking a permit which does not have a parking requirement explicitly states, other than compliance with the Zoning Bylaws. The number of parking spaces will conform to the Zoning Bylaw requirements and Site Plan Guidelines.

Gregory Strange motions to send a comment that in the absence of shared parking and access agreement with the adjoining property owner, the Board is unlikely to grant the requested 25% waiver in the parking requirement, seconded by John Duggan. Motion passes (5-0)

Announcement: The Taunton River Watershed Association will hold their annual Wetlands Training for Municipal Officials on Thursday, May 21, 2009 at 6:30 p.m. in Taunton at the Gertrude M. Boyden Wildlife Refuge. The program is free.

7:00 P.M. BIC/NEHEMIAH REQUEST FOR CPA FUNDS

Present: Carol DeLorey, BIC.

Ms. DeLorey explains that the Brockton Interface Community (BIC) is a non-profit organization. BIC/Nehemiah raises money through religious interfaith to build affordable housing in communities and work in association with local banks in the area. The city or town is asked to give land to build affordable houses. There have been four houses in Brockton built and were invited to bring the offer to Easton.

Walter Johnson asked who approached them to consider doing in Easton. Ms. DeLorey responded that there were a number of people who approached them.

Ms. DeLorey explains and shows pictures of the buildings, which are two condo units, designed to look like a single family home. The first floor unit has 2 bedrooms; the second floor has 2 bedrooms with a third bedroom on a third level. A condo association consists of the two owners and the fee is paid to the bank. The association fee covers costs for items like a replacement of roof, etc. John Duggan asked if the homeowners need to purchase insurance. Ms. DeLorey responds each homeowner has their individual homeowner's policy. Ms. DeLorey informs the Board the location of the units in Brockton, if they wish to view: 514 Lauren St, 51 Wyman Street, 14 Temple Street and 11 Trivett Street.

Ms. Savage points out that there are Easton residents on the BIC committee, including North Easton Savings Bank. She discusses the two parcels that are potentially suitable for this as 12A Highland Street and 249 Prospect Street. She explains that these parcels have been taken through tax title and, both have approximately $\frac{3}{4}$ acres. The request at this point is to get predevelopment money to do a survey plan, hire an engineer, etc.

Ms. Savage explains this item on the town meeting warrant that the Community Preservation Committee is requesting \$13,600 from the Community Housing Reserve Fund for feasibility studies for construction of affordable housing consisting of two units on 12A Highland Street and two units on 249 Prospect Street. She informs the Board that there is substantial opposition from immediate neighbors; however the Easton.mass.com group is in support of project. She further explains that if the funding goes forward, the perk tests go through and everything works out, a comprehensive permit approval will go before Board of Selectmen. Then go back to Town Meeting transfer the land.

Walter Johnson asked if this was spot zoning. Ms. Savage explains that this will be a comprehensive permit which is 40B. Ms. Santoro feels the design will fit into the character of the area. Walter Johnson asked for the height of the building; Gregory Strange notices the height is 3 feet above zoning. Walter Johnson asked for the cost of the house; Ms. DeLorey explained that the houses in Phase 1 in Brockton were \$300,000. Mr. Johnson asked who the condo fees get paid to once the mortgage is paid. John Duggan thought that if the bank is holding the condo fees in a different account, therefore the fees would continue to be paid to the bank.

Ms. Santoro asks for an explanation of the process of how someone is selected. Ms. DeLorey explains that each applicant has to attend a homeowner's class, they have not owned a home in the past three years, and have to qualify for a mortgage. Each qualifying applicant is placed in a lottery for the unit they qualify for. Gregory Strange asked if the project is a non-profit, how does the builder get paid. Ms. DeLorey explains that the builder gets a flat fee and is then reimbursed for materials. Christine Santoro asked for the timeframe from start to finish, Ms. DeLorey believes it takes approximately 6 months for the home to be built and the selected applicant to move in.

SITE PLAN REVIEW

54 WASHINGTON STREET DOG KENNEL

(Continued from 4/13/09; request to continue to May 26th)

Gregory Strange motions to continue to June 8, 2009, seconded by John Duggan. Motion passes (5-0)

Ms. Savage explains they are scheduled with the ZBA for May 13, 2009.

STILLWATER CREEK LANE

(Continued from 4/13/09; request to continue to June 8)

The Land Use Agent submitted a road cost estimate. Mr. Perron came by and spoke with Ms. Savage and explained he hoped to have everything by this summer.

Ms. Savage reminds the Board that because this was approved as a private way, the Town has no leverage in making the developer complete the project. Regarding this form of development (OSRD) the zoning bylaws that require public ways, specifically say that it has to be a private way. "The private way shall not be to the standards of a public way".

The leverage of the Board is determining the adequacy of the surety.

Walter Johnson suggests that Town Counsel draw something up to hold the developer responsible for completion of the roadway.

John Duggan asked if anyone has asked DPW for an estimate of road maintenance.

Gregory Strange feels that the problem of the roads not lasting as long is an unfinished private way, is the process by which the developer is laying the road. They put down the binder, which is meant to be followed by the top coat, not left untopped for longer than 6 months.

John Duggan motions to continue to June 8, 2009, seconded by Gregory Strange. Motion passes (5-0)

7:30 P.M. MINOR MODIFICATION TO SPECIAL PERMIT/FORM A (ANR)
Harvey Estates, Harvey Lane Lots 5 & 6

Present: Frank Ribelin; David Welch

Frank Ribelin explains that Harvey Estates was approved with 7 lots. The roadway is underway at this time. A Form A is submitted for Lots 5 & 6. Some of Lot 6 is given to Lot 5, and a triangular piece of Lot 5 is given to Lot 6. The square foot area is not changing; the frontage is not changing, simply opening an area in the rear of Lot 6 and another area in the front of Lot 5. Giving a little more ease in locating house on these two lots.

Ms. Savage responds that the applicant has also requested a minor modification to the part E of the following condition of approval:

No foundation permit shall be issued until such time as the following have been completed:

- a. Installation of all underground utilities
- b. Installation of roadway subgrade, subbase, base course, and road binder
- c. Installation of base for street lights and related wiring
- d. Installation of the complete stormwater management system, verified in writing by a Professional Engineer, that the system has been completely built as approved by the Board and is in good working order.

The applicant would like to begin construction of the house this summer, but believes that the construction activities will damage the rain gardens, and has asked that the decision be amended so that the rain gardens can be installed in October, after construction of the house.

Gregory Strange motion to approve the Modification to Special Permit and Form A, seconded by Walter Johnson. Motion passes (5-0)

Planning & Zoning Board
Meeting Minutes, May 11, 2009

Both the signed mylar (Form A) and Decision to the Modification to the Special Permit were taken by Frank Ribelin for recording at the Registry of Deeds.

ADJOURN

Walter Johnson motioned to adjourn at 8:10, seconded by Gregory Strange, motion passes (5-0)

Respectfully submitted by Pamela Almeida, Recording Secretary.

Signed by,

Colin Gillis, Clerk

Date