



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

Meeting Minutes
Monday, January 25, 2010

Present: Christine Santoro, Chair; Colin Gillis, Clerk; Walter Johnson, Gregory Strange, Peter Deschenes, Alice Savage, Planning Director

Absent: John Duggan

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

6:30 P.M. BOARD BUSINESS

Ms. Santoro asked the Board for a motion to take the agenda out of order.

Colin Gillis motions to take the agenda out of order, Walter Johnson seconds. Motion passes (5-0-0)

1. Discussion: Letter of Support / Shovel Works

Colleen Corona presented a financial analysis, prepared by Town Account Wendy Nightingale. Ms. Corona answered questions from the Board.

Alice explains the Board would need to provide a letter of support to the CPC.

Walter Johnson motioned to send a letter of support from the Board, Colin Gillis seconds. Motion passes (5-0-0).

2. Form D: Minor Modification to Definitive Subdivision – Stonemoor Place (10-02)

Present: Rick Bodio, Bodio Builders

Ms. Savage submitted and reviewed with the Board, for following Draft Decision for a Minor Modification to Definitive Subdivision – Stonemoor Place (05-07 / 07-04), to include the following waivers:

1. To waive the requirement of §5.03 of the Subdivision Rules and Regulations (1996) regarding the construction of sidewalks, and any other rule or regulating sidewalk construction standards. Instead, the following standard shall apply: Sidewalks shall be constructed 4' wide, as shown on the approved plan entitled "Stonemoor Place Residential

Compound Definitive Subdivision of Land In Easton, Mass.," prepared by Pilling Engineering Group, Inc., Civil Engineers and Land Surveyors, 1135 Pearl Street, Brockton, MA 02301 for Bodio Builders, Inc., P.O. Box 457, North Easton, MA 02356; plan originally dated May 22, 2006; revised up to July 20, 200, recorded at the Bristol County Registry of Deeds Plan Book 0461, Pages 0059-0061, using bituminous concrete pavement paved to a compacted thickness of at least 2".

2. To waive the requirement of §5.21 (4) of the Subdivision Rules and Regulations (1996) requiring lighting fixtures to be installed.

Colin Gillis motions to approve with the proviso that a letter from a certified engineer is received by February 8, 2010, Gregory Strange seconds. Motion passes (5-0-0).

3. Form G: Bond/Lot Release Stonemore Place (05-07/07-04)

Alice recommends the developer post, per Road Cost Estimate dated January 15, 2010, the amount of \$73,668 and to release all eight lots.

Colin Gillis motions to approve as submitted, Gregory Strange seconds. Motion passes (5-0-0).

7:05 P.M. SITE PLAN REVIEW: 559 Washington Street, Conco Gas Station (10-01)

Present: Feras Nasryiah, representing his father/owner Hassan Shamseddine

Ms. Savage explains this applicant is currently applying for a Class II License to sell used cars. The number of used cars at the site will be two (2) and the location for the cars is indicated by hand drawing on Sheet 2 of 5 on approved plan entitled "Conco Gas and Service, 559 Washington Street, South Easton, Ma", dated May 22, 2006. Ms. Savage recommends approval.

Colin Gillis motions to approve as proposed, Gregory Strange seconds. Motion passes (5-0-0).

7:10 P.M. Approval of minutes:

Colin Gillis motions to approve the meeting minutes of November 9, 2009, Gregory Strange seconds. Motion to approve passes (5-0-1), Walter Johnson abstains.

Gregory Strange motions to approve the meeting minutes of November 23, 2009, Walter Johnson seconds. Motion to approve passes (5-0-1) Colin Gillis abstains.

Walter Johnson motions to approve the meeting minutes of December 7, 2009, Gregory Strange seconds. Motion to approve passes (5-0-1) Christine Santoro abstains.

4. ZBA Request for Comments:

16 Pine Street; Special Permit #09-27: The applicant is seeking a Special Permit to demolish the existing home and build a new one. Ms. Savage recommends.

Colin Gillis motions to recommend to the ZBA as proposed, Peter Deschenes seconds. Motion to recommend passes.

409 & 433 Depot Street, Special Permit #09-26: The applicant is seeking to fill within the Flood Plain. Ms Savage explains this was previously presented to the Board as a residential subdivision, (PZB filing 409 & 433 Depot Street #09-11 – Preliminary Subdivision), which the Board denied. The application is submitted with no significant changes to the plan, with the exception of one less lot. Ms. Savage recommends denial.

Colin Gillis motions to not recommend approval to the ZBA, Walter Johnson seconds. Motion to not recommend passes (5-0-1) Peter Deschenes abstains.

7:15 P.M. SUBDIVISION UPDATES:

Alderwood Estates: Raymond F. Daly, Jr.: Ms. Savage explains that Mr. Daly, Jr. has indicated he would like to extend the time to finish the road to June, 2010. With the exception of the fire box, and the pine trees, Mr. Daly, Jr. agrees with the October, 2008 Road Cost Estimate in the amount of \$12,359. The amount of surety being held as of October, 2009 is \$19,063.76.

Gregory Strange voices his concern of a resident of the development, who had the sidewalks replaced in the area of their home.

Ms. Savage explains that the Board has the option to modify the subdivision with a motion and to include a new completion date. If the road is not complete by the completion date, the Board can pull the surety and complete the road. The process will include notifying the abutter's and advertising a public hearing to pull the bond to complete the road.

Mr. Daly, Jr. inquired about releasing funds, as the completion process progresses. Colin Gillis explains that yes, the Board can look at the progress and agree to release a portion of the funds.

The Board agreed to revisit at the April 5, 2010 meeting for an update.

Ashfield Estates: Mirrione Realty Corp.: This project has not begun. There is no surety. Ms. Savage explains that the Rules & Regulations, at the time of approval, completion was 8 years if not work has begun. Therefore, this project falls within the timeframe.

Chase Landing Estates: Keith McLaughlin & Karen Ann Carter: Mr. McLaughlin requested an extension to 2011. Ms. Savage explained to him the surety would have to be increased. The Road Cost Estimate done was October, 2007 in the amount of \$36, 414. The surety being held as of October, 2009 is \$37, 679.21. No progress has been made on this project.

Ms. Santoro asks if the Board would want to motion to request to modify the subdivision or wait until closer to the request to extend to 2011 nears.

Ms. Savage recommends revisiting in June, 2010.

Colin Gillis motions to continue to the first meeting in June, 2010 (date to be announced), Gregory Strange seconds. Motion passes (5-0-0).

Corey Estates: Donald & Adina Colangelo: Mr. Colangelo explains the only items left are the monuments. The current Road Cost Estimate as of August, 2008 is \$19,643 and the surety being held as of October, 2009 is \$15,398.38. Plan to have complete by Spring, 2010.

Colin Gillis motions to continue to the April 5, 2010 meeting, Gregory Strange seconds. Motion passes (5-0-0).

Elmwood Estates: James Victorine: The current Road Cost Estimate as of January, 2010 is \$93,982, the current surety being held as of October, 2009 is \$29,232.55. Mr. Victorine submitted a letter from the Fire Chief that the Fire Alarm boxes are complete. Mr. Victorine believed the lights were not on the plan and believed not required. Mr. Savage explains that because there was no waiver of the lights in the Decision, they are considered required and the Engineer (E.T. Engineering) agreed.

Mr. Victorine explained the reset castings are complete, the loam and seed easement are complete, he also disagrees with the cost on the Road Cost Estimate (feeling is too high). He states the trees are complete.

Ms. Savage recommends to modify the subdivision and revisit.

Colin Gillis motions to revisit in June, 2010, Gregory Strange seconds. Motion passes (5-0-0).

Ford Village: Richard Feodoroff, Trustee: Mr. Feodoroff submitted a letter requesting an extension. The current Road Cost Estimate, as of December, 2007 is \$7,497. The surety being held as of October, 2009 is \$7,609.96. Mr. Feodoroff explains only one lot has been built and the roadway is only being used by this one resident at this time. He recommends an extension to November 15, 2010. He explains the monuments are done.

Ms. Savage recommends to revisit in June, 2010.

Colin Gillis motions to revisit in June, 2010, Walter Johnson seconds. Motion passes (5-0-0).

Golden Oaks: Dennis Welch: Have not heard from the developer.

Lone Oak Farm: Dennis Welch: Have not heard from the developer.

Union Village: Douglas A. King: Mr. King explains there are two lots left to be sold and requests an extension until 2011. The current Road Cost Estimate, as of July, 2008 is \$30,432. The surety being held as of October, 2009 is \$30,890.57. Mr. King explains that there are a number of items complete that show as not complete on the Road Cost Estimate.

Ms. Savage recommends to revisit in the first meeting of June, 2011.

Colin Gillis recommends to revisit at the first meeting of June, 2011, Peter Deschenes seconds. Motion passes (5-0-0).

OTHER BUSINESS

Ms. Savage explains to the Board there are still a number of subdivisions they should look at and asks the Board when they would like to notify those. Colin Gillis recommends having the next round attend the first meeting in April, 2010.

Ms. Savage asks the Board what to do with Golden Oaks and Lone Oak Farms, where the developer did not respond to the letter that was submitted. She also informs the Board that a resident of Lone Oak Farms has contacted her to inquire when the road would be completed and would like to see the road accepted at Town Meeting. Colin Gillis suggests sending a certified letter as a second notification and to include a completion date and request the developer contact the Board. Ms. Savage explains if nothing is done, in the Rules & Regulations, the developer has 8 years. If the development has begun, there is no deadline for completion unless it is indicated in the Decision. Ms. Savage feels putting a completion date in the Decision is something the Board should look at as a change to the Rules & Regulations. Regarding Lone Oak Farms, a letter to the Developer requesting a Modification to the Subdivision.

Colin Gillis motions to schedule hearings to Modify Subdivision to Golden Oaks and Lone Oaks for the February 8, 2010 meeting, Peter Deschenes seconds. Motion passes (5-0-0).

5. ZBA Request for Comments:

23&45 Union Street (Winterberry Village), Modification to Comprehensive Permit (#07-02). The Developer is looking to change the development from condos to single family homes. The affordable units will not change.

Colin Gillis motions to recommend to the ZBA, Gregory Strange seconds. Motion to recommend passes (5-0-0).

6. Annual Report:

Ms. Savage explains the Board may wish staff to work with the Chair to complete the annual report.

Colin Gillis motions to permit the Planning Director to prepare the Annual Report, Walter Johnson seconds. Motion passes (5-0-0).

7. Chair Report:

Christine Santoro informs the Board she attended the MMA Annual Conference and will prepare a synopsis for the Board.

ADJOURN

Walter Johnson motions to adjourn at 8:20 p.m., Colin Gillis seconds. Motion passes (5-0-0).

Respectfully submitted by Pamela Almeida, Recording Secretary

Signed by,

Date

Colin W. Gillis

2/8/10

**The next meeting of the Easton Planning & Zoning Board will be held on
Monday, February 8, 2010**