



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

Meeting Minutes
Monday, June 22, 2009

Present: Christine Santoro, Chair; Walter Johnson, John Duggan, Peter Deschenes, Alice Savage, Acting Director Planning & Community Development; Pamela Almeida, Recording Secretary

Absent: Colin Gillis, Clerk; Gregory Strange

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

6:30 P.M. BOARD BUSINESS

Chair Report:

Christine Santoro thanked all members who attended the Queset Commons meeting last Wednesday, in collaboration with the Conservation Commission. The overall feeling was that the joint meeting with the Conservation Commission went well and was very productive.

Ms. Savage asked the Board if they felt the two consulting engineers, Woodard & Curran for stormwater review and Beta for traffic, should be invited to attend the next meeting.

Discussion:

The Board, at their last meeting, had discussed cancelling the July 6th meeting, with no outcome.

John motions to cancel the meeting scheduled for July 6th, seconded by Walter. Motion passes. The next scheduled meeting will be held on July 20, 2009.

SUBDIVISION ADMINISTRATION:

Final Release of Surety & Acceptance of As-Built Plan: Cornerstone Drive

Alice reports the end of Cornerstone Drive was completed and the Town accepted the road at the Town Meeting in May, 2009.

John motions to release the remaining surety, seconded by Walter. Motion passes.

John motions to accept the as-built plans for Cornerstone Drive, seconded by Walter. Motion passes. The Board members sign the as-built mylar, entitled "As-Built and Acceptance Plan of Cornerstone Drive in Easton, Ma." Dated March 12, 2008 and prepared by Ribelin Land Surveyors, Inc., which was signed by the Board of Selectmen at their last meeting

Form E Covenant: Fieldstone Estates – removed from agenda

Alice reports this was done at the May 25, 2009 meeting

Form F Lot Release: Harvey Estates

Alice reports that the previous meeting to accept \$69,245.28 in bond. Which was received today in the form of a check. Alice requests the Board sign the Form F Lot Release

Walter motions to secure the completion of roadway and installation of additional utilities as shown on approved plan by accepting \$69,245.28 in the form of cash and release lots 1-7, seconded by John. Motion passes.

The Board signed the Form F. Mr. Welch will be informed he can pick up the Form F to record at the registry and return a copy of proof of recording.

7:10 P.M. ALDERWOOD ESTATES

Determination of Default on Subdivision Obligations

Per Staff report, at the meeting of February 11, 2009 the Board adopted a punch list of outstanding items required to be completed to fulfill the obligation of the Subdivision approval and set as a completed date the end of May, 2009. (See letter sent to developer by Ms. Savage at end of minutes).

Mr. Johnson asked if there was enough money to cover the cost of completing the road. He also asked if we take the funds, a note put in the file flagging the name of the contractor from performing future work in the Town. It was discussed it was not possible to "flag" a developer.

Mr. Duggan suggested that perhaps there could be something in the rules and regulations specific for dealing with contractor's who default on the project resulting in the Board having to pull the bond and hire out to complete the road.

Ms. Savage reports that upon review of the file she discovered the Board (at the time) had communication with the contractor up to 1996, then communication ended.

Mr. Deschenes motions to find the developer in default of his obligations to complete Alderwood Drive, seconded by Mr. Duggan. Motion passes

Mr. Duggan motions to take the surety to complete, seconded by Mr. Johnson. Motion passes.

FORM A (ANR) APPROVALS:

7:00 p.m. 682 Depot Street:

Present: Attorney David Marsan, representing 682 Depot Street, LLC

Attorney Marsan explains this is where the Plant Depot is located and back in the 1970's there is a bend in the roadway and asks to discontinue that section as part of the roadway and convey it to the applicant.

The purpose of this plan entitled "Roadway Discontinuance Plan of Land in Easton, Ma, prepared for 682 Depot Street, LLC", dated June 5, 2008, Revised May 5, 2009, June 2, 2009 and June 12, 2009 and prepared by Arthur F. Borden & Associates, Inc., is to create parcel "A" from the discontinued portion of the 1898 Depot Street layout and to combine it with the adjacent plot 47-C.

The Board of Selectmen signed the mylar at their last meeting to convey the parcel.

Ms. Savage recommends endorsing the plan as submitted.

Mr. Duggan motions to approve as submitted, seconded by Mr. Johnson. Motion passes.

The Board members sign the mylar and Attorney Marsan took for recording.

7:15 p.m. 95 Highland Street (portion of Foundry Street):

The purpose of this plan is to discontinue a portion of the roadway to be combined with land owned by Ramanbhati K. Patel for a total land area of 69,572 square feet for Map: 14R, Lot 76.

The plan entitled "Plan Showing Portion of Roadway To Be Discontinued, Easton, Ma", prepared by Earth Services Corporation, dated April 27, 2009 and revised June 15, 2009.

It was explained that in 1980, the Board approved the parking lot which extends into Town-owned property. The applicant came to the Building Department to apply for a sign permit and it was discovered they did not own the parcel where the sign is to be located, resulting in this request.

Mr. Johnson motions to approve the plan as submitted, seconded by Mr. Duggan. Motion passes.

The Board signed the mylar and will be held in the office for the applicant to pick up for recording.

**7:20 P.M. CONTINUED SITE PLAN REVIEW: 54 WASHINGTON STREET
(Continued from June 8, 2009)**

Present: Todd Pilling, Pilling Engineering Group, Inc.; Andrey Tovstukha, applicant

Mr. Pilling explained the revisions to the plan that was submitted June 18, 2009 entitled "Proposed Kennel "Site Plan" 54 Washington Street, Easton, Ma.", dated February 3, 2009, revised June 10, 2009 and prepared by Pilling Engineering Group, Inc.

The following waiver request is submitted for two parking spaces:

1. to waive the requirement that the parking stalls shall not be located any closer than 15 feet to a property line.

Mr. Johnson motions to approve the waiver, seconded by Mr. Duggan. Motion passes.

Mr. Duggan motions to approve the plan as submitted, seconded by Mr. Johnson. Motion passes.

The Board signs the mylar and a paper copy, which the engineer took. Office staff will make copies of the mylar for the file and in house distribution.

7:30 P.M. PRELIMINARY SUBDIVISION REVIEW: PUDDINGSTONE ESTATES

Present: Todd Pilling, Pilling Engineering Group, Inc.,

Mr. Pilling refers to a plan on an easel, residential compound with an 18 foot road at 400 feet in length, with 5 houses, looking to keep the layout within the road to keep all of the work out of Conservation jurisdiction.

Per Staff report dated May 28, 2009, the applicant has submitted for review a plan entitled "Puddingstone Estates Sketch Plan Conventional Subdivision in Easton, Mass.", prepared by Pilling Engineering Group, dated May13, 2009 for a 5-lot residential compound off North Main Street. No waiver requests were submitted.

Ms. Savage reports the plan is missing the following information

1. Proposed utility systems (lighting, location of fire hydrant) – Mr. Pilling notes there is a fire hydrant on the plan, the street lights have not been discussed at this time. Applicant states driveway lanterns will be done at every driveway.

Peter asked if there were street lights on Main. Todd not sure where street lights are located, however will look into.

Walter asked timing of lights. Todd replies 150 watt lights, on at dusk off at ? Walter asked for certification of the wattage.

2. Signature of owner on application (two owners listed, only one signature on application) – This was completed before the meeting.

Ms. Savage recommends approval of the subdivision with the following modifications:

1. A 25-foot wide densely vegetated buffer around the perimeter of the project area (except where the 75-foot buffer is required in the zoning, should be shown on the plan. Mr. Pilling will revise plans showing this.
2. The sidewalks should be provided on at least one side of the proposed way. Mr. Pilling feels the subdivision across the street recently approved (Harvey Estates) does not have a sidewalk and the road is longer). Alice agrees with Mr. Pilling, John feels if have waived recently for another subdivision, should keep status quo. Peter asked if there was a way to put turf or something down where a sidewalk would be for purposes of pedestrian traffic.

Ms. Santoro asked the roadway width. Mr. Pilling replies that the layout 35 ft, road is 18ft with cape cod berm. Would rather avoid pervious pavement by not having sidewalks.

Also asks for the footprint of the houses, Mr. Pilling replies preliminary are 30x60. Looking to keep the homes in the 500,000 range and under, homes will be smaller in size.

Lastly asks asked for the elevations. Street at elevation 182, large hill going into subdivision at 183 then drop down to ?.

Mr. Deschenes asked the purpose of the drainage easement in the back of the property, focusing on 100 year flood draining into the wetlands.

Mr. Duggan motions to approved the preliminary subdivision application with modification of the 25 foot buffer, seconded by Mr. Johnson. Motion passes.

Mr. Pilling will submit preliminary plan with approved revisions.

Larry Mowatt and Diane Mowatt, abutters voice their concern that this site was approved as an Estate Lot recently and asked how can the site now be proposed as a residential compound? It was explained that the Estate Lot approved two years ago, was never developed, the property was then sold and the new owner submitted the preliminary subdivision.

Mr. Mowatt concerned the driveway is up against his property and inquired the setback the roadway. There is no setback for a roadway, per Ms. Savage. Mr. Mowatt asked about the buffer. Ms. Savage explains the first 75 feet from North Main Street then after 75 feet would have to be 25 feet from the property line.

Ms. Santoro explains this is preliminary in concept, however, no approval to build has been granted. The applicant will need to submit an application for Residential Compound and Definitive Subdivision.

Mr. Mowatt asked what the term "density" means? Mr. Pilling replies the density will be similar to the recently approved Harvey Estates across the street. He furthers no house will be seen from the public way and will leave as much natural vegetation as possible.

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Mr. Mowatt asked about the hill, which is approx., 10 feet above the street which will be cut down to the elevation of the street.

Mr. Mowatt asked about water, which will be approved by the Board of Health. Mr. Pilling replies each house will have septic systems.

Mr. Mowatt asked how the septic systems will affect his system. Mr. Pilling replies the roadway most likely will not have any affect on Mr. Mowatt's system.

APPROVAL OF MINUTES: May 11, 2009 & May 26, 2009, June 8, 2009

Mr. Duggan motions to approve the meeting minutes of May 11, 2009 as submitted, seconded by Mr. Johnson. Motion passes.

Mr. Duggan motions to approve the meeting minutes of May 26, 2009 as submitted, seconded by Mr. Johnson. Motion passes.

June 8, 2009 meeting minutes to continue to July 20, 2009.

SIGN ZONING MAP

Board members present signed the revised zoning map.

Christine reminds the Board the next meeting will be on July 20, 2009.

ADJOURN

Walter Johnson motioned to adjourn at 8:05 p.m., seconded by John Duggan.

Respectfully submitted by Pamela Almeida, Recording Secretary

Signed By

Colin Gillis, Clerk

July 20, 2009
Date



TOWN OF EASTON
Department of Planning & Community Development
136 Elm Street | North Easton, Massachusetts 02356 | 508-230-0630

June 1, 2009

Robert A. Daly
Daly Construction
154 Highland Street
South Easton, MA 02375

Re: Finding Alderwood Estates in Default

Dear Mr. Daly,

At its meeting of February 11, 2009, the Planning & Zoning Board voted to adopt a punch-list of outstanding items required to be completed to fulfill the obligation of the Subdivision Approval for Alderwoods Estates, and set as a completion date the end of May, 2009. These items were identified in a Street Inspection Report, which was forwarded to you at this address in March, 2009.

Because the items listed in the Street Inspection Report are still outstanding, the Planning and Zoning Board will hold a Public Meeting to determine whether this subdivision is in default on June 22, 2009 at 7:00 p.m.

If the Board determines that the subdivision is in default (i.e. that the items on the Street Inspection Report have not been completed), the Board will move to take the funds held as surety for completion of the road and installation of services, which is currently approximately \$18,000. These funds will be used to complete the roadway and install municipal services as approved in 1987, and outlined in the Street Inspection Report.

Please contact me with any questions or concerns at 508-230-0643.

Sincerely,

Alice Savage, Acting Director
Department of Planning and Community Development

Cc: Easton Planning & Zoning Board