



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

**Meeting Minutes**  
**Tuesday, October 13, 2009**

Present: Christine Santoro, Chair; Colin Gillis, Clerk; Walter Johnson, Gregory Strange, John Duggan, Peter Deschenes, Alice Savage, Town Planner

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

**6:30 PM BOARD BUSINESS**

**Chair Report:** Christine Santoro discussed the Conflict of Interest Law that was received from the Town Clerk. By December 28, 2009, and on an annual basis thereafter, all current municipal employees must be provided with this summary of the conflict of interest law. Every municipal employee is required to sign a written acknowledgment that he has been provided with the summary and complete the online training program and submit the certified receipt to the Town Clerk.

Christine Santoro reminds the members that elections of Officers for the CPA committee was postponed; which she has been the representative of and announced that Gregory Strange will now be the representative. The other committee which needs representation is the Capital Planning Committee. Christine Santoro will be replacing Gregory Strange.

Alice Savage asked the members if they wish to attend any of the Citizen Planner Training Collaborative classes that are coming up, to let her know.

**Approval of minutes:** September 29 2009

Walter Johnson motioned to approve the meeting minutes of September, seconded by Colin Gillis. Motion passes (6-0-0)

**6:45 PM SITE PLAN REVIEW**  
150 Foundry Street, Maplewood Day Camp (09-29)

Present: David Harrington, Coneco Engineers and Lee Pinstein, Maplewood Day Camp

Mr. Harrington explains in March, 2008 the Board approved a Site Plan Review, since then some changes had been made which include, test pits, grading changes, removed a wall and added

some rip-rap; the pool area (formerly was going to be completed enclosed), decided to modify and add a building with a smaller pool; an existing concrete pad which would like to enclose and add some bathrooms. The applicant requests a waiver of the parking requirements. Also notes that three handicap spaces proposed meet requirements. Total changes will be 2700 s.f., smaller than the former approved plan, providing much more infiltration from stormwater. The changes have been approved by Board of Health and Conservation Commission.

Per Ms. Savage, Woodard & Curran reviewed and the waiver of the parking spaces is within what is allowed (required is 67, 56 are proposed). Ms. Savage recommends approval.

Colin Gillis motions to approve as submitted including request for waiver of parking, seconded by Gregory Strange. Motion passes (6-0-0)

The Board signed the plan entitled "Maplewood Day Camp Facilities Improvements; 150 Foundry Street, Easton, MA," dated March 29, 2009, revised through September 14, 2009, Sheets 1-15

**7:00 PM      PRELIMINARY SUBDIVISION PLAN REVIEW**  
Eldrick Woods (09-21)

The applicant, George Fossella, left a phone message requesting continuance for 30 days.

Walter Johnson motions to deny the continuance, seconded by Colin Gillis. Motion fails (2-4-0) Christine Santoro, Gregory Strange, John Duggan, Peter Deschenes opposed.

John Duggan motions to continue 30 days, seconded by Gregory Strange. Motion passes. (6-0-0)

**7:15 PM      PRELIMINARY PLAN REVIEW**  
Drake Street Extension (09-28)

Present: Attorney David Marsan; Craig Horsfall, Hayward-Boynton & Williams and Thomas Carney, Jr. applicant

In summary, the proposed subdivision of land is a one lot residential subdivision which consists of modification of the property lines to create frontage on Drake Street. The applicant is proposing to construct a cul-de-sac turn around at the end of the existing constructed pavement within Drake Street and also in front of the newly create lot. The applicant is asking for the following waivers:

- a) Curbing: requesting to install cape cod berm in lieu of vertical granite curbing. No curbing exists on Drake Street.
- b) Sidewalk: requesting to waive the requirements for a sidewalk. No sidewalk is in place for existing portions of Drake Street.

- c) Length of Dead End Street: The applicant proposes that Drake Street is currently defined as a 40 foot wide private way of which approximately 730 feet is paved. The constructions of the cul-de-sac turn around will require the existing pavement to be extended by approximately 90 feet to the center of the cul-de-sac.

Ms. Savage comments that with a proposed stormceptor unit within the landscaped area of the island, seems it would limit the kind of landscaping that would go into the cul-de-sac. Mr. Horsfall explains the stormceptor units are catch basin that will sit within the pavement and will only allow grass and perhaps shrubs.

Ms. Savage notes that she wanted Drake Street clarified as to it being private versus public. It was explained that the Town did not accept that portion of Drake Street from the edge of the pavement to Church Street (Attorney Marsan states this portion is a paper street). The end from Depot Street to the end of pavement is public.

Attorney Marsan discusses the water service line connecting the existing water line at Drake Street to Church Street. Mr. Horsfall discusses the Water Department is not certain as to where the water main ended and started feeding water services at Drake Street or the size of the water main.

It was asked why not extend the water main all the way to Church Street, and eliminate the turnaround. Mr. Horsfall thinks this will invite unwarranted traffic to use Drake Street as a cut through, currently is a nice, quiet dead end. John Duggan comments that, per the cases submitted tonight, the applicant does not have the right to construct the through street. Alice Savage informs the Board that the Police Department is against cutting through to Church Street, however the Fire Department is for cutting through.

Gregory Strange suggests a different turnaround, indicating that as submitted, the Town will have to maintain the island and road, if not going to be private. Mr. Horsfall states he does have a meeting this week with regards to creating a hammerhead type turnaround with the Fire Department.

Peter Deschenes asks who owns the private way. Attorney Marsan states all of the abutter's.

Alice Savage thinks if have the right to loop the water main from Church Street, why not have the right to cut Drake Street through to Church Street. Attorney Marsan states that all that is being gained by the applicant is a single lot. Not going to spend thousands of dollars to extend the road to Church Street.

Peter Deschenes asked for clarification of who owns the portion of Drake Street that is private (unpaved). It was explained that the abutter's own the portion in front of their property to the center line.

Ms. Savage asked Mr. Carney if any abutter's have been notified. He responds he received no response when submitted letters for a proposed driveway. He would like to do what he can

without hurting other people's property. He explained that he tried for a variance for the 9 feet, but withdrew when looked like it would not get approved.

Christine Santoro suggests a Site Walk. Alice Savage asks if the cul-de-sac could be staked out for visualization during the Site Walk.

A site walk was scheduled for Tuesday, October 20, 2009 at 9:00 a.m.

Colin Gillis motions to continue to October 26, 2009 at 7:30 p.m, seconded by Walter Johnson. Motion passes (6-0-0)

**BREAK 7:45 P.M.**

**8:05 PM CONTINUED PUBLIC HEARING**  
Administrative Rules & Regulations and Subdivision Rules & Regulations

Ms. Savage begins the discussion at Section 8, (8.1.1) Stormwater Management, Applicability. Propose to change item #3 in list from 'construction or expansion of any parking lot where the total number of spaces is "10 or greater than 10", to "...10 or more".

Section 8, (8.5) Stormwater Management, Annual Report. Propose to change item #2 is list from "Maintenance conducted over the past year, a. when, b. by whom", to "Information on when and by whom maintenance has been conducted over the past year."

Section 8, (8.5.1) Stormwater Management, Failure to Submit Report May Result in a Fine. Propose to add to the end of this section: "Submission of this report shall be the responsibility of the developer until ownership of the stormwater maintenance system is turned over either to a homeowners' association of the Town; thereafter, if it is owned by a homeowners' association, the annual report will be the responsibility of the homeowners' association."

Section 9, (9.1) Administration, Requests for Waivers of Compliance of These Regulations. Proposed to add to the third paragraph to the end of the first sentence, "which shall indicate specifically which section of these Regulations is requested to be waived."

Section 9, (9.2.2), Standard Conditions of Subdivision Approval. Propose to add to the list of items:

5. The applicant shall submit an annual report to the Board for review no later than January 31 of each year. This report shall correlate to the approved Operations and Maintenance plan and shall include information outlined in Section 8 of the *Easton Subdivision Rules and Regulations*.\*\*\*
6. Except where explicitly waived, all the requirements of the *Easton Subdivision Rules and Regulations* shall apply to this subdivision, even if not shown on the plan.\*\*\*
7. The DPCD must be notified at least 48 hours in advance of any construction activities requiring inspection, as outlined in the *Easton Subdivision Rules and Regulations*.\*\*\*

Where any portion of the stormwater maintenance system is proposed to be constructed outside of the roadway layout, the following conditions shall additionally apply:

1. A copy of this decision and the plan, including the plan depicting the location of all utilities owned by the Homeowners' Association, shall be furnished to the new homeowner(s) upon transfer of any deeds.

Section 9, (9.3) Standard Conditions of Subdivision Approval, Recording of Plan. Propose to eliminate in sentence one, "entire set of signed plans comprising the...", and replace with "any sheet showing the division of lots, containing notes of conditions of approval, or referenced in any condition of approval, must be recorded".

Section 9, (9.4.6) Road Cost Estimates. Propose to add to the end, "The Road Cost Estimate will be calculated to reflect the improvements required as approved."

Section 9, (9.5) Variation. Propose to delete in its entirety.

Section 10, (10.2) Performance Guarantee. Propose to add at the end of item #1, "Bonds shall be issued by a company properly registered and licensed to issue bonds in Massachusetts."

Section 10, (10.2) Performance Guarantee. Proposed to eliminate item #4, and replace with, "A tri-partite agreement, as described in the Subdivision Control Law."

Also proposed to add to the end of this section, language reflecting the amount of the bond has to be enough to complete the road and utilities to service every lot not covered by a covenant. Ms. Savage explains that Town Counsel is working on the language.

Section 10, (10.5) Later Alternate Method of Guaranteeing Performance. Propose to delete in its entirety.

Section 11, (11.2) Application Fees. Propose to add language to the beginning of the section, "Subject to an annual approval at Town Meeting, Application Fees for Definitive Subdivisions shall be deposited into a 53E½ account created for the purposes described in the Town Meeting vote."

Appendix B, Environmental Impact Statement. Propose to add language to the beginning of the section, "The Environmental Impact Statement may refer to the Stormwater Report or other documents submitted as part of the application package."

Appendix B, Environmental Impact Statement. (continued)

Propose to eliminate section entitled "Air" in its entirety.

Propose to eliminate, under the Water and Wetlands section, items c. through h.

Propose to eliminate section entitled "Energy" in its entirety.

Propose to change language in section entitled "Local Flora and Fauna" by eliminating all of a, b, and c., and adding the language, "Indicate whether the subdivision is within any Natural

Heritage & Endangered Species Habitat (NHESP) mapped habitat. If so, describe what measures are taken to protect that habitat, and what approvals, if any, have been received from NHESP.”

Propose to eliminate, in section Man-Made Environment, the section entitled “Land Use”.

Propose to eliminate, in section Man-Made Environment, the section entitled “Zoning”.

Propose to eliminate, in section Public Facilities, 1.a and change language to “Estimate the gallons per day of water required to serve the project for domestic consumption and fire protection.”

Propose to eliminate, in section Public Facilities, items #3, #4, #5 and #8, in their entirety. Changing the number to 1, 2, 3.

Propose to change the language in section Public Facilities, new number 2, to “Traffic Facilities not applicable to residential subdivisions.”

Propose to eliminate from the section entitled “Community Services”, items #1, #2, and #3, and putting items #4 and #5 as items #5 and #6 (deleting item a.) in the Public Facilities section.

Propose to eliminate the section entitled “Human Considerations” in its entirety.

**8:45 P.M. CONTINUED SITE PLAN REVIEW**  
23 Norfolk Avenue (09-26)

Request to continue was received.

Colin Gillis motions to continue to November 9, 2009, seconded by Gregory Strange. Motion passes.

**ADJOURN**

Walter Johnson motioned to adjourn at 8:45 p.m., seconded by GS. Motion passes.

Respectfully submitted by Pamela Almeida, Recording Secretary

Signed by,

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\_\_\_\_\_ Date