



TOWN OF EASTON
Planning & Zoning Board
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Meeting Minutes
Monday, October 26, 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 P.M. BOARD BUSINESS

Chair Report: Christine Santoro and Alice Savage met with Doug King, to review the discussion regarding Queset Common's for tonight's meeting scheduled for 7:00 p.m.

OTHER BUSINESS: Stillwater Creek Lane Update: Alice Savage reports the road has been paved, per report of the Land Use Agent.

OTHER BUSINESS: 2010 Meeting Schedule: Has been asked to postponed until the Board of Selectmen's schedule is approved.

OTHER BUSINESS: Alice Savage reports she received a call from Executive Office of Transportation (EOT) that the funding was awarded to do the North Easton/Stoughton station but not awarded funding to do the Village Station. The funding is to pay OCPC to work with Easton and Stoughton to design the station area. The current proposal would be for both stations with every other train stopping at one or the other station. Colin Gillis asked about parking. Ms. Savage reports the plan is to come up with a place that a rider would want to go to, instead of just leaving their car. The funding is approved through June 30, 2010 more details to come. John Duggan inquired how the decision was made to spend the money. Ms. Savage reports that OCPC has a contract with EOT, which are refining the scope of work now, and she will call for an update in the next couple of days.

Colin Gillis asked about the wetland issues. Ms. Savage reports there are wetlands but also uplands. Gregory Strange asked about the decision on picking the route. She reports that, if interested, all of the technical reports are available on the website. Peter Deschenes asked if the line was purchased. Ms. Savage reports the line is already owned. Christine Santoro informs the Board of an article in tonight's Enterprise that reports that "the line will be running in 2016".

OTHER BUSINESS: Ms. Savage reports that the OCPC has also agreed, in a separate funding pool, to work with the Town on doing some potential inclusionary zoning usage.

OTHER BUSINESS: Ms. Savage discusses with the Board the idea to do a commercial development plan this year for one site in Town. One recommendation was the Town work on improving gateway points in commercial development areas in town (Route 138, Route 123 at Belmont Street). She asks the members to look at rezoning Route 123 to the Brockton line, because this area is zoned residential, even though consists mostly of businesses. She suggests perhaps looking at it as a specific case, perhaps as a pilot district, if goes well, then look at other areas of town. Other areas for a proposed gateway area may include Route 138 heading north and Route 123 and Route 106 and the area of five corners towards Target.

6:40 P.M. Presentation on LID by Green Street Systems, LLC

Discussion moved to the meeting of November 9, 2009.

7:00 P.M. CONTINUED PUBLIC HEARING: Queset Commons (#09-13)

Present: Douglas King, Mark Bartlett

Alice Savage explains that the Board received a draft Decision from the applicant for Queset Commons, which would be a “Master Plan Approval”, which would not entitle the applicant to any building permits. She reports she inserted dates relevant to the public hearing dates and added a condition that was discussed which was that “the exterior of the wastewater treatment plant shall be designed to reflect the architectural heritage of Easton to the satisfaction of the Board”. She explains this is a proposed modification to the Draft, and one other change is on page 9 which states “proposed mitigation in the Development Agreement as contemplated by section 4.4”, should be D.4.

Christine Santoro asked the members if they had any particular items the members had questions on about the draft Decision (the first three paragraphs states the decision is the Master Plan and the Board, acting as the Approval Planning Authority has agreed to go through and approve each Phase as they are proposed.) Ms. Savage reports that the applicant can submit a ‘sub-phase’ which would be a building of a phase.

Mr. King submits a letter thanking the Board for their consideration of the project and updated plans based on comments from the public hearings.

Ms. Savage explains that the structure of the decision is based on what the Board has received as of now. Aspects approved include:

Waivers requests:

- a) Waiver of any and all aspects of the Bylaw requiring the submission of plans and other information and materials inconsistent with the concept of Master Plan Approval followed in the future with Phase Approvals. The plans and

other information therefore waived as part of this Master Plan Approval are listed in Limitation 3(b) below, but must be submitted in the future as to each particular Phase as part of the applications for Phase Approvals.

- b) Waiver of the requirements of the Bylaw to permit the construction of up to 40,000 square feet of commercial space in QSGOD Subzone C, and a total of up to 116,000 square feet of commercial space in the overall Project. Accordingly, “40,000 sq. ft.” shall be substituted for “30,000 sq. ft.” in Bylaw Section 7-17-F)3.
- c) Waiver of the requirements of Bylaw Section 7-17-N)1 and the Smart Growth Overlay District Design Standards VII (D) (5), to permit construction of certain streets to a width of 24 feet, rather than 20 feet.

Conditions include:

- (a) No Building Permit for any new building shall be granted unless and until the Phase Approval has been issued by the Board with respect thereto, which Phase Approval must include a Finding of compliance with all aspects of the Bylaw, as to that Phase and the overall Project.
- (b) The Applicants shall at all times remain in material compliance with the Development Agreement, as it may be amended or modified from time to time.
- (c) If and when the Board of Selectmen so approve, Roosevelt Circle (a public way) is to be discontinued as a public way and become a private way within the Project, subject to completion and satisfaction of any legal requirements relating thereto.
- (d) All private internal roadways serving the Project are to remain private.
- (e) All internal roadways, as well as the Project’s wastewater treatment plant and any and all common services and facilities are to be owned and/or maintained by one or more condominium association(s), homeowners’ association(s) or property owners’ association(s).
- (f) The Board shall be provided with advance written notice of any meetings with the Massachusetts Highway Department to discuss traffic mitigation measures and improvements, and may send a representative to any such meetings.

With the recommended additional condition: (g) All internal roadways, as well as the Project’s wastewater treatment plant and any and all common services and facilities are to be owned and/or maintained by one or more condominium association(s), homeowners’ association(s) or property owners’ association(s).

Alice Savage recommends the Board close the public hearing.

Gregory Strange points out that item #5 on page 6 is confusing, which reads:

The Project as depicted in the Master Plan, and subject to the waivers, limitations and conditions set forth below (including the requirement of future “Phase Approvals”), meet the Design Standards of the PAA and adequately address the scale, proportions, and exterior appearance of buildings, the placement, alignment, width, and grade of streets and sidewalks, the type and location of infrastructure, the location of building and garage entrances, off-street parking, the protection of significant natural site features, the location and design of on-site open spaces, landscaping, exterior signs, and buffering in relation to adjacent properties.

John Duggan agrees that if this is a Master Plan decision the design standards should not be included in this decision.

Mark Bartlett feels that in item #5, the part referring to ‘scale and proportions’ have been referred to and may be wise to keep in the Findings. He suggests as an alternative to striking item #5 in its entirety to reword it. Gregory Strange feels that if the decision includes item #5, it should also include design renderings. The Board agrees to remove item #5 in its entirety.

Gregory Strange also questions item #3 on Page 6, which reads:

The Master Plan, and the Project as depicted therein, will be complementary to nearby buildings and structures, and any extraordinary adverse potential impacts of the Project on nearby properties have been adequately mitigated by means of suitable conditions, as hereinafter set forth.

Christine Santoro suggests to end the sentence after ‘....structures’. and remove the rest of the paragraph. To read “The Master Plan and the Project as depicted therein, will be complementary to nearby buildings and structures.” The Board agrees to this change.

Colin Gillis motions to close the public hearing, seconded by Walter Johnson. Motion passes (6-0). John Duggan wants to inform the Board he may not be able to make the next meeting and wanted to know what affect it would have on the Board’s vote of the Decision. The Board agrees there would be no problem in his absence as Peter Deschenes, as Alternate Member, is able to vote.

BREAK 7:35 P.M.

7:45 P.M. DISCUSSION: 210 Poquanticut Avenue Determination

Present: Attorney David Marsan; and a Representative from Collins Engineering

Gregory Strange recuses himself.

Attorney Marsan, refers to the Zoning Bylaw note 6-3, Section 12 on page 6-2, who explains the applicant will be submitting an application for an Estate Lot. Ms. Savage questions if the lot

meets the requirements, due to the lots' shape. Attorney Marsan agrees with Ms. Savage, however, he believes, that according to the Bylaw, the lot meets the Zoning requirements.

Ms. Savage reports the Board and Town Counsel has looked at the plan and feels it does not meet the requirements. Attorney Marsan disagrees and reiterates the Bylaw as written (6-3, Section 12 on page 6-2).

Attorney Marsan feels he has been doing this for a long time and trying to think what was intended in this section. He feels the Bylaw has two requirements and the applicant has met both.

Colin Gillis motions to refer this to Town Counsel for further study with regards to liabilities, seconded by Walter Johnson. Motion passes (5-0)

Attorney Marsan clarifies the motion being a second opinion specifically with this project to the bylaw (Ch. 6-3, Section 12, page 6-2) and the potential for liability.

8:12 P.M. CONTINUED PRELIMINARY PLAN REVIEW
Drake Street Extension (09-28)

Present: Attorney Marsan and Craig Horsfall, Hayward-Boynton & Williams.

Following a site walk it was suggested that a hammerhead turnaround be designed for this project. And comment from the Fire Chief that he would not be opposed to this type of turnaround.

Gregory Strange asked if there was drainage. Mr. Horsfall explains that there is existing drainage, and also proposing a low impact drainage system, with a grass area into a detention cell which would be able to accommodate the increased runoff.

Ms. Savage does not feel it makes sense to make this portion as a private way. Feels the Board would want to close the book on this as a modification and would like the DPW's thoughts on stormwater. Mr. Horsfall explains the applicant is proposing one lot and Jack Marsh (Water Superintendent) indicates that a 2 inch main would be needed. It is proposed to tap off the existing main on Church Street to service the one lot.

Ms. Savage asked if they were also going to tap into the proposed hydrant. Attorney Marsan explains the unfinished part of Drake Street is treed, and would have to cut a path to allow for a fire hose from Church Street. The hydrant on Church Street is closer to the home then the hydrant at the Depot Street end. Walter Johnson concerned with the fire department running a hose 300 feet through a wooded area to this one lot. Attorney Marsan states that the end of Depot Street is 700 feet from the one lot. Ms. Savage comments that a fire hydrant was originally proposed. Attorney Marsan states that the main being proposed does not support a fire hydrant. It is recommended to get comments from the Fire Chief regarding the project as proposed (running 300 feet through a wooded area from Church Street) versus 700 feet from Depot Street.

Ms. Savage states that if the current proposal is to clear 10 feet to provide for a 1 ¼ inch waterline can the applicant also put in a sidewalk? Attorney Marsan reiterates the waterline may not be a straight shot, wanting to not clear too much. Ms. Savage asked if have the right to clear for a waterline, why not also clear for a sidewalk. Attorney Marsan clarifies that this end of Drake Street is private property, putting in a sidewalk would be considered trespassing. He was asked how then, can a water line and clearing be done?

Ms. Savage asks for revised plans showing the hammerhead design.

8:30 P.M. SITE PLAN REVIEW

95 Belmont Street (#09-23); Applicant: William Habig, Jr.; Rep:
Pilling Engineering Group, Inc.

Present: Todd Pilling, Pilling Engineering; William Habig, Jr.

Todd Pilling explains this is next to the entrance of the Industrial Park (Habig & Magoon Insurance Agency). The applicant is proposing to put a small addition to the garage for office space. The existing parking lot has no drainage, water sheets off. Will put in curbing and the overflow will be directed to the rear of the property. Handicap access will be provided. The ZBA granted a Use Variance for the expansion. The applicant is asking for waiver of the parking requirements.

A site walk was suggested.

Colin Gillis motions to schedule a site walk for November 4, 2009 at 9:00 a.m., seconded by Gregory Strange. Motion passes (6-0)

Colin Gillis motions to continue to November 23, 2009 at 6:45 p.m., seconded by Walter Johnson. Motion passes (6-0)

ADJOURN

Walter Johnson motions to adjourn at 8:45 p.m., seconded by Colin Gillis. Motion passes

Respectfully submitted by Pamela Almeida, Recording Secretary.

Signed by,

Date
