



TOWN OF EASTON
Planning & Zoning Board
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Planning & Zoning Board
Meeting Minutes
September 14, 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

Approval of minutes: August 17, 2009 – Not submitted, continued to September 29, 2009

Colin Gillis motions to approve the meeting minutes of August 31, 2009 submitted, seconded by Gregory Strange. Motion passes (5-0-0)

Gregory Strange motions to approve the meeting minutes of July 20, 2009 as submitted, seconded by Peter Deschenes. Motion passes (4-0-1) Colin Gillis abstains.

Gregory Strange motions to amend the meeting minutes of the joint meeting of the Quiset Commons public hearing to list the Board members present, seconded by Colin Gills. Motion passes (6-0-0). Recording Secretary to make the change and submit for signature at the September 29, 2009 meeting.

DISCUSSION: Fall Warrant Articles:

Ms. Savage submitted to the Board a Warrant Article for the October, 2009 Special Town Meeting regarding the Results of the Feasibility study of 249 Prospect Street and 12A Highland Street.

John Duggan arrived at 6:45 p.m.

CHAIR REPORT:

Christine Santoro discussed a MACC training September 26, 2009 at the Easton DPW and asked any members who might be interested to attend. Peter Deschenes will get back to Alice be Wednesday.

6:50 P.M. FORM A (ANR)

North Main Street (09-24); Applicant Robert & Joanne Carroll; Rep: Pilling Engineering Group, LLC

Present: Todd Pilling, Pilling Engineering Group

Alice Savage explains this plan is to re-divide an expired Estate Lot shown on plan entitled "Plan to Accompany Special Permit Application at plot 32, N. Main Street, Easton, Ma", prepared by Gallagher Engineering and recorded in plan Book 457, Page 18. Parcel B is not a buildable lot under the current zoning bylaws.

Town resident, Annmarie Melanson asked if the Form A is approved does that mean the Puddingstone Estates subdivision is approved. The Board replies no.

Gregory Strange motions to approve the Form A as submitted, seconded by Colin Gillis. Motion passes (6-0-0). The Board signs the mylar, which will be kept until such time Puddingstone Estates decision is decided.

7:00 P.M. CONTINUED PUBLIC HEARING: RESIDENTIAL COMPOUND / DEFINITIVE SUBDIVISION

Puddingstone Stone Estates (09-19); Applicant: Robert & Joanne Carroll; Rep: Pilling Engineering Group, LLC

Present: Todd Pilling, Pilling Engineering Group

Todd Pilling reviews what changes were made to the plan since the August 17, 2009 meeting.

1. Outstanding drainage items: soil so good, need to have a second level of pre-treatment, therefore put in a 150 gallon septic tanks for oil collection, two will be put in. the engineer reviewed, only want the first flush, after about 3-4 inches of rain, want only ½ to 1 inch going into, 6 inch pipe has replaced 4 inch pipe.
2. At the request of abutter, instead of all white pine trees, suggested blue spruces, which would be acceptable, three blue spruce trees will be planted. There will be 6 white pines and 3 blue spruce trees.
3. The infiltration (roof) for lot 5, was less than 10 feet from the system, has been moved back beyond 10 feet from the street.

Walter asked whose responsibility it will be to inspect the water separators. Mr. Pilling explains it will be the Homeowners Association responsibility. Ms. Savage reports it has been suggested to make as a condition of approval.

Ms. Savage reports, per previous comments, HOA document has been amended, should specifically reference the O&M plan. Did receive a brief in opposition to the project from Attorney Craig Martin, Attorney for the Estate of Alice Harvey, regarding the previously approved Special Permit for an Estate Lot that. Ms. Savage spoke with Town Counsel, who stated the Town is not bound by a previous decision (which expired in April, 2009)

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Gregory Strange questioned the O&M condition in the decision regarding inspection of the private lane, and feel it does require this type of inspection. Colin Gillis asked what type of sanctions do members of the HOA have if the inspections are not done. Alice reports the Town can take action against the HOA. Colin Gillis asks if the inspection reports could be recorded with the Registry of Deeds for record for each homeowner. Todd Pilling responds that if the HOA fail to inspect the drainage system, the infiltration system will plug up, explaining that is in the HOA's best interest to do the maintenance.

Walter Johnson voiced his concern of people moving into this subdivision and not knowing what they are getting into. Todd Pilling explains that the HOA will hire a company to do the maintenance and inspections. Walter Johnson asked about the road being swept at least 4 times a year, other regular maintenance annually. Walter Johnson asked who from the Town does the inspection on the test pits, Alice Savage reports the Board of Health.

Christine Santoro clarifies that it is the developer is responsible for all maintenance until all lots are sold.

Ms. Savage recommends the Board close the public hearing.

Christine Santoro asked for questions from the public:

Craig Martin, Attorney for the Estate of Alice Harvey in opposition of the permit. Points out to the Board, the Special Permit for an Estate Lot was approved by this Board approximately two years ago. He feels if the Board approves this current application, it would be inconsistent with the finding of two years ago. Wanted it known, for the record, that he was here opposing this application.

Ms. Santoro explains the special permit from two years ago, has expired.

Larry Mowatt, appreciates the Board's time during the Site Walk . He suggests the trees that are to stay be marked, remarking that already a lot of trees have been taken down. He would like to see the installation of a fence be revisited, in regards to headlights and views. Wondering if the abutters could be notified before the bonding is released.

Gregory Strange motions to close the public hearing, seconded by Colin Gillis. Motion passes (6-0-0)

Ms. Santoro suggests the Board be given time to review all documents received and put a vote for decision for Tuesday, September 29, 2009.

8:00 P.M. BREAK

8:10 P.M. CONTINUED PUBLIC HEARING: QUESET COMMONS (09-13)

Present: Douglas King, Mark Bartlett Norfolk RAM Group

Ms. Savage reports there have been many documents and multiple changes to the plan since the last meeting joint meeting of July 29, 2009)

Mark Bartlett explains changes per plan entitled Proposed Site plan, Queset Commons, Easton, MA”, dated May 1, 2009 and revised July 20, 2009.

1. that all parking spaces have been changed to reverse angle parking and areas have been designated for compact cars.
2. did withdraw from the buffer zone with a 3-4 foot high sloped wall. Sections have reinforced concrete walls. Did not change the layout, but did alter the bicycle path.
3. wastewater treatment plant has been relocated.
4. bus stop moved
5. added several crosswalk locations throughout the site.
6. guardrail will be installed along the bicycle path
7. areas designated for green space.
8. Trees are proposed along the project, including the parking areas.
9. proposing trees or plantings along the emergency vehicle path behind buildings D/E to define the path.

Walter Johnson asked for the size of the leaching facilities, Mark Bartlett states two are huge (100,000) gallons per day, and will utilize both Queset on the Pond and Stoneforge. Walter Johnson asked who will be responsible for the maintenance of the plant. Mark Bartlett explains Mr. King will be responsible for maintenance.

Ms. Savage concerned with approving a landscaping plan that is general, that does not indicate the planting specifics or the canopy level. Feels the landscaping scheme should not be shown on the master plan, rather indicate it in the decision the landscaping plan for the each phase is defined. Mark Bartlett and Mr. King feels not including items on the plan, would be detrimental to the project and if provide the parking layout as proposed, feels master plan should reflect how getting to and from the site, grading, parking, etc. as a entire site and not on a Phase to Phase approval.

Walter Johnson asked how the phasing will happen. Mr. King explains there will be three phases A, B and C. each phase will indicate the lots and road access to get to them. This proposed plan before the Board is a conventional subdivision solely to get the lots. Walter Johnson asked how long it might take from start to finish, Mr. King replies that with this economy, possibly 5-10 years to complete.

Peter Deschenes asked whether using some units from Queset on the Pond for the affordable housing for this project. Ms. Savage reports that the affordable units at Queset on the Pond count for a 40B count but do not count against the 40R affordable housing count. The Board can allow for phasing, as long as overall affordable housing units are included in the total phases.

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John Duggan comments that separate and apart from the bonding issue, we are talking about an economy where in order to get financing and make money off of, concerned the affordable units are going to be pushed aside because they are not profitable at this time. Mr. King disagrees,

Ms. Savage had one additional comment related to the width of the main road, in the Design Guidelines for the Bylaw "two lane width of 20 feet", the applicant would request a waiver allowing a 24 foot road.

Gregory Strange's concern, but seemed to have revolved into how typical things are done. Understand market conditions and the economy and Conservation Commission, understand that this proposed plan basically is where the buildings are going, why not come up with a master specification. He states look at how the treatment plant has moved, look at that and how it could be nice feature. Also, indicate, along the streets, certain size of the trees. Maybe the Board would be more comfortable with moving forward. He would like to make sure the process isn't a long series of Site Plan Review.

Mark Bartlett responds that when the bylaw and design standards were developed, these types of things were discussed and it was decided they should be included in the decision. The selection of the sidewalk materials and landscaping should be included in the decision, the design and look of the wastewater treatment plant should be included in the decision.

Ms. Santoro feels this process is going to be combination and a compromise on both sides, the concept of a master plan is that not all things are included, like sidewalks, trees, roads and location of parking spaces.

Ms. Savage feels if parking is going to be included in the 'master plan', the buildings then should really be specified. The parking is different for a building use. Feels there may be too much parking in some areas, and not enough in others.

Mark Bartlett explains they tried to set the parking as close to the bylaws as they could. Then identified a parking allocation plan indicating the intent where the parking will be for the building; however does not dictate if someone will be going to Building B, does not necessarily have to be parking in a specified lot.

Mark Bartlett refers to a parking spreadsheet dated August 20, 2009. The plan has been reduced by 100 spaces. Ms. Savage feels overall there is too much parking on the site. Mr. King feels that building in Phases will be able to get a feel for the parking and give the opportunity to look at again.

Gregory Strange think that if the roads going through and the buffer zones are defined by the Conservation Commission, everything inside the site area could possible change, however the specifics looking for with the parking, thought would be able to hash out per Phase approval.

John Duggan feels a parking analysis could be done during each phase, where the potential for each phase changing is real and to defer the actual analysis when know the tenants in a phase.

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assuming that Mr. King would come back with a plan for parking after any calculation that would meet the bylaw.

Mark Bartlett have already reduced the parking by approximately 120 spaces per staff comments and included green space.

Peter Deschenes asked Mr. King if the design of the wastewater treatment plant, agreeing with Mr. Strange's earlier comments, this building being a focal point for the project.

Ms. Santoro asked about the drainage and grading for each phase. Is it fair to say that the drainage and grading will be sufficient for each phase. Mr. King and Mark Bartlett agree.

Walter Johnson asked for the number of apartments and parking spaces. Mark Bartlett responds that there will be 280 apartments and currently allow for 767 parking spaces.

Ms. Santoro agrees with the Town Planner recommendation for approval of a master plan, plot designation, phasing, flexibility of information as go through each phase, etc.

Gregory Strange reiterates this type of project is more involved than a Site Plan Review, thinks the Board should continue to treat this as a 40R project. John Duggan agrees and the decision should be crafted as such, and be used a guidance for future project of this type.

John Duggan asks are we going to put together a decision based on a proposal of a master plan and approval of a decision of what the Board is looking for, or are we looking for approval of something more ceremonial.

Ms. Santoro explains there is no draft decision by the Town Planner at this time. Tonight is more of a ceremonial approval of the concept.

Mark Bartlett responds that there will no further changes on the plan, would like to see a draft decision of approval and move ahead with Phase I. (site access, treatment plant, and modifications submitted if necessary)

Public comments:

Elaine Dahlgren confused about the Warrant Article proposing Roosevelt Circle as a private way, yet allow parking on it and in Queset Commons. Ms. Savage explains that the cul-de-sac Roosevelt Circle will be converted to a throughway and in order to do that the road has to be discontinued as a public way and proposed as a private way.

Elaine Dahlgren also concerned with the current intersection at Route 123 and Route 138.

James Azevedo addresses the Board referring to a partial report from 1991 on the site that was the 400 Club. According to the flood rate map, the entire area is in a Zone A flood zone. Mark Bartlett explains that the pad that is currently at the 400 Club area will be taken out and replaced with wetlands.

Colin Gillis motions to continue to Monday, October 26, 2009 at 7:00 p.m., seconded by Walter Johnson. Motion passes (6-0-0)

**8:50 P.M. STILLWATER CREEK LANE DETERMINATION OF SUBDIVISION
DEFAULT**

Ms. Savage reports that a Public Hearing has been advertised for September 29, 2009.

**8:55 P.M. MINOR MODIFICATION TO SPECIAL PERMIT: COMMON
DRIVEWAY**

Chickadee Lane (05-02); Applicant: Greg Woolf; Rep: Pilling Engineering Group

Colin Gillis motions to table, seconded by Walter Johnson. Motion passes (6-0-0)

9:00 P.M. MODIFICATION TO SITE PLAN

703 Washington Street (09-22); Applicant: Baystate Ford; Rep: Atlantic Design Engineers

Present: Richard Tabaczyński, Engineer Atlantic Design rep

Revised plans submitted. The stormwater on the front portion was collected in a grass swale and two additional catch basins and tied into the existing state drainage system. He states that the consulting engineer agreed and the applicant thought the State would approve, however, the State has very stringent regulations on not tying into their system unless there are other feasible alternatives.

The revised plan proposes an infiltration trench crossing Route 138 and into a culvert. Currently the stormwater is ends up into this culvert; essentially the design point is the same, just a different method of getting there. The proposed is what Mass Highway has approved, but is different from the plan approved by this Board in February, 2009. Feels this system is better in design; captures the stormwater better.

Additional minor changes include a narrower entrance (per Mass Highway comments). Stop signs and stop lines are proposed along with edge of the pavement, rather than farther back.

Ms. Savage recommends continuing to the September 29, 2009 meeting.

Colin Gillis motions to continue to Monday, September 29, 2009 at 6:45 p.m., seconded by Walter Johnson. Motion passes (6-0-0)

9:15 P.M. FORM A

492 Bay Road (09-27); Henderson Farm; Rep: Ribelin Land Surveyors, Inc.

Present: Frank Ribelin, Ribelin Land Surveyors, Inc.

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The purpose of this plan is to create one lot which has 150' of frontage, greater than 40,000 square feet of upland and the existing dwelling (#492 Bay Road), while leaving the remaining land with greater than 150' of frontage and more than 40,000 square feet of upland as shown on plan entitled "Survey and Division of Land, 492 Bay Road, Easton, Ma" Sheets 1 & 2, dated September 2, 2009, prepared by Ribelin Land Surveyors, Inc.

Ms. Savage recommends approval.

Colin Gillis motions to approve as proposed, seconded by Walter Johnson. Motion passes (6-0-0)

9:25 P.M. CONTINUED PUBLIC HEARING
Administrative Rules & Regulations and Subdivision Rules & Regulations

Continued to October 13, 2009.

ADJOURN

Walter Johnson motions to adjourn at 9:30 p.m., seconded by Gregory Strange. Motion passes (6-0-0)

Respectfully submitted by Pamela Almeida, Recording Secretary.

Signed by,

_____ Date