



TOWN OF EASTON
Department of Planning & Community Development

Meeting Minutes
Monday, June 7, 2010

Present: Christine Santoro, Chair; Colin Gillis, Clerk; Walter Johnson, Gregory Strange, Peter Deschenes; Stephanie Danielson, Land Use Agent and Acting Planning Director

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

BOARD BUSINESS

• **Chair Report**

Christine Santoro welcomed everyone and opened the meeting at 6:30pm. Ms. Santoro introduced Randi Graham, new part-time Community Development Clerk, and Stephanie Danielson, Land Use Agent and Acting Planning Director.

• **Request for Bond Reduction: Corey Estates**

Stephanie Danielson reported that the Board received a request from the Colangelos requesting a reduction in surety for the work completed at Corey Drive in order to cover their expenses to date. Ms. Danielson did the site inspection and reported that all work is complete and the road way work is done. Ms. Danielson presented the board with an updated street inspection report dated June 7, 2010. The Planning Department has the as-built in hand but does not yet have the deeds. The road way is ready for street acceptance but they have not yet submitted a request. Ms. Danielson suggested to the Colangelos that they submit their request for street acceptance in order to get on an upcoming Planning Board meeting agenda. Corey Drive will then move to the next Town Meeting for approval.

Greg Strange moved to release \$14,000 of surety and hold the remaining balance. Walter Johnson seconded. Motion passes. (4-0-0, Colin Gillis absent)

• **Form A - Kennedy Circle**

Stephanie Danielson reviewed the Form A for Kennedy Circle and believes that it meets the requirements of an Approval Not Required, but the Planning Department found the plans slightly confusing and asked Todd Billing of Billing Engineering to attend the board meeting to clarify the plan. Mr. Billing stated that the plan was completed several years ago and created a common driveway to access two lots. His request is to transfer a 10,829-square-foot property (outlined in pink on plan) from Lot A (outlined in green) to lot B (outlined in orange). The plan does not affect the common driveway. Both Lot A and Lot B will have at least 150 feet of frontage and both are still conforming lots with the transfer. The driveway was located to avoid the wetlands.

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Walter Johnson moved to approve the Form A. Peter Deschenes seconded the motion. Motion passes. (4-0-0, Colin Gillis absent)

PUBLIC HEARING: SPECIAL PERMIT ESTATE LOT

210 Poquanticut Avenue (#10-15); Applicant: Dr. Eugene L. Packer; Rep: Collins Civil Engineering & Attorney David E. Marsan

6:45pm. Christine Santuro asked David Marsan if he wanted to open the public hearing considering four board members were present and one (Greg Strange) would be recusing himself as an abutter to said property, leaving only three board members to vote. A minimum of four votes is needed to vote on a special permit. Mr. Marsan chose not to open the meeting and requested continuance at the July 19, 2010 meeting when a new member will be joining the Planning Board, which will leave an adequate number of votes with Mr. Strange recusing himself.

Peter Deschenes moved to continue the public hearing of the special permit estate lot to June 21, 2010; corrected by Ms. Santoro to "July" (July 19, 2010 meeting). Walter Johnson seconded. Motion passes. (3-0-0, Greg Strange abstains, Colin Gillis absent)

SIGNATURES

SITE PLAN: 15 & 21 BRISTOL DRIVE

The Planning Board voted at the May 24, 2010 board meeting to approve the site plan for 15 & 21 Bristol Drive, and postpone signing the plans until they have met the final recommendations made by Woodard & Curran, including submitting a check for the final review amount. Woodard & Curran has not yet finished the review, as they have not yet received payment for the final review. Stephanie Danielson does not recommend that the Planning Board sign the plans until the board receives the final report from Woodard & Curran.

TOWN ZONING MAP

Peter Deschenes, Christine Santuro, Gregory Strange, and Walter Johnson signed the Town Zoning map titled, "Town of Easton, Massachusetts, Zoning Map May 17, 2010" (one mylar and three paper copies).

The board took a 10 minute recess.

Colin Gillis, Planning Board Clerk, joined the meeting.

SITE PLAN REVIEW: 135 BELMONT STREET

Present: Attorney Richard Daley and Jason Bourne CEO of Bourne Enterprises

Bourne Enterprises is located on Belmont Street across from Stonehill College in Easton. The business has grown over the last six years and currently has two locations (one on Belmont Street and another on Pearl Street in Brockton) and 30 employees. Bourne's used car sales business is currently licensed to display 144 cars: 74 cars outside and 70 cars inside (or vice versa, there is some confusion with the license). Bourne Enterprises is seeking to increase the number of cars on display outside by decreasing the parking space size from current size 10'x20' to proposed size of 9'x18' to accommodate more cars on outside display. They are also increasing their site footprint by leasing the adjoining property and rearranging the display area. Decreasing the parking space size on their current lot would make room for an additional 64 parking spaces. Mr. Bourne negotiated with the landlord of the adjoining property to lease the adjoining property's building (formerly Bath Fitters) and associated parking. Mr. Bourne plans to use the adjoining building for office space and auto detailing and to use the additional parking for outside display area. His plan includes rearranging the parking areas so that the sales person takes the customers to the outside car display area. Once the customer chooses a car to test drive, the sales person would then move the car to the front of the building. With the proposed parking space size reduction and additional 11,000 square feet from the new lease, Mr. Bourne is looking to increase the outside car display area from 144 spaces to 212 spaces. Some of the spaces would come out of existing customer parking including parking spaces associated with the newly leased adjoining lot which had been retail use.

Ms. Santuro asked if they planned any other changes. Mr. Bourne responded that there would be no other changes, only restriping and resizing the parking spaces and that there would be no increase in paved area. Ms. Santuro suggested a site walk to see the area and proposed changes, as the regulations call for the larger parking space size and Bourne is looking for a waiver from those regulations. Stephanie Danielson and Greg Strange added that people usually request a reduction in the number of parking spaces because they want to increase building size; they don't necessarily want to reduce the size of customer parking spaces. Mr. Bourne noted that Bay State Ford and many other local area businesses use 9'x18' customer parking spaces.

Mr. Bourne continued that if the board grants approval, he will need to go back to the Town Selectmen to approve the license for 212 parking spaces. Ms. Danielson clarified that the total number of vehicles on the lot will be 257. Mr. Bourne responded that there is very limited movement of the display vehicles; only the customer parking area will have movement. Colin Gillis suggested mixing the parking space sizes, using traditionally sized spaces for customer parking and smaller sized spaces for display cars.

Colin Gillis moved for the Planning Board to take a site walk with property owner, scheduled for Monday, June 14th at 9:00am. Greg Strange seconded. Motion passes. (5-0-0)

Colin Gillis moved for continuation at the June 21, 2010 Planning Board meeting at 6:45pm. Peter Deschenes seconded. Motion passes. (5-0-0)

670R WASHINGTON STREET: DEAN MILL COMPLEX

Special Permit Common Driveway (#10-05)
Site Plan Review Lot 1, Car Wash (#10-06)
Site Plan Review Lot 2, Professional Office Building (#10-07)

Stephanie Danielson stated that the applicants still need to submit materials and deposit. Colin Gillis read a letter from the applicant, received June 7, 2010, requesting that the public hearing be continued until the next meeting.

Peter Deschenes moved to continue at the June 21, 2010 Planning Board meeting. Walter Johnson seconded. Motion passes. (5-0-0)

PAST PLANNING BOARD MEETING MINUTES APPROVAL

Colin Gillis signed the previously approved minutes from the March 22, 2010 meeting.

Greg Strange moved to approve the minutes from the April 20, 2010 meeting. Peter Deschenes seconded. Motion passes. (3-0-0) Colin Gillis and Walter Johnson abstained, as they were not in attendance at the April 20th meeting. Colin Gillis signed the meeting minutes.

Walter Johnson moved to approve minutes from the May 24, 2010 meeting. Greg Strange seconded. Motion passes. Christine Santuro and Peter Deschenes abstained, as they were not in attendance at the May 24th meeting. Colin Gillis signed the meeting minutes.

The board took a 5-minute recess.

PUBLIC HEARING: BARG FARM (JOSIES WAY)

Determination of Subdivision in Default

Present: Mark Perron, Developer; and homeowners Steven Ziner of 19 Josie's Way; Wayne Stevens and Michaela Stewart of 8 Josies Way; Michael Sanpietro of 3 Josies Way, Leah Pepper of 133 Harvard Street; Ross & Donna Becker of 11 Josie's Way

On May 20, 2010, Alice Savage on behalf of the Town of Easton sent Mark Perron a letter calling his attention to the upcoming June 30, 2010 deadline for the expiration of the Tri-Party agreement between Mr. Perron, the Town of Easton, and Mansfield Bank which holds an all cash bond for roadwork at Josie's Way. Mr. Perron stated that he called Ms. Savage immediately upon receipt of the letter.

On June 7, 2010, Norman Haynes III, on behalf of the Mansfield Bank sent a letter to Mark Perron stating that the bank will release the money to the Town of Easton in exchange for the Town releasing the Bank of Mansfield from its obligations under the Tri-Party agreement. Mr. Perron stated that he agrees to the terms to have the Bank release the funds to the Town of Easton.

Stephanie Danielson stated that the last time the Town was notified of any work being done on the site was December 9, 2008. Mr. Perron stated that he closed on the final home sale approximately one year ago. In fall of 2009, he began preparing the sidewalks for paving, but he cancelled the job because of winter deadlines. Mr. Perron stated that he had engineers stake the center line on the road on April 30, 2010, but the job fell through with the paving company. Mr. Perron received another quote for paving on May 11, 2010, and met with the contractors two weeks ago. Their plan is to pave the road and sidewalks in one day; much preparation work needs to be done beforehand. Mr. Perron stated he would like 90 days to finish the as-built; the paving will be completed sooner, hopefully in 30 days. He plans to meet with T.L. Edwards on Friday, June 11, 2010 to get a better idea of timeframe for the paving. Ms. Danielson noted the final deadline suggested by the former Planning Director Alice Savage of August 31, 2010.

Christine Santuro and Stephanie Danielson inquired about what position the Town is in with regard to the Tri-Party agreement and how to execute it. Ms. Danielson stated that the Planning Board needs to send a letter to the bank releasing the bank as party upon release of funds to the Town. Ms. Danielson will talk to the loan officer at the bank and to Town Counsel.

Ms. Santuro inquired if the board needs a new road cost estimate because the most recent is dated March 2008. Ms. Danielson responded that the amount on the March 2008 estimate should be adequate. The board will not take any action on release of surety until after the town receives the funds from the Mansfield Bank.

Steve Ziner, a homeowner on Josie's Way, spoke on behalf of six resident families which include 16 children under age 13 in the Josie's Way community. They are concerned about Mr. Perron's time table for finishing the project. Mr. Ziner stated there are safety issues on the street which need to be addressed as soon as possible, specifically manhole cover damage, ungraveled sidewalks, and a broken grate in a storm drain (pictures were passed around, see file). Mr. Ziner expressed doubt that the surety will cover the cost for repairs. He recommended that the Town get a second road cost estimate. He also mentioned two retention ponds that are unfinished, open and not walled in, and stated that the US Post Office considers the street dangerous and will not deliver mail to it.

More homeowners expressed concern about the retention ponds, Mr. Perron's time line, and how the town will ensure that the road will be completed. Ms. Danielson responded that road work should begin immediately. Mr. Perron expressed interest in finishing this project and stated that the storm drains have a liner in them temporarily to catch silt. When asked, Mr. Perron stated that the road originally went in in 2005. He will give Stephanie Danielson a schedule and timeline after he talks with the contractor on Friday, June 11, 2010.

Board members expressed understanding with the homeowners' concerns and reiterated that the Board is concerned with making sure the work is done properly.

Ms. Santuro and Ms. Danielson explained that Mr. Perron was notified of the upcoming expiration of the Tri-Party agreement and invited to the Planning Board meeting to discuss if and how he intends to finish the road work. The as-built plans need to be in conformance with the

proposed plans and will determine if the designs were executed as planned. Josie's Way is a proposed and approved private way, not a public street maintained by the Town. Plans are public record and available for review at the Department of Planning & Community Development office.

Stephanie Danielson does the construction monitoring to ensure that the road is being constructed in the standards set forth by the proposed plans and rules and regulations. Mr. Perron's engineer will put together the as-built plan, which will then be compared to the proposed design and reviewed by the Town's contracted engineering firm. When there are discrepancies, the developer must explain them and provide assurance that the plan will function as designed. The Town reviews any concerns with Mr. Perron's engineering firm.

Ms. Danielson suggested Mr. Perron return in 30 days to provide a progress report and project schedule, at which time Ms. Danielson will do an updated street inspection report.

Greg Strange motioned to continue the hearing until the Planning Board's June 21, 2010 meeting. Colin Gillis seconded. Motion passes. (5-0-0)

Colin Gillis motioned to have an additional hearing at the Planning board meeting on July 19, 2010. Board directs Stephanie Danielson to do an updated street inspection report for that meeting. Peter Deschenes seconded. Motion passes. (5-0-0)

SITE PLAN REVIEW: 639 WASHINGTON STREET

Present: Walter Hermineau, Engineer; Attorney James M. Burke (48 Pearl St., Brockton), and William Adams, Owner; Frank Ribelin, Land Surveyor

Walter Hermenau reviewed the design. They plan to replace the existing 4,000 square foot facility at 639 Washington Street (formerly McDonald's Restaurant) with a 10,000 square-foot child care franchise The Learning Experience. They submitted preliminary plans and are looking to the Planning Board for site plan approval.

The existing building is not in use. Currently there is no infiltration system and storm water goes into Queset Brook. Their plan is to install catch basins to reduce and treat storm water runoff. They also plan to reduce the amount of impervious surface and parking and to increase the amount of landscaping. The landscaping plan shows a buffer around numerous trees. There will be two-way traffic around half of the building. They will maintain the entrance on Washington Street (moving it further away from Welch Road) and add an entrance on Welch Road. They have gone through the site plan requirements. Stormwater management meets all standards for redevelopment and is an improvement in the existing area. A preliminary traffic analysis of the former McDonald's estimated an average of 2,054 trips per day. The current plan proposes 2/3 less traffic than the previous business.

Walter Johnson expressed concern that emergency vehicles would be able to make the swing onto Welch Road and again into the driveway. The fire chief stated that two-way traffic in the

parking lot should provide adequate access; radius should be adequate with proposed dimensions.

Planning Board members and the Department of Planning & Community Development were not able to review the plans prior to the meeting due to inadequate scale of the copy size. Mr. Hermenau offered to provide five full-size copies for the board members, one for each member.

Ms. Danielson stated that the Planning Department received the task order from Woodard & Curran. There had been a hold on it, but the Planning Department will now have Woodard & Curran proceed with the storm water review. Ms. Danielson expressed concern about the honey locusts in the landscaping because they are on the State's invasive plant list. Mr. Hermenau responded that they are open to changing the landscaping to something more preferable.

Maximum number of children allowed at the site will be 172.

Fire Chief Stone inquired about water main size and sprinkler systems. Walter Johnson inquired about the septic system. Mr. Hermenau responded that an inspection of the existing septic system has been completed and passed a recent Title V.

Colin Gillis moved to continue at the July 19, 2010 meeting. Greg Strange seconded. Motion passes. (5-0-0)

ADJOURN

Walter Johnson moved to adjourn at 9:07 p.m., seconded by Colin Gillis. Motion passes.

Respectfully submitted by Randi Graham, Recording Secretary

Signed by,



Date

7/19/2010

