



TOWN OF EASTON
Planning & Zoning Board
136 Elm Street
North Easton, Massachusetts 02356
Tel: (508) 230-0640 Fax: (508) 230-0639

MEETING MINUTES
October 24, 2007

Members Present: Christine Santoro, Chair; Colin Gillis, Clerk; Walter Johnson, Alan Weeks, Carol Symmons

Members Absent: Gregory Strange

Staff Present: Marc Rousseau, Planning & Community Development Director; Alice Savage, Staff Planner, Pamela Almeida, Recording Secretary

6:30 P.M. (Item not on agenda) –
Classie Canine’s Special Permit Application before the Zoning Board of Appeals.

Zoning Board of Appeals needs comment from this Board for their decision to approve this application. Classie Canine’s received permit for operation from the Zoning Board of Appeals on August 15, 2006. The permit allowed operation during the hours of 6:30 a.m. to 7:00 p.m. This application would permit Classie Canine’s to board dogs (up to 25) overnight.

Colin Gillis motions to endorse application to allow overnight boarding to the Zoning Board of Appeals; the motion is seconded by Alan Weeks. The motion passes (4-0), Gregory Strange absent from voting.

Comments brought to Zoning Board of Appeals before their meeting at 7:00 p.m. tonight.

6:40 P.M. BOARD BUSINESS
Community Visioning Dialogue (continued from September 19th)

Marc Rousseau spoke saying that he, Christine Santoro, Alice Savage and Gregory Strange will be attending the meeting on Saturday, October 27th at 8:00 a.m. He handed out a questionnaire for the Board and asked them to give some thought to the following questions:

What makes Easton a special place to live or work in?

What issues do you think will make residents or businesses 20 or 30 years in the future to say “What were those people thinking? Why didn’t they address or prevent _____ from happening when they had the opportunity to?”

What should Town government do more of, less of, or the same?

Alice Savage suggested a need to take a more positive role, to look for something to aim towards instead of running from.

7:00 P.M. Low Impact Development Presentation & Discussion

Marc Rousseau and Alice Savage attended an APA conference recently and spoke to the Board about what they learned. Alice Savage handed out pamphlets entitled "Massachusetts Low Impact Development Toolkit".

7:25 P.M. BREAK

7:30 P.M. PROGRESS REPORT
Lone Oak Farms/ Completion of Oak Leaf Lane

Present: Did not get the name of the Representative from Welch Building; Jane Bengier, Oak Leaf Lane

The representative from Welch Building informed the Board of the progress in regards to the roadway. They have contracted PA Landers to raise the casting and put on the top coat and berm. He informed the Board there is also approximately 65 feet of sidewalk that needs to be completed. He has tentatively scheduled to begin paving next Friday (November 2nd). The island area is completed, the grass strip is seeded.

Marc Rousseau asked if he has spoken with Stephanie Danielson, the Land Use Agent regarding paving. He explains that in order for the street to be accepted at the Town meeting in May, 2008, an as-built plan will need to be submitted.

The representative from Welch Building stated the he will contact Ms. Danielson before the top coat begins.

Christine Santoro asked if there has been any resolution regarding the ponding at the beginning of the roadway. The representative from Welch Building stated that he does not know what to do. He believes the problem is from a modification about four years ago which involved the water main and drainage on to Poquanticut Avenue. He stated the catch basins are where they were supposed to be. Believes some of the problem is Chestnut Street. He thinks they could build up the road in that area when top coating to relieve some of the ponding.

Jane Bengier, Oak Leaf Lane resident asked if the drain in front of the O'Leary's home was opened. The representative from Welch Building stated that the drain is opened, however, perhaps the filter fabric inside is causing the problem. He reports that the drainage system is part of an underground detention system, which runs down to Chestnut Street as an overflow basis. Believes the grading is the cause of the ponding. Maybe the top coat and raising the castings can help.

Marc Rousseau states he believes they are on target for November.

7:40 P.M. MINOR MODIFICATION
Golden Oaks – Lot 17 (setback variance)

Present: Same Representative from Welch Building Corp.

He explains the reason for this is the house has already been built when it was discovered the farmer's porch is 4 feet into the setback for the frontage requirements. He is requesting a waiver of the setback from 20 feet to 16 feet. Feels the porch was not taken into consideration during the planning stage. He says that he takes responsibility for the issue and this will not intentionally happen again.

Alice Savage reading from the Adult Retirement Development (7-14) Purpose (A) and General Standards (D) sections of the bylaw. She recommends that because the Board has the authority to decrease or increase setback requirements, as long as it does not conflict with the purpose of the ARD, the Board should approve the variance, however since the porch was built contrary to plans and the approval, the Board should impose any fees or fines they deem applicable.

Christine Santoro clarifies that the applicant is looking for a variance of about 4 feet. She asks if there is a motion by the Board.

On Colin Gillis' motion to approved the minor modification setback variance from 20 feet to 16 feet, and impose a fine of \$1000 for the minor modification violation, the motion was seconded by Walter Johnson. The motion passes (4-0). Gregory Strange was absent from vote.

Marc Rousseau states that he will need to do a decision and record with the Town Clerk and will need to receive payment of \$1000 for the minor modification fee. He also will speak with the Building Inspector with regards to any applicable fees for the building violation.

7:55 P.M. SITE PLAN REVIEW
Pharmasol Corp, 1 Norfolk Avenue

Present: Dan Smith, Hayward-Boynton & Williams, James Walaban, Mark (did not get last name)

Dan Smith addresses the Board explaining that the applicant is proposing to construct a building addition approximately 1,500 square feet to expand his manufacturing capabilities. This company manufactures and packages aerosol personal products and employs over 100 permanent employees. However, the applicant also is proposing to waive the required number of parking spaces by one. He reports that the addition and all of the construction is beyond the 100 foot buffer zone of an adjacent pond and therefore the Storm Water Management regulations do not apply.

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Alice Savage reports the Land Use Agents concerns of the potential of storing chemical or hazardous materials and the need to provide a list of these and documentation of procedures for spill prevention and response.

James Walaban states they have submitted an emergency response plan and safety plan, along with the material safety data sheets for products used or stored presently at the site. However, they are not planning on having hazardous waste material at this addition.

Alice Savage would like to have a list of whom the Emergency Response Plan and Safety Plan were sent to. She also notes that the Material Safety Data Sheets are needed per the Fire Chief. She further recommends approval of this site plan.

On Colin Gillis' motion to approve the site plan, waiving the one parking lot, with the stipulation that the Material Safety Data Sheets are submitted, the motion was seconded by Alan Weeks. The motion passes (4-0) Gregory Strange absent from vote.

Marc Rousseau asks the Board to sign two sets of plans (one kept for the file the other to the Dan Smith). He will draft the decision to be filed with the Town Clerk. The site plan does not need to be recorded at the Registry of Deeds

8:10 P.M. Chase Landing – Surety

Present: Keith McLaughlin

Marc Rousseau states that the Road Cost Estimate, as prepared by Stephanie Danielson, shows a cost of \$36,414. With the posting of this, the applicant is asking to release three lots.

Christine Santoro questions why three lots. Typically release one or two lots.

Keith McLaughlin asked if the number of lots to be released is reduced, can the posting of the money be reduced also; though he is prepared to post the full amount.

Marc Rousseau states that he has no problem with releasing three lots.

On Colin Gillis' motion to approve the Road Cost Estimate to be posted in the amount of \$36,414 and release three lots, seconded by Walter Johnson. The motion passes (4-0). Gregory Strange absent for vote.

Marc Rousseau says that the Form E is to be completed and recorded at the Registry of Deeds then the Form F will be released for recording.

8:20 P.M. Sun Terrace – Surety

Present: Attorney Michael Sites, Jennifer Sullivan - Sun Terrace

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Marc Rousseau reports the Road Cost Estimate, as prepared by Stephanie Danielson, shows a cost of \$24,329. With posing of this, the applicant is asking to release 2 lots.

Attorney Sites says that he submitted a draft Form E.

On Colin Gillis' motion to approve the Road Cost Estimate to be posted in the amount of \$24,329 and release the last lot subject to approval of Town Counsel, the motion was seconded by Alan Weeks. The motion passes (4-0). Gregory Strange absent for vote.

Mr. & Mrs. Newberger of Emerson Drive came in at the end of the discussion asking to be heard. They are upset over a buffer between his property and Sun Terrace (Jennifer Sullivan) property that he believes was agreed upon during planning stage and approved by the Board but has not been enforced. He explains there is no buffer and he can see directly into the home of Jennifer Sullivan of Sun Terrace from his home.

Christine Santoro asked Marc Rousseau if he has looked at the decision. He stated he has and there is nothing to enforce. There was nothing in the plans for a buffer zone in the area Mr. Newberger is referring to. Marc Rousseau explains to Mr. Newberger that the buffer zone is the 75 foot buffer from the public way the subdivision is off of. There is no requirement for a buffer zone for homes on the street behind the area of the subdivision.

Mr. Newberger disagrees. States he was at the meetings and told there would be a buffer zone between the properties. Now is being told it was not on the plans.

Christine Santoro tells Mr. Newberger that the Board has no say over the situation.

8:25 P.M. Ford Village - Surety

Present: Attorney Michael Sites

Marc Rousseau reports the Road Cost Estimate, as prepared by Stephanie Danielson, shows a cost of \$45,568. The posting of this will release three lots.

Christine Santoro says there seems to be a lot of work still to be done. One lot is existing, the other two have not been sold.

Marc Rousseau suggests to continue this to November 7th meeting.

8:35 P.M. **MINOR MODIFICATION TO SPECIAL PERMIT**
Barg Farms

Present: Paul Barg, Howard Street

Mr. Barg is looking to modify the planting around the septic area in his yard. Instead of an oval shaped design, he would like to make an s-shaped design. He says the number of planting will remain the same.

Colin Gillis' clarifies that the changing will not affect the buffering. Mr. Barg states that he owns all the property in the surrounding area.

On Walter Johnson's motion to approve the minor modification of the plantings and waive the application fee, the motion was seconded by Alan Weeks. The motion passes (4-0). Gregory Strange was absent for the vote.

8:50 P.M. GENERAL BUSINESS

1. Board Vote – Release Final Funds for Chestnut Farms

Marc Rousseau reports the release the remaining funds of \$1,150 to close the account.

On Walter Johnson's motion to release the remaining funds, the motion was seconded by Alan Weeks. The motion passes (4-0). Gregory Strange absent from the vote.

2. Blue Heron Run – Approval of island plantings

Alice Savage reports this was requested to be removed from the agenda.

3. Zoning Board of Appeals Comments

Marc Rousseau recommended the Board approve the plan for expansion of the Temple Shalom located at 239 Depot Street subject to a site plan review by this Board.

On Colin Gillis' motion to recommend subject to a Site Plan Review, the motion was seconded by Walter Johnson. The motion passes (4-0). Gregory Strange was absent from the vote.

4. Discussion: 2008 Planning & Zoning Board Meeting Schedule

Continued to November 7th meeting

5. Approval of Minutes - September 19, 2007 and September 26, 2007

Continued to November 7th meeting.

8:59 P.M. ADJOURNMENT

On motion by Walter Johnson, seconded by Colin Gillis, the Board voted to adjourn.

Respectfully Submitted,

Signed,

Pamela Almeida
Recording Secretary

Colin Gillis
Board Clerk