

**Meeting Minutes
July 18, 2007**

The Easton Planning and Zoning Board held a business meeting on Wednesday, July 18, 2007 at 6:30 pm in the Mary P. Connolly Meeting Room, 2nd Floor, Easton Town Offices, 136 Elm St., North Easton, MA

Members present were: Christine Santoro, Chair; Collin Gillis, Clerk; Alan Weeks; Walter Johnson and Gregory Strange. Planning Director Marc R. Rousseau and Recording Secretary Pamela J. Almeida were present.

6:30 P.M. GENERAL BUSINESS

Newly elected Chair, Christine Santoro stated the Board needed to re-affirm the nomination of her as Chair from the June 20, 2007 meeting.

On Walter Johnson's motion to accept the previous nomination and seconded by Gregory Strange, Board voted to accept (5-0)

(For complete discussion, please refer to Tape 1, side 1, beginning of tape)

6:35 P.M. 40R Project, Queset Commons, Douglas King

Present was Douglas King, Doug King Builders; Mark Bartlett, Norfolk Ram Group

Mr. Bartlett opened with informing the Board of this project which consists of mixed use development of several parcels of land west and south of "Queset on the Pond" and behind existing commercial properties on Washington Street at Belmont Street. The project includes two mixed residential and retail/commercial buildings in the central portion of the site – with approximately 60,000 square feet of retail/commercial space, and 220 residential units (average 2 bedrooms) of which 80 unites will be assisted living units (average 1 bedroom); a multi-story condominium building in the westerly portion of the site with 60 unit (average 2 bedrooms); 161 affordable housing units; a conference center; a two story office building; a food market; open space; a wastewater treatment plant; underground parking for residents.

Board suggested coming back for the August 15, 2007 meeting @ 8:00 p.m. for further discussion.

(For complete discussion, please refer to Tape 1, side 1, begin counter at 30, ends at 311)

6:40 P.M. APPROVAL NOT REQUIRED PLAN – FORM A
Harmony Lane (Tanglewood Estates)

Present were Scott Faria, Gallagher Engineering and Mohammed Itani, Stonebridge

Marc Rousseau explained this was a compliance with a Purchase and Sale Agreement with the Town of Easton.

Scott Faria further explained to the Board that this was a piece of existing land at Tanglewood Estates that is between Tanglewood I where it comes off of Foundry Street and ends at the cul-de-sac connecting road of Tanglewood Drive and then previously approved subdivision. There was a piece of property that the Town owned and the lots were built around that and maintained a couple pieces of land adjacent to Tanglewood Drive. And recently the Town put out to bid a parcel of land (Lot 16). Mohammed from Stonebridge had the winning proposal for the piece of land. Plan is to combine lot 16 with lot 14, (Mohammed also owns) along with two parcels of land Mohammed had left when creating the roadway, combine the 4 parcels of land, re-divide the parcel of land into 3 lots with 40,000 sf and 150 ft of frontage, leaving 1 32,800 sf lot. (Creation of 4 lots 14 A, C & D no wetlands on the lots, in excess of 40,000 sf frontage conforming to zoning requirements, and creating lot B which has 32, 819 sf frontage and is labeled non-buildable at this time.

On Colin Gillis' motion to approve the Form A Plan, seconded by Walter Johnson, the Board voted to approve (5-0)

(For complete discussion, please refer to Tape 1, side 1, begin counter at 312, ends at 389)

MINOR MODIFICATION
Tanglewood Estates

Present were Scott Faria, Gallagher Engineering and Mohammed Itani, Stonebridge

Scott Faria explained that initial project created Lot 25S in 2001 (was buildable at time) wants to switch to lot Lot B to make buildable, will make Lot 25S non-buildable.

Christine Santoro asked Marc Rousseau if he has looked at the minor modification of the plan. He has and would suggest the Board approve.

On Colin Gillis' motion to approve minor modification of Tanglewood I, seconded by Gregory Strange, the Board voted to approve (5-0)

On Colin Gillis' motion to approved OSRD, seconded by Gregory Strange, the Board voted to approve (5-0)

On Colin Gillis' motion to waive/reduce fee to \$125 for Tanglewood I, seconded by Walter Johnson, the Board approved (5-0)

On Colin Gillis' motion to waive/reduce fee to \$125 for Tanglewood II, seconded by Walter Johnson, the Board approved (5-0)

(For complete discussion, please refer to Tape 1, side 1, begin counter at 390, end at 500)

7:00 P.M. DECISION

Special Permit #07-03 - Raven Estates – Common Driveway

Present was Attorney David Marsan

The Applicant seeks a Special Permit to allow for the construction and use of a common driveway and approval for a minor modification for the subdivision plan.

The Board reviewed the Decision of the Petition.

On Colin Gillis' motion to approve the Special Permit for a Common Driveway, seconded by Gregory Strange, the Board approved (5-0).

On Colin Gillis' motion to approve the minor modification to the subdivision as proposed, seconded by Walter Johnson, the Board approved (5-0).

(For complete discussion, please refer to Tape 1, side 1, begin counter at 525, end at side 2, 164)

7:30 P.M. CONTINUED PUBLIC HEARING

Stonemoor Place – Residential Compound

Special Permit #07-04 – Definitive Subdivision

Present were Todd Pilling, Pilling Engineering; Richard Bodio, Bodio Builders; Mr. & Mrs. Luke, residents

Christine Santoro began by stating there are two main issues to address; 1. sidewalk; 2. drainage and how it will meet stormwater management.

Todd Pilling explained the road is paved, curbing on the sides, water to drain into catch basins (8) into infiltration trenches (4).

Marc Rousseau asked to enter a letter from Pilling Engineering Group, Inc. dated June 14, 2007 regarding waiver requests.

On Colin Gillis' motion to admit into the record the waiver request as proposed, seconded by Gregory Strange, the Board voted to approve (5-0),

Regarding the sidewalk issue, Todd Pilling explains that at the beginning there was no plan for a sidewalk. Sidewalk design is of a dense grade made out of recycled material. Board feels they would like to see asphalt, rather than a material that may not hold up over time.

Rick Bodio asked Board why re-looking at sidewalks when three months ago the fees were waived (withdrawn without prejudice) now not. Colin Gillis explained this is a new application.

On Colin Gillis' motion to close the public hearing, seconded by Alan Weeks, the Board voted to close public hearing (5-0).

Marc Rousseau to draft decision for next meeting August 15, 2007 @ 8:30 p.m.

(For complete discussion, please refer to tape 1, side 2, begin counter at 168, end side 2, 493)

8:00 P.M. SITE PLAN REVIEW

Stonehill College Science Center, (ConCom closed hearing (6/11/07)
Modular Dorms

Present were Roger Goode, Assistant Vice President of Facility Management; Henry Thomas, SLAM Collaborative; Matt DeStefano, NITSCH Engineering.

Discussed was lighting and stormwater management.

Henry Thomas explained the site lighting (photometrics) and light trespassing (how far the light will shine). Feels the level of lighting is at the right spot. The light will be of an amber shade. Alan Weeks felt the parking area not as illuminated. Roger Goode said they can add more fixtures to this area.

Marc Rousseau went over a memo from the Fire Chief Stone regarding fire issues dated June 29, 2007 and asked this be included in the record. In the memo, Chief Stone feels there will be adequate access by fire apparatus and has no objections to the plan.

Marc Rousseau went over a response letter from Woodard & Curran regarding stormwater management. Matt DeStefano handed out stormwater guidelines in response to Woodard & Curran's concerns for review by Board.

Marc Rousseau informed the Board that the Conservation Commission has approved this plan and recommends the Board approve the plan and to add the operation and maintenance plan to the record. Marc will draft the decision for the Board to sign.

On Colin Gillis' motion to approve plan as proposed including recording of an operation and management plan, seconded by Walter Johnson, the Board voted to approve (5-0).

(For complete discussion, please refer to Tape 1, side 2, begin counter at 580, end tape 2, side 2, counter at 345)

8:30 P.M. MODULAR UNITS

Present were Roger Goode, Assistant Vice President of Facility Management; Henry Thomas, SLAM Collaborative; Matt DeStefano, NITSCH Engineering

Roger Goode went over a description of the project as given at the June 20, 2007 meeting. Stated a Determination of Applicability was acquired from the Conservation Commission with a negative finding. States they continue to work with the Building Inspector who said they could go ahead with utilities. Would like to receive approval from the Board to move ahead with project.

Colin Gillis' asked if looking for approval for use of the units for three years. Roger Goode states the plan is to get through the next three years, planning to open a new residence hall in 2010.

Alan Weeks asked what will happen at the end of the three years. Roger Goode stated they would like to keep some of the units as temporary housing for new staff.

Walter Johnson asked about the parking and anchoring the units. Roger Goode reiterated the units are for sophomores, parking will not be an issue at this time. Also states that the units

will be using footings to act as supports for the supports. Said the Fire Department Building Inspector have found the plans to be satisfactory.

On Colin Gillis' motion to approved the plan as proposed with a 4 year permit and a stipulation to ask for additional time if needed at the end of the permit, seconded by Walter Johnson, the Board voted to approve (5-0)

(For complete discussion, please refer to tape 2, side 1, begin counter at 347, end at 467)

8:40 P.M. 403 Turnpike Street - C.R. Mather – Site Plan Review

Present were Brian Dunn, R.J. Dowling & Tracy Willard of Fuss & O'Neill, Chris Mather

Proposal to revitalize a currently used building located at Route 138 and Turnpike Street. Mar Rousseau has looked at plans. Have received Land Use Agent's response from an on-site inspection on July 16, 2007. Marc asked that the letter become part of the record. Each item was reviewed and responded by the applicant. Issue #1 – Landscaping – Land Use Agent asks for more plantings. Bob Dunn will discuss more plantings with Chris Mather. Issue #2 – Sidewalks. Bob Dunn says this cannot be done because Rte. 138 is controlled by Mass Highway. Issue #3 – Parking- concerns of two end parking stall where a potential for backing into oncoming vehicles using the one-way lane. Bob Dunn feels situation is satisfactory as is. Issue #4 – Customer/employee/delivery areas separated on plan. Bob Dunn feels there is plenty of parking. Issue #5 – Snow Removal not significant enough for area, concerns of lack of visibility and snowing being plowed into traffic. Board suggests to modify the plan to allow for the 10% required space for snow removal.

On motion by Colin Gillis to continue discussion to August 15, 2007 at 9:00 p.m., seconded by Alan Weeks, the Board voted to approve (5-0)

(For complete discussion, please refer to Tape 2, side 1, begin counter at 485, end at side 2, 395)

9:25 P.M. DISCUSSION

Lone Oak Farms – Completion of Roadway

Present: Dennis Welch; Jane & James Bengier – 19 Oak Leaf Lane; Shawn O'Leary – 1 Oak Leaf Lane

Continued concerns regarding subdivision not completed. Specifics include cul-de-sac island, road not topped, sidewalks not done. Dennis explains that all lots in the subdivision not sold therefore he does not like to complete these areas to prevent damage with trucks and such when remaining lots are sold and work begins.

Shawn O'Leary – 1 Oak Leaf Lane – asks if some things can be completed like loam and seeding along the sidewalk, islands and top the sidewalk, also to clean up the entrance to the cul-de-sac.

Dennis Welch says he will do what he can to complete the sidewalks, islands, loaming and seeding.

Marc Rousseau explained there is a surety release in the amount of \$42,596.61.

Christine Santoro asked that the surety release be held until such time the top coating of the sidewalk, loaming and seeding sidewalk, top coat of the road and clean up of the entrance be done.

Walter Johnson asked if work can be completed by the August 15, 2007 meeting. A progress report be given at that time.

Jane Bengier – 19 Oak Leaf Lane – asked if the work is not done by August 15, 2007, what the recourse is.

Colin Gillis explains the surety will not be released. That it is in the developer's best interest to complete the project to ensure the surety release.

Joe Savino – 7 Oak Leaf Lane – states that at the end of the street, water floods where the kids wait for the school bus.

Dennis Welch says he can fix that when top coating the sidewalks. He was asked if the catch basins at the end of the road were opened. He states they are generally left closed until the road is complete. Says in order for the street to be accepted at the Town Meeting held in May, 2008, needs to have everything complete by Fall, 2007.

Board will receive a progress report on completion of work at the August 15, 2007 meeting.

(For complete discussion, please refer to Tape 2, side 2, begin counter at 412, end at Tape 3, side 1 at 25)

9:45 P.M. Surety – Lot Release – Lone Oaks Farm

Present: Dennis Welch

Marc Rousseau explains this is the 5th Amendment to the Form E Covenant. Surety in holding in the amount of \$43, 496.61, would like to switch out Lot 5 for Lot 2 (which he holds)

On Colin Gillis' motion to approve the 5th Amendment to Form E Covenant holding \$43,496.61 and Lot 5, seconded by Walter Johnson, the Board voted to approve (5-0)

On Colin Gillis' motion to release Lot 2 on Form F, seconded by Walter Johnson, the Board voted to approve (5-0).

Marc Rousseau to leave the Form E and F once notarized with Recording Secretary.

(For complete discussion, please refer to Tape 3, side 1, begin counter at 33, end at 140)

Golden Oaks – Amendment to E; Surety Release

Present Dennis Welch

Marc Rousseau explains wishes to change surety from Lot 48 (Winthrop St) to Lot 41 (Shannon Marie Way).

On Colin Gillis' motion to approve changing the lots and holding \$76,020.00 in surety, and to change Lot 48 on Winthrop and Lot 41 Shannon Marie Way, seconded by Walter Johnson, the Board voted to approve (5-0)

On Colin Gillis' motion to release Lot 48, seconded by Gregory Strange, the Board voted to approve (5-0).

Marc Rousseau to leave the Form E with Recording Secretary. Dennis Welch took Form F.

(For complete discussion, please refer to Tape 3, side 1, begin counter at 142, end at 183)

9:55 P.M. Elmwood Estates Abutters Concerns

Present: James Victorine, Developer; Azu Etoniru, E.T. Engineering Enterprises; Alex Barbara Szumylo

Residents voice concerns that James Victorine is not working according the plan of record. Feels he is deliberately making the grade of an easement higher causing flooding of the resident's back yard.

Azu Etoniru states a response from the Water Department. The Water Department comments state that the work is progressing with accordance to what was proposed. Azu Etoniru feels this is a civil matter not for this committee.

James Victorine read part of a letter from his Attorney (Reed) which was sent to concerned parties stating that the easement is not part of the subdivision and for Mr. Victorine's use only. Though it is located on the property of the Szumylo's.

Board feels this is a private matter not a Board issue. The project is ongoing and the site will change as the project goes on.

(For complete discussion, please refer to Tape 3, side 1, begin counter at 190, end at Tape 3, side 2 at 325)

10:50 P.M. GENERAL DISCUSSION

Surety Release – Milestone Acres

Marc Rousseau explains there is a surety release of \$30,420.48 for Milestone Acres.

On Colin Gillis' motion to release \$30,420.48, seconded by Walter Johnson, the Board voted to approve (5-0)

(For complete discussion, please refer to Tape 3, side 2, begin counter at 350, end at 356)

Surety Release – Easton Woods

Marc Rousseau explains there is a surety release of \$50,435.31.

On Colin Gillis' motion to release \$50,435.31, seconded by Walter Johnson, the Board voted to approve (5-0)

(For complete discussion, please refer to Tape 3, side 2, begin counter at 357, end at 364)

Surety Release – Mill Pond Estates

Tabled at this time

Surety Release - Settler's Notch

Marc Rousseau asks this not to be released at this time.

Endorse Mylar's – Street Acceptances

Tabled until August 15, 2007 meeting.

(For complete discussion, please refer to Tape 3, side 2, begin counter at 370, end at 377)

Approval of Minutes – 4/11/07; 6/6/07; 6/20/07

On Walter Johnson's motion to approve the meeting minutes of April 11, 2007, June 6, 2007 and June 20, 2007, seconded by Colin Gillis, the Board voted to approve (5-0)

(For complete discussion, please refer to Tape 3, side 2, begin counter at 378, end at 381)

DeSantis Ford – car wash

Marc Rousseau explains they would like to put a car wash on their site for the dealership usage.

On Santoro's motion, seconded by Johnson, the Board voted to approve the car wash (5-0).

(For complete discussion, please refer to Tape 3, side 2, begin counter at 382, end at 395)

On Walter Johnson's motion, seconded by Gregory Strange the Board voted to adjourn at 11:00 p.m.

Respectfully Submitted

Approved By

Pamela J. Almeida
Recording Secretary

Colin Gillis, Board Clerk