

The regular meeting of the Bridgewater Planning Board convened at 6:30 pm.

MEMBERS PRESENT: Mr. Driscoll, Ms. Guarino, Mr. Ajemian, Ms. Sullivan and Mr. Hall

ALSO PRESENT: Jennifer Burke, ECD Director; Elijah Romulus, Assistant Director, Azu Etoniru, Town Engineer

GADSBY ESTATES PUBLIC HEARING

The public hearing convened at 6:31.

The Chairman advised that anyone who wanted to speak to come to the podium and identify themselves and give address for the record.

He also advised the audience that the meeting was being audio and video taped.

There were approximately 10 abutters present.

Public hearing notice that appeared in the Enterprise for two consecutive weeks read into the record.

Green abutter notification cards were received from the Engineer.

Pat Carrara, engineer from PMP associates, representing his client, Samuel Shoneye, explained the plan. This is a proposed 3-lot subdivision that sits at the end of stub road that was created by a subdivision plan approved in 1996. The land slopes from Auburn Street to the south. The plan shows all the soil testing locations including the new section of roadway and witnessed by the Town Engineer, Azu Etoniru. The also show on the existing conditions plan the intersection of Windemere Way which is 127' away-centerline to centerline. There are two power lines on the driveway that service the existing dwelling. Sheet 3 is the grading plan which shows how they propose to develop the roadway. They will start at Auburn Street and reconstructing the existing portion of Gadsby Drive and then continuing on to the new portion and ending with a paved hammerhead turn around in the cul-de-sac. There is a 2-foot grass swale infiltration trench which will basically follow the edge of pavement, except for where they have the existing turn around driveway and proposed locations of the new driveways. This will take the runoff off the road and treat it; there will be areas of infiltration and underneath will be a storm trench with further infiltration into the ground. The rest of the drainage will be handled by surface grading over the grassed areas which runs from North to south. There is a bit of a swale at the end of the road to make sure that the water runs off into the wooded area and from there will just run overland into the ground and dissipate. Utilities planned for the roadway are shown on the plan. From the second utility pole they will go underground for the rest of the roadway. Gas is not available as far as they know and there is no sewer in that area, so the homes will be serviced by on-site septic systems. They looped the 8" pvc watermain and will be providing new water service to the existing dwelling. On the profile they show how they will tie into Auburn Street; the road will slope down, but they are limited by the grade difference on auburn Street and the existing driveway of #30 Gadsby Drive. They didn't want to do anything to alter that driveway area. That whole area is very flat from the end of Gadsby Drive into the existing drive, so they didn't want to do anything that would upset the drainage in that area, he said. He explained how the swales would work.

Mr. Driscoll asked about pitching the 1st 275' away from #30; he asked what is the point of having the swale for that first 200'? Mr. Carrara said the road itself will pitch away, but they are still going to have some run off of volume, especially in heavy storm events, that will bypass the road, or it will come down from Auburn St. It is an added measure of protection in that area, he said. Mr. Driscoll noted that the driveway at #30 was exceptionally wide and asked if it could be shortened up? Mr. Carrara said they don't have right to eliminate that easement

because it is on #30's property; they would have to establishment an agreement with the property owner. They would be willing to reconstruct their easement and reconstruct their driveway. Mr. Driscoll questioned if the hammerhead at the end could be redesigned to tie into lot 3 so it is the same as lot 2? Mr. Carrara said yes, they certainly could do that.

Drainage has been discussed with Mr. Etoniru at length. They are going with the 16' width of pavement which is now allowed under the new regulations.

Mr. Driscoll asked if there was a landscape plan? Mr. Carrara said he spoke about that with the Town Engineer; they felt with the limited scope of this project, it might not be necessary. The landscaping on each individual lot will be determined by the lot owners; no way they can predetermine that. As far as any requirements for shade trees, they would be more than happy to incorporate that into the final set of plans, especially if there are specific places that the board would like to see trees planted, especially around the cul-de-sac where they have a lot of green space. Mr. Driscoll noted that it is hard to comment on it if there is no landscape plan or tree cutting plan. How would we know what will or will not remain? Mr. Carrara noted as far as the tree cutting plan, they do have a darkened area shown on the plan around the proposed house lots and roadway. They will be clearing each lot just enough to allow for the grading and development of the houses; they want to minimize tree cutting and will try to save as many trees as they can. Mr. Driscoll commented that if we are going to consider waiving street trees, we need to see what is going to remain.

Mr. Driscoll commented that this will be a private way and asked if the HOA document had been prepared? Mr. Carrera said yes, it was submitted with the application documents.

A memo from Alijah Romulus, Assistant Town Planner dated July 25 received. Comment:

"In the Definitive Plan Checklist, under "Location of all the following Proposed improvements;" the applicant lists "Not Applicable" to sidewalks and curbs. The Department would like to know the applicant's reasoning. Furthermore, the Applicant should preserve a certain amount of trees per lot."

Azu's comments in a July 30th email read into the record:

"I have reviewed Gadsby Drive subdivision plan prepared by PMP Associates, LLC. The plan is very well done and could actually serve as a model/template for the special category of four lot subdivision development provision in the Board's rules and regulations governing the subdivision of land in Bridgewater. The application also includes a homeowner's association document for the operation and maintenance of the subdivision roadway and the drainage system. The drainage design is consistent with the rules and regulations. The Assistant Town Planner, Elijah Romulus has performed a detailed planning and zoning compliance review of the plan. My only comment at this time is that the lot closure computations should be signed and stamped by the land surveyor responsible for the boundary survey and lot platting plan."

Mr. Carrara said he was not aware of the HOA reference, as he had not received a copy of the memo, but that is easily addressed.

Christine Smith-30 Gadsby Drive- expressed drainage concerns; she said they get an 8"-12" lake inches in their yard when it rains; she showed some photos that were taken this spring that was not particularly wet this year.

She wanted to know how this plan would prevent that from occurring; not just to her property, but to the new houses that will be built. Mr. Carrara explained to her that if she has existing water problems, there is nothing they can do to prevent that. As far as this subdivision is concerned, they are not shedding any water East or West and it will continue to travel the existing grades. She commented that there is no drainage in Auburn Street and all that water comes down Gadsby Dr. also. She indicated that she would be very willing to work with them to reduce the circle area and be able to make the drainage longer along her property. Mr. Carrara said he would really be agreeable to working with her. He would close the entrance up and giving them more of a convention driveway and it would allow the swale to be extended to catch more of the runoff. Mr. Romulus felt this would help. Mr. Smith said he was ok with the driveway being altered, if they pay for it! He asked about the timeline for doing this? He needs access and utilities maintained; wanted to make sure that his mailbox isn't destroyed if they have to move it. Mr. Driscoll noted that are rules and regulations require a CBU box, rather than individual mailboxes; this was at the request of the post office. Mr. Carrera said they will drop the lines at 50' pole.

Rosemary and Peter Catrone-339 Auburn Street-their concern was the drainage as well. She showed pictures of her flooded backyard. She stated that the drainage got a lot worse for them when #30 Gatsby was built. She asked, "what are you going to do to protect our property?" Mr. Carrera explained that they will not be doing anything that will affect their property and they can't improve their situation. Most likely he said, that when they built the septic system, it was raised up and created a dam across there which interrupted the natural flow of the land; the area back there is very flat. Mr. Catrone commented that they are the lowest property and expressed concern about more houses causing more problems. Mr. Carrera said that the flow will not affect their area. Mr. Catrone said he has lived there for 40 years and knows where the water is coming from. Mr. Carrera said that the water from the new development can't get into his back area; water doesn't flow uphill. He said that in their design, they can't make the situation worse, and they can't improve their existing problem. He felt that maybe their water was coming from Auburn Street which doesn't have any drainage.

A change in grade due to septic systems was discussed.

Mr. Driscoll commented that the infiltration trenches are 2' deep...how many feet of separation is there? Mr. Carrara said it would vary due to roadway grades being altered slightly to allow the slopes to come down. He explained. Mr. Driscoll questioned if we have a separation requirement from the bottom of the stone to the ground water table?

Mr. Driscoll reviewed some of the issues that need addressing:

1. Landscaping-tree plan
2. Need Mr. Etoniru's comments on the separation
3. Driveway altered at #30
4. Utility pole-#2230-underground
5. Show CBU mailbox area location
6. Maintain access at all times

Mr. Ajemian said he would like to continue this hearing to when the Town Engineer is present to discuss the drainage issues.

Mr. Carrera asked if it was acceptable for them to do the landscape plan themselves with an architect? Ms. Burke said yes, but they would need a waiver for the certified landscape architect part.

Mr. Ajemian noted that he would not be in favor of that waiver.

On a motion by Ms. Guarino, seconded by Mr. Hall, it was unanimously voted to continue the hearing to Sept. 5th at 6:30.

Lot 21A-FIREWORKS CIRCLE -SITE PLAN PUBLIC HEARING-FABROSKI

The public hearing convened at 7:29 pm.

The public hearing ad that appeared in the Enterprise for two consecutive weeks read into the record.

Tom Arrighi was the only abutter present.

HML reviewed-

'We have reviewed the revised site plans and drainage calculations dated July 17, 2018 for Lot 21A, Fireworks Circle prepared by Gallagher Engineering for the applicant, Kris Fabroski. The plans were revised to address the comments contained in our July 5, 2018 review. In addition, the size of the parking lot was increased resulting in an increase in the size of the infiltration area. We have no comments on the revised site plans and drainage calculations.'

July 25th memo received from Elijah Romulus.-described the project and gave some draft recommendations for conditions of approval. Mr. Romulus noted that the only thing missing from the plan was a loading Bay and the last condition was to include a loading bay.

Mr. Gallagher, the engineer for the project, said that this will be developed the same as all the other lots that Mr. Fabroski has done in this development. They will infiltrate the roof, infiltrate the stormwater from the pavement; connected to town sewer and water. Mr. Fabroski said there is no loading dock; there is no use for one because this will not be the type of business that requires it. He commented that there is no loading dock in the whole subdivision. Mr. Romulus agreed that the loading dock is not needed. If there is a change in use where one is needed, there would be need for a modification.

Tom Arrighi-1001 Bedford Street- said he was not opposed to the project at all, but, expressed concern with parking; vehicles are parking in the roadway. Wants to make sure there is enough parking on their premises. Mr. Gallagher said it is a proposed warehouse use which requires 1 space per 1,000 ft. of building-4 ½ spaces required and 5 spaces are shown on the lot.

On a motion by Mr. Ajemian, seconded by Mr. Hall, and unanimously voted, the public hearing was closed.

On a motion by Mr. Ajemian, seconded by Mr. Hall, it was unanimously voted to approve the site plan with the conditions as drafted by Mr. Romulus, omitting #19.

Draft conditions

1. No further waivers of the applicable rules and regulations shall be authorized without a formal vote and approval of the Board.
2. The development shall be constructed in strict compliance with the regulations of 28 CFR 35 & 36 the Americans with Disabilities Act and 521 CMR, the Massachusetts Architectural Access Board.
3. Prior to construction, the applicant and/or owner, shall submit a detailed construction plan that provides the following information and appropriate mitigation:

- The estimated start date of work.
 - The name, telephone number and business address of the general contractor.
 - An emergency number for day and night of the responsible parties shall be provided to the Town's public safety departments, in the case of emergency, and the provisions to be implemented for securing the site from public access.
 - Traffic control and management plan during construction.
4. Hours of construction shall be from 7:00 AM to 5:00 PM, Monday thru Friday, and 9:00 AM to 5:00 PM Saturday. No work shall be allowed on Sunday.
 5. If any changes are made, at the request of other Agencies, Boards or Commissions, to the approved plan, the applicant shall be required to come before the Planning Board for a modification hearing to review such changes prior to the commencement of any construction or implementation of the changes.
 6. Prior to any construction the developer, his engineer and contractor shall sign a receipt and acknowledgement of all decisions and conditions.
 7. All drainage basins, swales and structures shall be in working order including, but not limited to, finished grades, landscaping and protection from erosion or siltation contamination prior to the issuance of any building certificate of occupancy.
 8. A maintenance bond shall be deposited with the Town by the applicant, prior to the issuance of a certificate of occupancy in an amount determined by the roadway superintendent and/or the town engineer, as deemed adequate for maintenance of the drainage structures, detention basins, and other infrastructure improvements.
 9. Site Lighting shall be erected in a manner that prevents glare onto abutting properties.
 10. All curb ramps shall be labeled on the plan and shall conform to the Americans with Disabilities Standards, latest edition.
 11. A semi-annual report on each drainage basin's condition shall be prepared and stamped by a professional engineer certifying that the basin is being maintained and is functioning per approved drainage design.
 12. There shall be an erosion and sedimentation control plan submitted prior to endorsement of the plan. The plan shall address how storm water runoff shall be controlled during construction. All sedimentation and erosion controls shall be in place prior to the commencement of any earth moving activities associated with the construction of the site improvement work. Additionally, a dust control plan shall also be submitted as part of the erosion control plan.
 13. Prior to endorsement by the Board, the final plans submitted for signatures shall reflect these conditions of approval and all revisions and shall be verified by the Town Engineer or any other engineering review consultant for the Planning Board.
 14. This approval is valid for two years from the date the Town Clerk issues a certificate of no-appeal, or the date all judicial appeals have been concluded, unless an extension is granted in writing by the Planning Board prior to the expiration of the two-year period.
 15. The Town Engineer or other designee appointed by the Planning Board shall oversee the construction of the drainage systems. The Town Engineer or other designee of the Planning Board (the inspector) shall be present during all critical stages of construction to ensure that proper construction practices are followed. The inspector shall be notified at least 48 hours in advance of each task that needs to be completed and signed off. A pre-construction meeting with the contractor, developer, the inspector and a member of the Board shall take place before construction begins. The applicant shall be responsible for costs of the site

inspector, when the inspector is an outside consultant not employed by the Town. A deposit of \$2500.00 dollars shall initially be submitted to the Planning Board prior to the start of construction to ensure payment of the site inspector; additional moneys shall be deposited in advance if it is anticipated that inspection shall cost more than the original deposit.

16. Any application for certificate of occupancy shall include a site as-built plan prepared, signed and stamped by a Massachusetts Registered Professional Engineer and a Massachusetts Registered Professional Land Surveyor for the Planning Board's review and approval at a regularly scheduled meeting of the Board. The as-built plan shall include a certification clause signed and stamped by the Professional Engineer, noting compliance of the site construction with the approved site plan set. The engineers' and surveyor's stamps and signatures shall be made with original wet ink and stamp, electronic or photo copies of the stamps and signatures shall not be acceptable.
17. Omission of any requirements of the Planning Board's rules and regulations from these conditions of approval or the approved site plan shall not relieve the applicant/developer of his responsibility to comply with the provisions of the site plan rules and regulations.
18. Approval of the site plan by the Planning Board does not relieve the applicant and/or the owner/developer of the responsibility to obtain all other applicable federal, state, and local approvals and permits prior to start of construction.
19. Prior to the issuance of a Building Permit, the petitioner must submit a plan for the review and approval of the Community & Economic Development Department, depicting a loading bay.

CRIMSON HEIGHTS DISCUSSION

Mr. Driscoll left the room.

Memo from Ms. Burke received with draft conditions and comments on waivers:

1. No further waivers of the applicable rules and regulations shall be authorized without a formal vote and approval of the Board.
2. The development shall be constructed in strict compliance with the regulations of 28 CFR 35 & 36 the Americans with Disabilities Act and 521 CMR, the Massachusetts Architectural Access Board.
3. Prior to construction, the applicant and/or owner, shall submit a detailed construction plan that provides the following information and appropriate mitigation:
 - The estimated start date of work.
 - The name, telephone number and business address of the general contractor.
 - An emergency number for day and night of the responsible parties shall be provided to the Town's public safety departments, in the case of emergency, and the provisions to be implemented for securing the site from public access.
4. Hours of construction shall be from 7:00 AM to 5:00 PM, Monday thru Friday, and 9:00 AM to 5:00 PM Saturday. No work shall be allowed on Sunday.
5. If any changes are made, at the request of other Agencies, Boards or Commissions, to the approved plan, the applicant shall be required to come before the Planning Board for a modification hearing to review such changes prior to the commencement of any construction or implementation of the changes.
6. Prior to lot release, all drainage basins, swales and structures shall be in working order, including, but not limited to, finished grades, landscaping and protection from erosion or siltation contamination.

7. A maintenance bond shall be deposited with the Town by the applicant, prior to street acceptance, in an amount determined by the roadway superintendent and/or the town engineer, as deemed adequate for maintenance of the drainage structures, detention basins, and other infrastructure improvements for which the Town will assume responsibility at street acceptance.
8. Street Lights shall be provided by the Developer as shown on the approved plans.
9. All curb ramps shall be labeled on the plan and shall conform to the Americans with Disabilities Standards, latest edition.
10. Any easements shown on the plan must be recorded in Plymouth County Registry of Deeds within the property chain of title, including all subsequent conveyances of lots affected by the easements. Proof of such recording shall be required prior to any request for release of lots from the covenant.
11. Prior to lot release, a Municipal Lien Certificate indicating that all taxes, assessments and charges assessed against the land shown on the plan have been paid in full shall be submitted to the Planning Board. The Municipal Lien certificate and the approved subdivision plan sheets (all sheets) shall be submitted to the Registry of Deeds at the time of the recording of the plan. Proof of such recording shall be submitted to the Planning Board prior to any release of lots for building purposes. The approved subdivision plan being recorded shall include these conditions of approval.
12. The maximum number of dwelling units approved for this subdivision shall not exceed the aggregate shown on the approved plan(s).
13. Prior to the first lot release and/or the issuance of the first building permit, an enforceable document which sets forth the responsibility of the subdivision developer/owner and/or his successors in interest, assigns, designees, for the operation and maintenance of the subdivision roadway and the drainage system shall be submitted to the Planning Board for its review and approval. Said roadway operation and maintenance document shall be recorded within the subdivision chain of title at the Registry of Deeds and noticed/referenced in all subsequent conveyance deeds. Proof of recording of said roadway operation and maintenance document shall be submitted to the Planning Board. The life of the document shall expire upon acceptance of the roadway as public ways by the Town of Bridgewater.
14. Prior to the issuance of any building permit for the lots, the applicant shall submit a site plan for each lot prepared, signed and stamped by a Massachusetts Registered Professional Engineer and a Massachusetts Registered Professional Land Surveyor for the Town Engineer's review for verification of consistency of the lot grading relative to the approved subdivision plan(s). Any use of a retaining wall for grade transition/attenuation shall include adequate provision for locating the retaining wall on a private lot, outside the roadway right-of-way.
15. Prior to the issuance of any building certificate of occupancy for the lots, the applicant shall submit a topographic as-built site plan for each lot prepared, signed and stamped by a Massachusetts Registered Professional Engineer and a Massachusetts Registered Professional Land Surveyor for the Town Engineer's review. The topographic as-built site plan shall include a certification clause signed and stamped by the Professional Engineer, noting compliance and consistency of the topographic as-built site grading with the drainage and grading approved with the subdivision plan. The engineer's and surveyor's stamps and signatures shall be made with original wet ink and stamp, electronic or photo copies of the stamps and signatures are not acceptable.
16. Prior to lot release, a preliminary roadway and drainage system as-built plan, as outlined in Section III. B. 4 C of the Board's rules and regulations governing the subdivision of land in the Town of Bridgewater, prepared and stamped by a Registered Land Surveyor and stamped by a Professional Engineer, shall be submitted to and approved by the Planning Board. The engineer of record shall certify that the drainage system has been built in strict conformity to the plans endorsed by the Planning Board. The engineer's and the surveyor's stamps and signatures shall be made with original wet ink and stamp, electronic or photo copies (including colored print copies) of the stamps and signatures shall not be acceptable.

17. A semi-annual report on the drainage basin's condition shall be prepared and stamped by a professional engineer certifying that the basin is being maintained and is functioning per approved drainage design until street acceptance.
18. There shall be an erosion and sedimentation control plan submitted prior to endorsement of the plan. The plan shall address how storm water runoff shall be controlled during construction. All sedimentation and erosion controls shall be in place prior to the commencement of any earth moving activities associated with the construction of the subdivision. Additionally, a dust control plan shall also be submitted as part of the erosion control plan.
19. All roadway sections that are to be constructed in fill shall be witnessed by the Town Engineer and/or the Town's Roadway superintendent or any other designee of the Planning Board. Prior to placement of any fill, the existing vegetation, topsoil and subsoil shall be completely removed. Fill material shall be placed and compacted in six (6) to eight (8) inch lifts. The compaction tests shall be conducted by a testing company selected and approved by the Planning Board, and the developer/applicant shall be responsible for all cost associated with the tests.
20. Prior to endorsement by the Board, the final plans submitted for signatures shall reflect these conditions of approval and all revisions and shall be verified by the Town Engineer or any other engineering review consultant for the Planning Board.
21. This approval is valid for two years from the date the Town Clerk issues a certificate of no-appeal, or the date all judicial appeals have been concluded, unless an extension is granted in writing by the Planning Board prior to the expiration of the two-year period.
22. The Town Engineer or other designee appointed by the Planning Board shall oversee the construction of the roadway and drainage systems. The Town Engineer or other designee of the Planning Board (the inspector) shall be present during all critical stages of construction to ensure that proper construction practices are followed. The inspector shall be notified at least 48 hours in advance of each task that needs to be completed and signed off. A pre-construction meeting with the contractor, developer, the inspector and a member of the Board shall take place before construction begins. The applicant shall be responsible for costs of the subdivision inspector, when the inspector is an outside consultant not employed by the Town. A deposit of \$2500.00 dollars shall initially be submitted to the Planning Board prior to the start of construction to ensure payment of the subdivision inspector; additional moneys shall be deposited in advance if it is anticipated that inspection shall cost more than the original deposit.
23. Any application for street acceptance shall include a subdivision as-built plan prepared, signed and stamped by a Massachusetts Registered Professional Engineer and a Massachusetts Registered Professional Land Surveyor for the Planning Board's review and approval at a regularly scheduled meeting of the Board. The as-built plan shall include a certification clause signed and stamped by the Professional Engineer, noting compliance of the subdivision construction with the approved subdivision plan set. The engineers' and surveyor's stamps and signatures shall be made with original wet ink and stamp, electronic or photo copies of the stamps and signatures shall not be acceptable.
24. Omission of any requirements of the Planning Board's rules and regulations from these conditions of approval or the approved subdivision plan shall not relieve the applicant/developer of his responsibility to comply with the provisions of the rules and regulations.
25. Street trees to be planted shall be species that shall conform to the Board's rules and regulations governing the subdivision of land in the Town of Bridgewater.
26. Approval of the subdivision by the Planning Board does not relieve the applicant and/or the owner/developer of the responsibility to obtain all other applicable federal, state, and local approvals and permits prior to start of construction.
27. Lots within the subdivision will not be used for any commercial/industrial purposes. Only uses allowed in the Residence A/B zoning District will be allowed on the proposed lots.

The Board unanimously voted to grant the following waivers from the Subdivision Rules and Regulations:

IV.B.3.(d) DRAIN LINES: Waiver requested from strict compliance with the required 3'-6" cover over a drain line (For the first set of catch basins and drain manhole; due to the transition grading at the existing Lyman Place intersection.)

- The Board found that strict application of the required minimum cover would result in undue hardship on the site because Lyman Place is an existing roadway and the topography limits the transition of the elevation from Lyman Place into Crimson Way layout. It is in the public interest to provide a means of capturing and disposing of storm water runoff from the intersection. The Board further finds that the use of ductile iron pipe or higher strength reinforced concrete pipe with crushed stone bedding at the location in question would satisfy any traffic load and frost heave concerns that may be associated with the drain lines. The Board finds that a minimum stone bedding of 12 inches underneath the ductile iron pipe shall be provided, and the stone bedding shall extend at least 6 inches on both sides of the pipe and 6 inches above the crown of the pipe.

IV.B.6. DRAINAGE BASINS: A waiver is requested from strict compliance with current Rules and Regulations Governing the Subdivision of Land section IV.B.6 drainage basins and the requirements of Detail 10. It is requested to allow the recharge component to be designed in compliance with the current requirements of the Massachusetts Storm water Management BMP's as outlined in the proposed changes to the Rules and Regulations Governing the Subdivision of Land.

- The Board found that the proposed recharge system will function satisfactorily in providing the required recharge without derogating from the intent of the rules and regulations; and the proposed recharge system will be installed with sufficient separation between the bottom of the recharge system and groundwater.

V.B.1 TYPICAL CROSS SECTION: Waiver requested to allow the drain line to be located 5 feet off centerline due to the pavement width of 22- feet.

- The Board found that the proposed location of the drain line would serve to provide a better transition and conveyance of storm water, thereby promoting the safety, health and welfare of the public and the environment without derogating from the intent of its rules and regulations.

V.B.25 MONUMENTS: Waiver requested for use of concrete bounds in lieu of granite bounds. Concrete bounds are easier to locate with metal detector

- The Board found that reinforced concrete bounds are readily available and can be recovered or located without great difficulty in light of the reinforcing rods that are embedded in them, which can be located with metal detectors.

On a motion by Ms. Guarino, seconded by Mr. Hall, it was unanimously voted by members present, to approve Crimson Heights subdivision plan as drafted by Ms. Burke.

On a motion by Ms. Sullivan, seconded by Mr. Hall, it was unanimously voted by members present to grant the 4 waivers requested due to the findings.

Mr. Driscoll returned to the meeting.

FORM A – 490 WALNUT STREET- TURNER

Charles Woodward present representing the applicant.

Lot 1 has the preexisting house and they are creating lot 2 with a 10' easement to the right of the lot for possible future use.

Comments received from Ms. Burke:

This plan creates two lots. One includes the existing house at 612 Walnut Street and one is a larger lot with 4.021 acres. You will note that they have reserved a portion of the frontage of Lot 1 for the future possibility of a right of way. They do add a note stating that if a future roadway is built Lot 1 will get its frontage from the new road. That gives me some comfort regarding this plan. The plan meets the criteria for signature and a decision is due no later than 04/23.

On a motion by Ms. Sullivan, seconded by Mr. Ajemian, it was unanimously voted to endorse the plan

BRIDGEWATER PRESERVE MODIFICATION

Lee Castignetti present representing Bridgewater LLC and the Homeowners Trust. This change is to accommodate change in postal regulations for a CBU box. It shifts the open space to 2 lots and now open space on lots shown on ANR plan. 4 parking spaces provided.

Ms. Burke's comment in memo: This plan and these applications accomplish the modification that was presented to the Board on June 6th. From the previous presentation, I think we all agree the modification results in a better project.

On a motion by Mr. Ajemian, seconded by Mr. Hall, it was unanimously voted to endorse the Form A plan and accept the minor modification of the subdivision plan of switching the open spaces lots as shown on this ANR Plan.

REORGANIZATION

The members all agreed to keep the Board as presently structured. Mr. Driscoll, Chairman; Mr. Ajemian, Vice Chairman and Ms. Guarino, Clerk

DIRECTORS REPORT

Ms. Burke updated the members on Murphy's Landing. The ZBA originally granted a use variance which has lapsed. Mr. Murphy appealed the Building Inspector's determination of that and has submitted a new application for a use variance. She will be putting a comment letter together for the ZBA hearing on the use variance application and her comments will be that she doesn't believe that the use variance should be issued; should go forward as a LIPP project or 40B and work with the developer cooperatively for a good project. She felt it makes the most sense for residential in that area, but they way to do it is 40B.

Mr. Driscoll noted that it was presented to this board as a LIPP project originally and this board endorsed it, so he agrees with her comments and agrees that is the way to go; it should have a regulatory agreement and a fair market plan. He said the Board didn't provide a lot of comments at the time, because they thought it was going thru that comprehensive process which it should do. He commented that there was a landing proposed there so there should be a detailed drawing of that; there should be a design review of the project; the site is heavily contaminated with tires which should have a detailed clean up schedule; the stormwater has to be reviewed; he would support as a LIPP, but not a use variance.

On a motion by Mr. Ajemian, seconded by Mr. Hall, it was unanimously voted to authorize letter sent by Ms. Burke with the comments suggested by Mr. Driscoll included in the letter.

Firefly Lane-Ms. Burke said she had a conversation with Mr. Etoniru concerning the existing large tree that the board conditioned to be saved; the root system is damaged, and he recommends that the tree be taken down now before someone gets hurt. Mr. Ajemian felt an arborist should look at it before taking it down; a report in writing is ok. Mr. Driscoll said he would like recommendation on how it could be saved.

Ms. Burke reminded the board that the next meeting will be on August 15th. Re-hearing for Dr. Kern on Pleasant street and joint meeting with the CEDC on the Lyman place zoning Ordinance.

On a motion by Ms. Guarino, seconded by Mr. Hall, the meeting was adjourned at 8:22.

MINUTES APPROVED: _____