

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

MEMBERS PRESENT: Member Driscoll, Member MacDonald, Member Ajemian, Member Rojas

ASSOCIATES PRESENT: Member Spagone, Member Hurley.

STAFF PRESENT: Mr. Shane O'Brien, Town Planner

Chairman Driscoll opened the meeting and read the Governors Open Meeting Guidelines.

Oldfield Estates - Bond Release Request for Phases I and II (Oldfield Road II Bond)

Mr. O'Brien shared that the applicant reached out that day to request a continuance to October 19th.

Motion to continue to October 19, 2022, at 6:30pm made by Member Ajemian second by Member MacDonald.

Roll Call:

Member MacDonald, YES

Member Ajemian, YES

Member Rojas, YES

Member Driscoll, YES

210 Broad St -- 210 Broad Street Realty LLC - Site Plan/Special Permit (continued from Aug 3, 2022, August 17th meeting, September 7th meeting.)

Eric Dias, PE, was present at the meeting to discuss the application and address comments. He walked the board through the revisions to the plans, re: Parking, dumpster, lighting, curb cut, driveway, handy capped ramp, door locations, planting, revised agreement for parking at Go-Gas station, pedestrian safety, title 5 inspection report.

Chairman Driscoll asked about the lease agreement if a deed restriction was needed to make it binding. Member Ajemian asked about the cape cod berm, and it stops people from driving over. Wanted and alternative solution as that could be destroyed.

Town Engineer, Mr. Tansey, spoke about the review he completed. Many of the modifications he was satisfied with. He noted he was concerned with the lease agreement and if Town Council had reviewed. Mr. O'Brien shared comments that Member Geller provided, in his absence. He noted had like to see a boarder around all the plating areas, dumpster location, and crosswalk comments.

Public Comments, none.

Mr. O'Brien noted he would draft a decision if the board desired.

Chairman Driscoll requested a concrete berm in a very specific area of the lot, if the applicant agreed. Notable items were: cross walks, historic pallet, curbing upgrade, parking labeled at gas station, lease needed to be reviewed, screening of dumpster. Flashing yellow light went to discussion, it was unclear if that should be requested of the applicant, if it was necessary.

Member Ajemian made comments about the flashing light, dumpster,

Member MacDonald shared that he is still not comfortable with the parking situation as it didn't feel like a permanent situation. It felt more like trying to find a way around the requirement.

An easement was recommended in place of the lease, as this would be more desirable by the board.

The owners had concerns and questions about the easement.

Motion to continue to October 19, 2022, at 6:30pm made by Member Ajemian, second by Member MacDonald.

Roll Call:

Member MacDonald, YES

Member Ajemian, YES
Member Rojas, YES
Member Driscoll, YES
Member Spagone, YES

ANR Plan – 681 Plymouth St

Mr. O'Brien read the email from Town Counsel, Attorney Rawlings, which states they can endorse and the zoning should not affect that decision. The applicant should go to zoning after this decision. Building Commissioner, Mr. Solari, spoke to the matter that could be able to get a Special permit through the zoning board, and he needed dimensions to determine if they needed a variance also. Mr. O'Brien will draft a letter to building dept in regards to the need for future filings to address the structures on the property.

Motion to endorse made by Member MacDonald, seconded by Member Rojas.

Roll Call:

Member MacDonald, YES
Member Ajemian, YES
Member Rojas, YES
Member Driscoll, YES

Dew Drop Estates – Bond Release Request (all remaining amount of Dew Drop Estates Bond)

Mr. O'Brien shared the letter from Mr. Diar, who requested the release of the bond at \$78588.40, which was set on 4/12/2016. Mr. Tansey informed Mr. O'Brien of the hold for \$5,000 for repairs, and then \$5,000 for stormwater. The amount of money in the account is \$80,5010.41. The board would return \$75,510.41 if they voted to release. The basin was repaired, so only \$5,000 will be kept for professional maintenance.

Mr. MacDonald noted he would like to recuse himself as his company does work with Diar Construction.

Motion to release \$75,510.41 made by Member Ajemian, second by Member Rojas.

Roll Call:

Member MacDonald, YES
Member Ajemian, YES
Member Rojas, YES
Member Driscoll, YES

Old North Estates – Determination of minor or major modification of Subdivision regarding above-ground electrical utilities.

Mr. O'Brien shared that the applicant is looking for a minor mod request and approval. The utilities have been installed above ground.

A waiver would have been necessary for the utilities to be placed above ground, subdivisions rules and regs call for the utilities to be placed underground.

The board needed to deem if this unapproved change was acceptable and can remain or if this is a major mod and needs to be a public hearing.

Applicant, Eric Costa, explained that he thought National Grid had received this approval, thinking that they wouldn't just place the poles if they weren't allowed.

Member MacDonald noted he was fine with a minor mod but asked for the opinion of Mr. O'Brien.

Mr. O'Brien noted that there needs to be plans submitted to show the poles above ground.

The board discussed previous projects where poles were moved underground.

Members noted they felt it would be a major modification to keep the poles above ground.

**Motion to determine the change as a major modification made by Member MacDonald, second
Member Rojas.**

Roll Call:

Member MacDonald, YES

Member Ajemian, YES

Member Rojas, YES

Member Driscoll, YES

Planning Board Minutes (8/3/22 & 8/10/22)

Minutes will move to next meeting

Planner's Report

Mr. O'Brien shared with the board info on the Zoning Recodification being in place.

Member Ajemian provides update on Tree Board.

Adjournment

**Motion to adjourn was made by Member Ajemian, seconded by Member MacDonald, it was
unanimously voted.**