

Present: Michael Fee (Chairman), Lisa Eggleston, Michael Hunter,
Eric Poch (arrived 7:50 p.m.), Jody Kablack (Planner)
Absent: Christopher Morely

The meeting was called to order at 7:40 p.m.

The Board addressed miscellaneous items prior to the scheduled 7:30 public hearing in anticipation of a board member's delayed arrival.

ANR's

The Board reviewed an ANR for an application submitted by John Cutting for property on Maynard Road. The Planner suggested the Board endorse.

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the Cutting ANR Plan for Maynard Road as submitted.

Letteri

Jody Kablack: The Selectmen will meet Friday to discuss the Letteri property which will be the last meeting of the 120 day timeframe for the land which is being offered at \$3 million. Conservation, as well as other committees, has requested input from the Housing Committee for affordable housing feasibility. There are wetland map restrictions on this property, which has a small buildable area (4 ½ acres including backyards). There is potential for 45 bedrooms with expensive mitigation. The Town needs to determine if it wants to pay the price tag of \$3 million. The property did perc for nine cluster lots. There would be high hurdles for the Town to undertake with the purchase of this property, including the buildability of the piece. The Housing Authority wants the Town to vigorously pursue each parcel. The Town Planner warrants caution. It has not been determined to be a bona fide offer yet; Town Counsel's position is that it is not bona fide. Once the Town acts to exercise the option, it must buy. The Housing Committee is not overly advocating for it.

St. Anselm's Property

A meeting is scheduled for tomorrow. The Archdiocese Planning Office for Urban Affairs is interested in affordable housing.

Endicott Woods Definitive Subdivision – Public Hearing
821 Boston Post Road

Mike Fee called the hearing to order at 7:50 p.m. The notice was read into record.

Myron Fox, Attorney for the applicant, reviewed the proposal.

The owners of the property, Mr. & Mrs. Ciampa, have lived at 821 Boston Post Road for 28 years. The property consists of approximately 5 ¼ acres. The plan calls for the current house to remain with two additional lots being proposed. The preliminary plan had issues that have been addressed, including the question of whether a road can be built, which can be done. The applicant has no issues with the Town Planner's memo dated June 17, 2004 or with the Town Engineer's letter dated May 28, 2004. With regard to the email from Deb Dineen, Conservation Coordinator, it was sent prior to the Commission having read the consultant's report, which stated there was no impact to the wildlife. In addition, they had not seen the Notice of Intent. The lots to the east on Route 20 have bad drainage, which will be addressed under the proposal.

Bruce Ey (Schofield Brothers):

The property is located 300' from Peakham Road on the south side of Boston Post Road. The plan has been four years in the making. The Ciampa's house won't change, however, the current 16% grade circular driveway will change. The proposal for a short private way involves a 30' leveling area with a 2% grade going to a 10% grade at its steepest. Access to #821 and the two proposed lots will come off it. There are two bad curb cuts, which will be removed. This plan meets all common driveway requirements. They have done extensive soil testing; the septic (there are two) is located to the east end at the rear of the property. There are sandy soils in the front with a 2" per minute infiltration. Run-off goes into a basin with an extensive set of leaching structures to handle the first 1" of run-off into the ground (95% of storms) and overflow into the drainage system. There will be no excess run-off onto Route 20. The existing barn can be removed or remain, it is still in good condition. Part of the existing house is within a Historic District. A curb cut permit will be applied for with the State to approve the new road and drainage improvements. Route 20 discharges by Peakham Road into a pond. All DEP guidelines are met. The conditions of Route 20 and the downstream drainage warrant the design proposed. Elizabeth Foley, an abutter, has requested the extension of town water from this development. This will involve bringing a 2' water line in and an 8" water main with a hydrant. In addition, there is a 20' wide no disturbance zone along her property.

The applicant has also met with the other abutter, Mr. Sziabowski (799 Boston Post Road) who is not as close to the back line (150'). The applicant has agreed to do a 15' no disturbance zone. Both abutters will incur better drainage with this plan. The waivers they are requesting are listed in Jody Kablack's 6-17 memo. It is the desire of the applicant to have minimal impact. With that, they have reduced the wetland alteration even more than originally planned. The plan also proposes lot sizes over 60,000 square feet.

Jody Kablack: Are drainage upgrades to current conditions of Route 20 proposed?

Bruce Ey: They will uncover the pipe during construction and if necessary, they will replace it. MA Highway is responsible for maintaining.

Jody Kablack: Believes MA Highway is aware it is in their right-of-way but property owners must maintain.

Bruce Ey: Will get it in writing.

Lisa Eggleston: Will there be a Homeowners Association for stormwater maintenance?

Bruce Ey: It has been submitted.

Mike Fee: Whereas this proposal involves a wetland crossing, what is our responsibility?

Lisa Eggleston: Is there any impact on the hydrology?

Bruce Ey: No.

Lisa Eggleston: Are there wetlands downstream?

Bruce Ey: No, they have had it surveyed and there are none at this area.

Jody Kablack: The width of the private way per the Fire Chief should be 20' not 18'.

Bruce Ey: They only have a two-lane road, private drive with single drives well off the common portion. What would the 2' provide?

Jody Kablack: It is not the Planning Board's standard. Both the Fire Chief and the Town Engineer want wider widths. When there is a situation where narrow, common driveways are approached, it is an issue. Fire trucks may not be able to exit. The added 2' provides more room if there are a number of other cars. She will work with the Fire Chief to ensure there are adequate shoulders.

Mike Fee: Where the proposed way crosses the wetland it becomes a bottleneck; it should be wider. Does the Fire Chief want a cul-de-sac? Jody Kablack: No.

Lisa Eggleston: Are the 15' and 20' no disturbance buffers reflected in the grading?

Bruce Ey: Yes, there is a man-made ditch for 20' behind the abutter, then it terminates. 20' will have to go to the east; they will have to build a detention basin. The houses are far back from the road and will not be in view from the street.

Jody Kablack: Is the applicant committed to plantings?

Bruce Ey: If the buyer wants additional screening but no removal.

Jody Kablack: Is there a commitment to planting on Mrs. Foley's line?

Bruce Ey: Yes, a dozen or ½ dozen evergreens.

Lisa Eggleston: Would like to address Arden McNeill's letter (abutter).

Attorney John O'Neill representing Arden McNeill (54 Brimstone Lane):

Mr. McNeill's property is south of the Ciampas where the three lots are located at the north end. He refers to the Town Rules and Regulations for a roadway design. There are 30 houses on Brimstone Lane. If this street is projected to his client's property, the Board can require an alternative to alleviate the conditions on Brimstone Lane.

Mike Fee: Which regulation are you referring to?

Attorney O'Neill: Page 24 of the bylaws; Section V.B.1.c which states "Provision shall be made for the proper projection of streets to adjoining land."

Mike Fee: Have we interpreted designs for neighboring private lands?

Jody Kablack: We have not determined it in Attorney O'Neill's approach. The Planner sited previous examples.

Attorney O'Neill sited safety reasons; future access.

Mike Fee: The Board will look at that regulation but requests a schematic plan with the client's potential development and effect from this proposal.

Attorney O'Neill agreed to request and stated there are 21 acres with 3-4 acres in the middle that are wet, the rest is buildable.

Mike Fee asked for response from Attorney Fox.

Myron Fox: Does not recall that regulation being interpreted in that manner in the past. They would also like to see a plan from Attorney O'Neill's client which would be foreseen to have the road wider and if there were an extension of the road, it would be a loss of lots.

Mike Fee: If there is a case, he would like it submitted in writing. He noted the Board's awareness of the expense and effort involved.

Jody Kablack: There is an August 15th deadline for the Board to make a decision (a preliminary plan was filed).

On motion duly made and seconded, it was unanimously:

VOTED: To continue the public hearing on Endicott Woods to July 14, 2004 at 9:00 p.m. at Town Hall.

A site visit was scheduled for Tuesday, July 13th at 8:00 a.m.

The Meadows Senior Residential Community – Public Hearing Continuation

Mike Fee called the hearing to order at 8:40 p.m. New materials submitted to file since the previous meeting were listed.

Jody Kablack: The Design Review Board had met with the applicant on June 10, 2004 and provided recommendations. A follow-up meeting was conducted this evening in which the Design Review Board accepted the architectural design changes as well as the landscaped entry to the project site. The Design Review Board was generally pleased and recommends approval by the Planning Board and the Selectmen with two revisions requested:

1. In the areas where red cedar shingles are used, install them with 7" exposed to the weather.
2. On units with sunrooms on the back and casement windows, use simulated divided light patterns to coordinate with the 4 over 1 double-hung windows used elsewhere. The Board suggests two small lights over one large light for each sash.

Michael Coutu: Reviewed the landscape and entryway with them this evening. The Design Review Board was pleased with those changes.

Michael Fee: No issues with the Design Review Board remain. The draft decision was left open based on their input. The applicant had the new elevation plan which they showed to the neighbors in attendance.

Amy Galblum: What about the paint issues the Design Review Board had previously stated?

The applicant's architect provided an overview. Gable dormers with 4" exposed clapboard on the first floor. On the rear elevation they added a gable and moved the chimneys; brackets were added to the front porches. The design is a one-story element with two stories in the middle.

Resident: Do all units have walk-out basements?

Architect: There are 13 units with walk-out basements and 10 units without.

Mike Coutu provided a landscape overview. There is a split rail fence brought to the property line with two granite posts and a small 18 x 30" sign carved in wood. Stone wall is located further to Route 20 and they have downplayed the entrance way as requested by the neighbors. There is no fencing by the edging, it terminates at the entrance. There will be clusters of trees, predominantly sugar maples.

Michael Coutu: The name of the senior residential community will also change on the sign per the request of neighbors to "Maple Meadows".

Mr. & Mrs. Lowenberg had submitted a letter dated June 22, 2004 to file. Michael Fee commented to the Lowenbergs that the language in their letter was very strong. Their issue is that the plan has a 20' width they believe is incompatible.

Mrs. Lowenberg: They measured a lot of streets in Town. Many are not 20' of which some were through streets and some were dead end streets. They believe it is unfair to single out Maple Ave. to be widened. Considering the width is a critical part of the character of the neighborhood and the street. In addition to the issue of the trees, it is also the feel of the street that should be considered and whether it is safer if it remains narrow.

Greg Lowenberg: The setbacks on the street are relative. They could eliminate the tree issues if they only widen the road to 16'. Two large vehicles could still pass. A permanent easement for emergency access favors a narrow street. A decision for a 20' width is not a compromise as many streets are not 20-24'. The decision should be based on the character of the street and on the setbacks.

The Lowenbergs propose a 16' width (it is currently 15' in front of their house then narrows to 11').

Helga Andrews: Wanted Bill Place's reasons for his concerns with

1. Snow removal – The residents never have a problem with this. There is no on-street parking.
2. Emergency Response – The neighbors have dealt with this issue with the Feeley Field proposal.

Kirsten Van Dijk: There was a gathering of Boards and committees this afternoon on historic issues. The State Historic Commission responded that Maple Ave. exceeds qualifications to be designated as a historic district and a historic site. This proposal would take away that option. Preservation efforts increase home values; the Town is wise to consider this.

Greg Lowenberg: The Selectmen said they want to do everything to preserve the character of the street. Not widening, or widening to 20' or less can do that. They left the door open to go less than 20'.

Myron Fox: The Petitioner has supported the efforts of the neighborhood with their field access proposal with all construction vehicles going through the tennis court. It was the Board of Selectmen's jurisdiction. The developer is supportive to going less than 20' with the following two comments:

1. It is not a through-way; small street
2. There would be a loop for emergency vehicles to use

Jody Kablack: The Fire Chief and the Police Chief are in receipt of the Lowenberg's letter and have been asked to respond. The police are going out tonight to assess on-street parking. The road width is not a big issue for them. The Fire Chief urges the Planning Board not to accept 18' in any situation, opining it is too narrow.

Mrs. Lowenberg commented there were fire trucks on Maple Ave. twice this week and there were no issues.

Jody Kablack: There is a letter on file dated February 14, 2004 from Bill Place and Mike Dunne which states Maple Ave. should have a 20' minimal width. It should be level until the end, grass shoulders and trees spaced with a permanent emergency access only to be used if there is no other alternative.

Michael Fee: The goal tonight is to close the public hearing while weighing in the public safety concerns and the Town officials' recommendations. The Planning Board gives those great weight but has also deviated when it feels warranted (cited Goodnow Road). He personally feels obligated to be accommodating to the neighbors. There is a unique flavor to this street which could be designated a historic district officially but intuitively already is. The minimal width of 18' (state law) has been approved in other applications for all public safety.

Lisa Eggleston: The plan is based on a 20' wide road with recommendations where it could be narrowed.

Jody Kablack: Looking for a uniform width; Bill Place is willing to go narrower if the arborist's report warranted, but wanted it to be uniform.

Lisa Eggleston: What did the arborist's report show?

Jody Kablack: 18' width would not require the removal of many trees. The McDonald-Teplow property is an issue where it goes out of the right-of-way at that location. If the Jacobsons would grant an easement for that portion of pavement on the property where the shoulder grade declines at the end of the private way, it would provide the ability to create steeper shoulders. She will review that with Bill Place; potential for shoulder compromise.

Michael Hunter: 18' width with soft shoulders for fire trucks would be a reasonable option.

Jody Kablack: Do you mean a gravel base where possible (2') so as not to remove trees?

Mike Hunter: Yes.

Lisa Eggleston: That may potentially encourage on-street parking.

Jody Kablack: No, it would be a 12' gravel base with loam.

Mike Fee: What about 16' with 2' shoulders?

Jody Kablack: Will check with the Fire Chief to see if there is a regulation to pave to 18'.

Eric Poch: Does not have a problem with reducing the width, but feels 16' is too narrow. It is a trade-off with uniformity of width versus keeping it narrow.

Lisa Eggleston: Does the Board feel comfortable backing off the 20' width? She is uncomfortable with 16'.

Mike Fee: 18' total with a % gravel and a % paved.

Greg Lowenberg: The purpose of maintaining the character is to have minimal damage to the trees. If it is a soft shoulder it won't help that situation – would be the same excavation path.

Jody Kablack: No more excavation than what has been seen. It may lessen the impact at the McDonald's property.

Mike Fee: Improvements to widen to no more than an 18' base is as far as the Planning Board can go.

Greg Lowenberg: There was one large tree that was missed on the arborist's report at 14 Maple Ave. as well as tree #8 on that property.

Mike Fee: Could it be a condition that the arborist be on-site to address issues.

Jody Kablack: A Massachusetts certified arborist paid for by the Developer with the Town Engineer supervising.

Myron Fox: Pavement versus soft shoulder; the health of the tree is better with soft shoulder.

The Board reviewed the draft decision and provided revisions; comments included the following.

Eric Poch: Would like further input from Bill Place for the best crosswalk location for Mill Village down to the petition location.

Jody Kablack: Bill Place has stated he believes Raymond Road would be most beneficial. If it were at Maple Ave. it would cause a hazard as that street is not as visible or as known as Raymond is.

Eric Poch: Opines a walkway on the south side of Route 20 would be a waste of effort.

Lisa Eggleston: A walkway on the north side doesn't negate one for the south side.

Mike Fee: Item 27 a; What if the Town Engineer approves an 18' width design as sees fit with soft shoulders suggested?

Mike Hunter: The DPW Director doesn't design it.

Lisa Eggleston: If the road is already 17' 1/3 of the way with 6" gravel shoulders, should contemplate widening Maple Ave. to a base width of 18', paved width of 17' (with a minimum of 6" gravel shoulder).

Greg Lowenberg: Item 4 f; planting detail for street trees. The residents request the inch for inch rule. Item 4 k (revised widening plan); suggests not to define just to roadway right-of-way in order to provide the greatest care possible for replacing trees.

Mr. Lowenberg further commented the homeowners should have input on the type and location of replacement trees.

Jody Kablack: Mr. MacDonald is losing the most trees. If it were agreed to do inch per inch it would be a significant amount. The right-of-way may not be able to accommodate this many trees.

Mike Fee: If there is a new road plan, it would require tree mitigation, correct? The inch per inch policy would be arbitrary. It is not workable or fair to require. Residents can input when the mitigation plans are submitted.

Mike Hunter: Likes the inch per inch policy; huge canopy.

Lisa Eggleston: In the right-of-way there are difficulties with that. She prefers the replacement plan input.

Jody Kablack: Our regulations require street trees one tree every 40' on center.

Myron Fox: The inch per inch creates a subject of standard. The Planning Board's opinion should be adequate. An arborist didn't suggest the inch per inch compensation.

Mr. Lowenberg: Mitigation is to try to remedy actions; it gives homeowners the option for what they've lost. The mitigation is for a variety of loss, shrubs and other landscaping.

Mike Fee: No one disagrees on mitigation to residents but rather on the procedure.

Mike Hunter: The inch per inch is fine, but should be established prior and put on the plan.

Jody Kablack: The plan requires it early on. Also should consider the fact that Bill Place never plants trees in a right-of-way; less Town liability. This is a wide right-of-way with narrow front yards; will need Bill Place's approval.

Mike Hunter: Who will have the responsibility to care for the trees?

Jody Kablack: The arborist recommends the property owners water them.

Helga Andrews: The existing trees may be jeopardized from the widening of the road. In the event they die, who is responsible?

Jody Kablack: We can bond them in a performance bond that they are not adversely affected.

Michael Coutu: The road width is 3' narrower in terms of asphalt; that will be best for the trees. Cannot replace 150' of trees for 150' of property.

Resident: Can the neighbors meet with the applicant when the road is drawn up?

Myron Fox: Yes, the applicant would do that but it would be helpful to limit the number of neighbors.

Jody Kablack: Bill Place should be involved. It could be a condition for a collaboration of the developer and community.

Mike Fee: The Planning Board requires the neighbors and applicant meet on it.

Mr. Lowenberg: The Selectmen decided access goes through the tennis court – fenced lane (45' parking lot). If used, will there be parking in that area?

Jody Kablack: The Board of Selectmen will be working that out.

Eric Poch: We discussed dust vents not fencing the entire area.

Cheryl Salatino: Item 5e states construction access shall be through Feeley Field. Item 16 references day one of occupancy, the rules change. It opens for occupants not construction. Would like it clear it will not be for construction but only occupants.

Jody Kablack: A gate will be there but must be removed upon first occupancy.
There were no further comments.

On motion duly made and seconded, it was unanimously:

VOTED: To close the public hearing on The Meadows Senior Residential
Community Plan.

On motion duly made and seconded, it was unanimously:

VOTED: To direct the Town Planner to finalize a decision in accordance with the
comments and revisions stated tonight.

It is noted the Board will see the draft one more time but there will not be further public
comment.

Myron Fox: Is it approved?

Mike Fee: No, the Board will meet one more time to approve.

A meeting was scheduled for Tuesday, June 29 at 8:00 a.m. at the DPW Building to
approve the decision for the Meadows.

London Taxi of North America, Inc. – WRPD Special Permit Vote Decision

Lisa Eggleston: The stormwater was done, not a bonding issue prior to them parking.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the London Taxi Water Resource Special Permit Decision.

Miscellaneous

A meeting on the proposed changes to the Water Resources Bylaw will be held Thursday,
June 24.

The CPC is providing money for a housing consultant.

The meeting was adjourned at 11:00 p.m.