

Present: Michael Fee (Chairman), Lisa Eggleston, Michael Hunter, Eric Poch
Joseph Sziabowski (Associate), Jody Kablack (Planner)
Absent: Christopher Morely

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

Willis Hill II Subdivision Modification – Continuation of Public Hearing

Tom DiPersio (Thomas Land Surveyors):

He met with the owner of lot 36A on Kendra Lane. He identified the right of way, the edge of pavement and had road stakes to show the grade differentials. Both homeowners agreed with the concept of disturbance for their driveways to Kendra Lane to be removed and replaced in connection with the construction of Kendra Lane. The homeowners still need to decide on the surface treatment, but approved the 9.7% grade.

Jody Kablack: Both property owners are present. She would like it stated by them whether they are in basic agreement with the modification. She has also worked on the bond posting agreement.

Eamon O'Malley (46 Cudworth): He did review the agreement document and would request a change regarding item 7. Does not think a cap should be put on the cost; leave it to the developer and trust he will do the work. Also on item 6 he would like to add what the specifications are; i.e. asphalt driveway, drainage, trees, and shrubs.

Eric Brock (56 Cudworth Lane): He is happy with the decision.

Eamon O'Malley: One other comment on item 9; the timing is left blank.

Mike Fee: That is a separate side agreement which is outside the Planning Board's purview. Some overlaps with what the Board controls; the time frame for the draft modification says 6 months; he leans towards 3 months.

Bob Quirk: He will start as soon as possible in front of their two properties and can do it in 3 months.

Jody Kablack: Roadwork in front of their homes includes the right of way. It may not be feasible to finish Kendra to a final coat in 3 months, but will need some grading done.

Bob Quirk: We could do that in 6 months.

There was continued discussion of the time frame for completion.

Lisa Eggleston: Add to the decision access to the driveways must be maintained throughout the course of the project.

Mike Fee directed comment to Mr. O'Malley and Mr. Brock: You understand this is a separate side agreement from the draft decision? The Planning Board can enforce the draft decision, but not the side agreement.

Jody Kablack: The side agreement should be signed with 30 days.

Mike Fee: Is that in the Planning Board's jurisdiction?

Jody Kablack: Yes, we required the side agreement.

Mike Fee: Also add language to item 2 that it must commence by Aug. 15, 2005.

Mr. O'Malley: Can you change item "2c" to 3 months?

Mike Fee: 46 and 56 Cudworth completed within 3 months from start of construction and all of Kendra within 6 months. Mr. O'Malley and Mr. Brock have the side agreement and the Planning Board decision to come back with if they need relief.

Jody Kablack: If implementing a start date, we should implement an end date to substantially complete with a final coat. The original decision had one year to complete. Due to weather conditions if the homes aren't completed, it may be better to have one year for completion.

The Town Engineer/DPW Director was in attendance.

Bill Place: He agrees with Jody Kablack. Depending on the weather and when houses are done, may not be able to complete in 6 months.

Jody Kablack: The Kendra Lane right of way; work should be substantially complete in 4 months and fully complete the rest within one year.

Mike Fee asked Mr. Brock and Mr. O'Malley if they understood why the Board was doing this time frame. They both stated that they understood and had no issues with it.

On motion duly made and seconded, it was unanimously:

VOTED: To close the public hearing on the Willis Hill II Subdivision Modification.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the decision for the Modification of the Definitive Subdivision Decision and Flexible Development Special Permit for Willis Hill II as amended.

Scenic Road Public Hearing – Willis Road Walkway

Mike Fee read the hearing notice into record and listed the file documents.

Jody Kablack: To provide an overview, efforts to implement walkway construction have been ongoing since 2000. The walkway report identified critical areas and issues. The Board of Selectmen accepted the report and is in the process of implementing it. A proposal for \$2.84 million in construction funds was rejected at Town Meeting. In 2000 & 2001, \$150,000 was appropriated each year out of the Town Capital Budget for the Department of Public Works Director to use as he saw fit to construct walkways. Included in the plans are walkways from Maynard Road to Fairbank; Landham to Coolidge; Peakham to Robert Best and Raymond Road. They spent the appropriated funds and went to 2004 Town Meeting and the Community Preservation Committee for more funds; an additional \$100,000 was appropriated in 2004. At that time Willis Road was a potential due to the feasibility (public right of way which would require fewer easements), no wetlands or physical constraints on Willis road. The focus of this

evening's public hearing is the removal of trees along the entire length of the scenic road and the stone wall removal at two locations. In efforts to do a property by property analysis along with the application, it was very difficult to establish exactly where the property line falls for 281 Willis Road. It was not exact, as trees may be on two property lines. All trees over 4" were posted by the tree warden with the exception of trees which are either dead or dying.

At this point, the Town Planner showed pictures on screen of the properties on Willis Road. Affected properties were shown with comment on whether the property owner agreed to grant an easement where required. Letters had been sent by the Planner and DPW Director of proposed plan for tree removal and stone wall relocation if easements were unattainable.

A letter was submitted by Judith Johnson, 279 Willis Road with concerns. The Town will work with owners with privacy issues. At 2 Briant Drive, the Historical Commission requested some type of separation between the walkway and road (i.e. granite curbing) as was the case at 1 Briant Drive. The stone walls are within the Town right-of-way. The owner of 201 Willis would like the wall moved back. No trees in the public right-of-way need to come down here; will need an easement. The owner at 193 Willis also requested the stone wall be moved back. Easements are needed for both of these properties due to a narrowing of the right of way.

Eric Poch: He noticed in the presentation there is a utility pole at 1 Briant; what will that involve?

Bill Place: To have it removed would be difficult; they will have to work around it. At 201 and 193 Willis there are only two spots (180') where the stone wall will be altered.

Unidentified Resident: The 2 walls on Briant were built with an easement in place. If you leave them there and jam in a walkway it would not be good.

Lisa Eggleston: It is a scenic road. For visualization it would be better to tuck a walkway behind the stone wall (cited Mossman, where walkway is behind wall).

Bill Place provided a brief history of Willis Road. It was a decision of the Land Court for a 50' right-of-way for the roadway (it had been only 33'). The DPW has staked the edge of the right-of-way as best as they could. Many ash trees are dying or diseased. Some abutters were okay with their removal as long as we add back buffers. For safety issues we need a 5' wide walkway. It will be gravel base, will clear 6-7' with equipment then loam, seed and mulch. They will split costs in house for tree removal, gravel, landscaping.

Carole Wolfe: The Historical Commission is not happy with the number of trees being removed but understands. They do not want the stone walls removed. It is not aesthetically suitable to squeeze a walkway in. What about a meandering walkway as a compromise?

Scott Taylor: If it is a meandering walkway it is more difficult to clear in the winter. Most of the ash trees are diseased.

Bonnie Kuta: Bill Place said most trees are ash; only 13 are ash.

Bill Place clarified most of the dying trees are ash; not the majority of the ones to be removed.

Mike Fee: There is a defined list available of all trees proposed to be removed in the file.

Melina Murphy; 261 Willis Road: Thanked Bill Place, Jody Kablack and the Planning Board for going forward with the walkway. It is important for safety reasons. This stretch of walkway will provide a connector from the south side through 27 going north. The cost versus benefit is in favor of the walkway.

Tom Davis; 67 Witherell Drive: Where did the concept come from where there are already connectors in place?

Jody Kablack: In 2000, the Walkway Committee published a report where a large factor was pedestrian safety.

Tom Davis: There are roads going into Willis Hill (Belcher Drive) where there are only a few homes as well as other connectors in the area. Is this walkway necessary?

Jody Kablack: The DPW and Walkway Committee feel it is necessary for safety.

Alex Kuta; 239 Willis Road: It should be scheduled for the full length of the road. You are putting it in the least necessary place right now. Is this the easiest place to put it? There are more dangerous areas; Mossman toward Marlboro for one. What about speed bumps to control speed? A walkway does not make it safer. The report issued in 2000; what data went into choosing Willis Road and that section of it?

Bob Nichols; 225 Willis Road: When and by who was it designated as scenic?

Jody Kablack: By vote at Town Meeting in 2003 or 2004.

Joseph Misdraji; 41 Chanticleer Road: It is a beautiful road, scenic or not. To remove the trees would be detrimental. Is there a plan to replace trees? Why 5' wide? That is very wide for that road.

Bill Place: The width of all walkways is 5'; necessary for maintenance.

Sahag Dakesian; 335 Willis Road: Who determined it to be dangerous? He does not agree with that assessment.

Mike Fee: That is the assessment of the Town Engineer/DPW Director and the Town Planner.

Jody Kablack: Also the Safety Officer.

Sahag Dakesian: Are there statistics published?

Mike Fee: That would be a question for the Safety Officer.

Peter Jarrett; 353 Willis Road: As a jogger and biker, he would not use a sidewalk. It does not make sense.

Linda Greenwood; 127 Willis Road: She runs there, and does when having the option, run on a sidewalk. Thinks it is needed but is surprised where they chose to start it. All of Willis should be done, why start in the middle?

Mike Fee: What is the rationale for the starting point?

Jody Kablack: It doesn't start at the Meachen property because of the wetlands and the road right-of-way is not wide enough. Would need easements which are difficult in obtaining. That section was abandoned and the focus went where less easements would be required. Continuing the project along the entire length of Willis Road is contingent on Town Meeting funding which starts with the capital budget.

Bill Place: Plan will include Willis Hill north; Kendra up to Mossman, Meachen towards Marlboro and Maynard. We have heard from many abutters who want a walkway.

Linda Greenwood; 127 Willis Road: Is the builder (Mr. Quirk) currently doing work for 3 more houses on Kendra required to give funds for a walkway?

Jody Kablack: They are required to either do a walkway or funds in lieu of one. He is funding 193/201 Willis. The majority of this proposal is not part of his subdivision.

Mark Hileman; 298 Willis Road: He is very much in favor of the walkway. He has a 10 year old son who walks his dog there. His son's friend lives right on Kendra and he has to drive him over to his house because it is so unsafe for children to walk that area. He cited many accidents and rollovers. He also has a high school aged daughter who has had to jump into snow banks while waiting for the school bus to avoid being struck. Clearly, a solution is needed. He strongly applauds the Town Planner's effort in working with the abutters. He would be happy to work with her to grant an easement if it was needed from him. How many property owners affected agreed on an easement?

Jody Kablack: There are 16 property owners affected and 12-13 are willing to work with the Town.

Sharon Chiang; 193 Willis Road: Which is part of Mr. Quirk's area? She is unclear of his plan.

Jody Kablack: He will fund 360' and the Town will construct it. 193 and 201 are where easements are required. At the corner of Kendra and Willis, the property owners asked to move the wall back. The Historical Commission is opposed to that. We cannot go across the property without an easement.

Sharon Chiang: If a walkway is put in the front of her property, her front yard disappears.

Dianne Cincotta; 262 Willis Road: She bought her home on Willis Road because she likes being on a scenic road. If she had children, she wouldn't have bought there. Opposes curbing and fencing; thinks of Route 20, does not want curbing. It would be a disappointment if the Board did not look at the aesthetics. If you have children, move to a neighborhood with sidewalks.

Jean Maloney; 119 Willis Road: She has been there for 38 years and does the loop on Maynard and Marlboro Roads. You can't walk on the walkway in the winter, it's not plowed. It should be at their end or on the Mossman end.

Suzanne Clark; 2 Briant: She lives on a scenic road which is now curbed. She does not approve of a sidewalk.

Jonathan Swain; 309 Willis Road: He missed Town Meeting where Willis Road was declared a scenic road. What was the process?

Mike Fee: An article was submitted well before Town Meeting; was published in the Warrant that is mailed to all residents. Pros and cons were discussed at Town Meeting and it was the vote of Town Meeting audience.

Jody Kablack: The basis for the scenic road was proposed by the Historical Commission and the Planning Board co-sponsored along with the Conservation Commission. The town had a scenic road bylaw since 1978. Old maps (1875) were reviewed and it was discussed which roads still possessed scenic quality worthy of protection. The stone wall

was a major criteria in the assessment. In addition to being published in the Town Warrant, the hearing notice was published in the paper (public hearing was held). 32 streets were incorporated at Town Meeting. In 2005, the bylaw was revised to be more specific (listed criteria) as to how a scenic road should be designated. It is also available on-line.

Among the streets which are scenic and have walkways: Concord Road, Dakin, Dutton, Goodman's Hill, Haynes, Mossman, Morse, Old Lancaster Road, Pantry, Peakham and Woodside.

Judith Johnson; 279 Willis Road: Section 3 of the bylaw lists requirements to alter a scenic road (she read the section). None of this was made available. She is an abutter; it would be a significant change to her property.

Jody Kablack: The only requirement missing is a plan. Staffing and funding issues make it unfeasible.

Mike Fee: The regulations say we have to have a plan.

Judith Johnson: As an abutter, she is not opposed to a walkway but does not want to participate for the following:

1. Public safety issues – intentions of crossing the road. There is not good sight distance.
2. Drainage issues – she has water in her driveway now which goes into her foundation and her basement. Given the slopes and the landscaping, it is torrent. Water pours into her basement. If a sidewalk goes in, it would also be on a slope and would pour more water from the north into her driveway. It replicates situation on the other side of the street.

Mike Fee: Would like an engineered analysis of the drainage situation.

Judith Johnson: She received 2 letters then saw the trees tagged. Then she received another letter requesting an additional 8-10' easement so they could work around the trees. At 279 Willis Road there are 34 trees tagged, the list is incorrect. She has a total of 104 trees on her property.

Jody Kablack: If trees are on a property line, they may show up on the abutting property.

Judith Johnson: This will also mean removal of roots and shade cover, any absorbents. This will increase drainage issues. She has a signed petition to submit to record which shows residents' interest. Among what she would like:

- Involvement by the neighbors for a walkway for the full length of Willis Road
- A plan before the next public hearing which is more complete
- Proximity and slope issues resolved on the western side of the road
- Safety issues resulting from the 2000 walkway committee input from the Safety Officer who indicated it as dangerous. Most of those recommended have not been done other than Willis.

Joe Rowen; 4 Witherell: He is neither for nor against a walkway, but has 3 points he would like to make:

- There is not enough information on the change where the wall was to be moved and now not going to be.
- A detailed plan is needed

- Driving on the other end of Willis Road (Marlboro out to Maynard) is horrendous. It is very unsafe and should be widened. The entire road should be looked at.

Tricia Streilein; 371 Willis Road: She moved there for the aesthetics which the trees are a major part of. Questions if the plan is for the whole road? Opposes the sidewalk.

Sharon Siegel-Polzin; 235 Willis Road: She has no children, she moved there because it is scenic. With reference to 279 Willis Road, we all have low points where there are water problems. She rode down the street and opines curbs would not help. Poles, wires, etc. are issues.

Carole Wolfe: The Historic Districts Commission is not involved with power lines. We suggested a meandering path because walkways may not be plowed. The Commission felt granite curb would be a little better than asphalt.

Eleanor Wiedenbauer; 303 Willis Road: What will the impact of this meeting be?

Mike Fee: We will discuss as a Board when the comments from the public end.

Guidelines for a decision will be reviewed.

Steve Brackett; 201 Willis Road: Would like to state it was an inappropriate comment earlier that if you have children you should move. He is in favor of the walkway; it is a very tough road to deal with. Bill Place and Jody Kablack have done a good job. There are irresponsible drivers on the road. He moved there for the aesthetics and for the neighborhood. He was assured Kendra to Briant would have a walkway. It is very dangerous for children. He runs and bikes and looks for sidewalks. This is a safety issue for the Town, it is a liability. This proposal is a well thought out plan. We need the improvement to Willis Road. He would like to see the Town and the residents work together. It is a safety over beauty issue for him.

Carole Wolfe: The Historical Districts Commission is not against walkways. For the record, we are not involved in finishing roads.

Jody Kablack: Wanted also to clarify to people that the Historic Districts Commission is not involved in finishing roads.

Mike Fee: The Board needs more information before voting. He would like to echo sentiments to applaud Jody Kablack and Bill Place for their efforts. In addition, he would like to thank everyone who approached this matter in a considerate and thoughtful way. The Master Plan heavily emphasizes walkways (the Master Plan is available on the web). The Scenic Road bylaw was amended at the 2005 Town Meeting to protect the quality of scenic roads. The Planning Board governs the tree and stone wall aspect. He personally feels there is a need for a more definitive plan, in particular to show the impact to the properties discussed.

Board members Eric Poch and Joe Sziabowski concurred.

Joe Sziabowski: He would like to ask residents to consider safety issues when thinking of a walkway. It can be a way for everyone to enjoy the road.

Mike Hunter: He lives on Goodman's Hill Road which had no sidewalk when he moved there. He gave the Town a 300' easement so they wouldn't have to move the stone wall to put in a walkway. It has been a positive impact and it is possible to go around trees and walls.

Lisa Eggleston: Favors more information but does feel it is in the best interest of the Town to pursue walkways. She also walks Willis Road and does not feel it is safe. As a member on Town Boards, she has gotten many pleas for a walkway. It is a matter of balance to maintain the character and heed residents' requests. She does encourage refining the plan, but also encourages residents to grant easements.

Jody Kablack: The Town is not capable of producing a 1-40" scale plan. If that is the requirement, the proposal will have to be withdrawn.

Mike Fee: It can be less than 1-40" scale which shows what is appropriate detail.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the public hearing on the Willis Road Walkway to
September 14 at 7:45 p.m.

The Board will also conduct a site walk prior to that meeting.

Cail Farm Preliminary Subdivision Discussion

Board member Lisa Eggleston disclosed for the record that she is currently reviewing a project by Stamski and McNary, Inc.

Mike Fee: Does not see that as a conflict issue; not necessary to be recused.

George Dimakarakos of Stamski and McNary, Inc.

The property is located at 815 Concord Road and consists of 25 acres. They are proposing 3 lots at the front of Concord Road. In accordance with the regulations, a conventional preliminary subdivision plan was submitted as well as the cluster plan. Lots B and C have wetlands, uplands. The Conservation Coordinator liked the plan. Under the conventional plan they proposed a 270' cul-de-sac with 3 houses. The cluster plan proposes a small street layout with an 18' wide road and 3 houses with T-turnaround for each home to access. They are only using three lots out of the 25 acres and will donate the rest to the Town for conservation purposes. Soils have been tested and are good; all in existing field. The gift of the 22+ acres justifies the cluster proposal.

Jody Kablack: The waivers being requested are due to insufficient frontage for corner lots and required turning radius. They need 90-100' for the corner lot and have 77'. They have shown on the plan a creation of a small parcel which gives adequate frontage for the 3 lots but not a corner lot.

Lisa Eggleston: The density to establish is whether they can build 3 houses.

Jody Kablack: It must be determined if the 3 lots are adequate for the large donation of open space (valuable area). The Board has waived corner lot provisions in the past. In this case, they lack about 13' of frontage.

George Dimakarakos: Also, we would not have to build a new road; it wouldn't be larger than what exists.

Lisa Eggleston: There is also a perimeter buffer issue.

Jody Kablack: The tree line is just off the property on the northern line. No natural buffer exists.

Lisa Eggleston: Which would mean there would not be a lot of tree removal.

Doug Kennedy, 818 Concord Road: Thinks it is a great idea. (Asked to be shown driveway on plan.)

Both yards abut Concord Road; driveways are private, access to land from Twin Pond.

Doug Kennedy: Where do the houses from Concord Road start?

George Dimakarakos: 120' back from the pavement.

Jody Kablack: Which is the same setback as the property owner to the North.

Lou Giannetti, 798 Concord Road: The proposed driveway heads towards the country club. There is a lot of run-off and there are drainage issues (icing). By Dr. Cail's driveway is a low spot. He just wanted to flag it to be cautious. Overall, this is a great plan.

Doug Kennedy: The previous owner (Frank Vanaria) who built there never fixed the drainage issue.

Jody Kablack: That has been mentioned in Bill Place's memo.

Mike Fee: The Board will be looking at that.

Peter Karassik: Dr. Cail is making the donation; Eligius Homes is building. Who grants the provision to go into the 100' buffer zone if flexibility is needed?

Mike Fee: That would be the Conservation Commission's jurisdiction. We just finished with a similar application where there was a gift to the Town and the applicant was requesting flexibility.

Lisa Eggleston: Suggest the applicant start conversation with the Conservation Commission early on. The donation is significant; you will need to negotiate with them.

Resident: Prefers to see this plan proceeds than other options.

Lisa Eggleston: With the 3 lot subdivision plan there are stormwater standards that will need to be addressed. Will infiltration be into the ground for re-charge? If the demolition delay request passes, will it need a public way access permit?

Peter Karassik: The Fire Chief mentioned sprinklers, why?

Mike Fee: That is a new recommendation of his for all residential developers requesting a Special Permit. He is asking the Planning Board to require it of the applicants.

Lisa Eggleston: There are minimum setbacks from houses. Clustering is typically in the center but doesn't always make sense to do it that way. Such is the case here. This should be addressed in the definitive submission.

Mike Fee: Urged the applicant to look at the bylaw for Special Permits in its entirety.

Brookside Farm application would be a good reference.

Doug Kennedy: Can the road be moved?

Dr. Cail: He would prefer not to have it right across his driveway.

Jody Kablack: Lot 1 would be too constrained in width to move it.

There were no further comments.

Miscellaneous:

Jody Kablack:

The Newell property (across from Mahoney Farm); the Selectmen are in favor of amending the settlement to allow the density permitted under the bylaw for Senior Residential Communities or Incentive Senior Developments (5 or 8 units). The Selectmen are looking for mitigation conditions.

There is \$6,000 in the budget available which the Planning Board should use for updating the Subdivision Rules and Regulations and also use on the wastewater issue.

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