

Present: Michael Fee (Chairman), Lisa Eggleston, Christopher Morely,
Eric Poch, Joe Sziabowski (Associate)
Absent: Michael Hunter

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

Cail Farm discussion of off-site drainage work was taken off the agenda.

ANRs

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the ANR plan of land for 151 Boston Post Road,
Buddy Dog to change the lot size and shape.

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the ANR plan of land for 43 Skyview Lane to change lot
lines.

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the ANR plan of land for Mahoney Farm, Capital Group,
land swap.

Mahoney Farms Senior Residential Community Bond Amount

Michael Cremin gave an update on the development progress. The utilities are in and
power is set for Friday.

Jody Kablack: Bill Dipietri spoke with Tow Counsel on the type of bond.

On motion duly made and seconded, it was unanimously:

VOTED: To set the bond amount at \$584,682 subject to the receipt of the bond
acceptable by Town Counsel, with release of units for occupancy
pending approval by Town Counsel.

Marty Loiselle: The retaining wall issue variance request was withdrawn. It was not
favorably received by the ZBA so now they must either;

- 1) remove the roof or cut down
- 2) bring grade up

Unit 11 will remain a walk-out; the wall will come out there (4' high). That will bring
the grading greater than 35 feet and will bring the building into compliance.

Jody Kablack: This is a minor change to the plan (building location), not a modification. To remind the applicant, the stone wall should match the field wall.

Lisa Eggleston: How far out is the building from the wall?

Jody Kablack: 20'.

On motion duly made and seconded, it was unanimously:

VOTED: To make a finding that this is a minor change and not a required modification of #4 on the building plan dated October 18, 2006 for Mahoney Farms Senior Residential Community for the purpose of meeting the height requirement (with the field type wall).

Grouse Hill Incentive Senior Development; Public Hearing Continuation

Mike Fee opened the hearing and reviewed new file documents.

Marty Loiselle: The side elevations of the units were said to be monolithic so they broke it up with shakes. He referred to his memo dated October 19 which addressed the concerns of Board member Joe Sziabowski's October 6 comments.

Mike Fee: It is a difficult matter of balancing the cost with aesthetics and durability.

Joe Sziabowski: Were samples brought of what is proposed?

Marty Loiselle: Yes, cypress color, textured, 16' long sections so there are very few seams.

Mike Fee: Do you have window specs?

Marty Loiselle: No, but they are insulated, low end vinyl.

The cost to construct the decks in a composite material will be another \$2-3,000 per unit.

Mike Fee: Vinyl siding is an aesthetic choice and not really the Planning Board's purview. The windows/shingles request to be energy efficient and safety requests are different.

Chris Morely: 20 year roof shingles are the biggest item to him. These should be upgraded.

Lisa Eggleston: Mr. Cook's point regarding upcharge versus quality is a good point.

Joe Sziabowski: We are making assumptions; it would be helpful to get the performance specifics on the windows, roof shingles and some samples.

Bill Dipietri: The windows are the same as Mahoney Farms; it is a premium roof, 30 year versus 20 year. A pressure treated deck will last, other upgrades are the buyers' choice.

Eric Poch: The roof is the biggest item to him as well, both in terms of the quality and what they look like. He prefers cross cut with texture profile.

The consensus of the Board was to go with a 30 year shingle with a sample provided at next meeting.

Jody Kablack: She will go through the builder's specifications with the Building Inspector for his feedback on quality, durability and energy efficiency. She will put this on the next agenda.

Bill Fleming (landscape architect):

- 1) Lighting: As requested, additional lighting was added between the cul-de-sac and the end of the street (on the right).
- 2) Entrance to the development: There center green will have 12-14 trees, 14-16' high. There will be a mix of deciduous trees. The existing trees in the center will remain where possible. Some units will be visible from Old Framingham Road.

Mike Hunter: The planting plan does not have enough color; everything is white. It's all formal, there are no pioneer plants i.e.: white birch, purple beech, red maple, lilacs.

Bill Fleming: They can add red maples and pioneer plants, especially internally.

The Board asked that the irrigation well location also be added to the Landscape Plan.

Joe Sziabowski asked about lighting: are they cut-off fixtures? What is the impact at night?

Bill Fleming: The lighting is all close to the roadway, driveway lights, lanterns on the doors and garages. It will be ambient lighting, well-lit and warm with just a few fixtures for navigation.

The hearing was open to the public.

Leigh Dunworth: Are you taking any existing trees out?

Bill Fleming: No.

Leigh Dunworth: On the outside of the far tree line by the Town property, will more be planted?

Bill Fleming: We are adding only, not cutting. The view from the road has been flattened.

Leigh Dunworth: Can the height of the plantings be increased?

Mike Hunter: If a tree is planted that is too large, it won't grow.

Mr. Fleming discussed the perspective drawing of the site from Old Framingham Road. Several neighbors felt that the perspective was not accurate.

Mike Fee stated that the purpose of the perspective drawing is to give a sense of what the plantings look like. The Board is not attempting to completely screen the units from Old Framingham Road. This just shows how it's accomplished.

Mr. Fleming further explained that the grade in the field is gradual. A 6' high berm is the only way to elevate plants for impact. The berm will 20' wide at the bottom, and 25' from behind the building.

Lisa Eggleston: What they are presenting here shows that via density and the number of trees. We always have the right to require more screening.

Mike Fee: We have asked the applicant to provide revisions to the Landscape Plan. Are there any other board concerns with this plan?

Eric Poch: He would prefer a better perspective drawing. It's his opinion that you can't get a feel for how the development will look by this drawing. However, it may be more sensible to spend money on additional plantings rather than additional perspective. Year round screening is necessary.

Mike Fee: The Board is not requiring an additional perspective drawing.

Mike Hunter: Installation of the berm should be on the construction schedule. When will it occur?

Marty Loiselle informed the board that the construction schedule will not allow construction of the berm in phase 1 since that side of the site should not be altered in phase 1. This is a requirement in the Order of Conditions from Conservation.

Lisa Eggleston: The trade-off is that the field stays in tact for the first ½ of the construction period.

Economics

Mike Fee: The higher maximum price with respect to upgrades is comparable with the bylaw and enforcement. Can do upgrades at initial sale and into resale, but subsequent resellers can't upgrade to recapture on resale. The first sale price is the minimal resale price.

Jody Kablack: Capital improvements are frowned upon by the State; they don't want to include capital improvements in their resale provisions.

Mike Fee: We need to determine upgrades allowed on the first sale for a resale cap.

Bill Dipietri: The concept is good, not a problem. They can keep the types of upgrades in that range. They want to keep the base price under \$519,000; the only problem is with the upgrades.

Eric Poch: If we establish a maximum price, we create a buffer so any resale has potential recoup.

Mike Fee: The maximum price is a function of the upgrades chosen?

Bill Pezzoni: \$572,500 is the price according to calculations under the bylaw. This would include substantial upgrades to the basic unit.

Mike Fee: Subsequent resales getting capital improvements will be an enforcement nightmare.

Jody Kablack: Once you hit a maximum, you can't resell for anymore unless HUD income numbers change.

Mike Fee: If an owner upgrades and sells to maximize, the second buyer shouldn't have bonus on subsequent capital improvements. They won't; they can't without a bylaw change.

Jody Kablack: The deed rider would say this.

Mike Fee: We may want to require marketing material explaining the resale.

Bill Dipietri: A deed rider will have the price and the resale calculation; the Planning Board's approval will have specifics.

Open to public.

Mr. Sellier: He has a deposit on a unit; the market base is \$512,000. There is no model, he is buying sight unseen, but believes in the builder. If it's intended to strip down the product, he will want all upgrades which would be \$575,000 "affordable" price. That would be the selling price for the first resale, unless there is a general market appreciation. In which case, we forget all that?

Mike Fee: Yes, you are never required to sell for less than what you pay.

Mr. Sellier: When an owner goes to resell, they look at the calculations at that time?

Jody Kablack: Yes, it's based on the housing index price which won't affect the current price if it changes.

There were no further questions.

Jody Kablack: Wants to authorize the traffic consultant contract; will also do a working session meeting with the applicant and their traffic consultant. A memo will be prepared for November 29th.

On motion duly made and seconded, it was unanimously:

VOTED: To request the Town Manager to enter into a contract with MDM Transportation with the \$6,000 fee to be paid by the applicant.

The items for the next hearing were reviewed and will include:

- miscellaneous; waivers, construction schedule, mitigation, landscape/plant list changes
- scenic road public hearing

On motion duly made and seconded, it was unanimously:

VOTED: To continue the public hearing on Grouse Hill to November 8, 2006.

293/301 Old Lancaster Road Discussion

Ralph Wegener (Overland Design Engineering) representing the applicant, Eligius Homes. The property is located at 293/301 Old Lancaster Road on approximately 7.5 acres. They are proposing a 6 lot subdivision with a cul-de-sac street. The proposed subdivision road cannot meet the subdivision regulation regarding the required off-set to existing roads on the same side of the street of 360' (section V.B.2.g). Both Peakham Road and Wildwood Lane impact the placement of the proposed road, and a 360 foot separation from both of these streets is not possible. A wavier is needed. A preliminary meeting was held to discuss this proposal with relevant Town Department Heads. At this meeting the applicant was advised that the proposal did not meet the regulation. The applicant wants to discuss the interpretation of the regulation, and suggests having the calculation of the offset measured to the tangent of the curve, similar to how frontage is measured.

There was discussion on the wording of the regulation, which states the offset should be measured from "the closest edge of the right of way". Ms. Kablack stated that this requirement has routinely been measured from the outside radius of the curve of the right of way. She stated that although frontage is measured from the tangent, this regulation does not refer to frontage, and therefore that measurement is not relevant.

Lisa Eggleston stated it is the board's policy to only grant waivers in situations where full compliance can be demonstrated, but that alternative design provides a public benefit. This does not meet the Board's standards for granting a waiver.

Mr. Wegener argued that the words "closest edge of the right-of-way" are subject to interpretation. He also pointed out that there is no "edge" when talking about a curve. Ms. Kablack suggested that the closest edge is a point in this situation.

Chris Morely suggested that the property could still be developed into fewer, larger estate properties, rather than a conventional 6 lot subdivision. There is frontage for 2 lots without the creation of a subdivision road.

Mike Fee opined it is clear that the closest edge of the right-of-way means the end of the file, regardless if it is called a point or an edge.

Board members concurred with the Chairman.

30 Goodman's Hill ANR

Jody Kablack: This proposal is to divide off a parcel of land located at 30 Goodman's Hill Road to add to the BMW parcel to comply with the open space requirements of the site plan bylaw. This was anticipated during the site plan review of the BMW dealership and not opposed. However, during review of this ANR plan, it was discovered that the original property was part of a subdivision (Borden Hill Lane) in which condition #8 of the decision states that the property cannot be further subdivided. The condition was related solely to the construction specifications of the roadway, which anticipated very low density and therefore allowed a private driveway as access to the lots. There is no change in use being proposed. The question posed is whether the Board would consider the subdivision a finding, or require a subdivision modification and public hearing? The consensus of the Board members was that this requires modification. The ANR application was denied.

Miscellaneous

On motion duly made and seconded, it was unanimously:

VOTED: To approve the minutes of 10/26/05, 11/09/05, 11/29/05, 12/14/05 and 2/8/06.

Meeting Schedule

The Planning Board will meet 11/8, 11/29, 12/13 and 1/10/07.

The meeting was adjourned at 10:45 p.m.