

Bellingham Planning Board
Town Hall Annex
Bellingham, Mass.

Regular Meeting - August 22, 1985

Members Present - John P. Murray, Chairman
Glenn E. Gerrior, Vice Chairman
Emile W. Niedzwiadek
Matthew F. Pytko

The meeting was called to order by Chairman Murray at 7:30 P.M.

Mr. Murray reviewed a copy of Town Counsel Ambler's response dated August 13, 1985 to Town Clerk Remillard's letter inquiring about the proper procedure for filing Form A, B, C, and Special permits. Mr. Ambler stated in his letter that the proper place for the filing of applications for Planning Board Approval Not Required Plan (Form A), Preliminary Subdivision Plans (Form B), Definitive Subdivision Plans (Form C), and Special Permit applications, is with the Planning Board and not primarily with the Town Clerk's Office. If the Plans are not submitted to the Planning Board, then they are not submitted at all, according to the pertinent statutes.

Mr. Ambler further states that, "there are, in addition to the requirement of filing of Plans with the Planning Board, the ancillary obligation on the part of the applicants to give written notice of said submission to your offices."

A brief discussion followed regarding people who walk into a meeting with Form A plans who are not scheduled on the agenda. Mr. Herr pointed out these plans have to be acted on within 14 days so the Board does have to act on it during that meeting.

It was determined that at the present time there would be no way that any member of the Board could review any plans prior to the regular meeting.

Mr. Murray received a letter this date from Town Counsel Ambler regarding Celtic Construction's application for amendment to a special permit and request to withdraw without prejudice after a public hearing on July 25th.

Mr. Ambler states that under Chap. 40A Sec. 16 M.G.L. any application for a special permit which has been transmitted to the special permit granting authority may be withdrawn without prejudice by the petitioner prior to the publication of the notices of a public hearing, but thereafter it may be withdrawn without prejudice only with the approval of the Board.

On a Pytko/Niedzwiadek motion the Board voted 4-0 to accept the withdrawal without prejudice the application of Celtic Construction Co. for an amendment to the special permit for Maplebrook Condominiums.

At 7:50 P.M. Maurice Aubin presented Approval Not Required Plan on property located at the Bellingham/Blackstone lines bordered by Rathbun Street, Morrison Street and a portion of Mann Street. Mr. Aubin said he is moving the lot line over 14 ft. and as shown on the plan will combine parcels A, B, C and D to form one lot.

Members reviewed the plan and found no problems with it. On a Gerrior/Niedzwiadek motion the Board voted 4-0 to sign the plan. Mr. Aubin presented his Form A and \$10.00 filing fee.

At 8:00 P.M. the Public Hearing was opened on the request of Michael J. Iacovelli for permission from the Board to return to the Zoning Board of Appeals on his previous request for a frontage variance.

Mr. Murray pointed out to the petitioner that this request would require 4 out of 5 votes to grant and since 4 members are present tonight he asked Iacovelli if he wants to proceed with the hearing. Iacovelli wishes to proceed. Attorney John Fernandes of Milford, representing Mr. Iacovelli, made the presentation. He said they have the notification of all of the abutters which Attorney Cenedella handled. He presented the list of abutters along with a copy of the letter sent to them, which was reviewed by Mr. Gerrior. Mr. Murray read the copy of letter sent to abutters. Mr. Murray said this type of hearing does not require newspaper notices and he had discussed this procedure with Attorney Ambler. Mr. Murray pointed out that there has to be a material change in the plan since the last time.

Attorney Fernandes said there is no physical change in the plan itself but there is a material change in conditions upon which previous action was based. He said that in 1975 or 1976 Mr. Iacovelli appeared before the then Planning Board with an approval not required plan on land located off High Street to divide the parcel into two lots fronting on High St. and No. Main St. He said the plan is similar to the one presented tonight. This map showed the two lots with the roadway between the lots leading to a back lot which has about 4 acres.

He said at that time the roadway shown which did not have sufficient frontage, it was decided by the Board that the lot remaining was not a buildable lot as it existed, and it was so noted on the plan, and eventually recorded. Fernandes said that notation is on the present copy of the plan. He believes that the Board made the notation in an effort to make clear that that was not considered by the Board to be a buildable lot as it existed. It lacked the required frontage.

Attorney Fernandes said that within the last two years Mr. Iacovelli went before the Zoning Board to seek a variance to build a single family house on this lot, which has 4.3 acres but has only about 81 feet of frontage, which is the driveway area. He said the Zoning Board apparently took note of the notation that was placed on the plan by the Planning Board at that time and interpreted it literally to mean that it would never be a buildable lot, as opposed to it meaning just in its current stage, and the owner having to seek a variance or permit as the case may be.

Mr. Pytko said he did not see any change; the situation is the same, the land is the same, and he feels the intent is the same.

Mr. Herr said if in fact it is the case that the Board of Appeals felt that with the earlier plan they were not empowered to grant the variance then having this plan brought before them would really be a change.

Mr. Murray said that according to Mr. Ambler, technically there does not have to be a change; the Board does not have to find a change in order to send them back. Mr. Herr said the Board of Appeals has to find a change, and presumably this Board would want to determine that there is some reasonable likelihood that they are going to find a change. He said this plan on its face makes clear the Board of Appeals is empowered to do that.

Mr. Murray invited comments from abutters or any interested parties.

Carl Rosenlund of High Street said he wishes to clarify a couple of points, in regards to what Mr. Herr had to say, and he said he has a copy of the decision of the Zoning Board. Mr. Rosenlund said counsel alluded to the fact that the Zoning Board of Appeals was under the impression that because of the statement on the plot plan, not to be considered a buildable lot, is their reasoning in denying a variance.

Mr. Rosenlund read a paragraph from the Zoning Board's decision, which said "The Board felt that since the owner of the land divided it in the latter 1970s thus creating the undersized frontage condition, he (the owner) caused the zoning violation (not the applicant), possibly hoping for a variance in the future by the ZBA. The Planning Board had no say other than to note the lot in question did not comply with zoning requirements, as the subdivision control laws did not apply".

Mr. Rosenlund said he contends that here has been no change and said he takes exception to Town Council's comments that you do not have to find a reason. He said Chap. 40A G.L. states that there has to be substantial change before the Board can grant permission to go back to the Zoning Board on the same request.

Mr. Rosenlund said nothing has changed in the initial request on the property other than the applicant, Mr. Kazor, who had an option to buy the property previously.

Mr. Rosenlund said he also wishes to point out that the notice sent to the abutters referring to the frontage requirements states that the 81 feet of frontage requires a variance to the required 100 feet when in fact that property is in a residential area and requires 125 feet and not 100 feet.

It was determined that Mr. Kazor who was the applicant on the variance request previously before the ZBA was interested in buying the property.

Mr. Niedzwiadek asked Mr. Rosenlund if he maintains that the problem was created by subdividing not in accordance with the law, after zoning was in. Mr. Rosenlund said yes. He had a list of previous owners beginning with Mr. Sawyer in 1975 which he said can be verified by the assessor's office. Referring to lot 2 on the plan, which was deeded to Mr. & Mrs. Niemi in 1976, and lot 1 which is owned by Mr. Batista since 1983, he said these parcels created the undersized frontage lot. He said the 81 feet in lieu of the 125 feet he just does not see and said he fully realizes that 6 months from now the same application can come up before the Zoning Board having the two years time expired and simply bringing forth information that has not been stated, or been misstated, misrepresented, in regards to what is being submitted here tonight. He emphasizes that there has not been any substantial change in the plan as submitted tonight.

Attorney Fernandes said he thinks the term is a material change and feels that it is the ZBA that must find it. He said the change they seek to put before the ZBA is simply an understanding that this Board is not saying we don't think it should ever be a buildable lot, but that we cannot simply allow it to be built upon as it now stands because it does not have sufficient frontage, and let the ZBA either grant or not grant that on their own assessment as to whether or not it is wise use of the land.

Mr. Walkowiak of Fifth Avenue said he is not in favor of the Board voting in favor of this.

Following further discussions on the merits of this plan and its need for a variance, Mr. Murray suggested they be allowed to go to the ZBA and let the ZBA makes its decision. He pointed out that this is only the second hearing of this type held by this Board.

Mr. Niedzwiadek inquired what would be the harm at this point in sending them back to the ZBA. The only comment was possibly another hearing request in the future requiring the abutters to return.

With no further comments, and on a Pytko/Niedzwiadek motion the Board voted 4-0 to close the public hearing.

Mr. Murray asked if the Board is ready to vote on this or take under advisement.

While members were taking some time to consider this matter, two more abutters to the property began a discussion and wished to be heard. This prompted Mr. Murray to call for a motion to re-open the hearing. On a Pytko/Gerrior motion the Board voted 4-0 to re-open the hearing.

Mrs. Wozniak of Fifth Avenue said that when he wanted to sell the land it came out to be that it was to be an in-law apartment and not just a one family.

Building Inspector Gregoire said originally when the plan came in he wanted to build a single unit house and an in-law apartment detached from the house, which would be two buildings, and that was why it got knocked down by the Zoning Board. The building had to be attached but he did not want it attached.

Attorney Fernandes said Iacovelli confirmed that.

Mr. Murray asked who made the petition before the Zoning Board.

Mr. Fernandes said the person who had the contract with Mr. Iacovelli as the buyer. As many contracts of Purchase & Sale do, it was contingent upon receiving the necessary approvals and one of the approvals was a variance from the Zoning Board. When that was not approved the contract was void.

Mr. Murray noted that it was Mr. Kazor who was the petitioner. Fernandes said that is correct.

Mr. Pytko asked if Mr. Iacovelli is going to build a house or sell the land.

Mr. Iacovelli said he plans to build a \$200,000.00 house, if he gets approved.

With no further discussion, Mr. Murray requested a motion to close the public hearing. On a Gerrior/Pytko motion the Board voted 4-0 to close the public hearing.

Mr. Pytko made a motion to take this under advisement until the next regular meeting in order to have time to study this. No second to the motion.

Members took some time to consider this. Mr. Murray said that he sees a change in the applicants.

Mr. Niedzwiadek made a motion to send them back to the Zoning Board of Appeals. Mr. Gerrior said there's a change in the applicant; it is a different petitioner, in this case the petitioner is the owner, and the last case the petitioner was a potential buyer, and if Mr. Iacovelli wants to go forward for a one family home, he said he seconds the motion. The Board voted unanimously to grant Mr. Iacovelli permission to go back to the Zoning Board.

On a Gerrior/Pytko motion the Board voted 4-0 to sign the plan.

Mr. Rosenlund made a request for a copy of the minutes of the meeting pertaining to this hearing.

Attorney John Fernandes is also representing Onallam Realty Trust and presented an approval not required plan showing two lots on property located off Hartford Avenue 500 feet more or less easterly of Pilgrim Village. Gerard Lindsay, agent from Onallam Realty is present.

The Board agreed to postpone the public hearing for Reservoir Estates scheduled for 8:30 to 8:55 P.M.

Attorney Fernandes described the Onallam Form A plan showing two lots. The area is zoned agricultural. One lot has a 200 ft. frontage, the other has 114 ft. more or less, lacking the required frontage. They propose to connect this lot with another lot as shown on the plan. The Board found no problems with this. On a Pytko/Niedzwiadek motion the Board voted 4-0 to sign the plan.

Attorney Fernandes continued by then presenting Onallam's application for approval of definitive plan on the proposed subdivision to be known as "Stall Brook Estates". He said they have the revised plans on this project and want to set a public hearing date. He also has the revised plans on Onallam's "Crystal Springs" condominium project and would like to set the public hearing date on that special permit request. He said he believes the engineers and Mr. Herr have reviewed what the Board might be receptive to. Mr. Herr said he saw a revised plan but nothing further was done. Board members did not see any revised plan. During discussions at a previous meeting Mr. Lindsay agreed to come back for a working session before a public hearing is set. He did not return to the Board so nothing could be done. No filing fee was previously presented. It was agreed that the date of filing for Crystal Springs is to be this date.

Mr. Murray re-opened the hearing on Reservoir Estates which was postponed to 8:55 P.M. and continue the hearing to 9:10 P.M. in order to complete the discussion with Attorney Fernandes.

Mr. Pytko voiced objections to this because Onallam was not on the agenda, and he has presented all this material. Mr. Murray said no presentation would be made but to quickly review the plans to determine the fees.

There are 84 units proposed for the Crystal Springs condominiums and two parking spaces per unit equals 168 parking spaces at \$3.00 totals \$504.00, plus estimated advertising costs of \$71.00 totals \$575.00. Donald Dmytryck, owner of Onallam presented his check. Public hearing was set for September 26, 1985 at 8:00 P.M. Mr. Lindsay said he would give a copy of the drawings to the Fire Chief and to the Police Chief.

On the "Stall Brook" subdivision plan there are 23 lots at \$75.00 per lot totalling \$1725.00, plus estimated \$70.00 cost of advertising which totals \$1795.00 fee. Mr. Dmytryck presented a check for this fee. Public hearing was set for September 26, 1985 at 9:00 P.M.

Mr. Murray re-opened the public hearing for Reservoir Estates. Gerald Brisson presents the revised plan. There was a concern about the drain near lots 1 and 2 also a concern about the grading near the property of Arnold Thompson. Members and Mr. Herr reviewed the plan, which Mr. Brisson pointed out the change in the roadway. A 16 ft. wide parcel that was on the original plan was not purchased. He pointed out the road is moved over 16 ft. Also noted is the drain easement and the retaining wall. Mr. Herr pointed out the grade area that concerned him, which he felt was a dramatic change in grade.

Following a discussion, Mr. Brisson said everything is basically the same as it was originally but the roadway as discussed.

Mr. Niedzwiadek suggested that this be taken under advisement for further study; however, this would necessitate an extension of time and Mr. Brisson said he preferred not to. Mr. Herr suggested the Board could approve subject to conditions. One of the conditions would be that the plan be revised to show no grading on the property of Thompson and another would be prior to endorsement that agreement on technical details be reached between the applicant's engineer and the Planning Board consultant. Mr. Brisson said they would like to request waiver of underground wiring and sidewalks. He had made the request previously but did not put it in writing.

Mr. Herr said it would be appropriate to include the condition that the street be surfaced with a 2" binder course because it is assuring that in the event they proceed with a bond, the binder course will be on the road before any occupancy. The Board agreed, the plan would be approved subject to three conditions.

Motion was made by Mr. Pytko to approve the plan for Reservoir Estates subject to the three conditions as outlined by Mr. Herr: 1. That the plan be revised to show no changes in grade on the property of Thompson; 2. That prior to endorsement agreement on technical details be reached between the applicant's engineer and the Planning Board consultant; 3. That a 2" binder course be on the roads before occupancy permits are issued.

Motion seconded by Mr. Niedzwiadek. The Board voted 4-0 to approve the subdivision for Reservoir Estates with the stipulations as stated.

On a Niedzwiadek/Pytko motion the Board voted 4-0 to accept the request for waivers by Reservoir Estates, Silver Lake Realty, from underground wiring to overhead and sidewalks located on one side of Reservoir Drive.

On a Niedzwiadek/Pytko motion the Board voted 4-0 to close the public hearing.

Mr. Brisson will return on September 26, 1985 at 10:00 P.M. with the security.

Roland Lavallee presented plans for property located off Center Street and Park Street showing a proposed subdivision of 8 lots. There are about 40 acres of land involved. In discussing a cluster development vs standard subdivision, it was noted that a cluster plan allows a reduction in lot size and frontage, and in his case the lot size would be 40,000 sq. ft. for cluster as opposed to 80,000 sq. ft. lot for standard, and 150 ft. frontage as opposed to 200 ft. frontage respectively. He said the cluster allows better use of the existing open areas as opposed to standard lots being pushed back into the wooded areas. The cluster also allows for less roadway length. He felt the only drawback in the cluster plan is the one additional driveway off Center St. By reducing the size of lots a portion of land is deeded over to the town, preliminarily to the Conservation Commission. He said he had met with them and they walked the wetlands area with him in a preliminary fashion. Mr. Gerrior feels the ConCom should look into this area. This is a presubmission review of land and the question is should they go for a cluster plan or for the standard housing. Mr. Herr said the best thing to do is bring in a preliminary subdivision plan and a Special Permit application at the same time with the right level of detail. Members agreed. Mr. Lavallee to return September 12, 1985.

Ken Brown of Colonial Fence Co. returned with their revised site plan previously presented by Mr. Gregoire. The main problem the last time was the parking plan. He said they cut the building size down to one third. They now show 45 parking spaces. He said they will have a retaining wall, they eliminated the lower level and are bringing the grade up. They have one story of offices and one floor of retail space which total 9,000 sq. ft. A review of the plan and discussion followed as to whether it meets the requirements. Mr. Herr said there is a 30 ft. setback requirement from the street. He said there is 30 ft. and 33 ft. in areas, and noted one area that is under 30 ft and shows a parking space problem on No. Main St. He said he was just given the site plan the previous day. There is speculation that they will have employee parking in the back of the building. Mr. Brown said this is going to be primarily only a showroom and offices. People will order their goods at the showroom and go to their warehouse to pick it up. Mr. Herr pointed out that parking spaces at a right angle are a real problem.

The other point Mr. Herr brought up is where does the storm water go. He has to find out if he can tap into the storm drain.

Regarding the space in the building Mr. Brown said it is set up in rooms for display rather than a wide open showroom. All of the second floor will be offices. There will be four offices, and none for rent. The Board members didn't feel satisfied because these plans are not shown on the drawing. Mr. Shea of Shea Engineering said what they are looking for is the Board's approval subject to what the conditions the Board would require. Mr. Herr said you don't approve this plan, you make a recommendation. He suggested the Board make a recommendation to the building inspector that they have reviewed the plan and made no determination regarding the lighting and request an opportunity to review those plans. If they were to remove space 8 or remove sidewalk on the west front of the building in order to get more space for parking on the street side.

The lighting is presently designed and planned for with the Building Inspector's approval.

Mr. Murray opened the public hearing on Townhouse Revisions. This hearing was continued from the last meeting. Mr. Herr said there was a proposal for changes in the Zoning Bylaw that a public hearing was held on, but we ran out of time to discuss the changes. People wanted time to think about it. He said this article greatly reduces the density of townhouse development.

Mr. Pytko asked Mr. Herr if he was going to redraft anything. A discussion followed and it was agreed more time was needed on this article. The Board agreed to continue this hearing. On a Pytko/Niedzwiadek motion the Board voted 4-0 to continue the hearing to October 24, 1985 at 9:00 P.M.

Gerald Brisson presented a preliminary plan of a proposed subdivision on property off Elm Street owned by Gilbert Trudeau. The plan shows 24 lots. Mr. Brisson said he sent this plan to Mr. Herr for review. Mr. Herr said it is an awkward piece of land which has to do with the configuration of streets. This property is near the Blackstone line. Mr. Niedzwiadek asked if these lots were perked. Mr. Brisson said no, but thought they would be taking perk tests in September or October. One resident said he would like to see it done in the Spring.

Mr. Herr said the Board needs more information on this. One is the configuration of the street; they need to walk the area. Second, they need to know how the drain is going to work. Herr said he did worry if this is going to work, and if it goes through a culvert, if it is going to be adequate to carry it.

Mr. Herr said there is some question about the adequacy of Arcand St. and this should be covered in the field trip. The Board has tentatively scheduled a field trip for September 14th to meet there at 10:00 A.M. Mr. Herr suggested a plan with 2/3 less road and larger lots, and there may be another way that does not involve Arcand St. He asked Mr. Brisson to make some sketches for the Board to look at. Mr. Herr said the Board has approve or disapprove the plan they are now presenting one month from now. Mr. Brisson asked if he could bring in the sketches then. The Board agreed. Brisson and Trudeau to return on September 26, 1985 at 10:30 P.M.

Edward Dill appeared before the Board to discuss the continued hearing on his proposed subdivision to be known as "Chestnut Estates". The problem they have is supplying water to the subdivision. Mr. Dill wanted to dig wells on the lots but that would not be adequate, such as for fire protection. Regarding the water pipe line, he felt he was being asked to replace the town's old pipeline.

Mr. Pytko asked Highway Supt. Daigle if there was any chance of Chestnut Street being widened. He said no.

Following a brief discussion on possible ways to solve the water problem, Mr. Dill said they will give an extension of time to September 12th. Mr. Florentz said they would need to do more work on this. Water Supt. Trudel pointed out that regulations call for hydrants to be 500 ft. apart. They could not have them 800 ft. apart. Mr. Florentz said they would forward a copy of the plan to Mr. Herr. They thanked the Board and left at 11:15 P.M. and will return on September 12, 1985 at 10:00 P.M.

Mr. Neilson of Guerriere & Halnon and Martin Goldstein representing Fafard Companies. Mr. Goldstein said they are here with a preliminary plan just to get feedback so that when they do come back they will have some questions cleared. Mr. Herr said, "let's be clear, this is a preliminary subdivision plan". Mr. Goldstein said it is also a preliminary subdivision.

Mr. Herr said what they really are looking for feedback on is the road and the drainage. Mr. Goldstein said also the issues that would be involved with the units. He said he has met with the Fire Chief, the Police Chief and Mr. Trudel and they spoke with Mr. Daigle, Highway Supt. today. He said they are filing the preliminary plan and will follow up with either a definitive or a special permit.

He said those boards indicated they would prefer these not be town public ways, but similar to the Celtic Co. project which is a private road owned and maintained by the Condominium Association, which he said they would be happy to do.

Mr. Goldstein said they have had all the wetlands flagged and there was a substantial amount of flagging. He said it is being surveyed now. He pointed out lines indicating wetlands and said they were the original lines which outlined a very large area. The dark blue line was what was on the Conservation Commission map which he said they got earlier in this process.

He said, in actuality, according to the Mass. Wetlands Act, and based on the species that were found in the area, the amount of wetlands that was anticipated has gone down. He said the research was done by a botanist. The engineering firm is Rizzo Associates of Natick.

He said what was found is that there is about 17½ acres of wetlands, and noting that the Board made it clear that the wetlands area is not to be included in figuring the density.

Mr. Goldstein said they have figured out a total of 397 units from the initial 436 units.

He pointed out the wetlands again and noted that it is fairly well contained. He pointed out Crystal Lake, which is a small pond across the street from Silver Lake.

He said what they tried to do is stay outside the limits of the wetlands based on the old map, the old Conservation Commission map, and high ground water map.

He said this increases the flexibility they have with this plan because they reduced the number of units by about 39, which he said means that about 10 buildings will go. He pointed to an area of wetland where he said that at the very least they would be 100 ft. or so from the edge and now we are 2 and 300 feet from the very edge of the wetland areas, which he feels is a safe distance.

He pointed out the road layout which will go from South Main to Cross St. as the main road. He said they are anticipating and trying to acquire additional land for roadway. They propose that most of the traffic will be off South Main or through Center and Cross Streets.

Mr. Gerrior pointed out that Center Street has been widened to alleviate a traffic problem; however, Cross Street is a very narrow street and he is very opposed to its use as an access for a development this size. It is a dangerous area and hazardous to traffic safety.

One of the town residents who lives on Susan Lane voiced major opposition to condominiums. She said "what are all these condominiums; it's just ridiculous, it's like everybody is coming in and taking every bit of space we have in this town."

She said this town is being turned into another Framingham. Another resident of Susan Lane speculated that there would be about 1,000 cars coming out of these units, nearly 400 units.

She stressed that this town doesn't have the roads for this. You can't hardly get onto Route 126 now, she said, and Center Street is a highway, a zoo because they widened it. You put 500 more cars on there and it's going to be terrible. She said they live off Center Street and it is very noisy.

Another resident of Sharon Street voiced his opposition to this project. He feels this will create one problem after another, especially the water problem.

Mr. Goldstein said they had engaged a firm to do a water study in conjunction with Guerriere & Halnon. He said this is a preliminary plan and they welcome any feedback, they are willing to listen and willing to work with the community.

Regarding the sewer line previously discussed, he said in order for Bellingham to have that sewer they would have to work with Franklin. Mr. Pytko asked what would happen if they didn't get the money for the sewer. Goldstein said they would go ahead with it.

Mr. Murray asked if they can get the special permit contingent upon the sewer line. Mr. Herr said yes.

Mr. Murray asked, can the Board grant this based on allowing only 250 units. Mr. Herr said yes.

Aside from the condos, Mr. Goldstein said putting in sewer line would serve other people along the way. It would be up to the town as far as charging a fee.

Mr. Gerrior said septic system is nice but if you don't have the water, what good is it.

The builder wants the Board to act on the plan. Mr. Murray asked Mr. Herr to address this. Mr. Herr said the preliminary plan is a plan of streets, drainage and lots. And as near as he can tell divides the land into two lots, and has a street that goes from South Main St. to Cross St. and a cul de sac that does not meet the Board's standards, perpendicular to that. That is all it is. The drainage system is the catch basin-manhole system, and the detention ponds.

Mr. Herr said the Board could reject it on the grounds that that is serving too many dwelling units.

He also said he doesn't think the Board ought to consider this as a real preliminary of the scheme because there are so many things up in the air, speaking about an alternative egress.

Mr. Herr noted that 52 units are proposed on Silver Lake Rd. He does not feel it is feasible to build 52 units off Silver Lake Rd.

Mr. Murray suggested they give the Board and 30-60 day extension.

Mr. Herr said the Board can disapprove it on the grounds Silver Lake Rd. is inadequate to serve; Cross St. is inadequate between Center St. and proposed street "A", and the information regarding wetlands arrived too late to be considered.

Mr. Herr noted that they are eventually going to come in with a definitive plan. When they come back with a definitive they can show that change in the cul de sac and make sure it is a driveway.

Mr. Herr discussed the style of the buildings, and referred to those in Ashland. He said all the buildings are the same. Discussion followed

regarding the feasibility of alternative style buildings. Also, Mr. Herr said one of the difficulties is that some of the units will front on So. Main Street. He said the Board can request that they not have those units face onto So. Main Street, because of the traffic problem.

Mr. Goldstein said they would be happy to request a 60 day extension in order to make these revisions. Mr. Goldstein noted that the name of the project has been changed from "Shores at Crystal Lake" to "Shores at Silver Lake".

Mr. Herr suggested that those questions raised be the ones they talk about in 60 days.

Mr. Herr said he feels this is basically a scheme and he is not convinced this will work. They thanked the Board and left at 12:25 A.M.

Lancer Luntz of The Blakeley Co. in Boston appeared before the Board to present the special permit application for condominiums to be known as "Meadow Wood" located off South Main Street on the present Shafer Farm property. They propose to construct 264 units and paid the fee of \$1655.00, check signed by Martin Hill of Blakeley Co. Mr. Luntz presented the Board plans of the Meadow Wood project containing several pages and said because of the late hour will review this as quickly as possible. Bob Loverud, Design Service, Boston attended. He said the road will be all constructed in the first phase, and the sewer will be done for the first phase. He also said in terms of the sewerage collection and disposal they are showing a first phase construction of sewerage proposed including a waste water treatment plant. He reviewed the illustration of the storm drainage and retention ponds, and said they have designed a 100 year storm drain. Water would eventually go into Arnold Brook.

In phase 3 he said they would make a large pond; they can collect water from a natural area and by digging it out they can use it as a flood area. He pointed out the dark areas on the map as the 100 year storm area.

The next page of the plans shows the vegetation. He said the area marked in yellow is where all the trees will be removed. He said they are going to retain trees along the edge as a buffer.

On the next page he shows the technical drawings of the boundary lines. They provided enlarged drawings of the individual units showing how the rooms are planned and the parking area. He said they plan one covered parking for each unit and one open parking for each unit. There are no 3 bedroom units, but all four have family rooms. The price range will be about \$100,000.00 for the 2 bedroom and about \$115,000.00 for the larger units.

The final page shows the drawing for a community center set apart. They feel it will provide the residents of the area some place to meet and to enjoy recreation. The same type of clapboard and shingles and dormers will be used on this building.

On a Niedzwiadek/Pytko motion the Board voted 4-0 to hold a public hearing on October 24, 1985 at 9:00 P.M.

Regarding the Townhouse Revisions hearing set for November 21, 1985 at 8:30 P.M., this will have to be re-advertised.

On a Niedzwiadek/Pytko motion the Board voted 4-0 to adjourn. Adjournment at 1:55 A.M.

Respectfully submitted,

Glenn E. Gerrior, Clerk