

BELLINGHAM PLANNING BOARD

P.O. BOX 43

BELLINGHAM, MASSACHUSETTS 02019

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MINUTES OF REGULAR MEETING

MAY 26, 1994

Meeting was called to order at 7:37 p.m. All members except AM were present. Planning Board Associate Member William Wozniak and Planning Board Consultant Philip B. Herr were also present.

DISCUSSION WITH SUSAN MASON, 303 HARTFORD AVENUE
RE: POSSIBLE SUBDIVISION

Maurice Lundy, on behalf of Susan Mason, identifies the location of the property across the street from the cemetery. It is the lot which was leveled off on which equipment was kept when the sewer work was done. S. Mason has been living at 303 Hartford Avenue for 4 years and has been a resident of Bellingham for 8 years. She has the opportunity to purchase the entire parcel including the extra lot which is part of the plan they presented to the Board. She wants to develop the land so it is not a burden to carry the land only. They could use the land for either a house or a commercial drive-in convenience store abutting up to the house. The major portion has accessibility to Hartford Avenue. They are here asking for the Board's thoughts relative to the best use for what they can do to develop the property so it will be less of a burden to meet the obligation of purchasing the land.

EM asks what the zoning is.

S. Mason responds that it is industrial all around. It is residential where the house is. Behind it, to the side and all around to the front is industrial.

EM notes that industrial zoning limits what they can do with the parcel.

RL asks where the zoning is cut off.

P. Herr refers to the zoning map which shows the line is 1,000 ft. from Maple Street. Two-thirds of the lot is zoned residential with the remaining third in the industrial zone.

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EM asks if they have enough frontage for another house on the lot. He reviews the large zoning map at the back of the room which shows the parcel in suburban zone.

P. Herr responds that it is 41,200 square feet just big enough for one lot, but not two. The large map is obsolete because there have been 15 zoning map changes since that map. The lot is now split. He can research the map which circulates with the zoning book to ensure that it is correct.

EM states that they can only develop with a variance from the ZBA. The property is a good candidate for a house at one end with sewerage out front.

PC asks if the sewer stub is on the property.

S. Mason responds in the affirmative.

P. Herr believes that this property is a good candidate for a land swap with the adjacent land owner. Owning a great deal of Hartford Avenue frontage is not a benefit to a house. He thinks the ZBA would think before granting a variance to build a house because it would be exiting onto Hartford Avenue.

M. Lundy asks about using the property for commercial use.

P. Herr responds that it is not big enough.

S. Mason notes that the map which they obtained says that Varney owns the land but the town map says the owner is the Army Core of Engineers.

PC confirms that a lot of the land in the back belongs to the Army Core.

EM indicates that there is 50 - 60 ft. of railroad bed out there. They would have to apply to the ZBA because there is not enough land area. It does not meet the Bylaw as it stands.

P. Herr points out that they would be taking land which is in an industrial district and committing it to residential use. It is a very shallow lot. The house would be close to Hartford Avenue with the driveway on Hartford Avenue. A land swap would be good for everybody concerned.

RL notes that they cannot swap if the land belongs to the Core.

PC believes that Varney owns the railroad bed.

M. Lundy will conduct more research on who owns the land.

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EM believes that a land swap would benefit the adjacent land owner because it would give them access to Hartford Avenue. They would not have to go to the ZBA if they did a land swap.

DOWD DEVELOPMENTAL PLAN REVIEW

CONTINUATION OF REVIEW MEETING AND EXTENSION GRANTED

EM reads letter from Edward Shea, Shea Engineering, dated May 25, 1994, on behalf of Coleen Dowd, requesting an extension and continuance of their review meeting to July 25, 1994.

Discussion follows relative to the Planning Board meeting date in July of July 28, 1994. An extension date must be after the meeting date.

EN makes a motion to grant the extension to July 30, 1994. RL seconds motion. Vote of 4 (EM, EN, RL and PC).

EN makes a motion to approve the continuance of the review meeting to July 28, 1994 at 8:15 p.m. RL seconds. Vote of 4 (EM, EN, RL and PC).

Clerk to contact Mr. Shea to straighten out the dates and extension request. A revised letter should be forwarded to the Planning Board with the correct dates.

PINE GROVE ESTATES II DEFINITIVE SUBDIVISION

CONTINUATION OF PUBLIC HEARING

EM reopens the public hearing and reads letter from Donald DiMartino, Water/Sewer Superintendent, dated May 19, 1994, relative to pressure sewer acceptance for the town sewer system. After meeting with R. LaPrade, Mr. Emidy, Mr. Fraine and Mr. Herr and consulting with their engineer, it was decided that it would be in the best interest of the Town to soften the Sewer Service Connection Specifications regarding pressure pipes and pumping units. The specifications will be rewritten to allow the use of individual building pumping units with Town owned pressure mains, and the installation of small pumping units with Town owned force mains for proposed developments in areas where sewer is available. The new specifications will allow the use of individual building pumping units with a single grinder pump, and a storage or holding tank of at least 1,000 gallons. A single pressure force main (header) into which several of these individual pump units can connect, will be allowed and the specification will state various requirements such as: type and location of check valves, depth of cover and distance from water pipes, piping materials, alignment, access manholes, etc. The header will be installed in the Town's right of way and maintained by the Town once a project is complete. A major concern regarding the cost of maintenance and operation of

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any pumping unit that the town would eventually own was brought up at the meeting. The town of Franklin has a system by which the developer contributes a sum of money to a special gift account and the interest from this account is used, over the life of the pumping station, to pay for operations and maintenance. A similar system will work in Bellingham, but a Town Meeting vote is required to enact the Bylaw needed to allow this charge and to set up the special gift account. Until such a bylaw is passed, they will continue to disapprove of any sewer extension permit which includes a pumping station that may in the future belong to the Town. The specifications have yet to be finalized but he assures the Board that a single header pipe for pressure sewers, installed in the center of any proposed roadway, and single pump units with 1,000 gallon holding tanks will be a part of the specifications by the middle of June 1994.

D. Etzkorn states that the individual units which they are proposing will never be owned by the town.

RL asks how they will get up the hill.

EN responds that they will use lift pumps.

D. Etzkorn explains that it is uphill all the way. The force main for each unit ties in as it kicks on.

RL asks if the units will create enough pressure to push up the hill.

D. Etzkorn responds in the affirmative.

EM rereads the section of the letter which states that the Water/Sewer Dept. will continue to disapprove pumping stations which will belong to the Town.

P. Herr states that the header which is in the street right of way will belong to the town. The town may want an indemnity.

D. Etzkorn understands that the town does not want a big pumping station so they will rewrite to include these individual units.

EM indicates that this will be part of the new specifications.

RL asks if maintenance is required for this.

P. Herr responds in the affirmative.

D. Etzkorn explains that the town consulted with Weston and Sampson. There is no more main to this than with a regular gravity main because the design pumps at the end. They originally wanted

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spaghetti lines.

EM states that the Board could approve subject to the Water/Sewer Dept.'s consent.

P. Herr asks if they have received comments from the Board of Health.

EM responds in the negative, probably because nothing will be sewerred.

RL explains that Mr. DiMartino is all in favor of the pump and system. The issue is the gift fund.

P. Herr states that the Board could approve subject to the lots not being released until the town receives an indemnification for the Water/Sewer Dept.

Robert Truax, GLM Engineering, representing the applicant, presents the plan with a new revised date. He refers to the soil log for which the test pit was done at the beginning of the month. They did not hit ground water at 102 inches. Retention will be owned by the lot owners on two lots with a 4' fence.

P. Herr points out that words on how the retention will be maintained are usually in the covenant.

R. Truax states that they will covenant when they work on the road. The owners of lots 4 and 5 will maintain the detention pond.

EM wants the covenant to be written into the deeds.

R. Truax refers to P. Herr's comment relative to existing trees. The whole site is wooded. He thought P. Herr was referring to the planting of trees.

P. Herr explains that he wants to see the location of existing tree cover which is not clear. He asks where they will dump the stumps. It was put into the Regulations because it was an issue. He is asking for a broad note stating that no stumps will be buried on the site but will be taken out. This plan is not in compliance as it stands.

D. Etzkorn confirms that the stumps will be taken care of property off site.

P. Herr states that prior to clearance on site the developer will provide documentation to the Planning Board on how the stumps will be disposed. They have to provide an explicit committment on how they will do it. It has to be made part of the covenant.

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R. Truax knows that if they are buried they will interfere with the ground water.

P. Herr further notes that the Regulations call for a trash interceptor at the outflow at the detention pond.

R. Truax is not sure that is necessary.

P. Herr is not sure either.

R. Truax explains that it is not a very large drainage system with 3 catch basins. The whole site slopes to the Charles. There is not a lot of water to detention.

P. Herr is concerned about junk in the basin on the inlet to the outlet. Water will not be able to get out.

EM notes that it is easier to clear the grates than clean the pipes.

R. Truax will provide the grates.

P. Herr asks about the test pit logs.

R. Truax responds that there is one in the detention area. They did put a hydrant in. He points out the gate valve at the hydrant. They will tie into the existing line with only a gate valve at the end.

P. Herr indicates that the remaining question has to do with the maintenance of the detention facility. Since they are dividing responsibility, each lot owner will be nominally responsible. There is no single entity for the town to go to in order to get it fixed.

R. Truax explains that the lot would be subject to a maintenance covenant deed which will be recorded at the Registry of Deeds. They can put it on one lot if it would ease it a great deal. The main covenant will have everything recorded so the guy who buys the house will know who is responsible.

P. Herr further notes that sometimes the town ends up owning lots with detention ponds. The alternative is for the developer to oblige to set up a homeowner's association who will be responsible for it.

EN believes that the lot owners should know they are responsible for it when they buy the lot.

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D. Etzkorn refers to the fence which he thinks is ugly. Most detention ponds never have water.

EM indicates that the fence is a safety issue because the detention pond is a magnet for kids.

D. Etzkorn states that their detention pond in Franklin never has water in it.

R. Truax states that this will have water during a storm which will last 1 1/2 days. The pond is 4' deep.

P. Herr thinks that they will keep the fence. They can plant bushes around the fence.

D. Etzkorn did not think they had to clear the whole right of way because this is the right of way.

P. Herr states that is correct. The Board can act on this tonight and the plan will be reviewed prior to endorsement.

EN makes a motion to close the public hearing. RL seconds motion. Vote of 4 to close (EM, EN, RL and PC).

RL makes a motion to approve the definitive subdivision for Pine Grove Estates II subject to the revisions being made to the plan to include before the land is cleared, the developer will provide documentation on how the stumps will be disposed of. EN seconds motion. Vote of 4 to approve (EM, EN, RL and PC).

Applicant will return at the June 23, 1994 meeting at 7:30 p.m. for plan endorsement.

CENTERVILLE ESTATES DEFINITIVE SUBDIVISION
CONTINUED PUBLIC HEARING

EM opens the continued public hearing. He will not read the letter from the Water/Sewer Dept. again.

P. Herr asks what is happening with the site distance.

M. Staniscia will ask for a waiver for one side. He went to the Safety Officer and asked for his recommendation but Sgt. Haughey stated that he just measures and does not give a recommendation. They are short 120' on one side on the curve. It is supposed to be 400'.

P. Herr refers to the retaining wall on the adjoining property which may be contributing to this problem. He asks if taking down the house next door will help this.

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M. Staniscia responds in the negative. He cannot talk to the people who have the wall on their property because they seem anti-development.

P. Herr thinks that this is a small issue to waive. The depth of the drainage basin is 6' and the Regulations require that it be no more than 5'.

B. Salvetti did raise it 3.5'. They still have one more foot than what is required in the Regulations. They will have a 4' fence around it with a gate. Most detention basins will hold water for only a couple of days at the bottom.

P. Herr notes that this is a relatively minor point. He asks if they have a maintenance assurance relative to the drainage facility. One owner is not bad but two is difficult.

M. Staniscia indicates that is impossible in this situation.

P. Herr understands that the base of the detention area has to stay where it is because of the high point.

EM asks who is responsible for the easement to the detention area.

PC responds that the easement just gives access to get to it.

EM notes that the plan says it will be maintained by the developer's corporation.

P. Herr states that some towns want an endowment with that kind of situation. He states that there is the possibility of giving the access easement to make one lot owner responsible for the maintenance. It could go with lot 4 even though half of the detention pond sits on lot 3.

M. Staniscia is agreeable to that.

P. Herr does not believe that lot 4 would go to tax delinquency because it is useful land.

B. Salvetti clarifies that the easement would be confined to within the fenced area.

P. Herr notes that there is the possibility that someone could buy lots 3 and 4 and combine them to make one.

M. Staniscia states that the ideal spot for the detention is on Parcel A but it is the high spot.

EM asks if they are allowed to put the detention area up to the lot

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line.

B. Salvetti notes that it will be grading in.

EM indicates that this has to be done with a covenant easement granted to lot 4 to maintain the detention basin. It will be recorded with the lot.

P. Herr points out that they need a permanent covenant which does not go away when the improvements are made.

EM indicates that the note on the plan states that the brush and stumps will be ground up and removed.

P. Herr states that answers his question.

EM indicates the waivers are for 1' of the detention area and site distance of 120' to the south.

M. Staniscia states that since the parcel is zoned business, they could put in a strip mall which would generate 10 times more traffic.

P. Herr asks what will be built on the lots.

B. Salvetti responds that they will be single family homes.

P. Herr asks what will stop them from coming in with a food court. Maybe the Board needs to put a condition on the plan that the lots will be used for residential. Sometimes these subdivisions turn into office parks.

M. Staniscia comments that he is thinking of keeping the front lot commercial/business since the subdivision is business zoned.

P. Herr points out that lots 1 and 2 may get combined to produce a commercial piece. They would end up with a driveway on Mechanic Street.

M. Staniscia does not think there is anything which would prevent people from selling the lots for business use.

P. Herr notes that the Board could limit the lots to residential use on all lots or all except lot 1. They have to be careful with limited site distance with a subdivision in a business district. Lot 1 should have a condition that the driveway/entrance should be on Centerville Lane instead of Mechanic Street.

M. Staniscia asks the Board to allow him to use the two front lots for business.

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PC comments that David Road was a straight subdivision but now both corners are used for business.

Bruce Lord, Esquire indicates that it does create a lot of traffic. The Board should require them to put the restrictions in the deed so it will not be a surprise to the buyer.

B. Wozniak does not believe that David Road has a site distance problem like this.

RL would like to see all 6 lots have a residential restriction.

M. Staniscia will agree to it.

EM indicates that up until tonight the Board was under the impression that the parcel would be used for a 6 lot residential subdivision.

P. Herr does not believe that lot 1 is a good place for a house. The driveway can egress off Centerville Lane for either residential/office use or something of that kind which would be o'kay. The town/owner would be better off if the use is office.

B. Wozniak thinks that they could use the home occupations limits.

P. Herr is not sure someone would want to live there if 1/4th of the house is used for business. They could allow either a residence or as a principle use a home occupation within the Zoning Bylaw. This is legitimate subdivision control because of the site distance.

B. Wozniak believes that the site distance will improve somewhat when the abutter levels the garage.

P. Herr thinks that the abutter should buy Parcel B to come out Centerville Lane. He reviews the conditions of approval. Lots 2 through 6 will be single family. Lot 1 is 20,000 square feet with agreement for use as documented under categories of use as home occupation, not necessarily a house. Lot 4 will be responsible for the maintenance of the detention area with an easement from lot 3. Site distance waiver, waiver outfall from the detention pond, sidewalk to one side waiver. The Board is requiring them to put in a cape cod berm which is a sloped piece of bituminous but thinks that since they eliminated the grass strip, it will look wide. The sidewalk will be located adjacent to the berm. In the past they have used the vertical bituminous berm because the cape cod berm does not have a clear demarcation ramp. It will be 4" high with 10" high with a sidewalk on top. The town requires it because it is less likely to get broken by snow plows. It is fine to waive the grass strip but they should not have a cape cod berm without a

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grass strip. They should have a vertical berm.

B. Salvetti indicates that they are not objecting to vertical curbs at the sidewalks.

EM asks if there will be a street light at the cul-de-sac.

B. Salvetti responds in the affirmative.

EM goes over waivers and conditions. Vertical berm waiver instead of cape cod berms. Lot 4 responsible for maintenance easement from lot 3 which will have a covenant separate from the road covenant. Waiver outfall from detention pond. Waiver sidewalk on one side. Driveway exit Centerville Lane and not Mechanic Street.

RL makes a motion to close the hearing for Centerville Estates. EN seconds motion. Vote of 4 (EM, EN, RL and PC). AM absent.

RL makes a motion to approve the definitive subdivision with the waivers and conditions noted above including that lots 2 through 6 will be residential only. Lot 1 access Centerville Lane with restrictions on type of business included in deed.

M. Staniscia asks a hypothetical question of what happens if the town takes the road over and the neighbor puts in a strip mall. They would have frontage for two commercial lots.

P. Herr states that there would be no way to stop them if they came in with a subdivision. The Board could preclude Parcel B by putting on a condition if Mr. Staniscia is concerned about business in a residential development. That would add restrictions to the sale. It would be better for the neighbor to come out on his road.

EM notes that there is a lot of land behind there. There would not have to be a subdivision to gain access.

SUBMISSION

B. Salvetti submits an 81-P, Form A for Burton Rhodes. They combined lot 2 and lot 2B, Pulaski Blvd.

EM notes that Bald Hill Estates has a restrictions that a \$7,000 cash bond must be put in an escrow account before issuance of a building permit.

B. Lord notes that the applicant is aware of that.

RL makes a motion to sign the plan. PC seconds. Vote of 3 (EM, RL and PC). EN absent from room. AM absent from meeting.

SHORES AT SILVER LAKEDISCUSSION WITH JANICE HANNERT, FAFARD

Janice Hannert explains that this is the same piece of property which they have been discussing off S. Main, Cross St., Center Street within 3 different zones including residential, suburban and agricultural. She puts up a plan which shows what a proposed 150 lot single family residential development may look like. They show a mixture in the size of the lots for an alternative as a straight forward subdivision. They have a significant number of Approval Not Required lots for which they would be able to build right up to and use the frontage available along the existing roads. There would be no clustering and no open space. Every piece would be used for the lots. This would be less desirable because it fronts on Silver Lake Road. She understands that the town does not want more traffic. This was done quickly so the Planning Board could see the difference of a straight 150 residential single family development. Their actual proposal is for a cluster of 54 acres with 100 units. The total at the site will be 266 units. They will look at the same townhouse development with the 266 for the entire site. She distributes information which is specific to the Bellingham school system. She was unable to obtain information from the Bellingham School Dept. but did make a number of phone calls to obtain this information. Brooks Estates has sold 8 units so far.

EM does not believe that is a good comparison because it is too new.

J. Hannert indicates that the School Dept. is putting some information together for her but has been very busy.

EN suggests she look to the Town Report for information.

J. Hannert did review the Town Report but the information is not listed by area. She spoke with Martha Aspen, manager for Maplebrook Condos who said that there are a total of 23 children with 8 attending Bellingham schools.

EM asks where the statistics are relative to Maplebrook Common.

J. Hannert was not aware that there were two separate developments until today. She will obtain that information. Of the 64 units built at Bellwood Condos there are 10 - 12 preschool children with 3 elementary and 4 high school.

P. Herr indicates that this is almost exactly what he expected. Historically when children grow up, the families move up.

J. Hannert checked projects in Salem, Ashland, Uxbridge which reflected the same numbers. People move up and out.

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RL asks how many children there are in a normal residential development.

J. Hannert responds that it is .86. There is a significant difference between large lot homes and condo developments.

Tom DeVitt from the audience, is in real estate. He confirms that people who are expecting their second child want a single family home and are taking a loss to do it.

EM cannot imagine why they are proposing to build more condos when Bellwood is not built out and Crystal Springs.

J. Hannert explains that they want to give buyers a better type of condo.

EM asks if the wall to connect the units is necessary.

P. Herr responds that it is not if they change the Bylaw.

RL does not think that this is a real condo even though they have a subterranean wall. The owner will be responsible for taking care of the grounds surrounding their property.

EM thinks it is going to be hard to convince people that 266 is better than 150.

J. Hannert indicates that they have a total of 54 acres. They will come in with a portion of the site first. That would not commit anyone beyond a particular project. It does not mean that they are committing to any given number of units. There will be a separate special permit for each one. They prefer to come in with the whole project with a build out rate of 50 at a time. The special permit will come under the existing Bellingham Bylaws. There will be no subsidized housing since they will all be market rate.

EM asks what rights are preserved. He asked Town Counsel but has not received a response yet.

J. Hannert states that they are grandfathered under the zoning. They will have to go for concept review for anything over 50 units. They will submit for 50 at a time so it will not have a major impact.

RL assumes that the entire site will be a condo development.

J. Hannert responds that they will be townhouses.

EM asks what will happen if they build 50 units and they are not selling.

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J. Hannert responds that one advantage is that they have the frontage lots to put models on. They can come in and do a different type of housing. This proposal is not dependent upon access other than the first 50 on the site. The Board requested that they continue out to Cross Street and they are prepared to do that. It benefits them to have water line looping and two accesses.

EN asks about the site distance.

J. Hannert responds that has been reviewed and could be met for site distance and grade. The advantage with this type of development is they can setback the units 100' from the street. The setbacks for the units on arterial streets and collector streets are within the development. Everything off the main road will be on a cul-de-sac having not more than 12 units. Of the 54 acres, 10 will be open space which will include large usable chunks with less environmental disruption.

EM asks about the main roads.

J. Hannert explains that they will have driveway roads which are the responsibility of the condo association. They will have one association for each phase which could be expanded.

EM asks if there is any way to charge impact fees since the main road will be owned by the town.

P. Herr states that they could negotiate anything they can but there is nothing in the Bylaw for fees.

EM notes that this is a better proposal than what the Board has seen so far.

J. Hannert indicates that they want to leave a large part of the land undeveloped and undisturbed.

RL asks if they would be willing to turn it over to the Conservation Commission since it is almost adjacent to Silver Lake.

J. Hannert responds that they could look at Conservation Commission easements.

EM points out that they would need the acreage for the lot area because of the number of units.

J. Hannert states that at the last meeting she pointed out that the original plans for this project were to connect to the Charles River to the north for water capacity. Of the 300,000 capacity, 100,000 is to be utilized by everyone. If they hooked up it would

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cap the limitations. This was designed to tie into the Douglas Pump Station and go to the north. They are willing to put in a dual sewer system to allow the project to be redirected to the south after the initial phase. They will have a gravity sewer system flowdown. There is approximately a 100' drop between S. Main and Silver Lake. The pump station will be installed on site. They will connect the initial phase to the north and put in a force main along the side of the existing gravity system to allow it to be redirected to the south until they have enough to warrant it or until they can coordinate with the Meadowood development. The Douglas Pump Station takes all of the Scott Hill Acres. This would give them the potential to redirect all of those homes to the south which would bring up the existing cap to the north.

PC explains that the Water/Sewer capacity article did pass at the Town Meeting but the limitation is for 3 years instead of 1. Right now if everyone connects there will be 40,000 a day left for anyone else who comes into town.

J. Hannert states this initial phase would use 16,500 gallons a day. They are looking into how they can get to the south. they need 7,000' to connect to the south with 1,000' to the Douglas Drive Pumping Station.

PC thinks that the Douglas Drive Station should have gone to the south from the beginning.

EN thinks that they should have taken more capacity than they took.

J. Hannert indicates that the Charles River may expand 6% which would give Bellingham an expansion potential to another 130,000 gallons.

EM states that no other town has this type of development.

P. Herr points out that Medfield has a similar development.

B. Lord compares this development to Scott Hill Acres. This proposal will have the same size housing but they sell at \$100,000 and below. There is nothing to take the middle ground.

EM does not think that they can compare this to Scott Hill Acres. Scott Hill has 10,000 square foot lots. He asks if the proposed condos will be on slabs or have cellars.

J. Hannert responds that the down hill units will have cellars. They wanted to informally work through the issues before they submit. She would think that they have worked through a number of major issues.

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EM asks if the road layout will be consistent.

J. Hannert responds that they will only change the cul-de-sac which will be extended.

PC notes that Cross St. is a narrow street.

T. DeVitt could picture a lot of traffic if the town refurbishes Silver Lake.

J. Hannert points out that they will have additional accesses when there are additional units.

B. Wozniak asks what the construction will be.

J. Hannert responds that they will be wood frame with a range of styles including cape/ranch for older couples; two story townhouses. They will have wood frame with vinyl siding and wood trim.

T. DeVitt notes that all the units at Brook Estates are the same color. They are a hard sell because it looks terrible.

J. Hannert refers to the common areas/open areas, plowing etc. which will be taken care of by the condo association. People want to be able to plant bulbs in their front yard. People will cut the lawns in the smaller area surrounding their units. The common areas will be done by the association.

T. DeVitt asks if the condo fees will be lower.

J. Hannert responds in the affirmative. The exterior insurance will be the responsibility of the individual owner.

T. DeVitt asks if the fee will be around \$40.00.

J. Hannert responds that is correct. These projects return more taxes to the town than they take in services. There will be less of an impact on the schools than with a single family development.

B. Wozniak asks what one would pay in taxes per unit.

J. Hannert responds that it will be between \$1300 to \$1500.

B. Lord explains that the unit will be taxed as a unit but the condo association will be taxed for the open space. The value of the unit will increase because they are getting more open space.

T. DeVitt agrees with the school number. He asks if there is an increase in the crime situation.

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J. Hannert responds in the negative. There is less of a crime situation because the units are close and there is more monitoring by neighbors who are watching out for each other. They did not see an increase in crime in Ashland.

B. Wozniak notes that they will use \$16,500 gallons of sewer capacity for 50 units. There is only enough capacity to go up to 75 units before they have to construct the other sewer line.

J. Hannert notes that it depends on the other construction.

EM states that they would be dry sewerling the other pipe at the same time at considerable expense.

J. Hannert explains that the Meadowood project does not have any proposals at this time. It may be taken over by the town.

B. Lord confirms that they are seeking a buyer with cash since \$200,000 is owed in taxes and it may be foreclosed by the town.

P. Herr states that the Board could allow a cluster condo development and get rid of the phony underground foundation wall.

EM states that this would be a straight forward cluster development.

P. Herr states that they could consider a simple cluster density a lot higher.

J. Hannert indicates that it will be easier to provide space around an unattached structure. It will look like a single family home and will be maintained like a single family home.

EM asks why the Board should make them do an attachment wall when it is a waste of money to do it.

P. Herr states that they could go to the ZBA to seek a variance.

B. Lord thinks they should look at the parcel and look at what will work there.

EM believes that the chances of getting anything approved at Town Meeting are difficult. Meadowood was never approved at Town Meeting.

B. Lord thinks that they should look at the reality impact with a lot of small streets with 150 units.

T. DeVitt asks about reimbursement by the state for roads which are accepted by the town.

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J. Hannert indicates that the Fire Dept. reviewed the plans and did not have a problem.

P. Herr points out that under the old zoning they are not under the new driveway articles which were just passed at Town Meeting. They have vested rights from the subdivision plan and old zoning rules. They can waive vested rights but cannot pick and choose.

J. Hannert states that they would like to cooperate with the town.

EM asks about the facts and figures relative to how much they will save the town by going to the south.

PC verifies that they already have a permit into the state and Water/Sewer Dept. locked in so they have the capacity.

MINUTES ACCEPTANCE

RL makes a motion to approve the December 16, 1993 minutes. EN seconds. Vote of 3 (EM, RL and PC).

RL makes a motion to approve the January 13, 1994 minutes. EN seconds. Vote of 3 (EM, EN and RL).

RL makes a motion to approve the January 27, 1994 minutes. EN seconds. Vote of 3 (EM, EN and RL).

RL makes a motion to approve the March 10, 1994 minutes. EN seconds. Vote of 3 (EM, EN and RL).

RL makes a motion to approve the March 24, 1994 minutes. EN seconds. Vote of 3 (EM, EN and RL).

CRESTVIEW COMMONS DISCUSSION RE: SPECIAL PERMIT

B. Lord, Esquire, states that the Bylaw is clear that since the project is under construction, the sale of the permit is not a factor and there is no advantage for them to go through the special permit process again. They are willing to go for the Developmental Plan Review process.

EM asks if they will take care of the notice for the DPR.

B. Lord is willing to notify abutters if that is what the Board wants. There was a stop work order in 1988 when the pond blew out. Since then the Board of Health has put a condemnation on the project. They would like the stop work order to be rescinded so they can go in and do the repairs which are required by the Board of Health and secure the place.

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EM indicates that the stop work order and safety issue are two different things.

B. Lord further explains that they would like to go in and start taking the siding off and work on the units which are there and damaged. They want to make it less of an attraction and less dangerous by having someone there. The working buildings which are there are saleable. They are willing to stipulate that they will not build more buildings.

EM agrees that only the existing buildings will be worked on and no buildings will be occupied.

B. Lord states that they are dealing with the septic issue and are in the process of listening to engineers.

EM asks if they will fix the detention pond after.

B. Lord has no problem with the Board stipulating that no occupancy permits will be given until the Developmental Plan Review is approved. The problem is that it broke through the water table. They want to go in and clean up. They are not trying to occupy the premises.

P. Herr stipulates that so long as there is no increase in impervious surface he does not see a problem.

EM instructs Clerk to forward a letter to J. Emidy indicating that it is o'kay for workers to go in and clean up the premises provided that no occupancy permits are given until the Developmental Plan Review is approved, no additional paving be done and no additional buildings are erected and no increase in impervious surface takes place. The Board agrees to remove the stop work order to allow the developer to conduct rehabilitative work to the premises.

B. Lord agrees that there will be no paving or digging in the yard. Their goal is to get the units occupied and sold.

EM notes that cannot be done until they fix the detention basin. They must attack the problem first.

RL makes a motion to send J. Emidy a letter allowing removal of the stop work order with the conditions noted above. He asks when they will be submitting for DPR. EN seconds. Vote of 4 (EM, EN, RL and PC).

B. Lord responds that they will submit at the end of the summer, within 60 days.

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ROGERS STREET 81-P

B. Lord states that Rogers Street is not a street but is a 15' driveway. All the properties are accessible in other areas. He presents a letter from Wilfred Arcand, Highway Director, dated May 25, 1994 stating that the Highway Dept. does not have an objection to the extension of the existing driveway on an unaccepted road known as Roger Street so long as it is stipulated that Roger St. is not a public way and will not be serviced by the town. The driveway, at least within the Rogert St. roadway should be asphalt paved. No extension or further access to the roadway should be allowed unless the full road is improved to at least a 20 ft. pavement. He is working with the Martins to try and find a way to develop their property. The Conservation Commission does not want anything built beyond this because of the wetlands. This is a paper street which is part of Lake Hiawatha and not very different from Log Lane. The lot is pre-existing nonconforming.

P. Herr indicates that it is within the Board's authority to endorse the 81-P for Rogers Street.

EM does not want to see it go any further.

RL makes a motion to endorse the 81-P. PC seconds. Vote of 4 (EM, EN, RL and PC). AM absent.



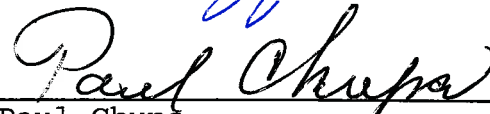
Edward T. Moore, Chairman

Emile W. Niedzwiadek,
Vice Chairman

Anne M. Morse



Roland R. LaPrade



Paul Chupa