

**BELLINGHAM PLANNING BOARD**

**P.O. BOX 43**

**BELLINGHAM, MASSACHUSETTS 02019**

**WILLIAM M. WOZNIAK, CHAIRMAN**

**PAUL CHUPA**

**EDWARD T. MOORE**

**ANNE M. MORSE**

**RICHARD V. DILL**

**MINUTES OF REGULAR MEETING**

**JANUARY 22, 1998**

Meeting commenced at 7:00 p.m. All members except Chairman Wozniak were present. PC acts as Chairman in WW's absence. First meeting attended by former Alternate Member Richard V. Dill as appointed Planning Board member. Planning Board's consultant Philip B. Herr was also present. Minutes recorded by Planning Coordinator Valerie DeAngelis.

**DISCUSSION WITH BUILDING INSPECTOR STUART LECLAIRE**

Building Inspector Stuart LeClaire was told there was a problem with communication with the Planning Board. Board members are invited to call him any time. He also invites members to visit job sites with him. EM understands that Denis Fraine thought Mr. LeClaire should come to the Board's second meeting of the month, but he doesn't feel it is necessary. Mr. LeClaire is more than happy to come any time. AM believes the only question has to do with the new shopping plaza and how building permits were issued without a signed approved site plan. RD agrees the question is how they are building without the signed plans. P. Herr does not believe this is the only issue. Some of the issues deal with how things are done. He has received feedback from the people doing the building and did some research. Back in February 1997, the Planning Board approved the development plan for the Charles River Center but the Board did not think they endorsed the plans. He spoke with Mr. Frazier on the phone who voiced concern about the process. Permits were issued without signed plans. Mr. Frazier recalls that the plans were signed. There should be an endorsed set in the building department. Continuously after the plan was approved there were things about the scheme which kept changing. The Conservation Commission objected to the reconfiguration of the parking fields and wanted them moved further away from the wetlands in one location. P. Herr was orally assured the movie building would not move even though they were changing the parking. They moved one corner of the parking lot 10' closer to 495 which is 10' closer than allowed so they had to get a variance from the Zoning Board of Appeals (ZBA). In July 1997, the Board held a special meeting and determined the changes were consistent with the development plan. As a result of that meeting, the Board sent a letter to the Building Inspector which said that prior to issuance of building not foundation permits, a designated official (P. Herr) would determine the drawings are in compliance. The Board now has drawings which are now okay. There was a breakdown in communication. The

Planning Board said no building permits, just foundation permits, but it seems to have slipped through the cracks. V. DeAngelis explains there were in fact vellums sent on July 29, 1997 which were found recently. The vellums were rolled up inside a copy of the plan. At that time, P. Herr said the plans were close but not fully correct so the Board never unrolled the plans. The Board asked P. Herr repeatedly during the months which followed if he had a correct plan for the Charles River Center but the plans were still not complete. A complete set of vellums and copy of the plan were sent in the beginning of January with a January 6, 1998 revision date. P. Herr reiterates the building permits were not supposed to be issued until the Board received a complete set of plans. This illustrates the complexity of trying to keep everybody on base with great big projects. There are going to be more big projects so we need to figure out a procedure in the future so things go more smoothly. The architects and engineers could have behaved better and we could have been better at providing feedback. The question is how to make the system really work.

Mr. LeClaire explains that for anything over 35,000 square feet, he requires the architects to send him reports once a week. State Code 116 controls construction. P. Herr asks if he relied on the applicant for the original issuance of the building permits. Mr. LeClaire wants something from the Planning Board. P. Herr states there was a Charles River Center special permit approval. The Planning Board relies on the Building Inspector's office to enforce decisions.

AM believes the special July 2, 1997 meeting confused the issues and it backfired. The biggest issue had to do with the parking encroachment. If they didn't get the variance, they would have had to move the parking. The building was not started until the variance was issued. The Board tried to work with the developer and it backfired. EM explains that to avoid confusion the Board stamps the plans and distributes to the Building Inspector. There was a lack of communication. P. Herr believes there is a kink in the process. The Planning Board looks at drawings and says they are okay but the Conservation Commission may change the plans. There is nothing which signals to the applicant or the Building Inspector relative to dealing with the differences. Mr. LeClaire does communicate with the Conservation Commission. EM refers to the Bald Hill Estates Definitive Subdivision which was approved by the Planning Board and changed by the Conservation Commission so they had to come back to the Planning Board for it to be revised. AM suggests putting the Conservation Commission on the building permit approval list since it is the most appropriate place. Mr. LeClaire will use up the permits which he has right now but will add the Conservation Commission and they can sign off on the back. DPW Inspector Ted Bailey refers to a development in town which changed the size of the detention pond so the Conservation Commission held a hearing relative to the size of the pond. The size had to be changed because of ledge. V. DeAngelis explains the applicant in that case came to the Planning Board to change the size of the detention pond which the Board approved. PC notes the applicant was supposed to go to the Conservation Commission after the revision to make sure it was okay with them. T. Bailey explains the Conservation Commission had a problem with the water flowing from inlet to the outlet so they made the developer put in a precast barrier.

Mr. LeClaire updates the Board relative to the Chestnut Hill Condominium development off Bucky Drive. Nothing has been issued. He gave the new owner, TNT, a copy of the Board's

letter and original special permit decision to make sure they comply. They said they would take care of it. PC does not want to see them start the other buildings until they comply with the fencing and everything else. Mr. LeClaire agrees. Deputy Fire Chief Thomas Guerin does not think the Board is done discussing the Conservation Commission. Mr. LeClaire will add the Conservation Commission to the sign off list for nonresidential permits. T. Guerin refers to the Inspector's meeting which will be held in Mr. LeClaire's office the third Wednesday of every month when problems with plans can be discussed. Mr. LeClaire notes the first meeting will be held next Wednesday (fourth Wednesday instead of the third Wednesday) at 8:00 a.m. in his office and Board members are invited to attend. EM suggests that if the meeting was held in the evening hours Board members may be able to attend. He asks if the Board could be sent copies of the minutes for those meetings. Mr. LeClaire could record the meeting and have the minutes transcribed. T. Guerin suggests the same scenario be offered to the Conservation Commission. V. DeAngelis will contact Mr. LeClaire if Board members request his attendance at a meeting. Board members thank Mr. LeClaire for coming tonight.

### **WESTON ESTATES DEFINITIVE SUBDIVISION**

#### **19 LOTS S. MAIN/INDIAN RUN/ROGER ST. BY 126 BELLINGHAM REALTY TRUST**

The applicant for the Weston Estates Definitive Subdivision is asking for a continuance because we do not have a quorum tonight since Chairman WW is absent. AM is abstaining and new member RD cannot sit. P. Herr suggests it be continued to later on. EM does not think it is fair to discuss it without the applicant present.

### **TOWN COMMON ESTATES DEFINITIVE SUBDIVISION**

#### **11 LOTS MENDON STREET BY MARINELLA CONSTRUCTION**

AM abstains and removes herself from the hearing room. EM moves to waive the reading of the legal advertisement, seconded by RD, carried with a vote of 3 (PC, AM and RD). AM abstains. WW absent. Joseph Giovinazzo, GCG Associates, Burlington, Project Manager, explains this is located off Mendon Street. He refers to the 40 scale drawing plan which he shows to the Board and the audience and points out the location of the Bellingham Housing Authority, Judy Lane and Northeast Drive. He also points out the zoning line with business and residential zoning. Residential requires 20,000 square foot lots with 125' of frontage. The applicant is proposing a subdivision with 11 residential house lots. Access to the house lots would be through Mendon Street with one curb cut off Route 140. The road will go to an intersection with 2 cul-de-sacs. Length of the roadway is 950' width, a 40' right of way and 20' pavement width and sidewalk on one side. The proposed roadway has varying slopes of .5% to a maximum of 4%. The topo shows a maximum elevation of 298 and a minimum elevation of 260. For drainage direction and water flow, the land travels from southwest to northeast. They will have an 8" water main for the water system with PVC at 900 which will connect to the existing main on Mendon Road. He had a discussion with DPW Director Donald DiMartino who has a request to loop the main. They have provided a loop on the plan based on his discussion with Mr. DiMartino today. The plans show the water main will tie into the existing main on Route 140. It branches in both directions. They will construct a 20' wide utility easement. They are currently negotiating to construct the

water main through the proposed easement to tie into Northeast Drive. He plans to meet with Mr. DiMartino to go over the details. They will approach the property owners to determine if they can provide the loop. Whether or not it can be completed will be determined later. EM is concerned that if it is not done now it will never be done. It will not be done at the town's expense. J. Giovinazzo points out they cannot take someone's land if they are not willing to allow the easement. On the Town Common side, they will provide an easement between lots 7 and 8 to run along the back of the property line. Mr. DiMartino wants them to continue the main but if they can't he asked for them to go two pipe lengths in and stub the main. They will see if they can make the connection to the Bellingham Housing Authority. They will have 1" services with pressures between 70 and 55 lbs for more adequate water service on site. Sewer service is not available to the site but they would be willing to connect if they could. They will have on-site conventional septic. There is good draining soil. For the drainage, they will have a conventional subsurface drainage system as shown on the drawing with a network of 12" to 15" and 18" pipe at the final. There is a catch basin shown at the intersection at the high point in the road at 350' distance which prevents impact from the drainage from Mendon Street. There will be a catch basin at the cul-de-sac and a set of double catch basin at the end of the cul-de-sac which will go to the stormwater detention facility to discharge flow to the seasonal stream. There will be no increase from predevelopment condition to post development condition. They followed the stormwater management requirements which are 80% by providing 87%. They provided extended detention to allow them to recharge as much as possible and discharge to the adjacent stream. The first flush will be picked up on the road. The wetland areas are shown on the plan. Along the eastern boundary there is no impact to the wet area. They are working within the 100' buffer zone and filed with the Conservation Commission which is scheduled for next Wednesday. They have an erosion control plan presented to the Conservation Commission through a Notice of Intent using hay fencing which prevents silt from going into the wetlands. Street lights are provided with one shown at the intersection and one at each of the cul-de-sacs. Hydrants will be located as required by the Fire Chief. Relative to the roadway profile, they will have a cape cod berm. Mr. DiMartino asked for a 4" reveal modification to the plan so he revised the cape cod berm detail.

EM asks the number of lots in all and if they have any frontage lots. Mr. Giovinazzo replies there is an Approval Not Required (ANR) lot which is nonbuildable based on the wetlands so they just have the 11 lots. EM asks if they intend to install the street lights since the Board is having a problem with the developer of Rawson Farms installing the street lights. The Board wants to make sure the street lights get put in by the developer. J. Giovinazzo replies they install the street lights during the construction phase. Prior to the final top course, the town's inspector will be able to verify they have been put in. He can add a note to the plan that they will install the street lights. EM notes that during the preliminary stage there was discussion that the lots up front could be business but the developer has agreed to reduce the width of the road providing safeguards against business development. J. Giovinazzo reaffirms they plan to construct a residential development only. In response to EM's question as to whether that includes the frontage lots, Mr. Giovinazzo replies that it does, they have no intention of using it for business. P. Herr can insure their intention becomes part of the decision. EM does not intend to prevent a home occupation. P. Herr agrees to word it correctly so it doesn't prevent that.

V. DeAngelis reads January 12, 1998 letter from Conservation Commission Chairman Cliff Matthews wherein he offers the following comments: "Although the stream to the easterly side of the property is shown as intermittent on the latest USGS maps, the applicant will have to demonstrate that this is not a perennial stream. If this is in fact, a perennial stream, the two hundred foot river front resource area becomes an issue and would render at least two of the lots unbuildable. Regardless of the status of the stream, two lots are extremely steep and do not lend themselves to utilization providing yards. We strongly suggest that your Board visit the site paying special attention to lots 7, 8 and 9. We understand that all design may not be complete on this project, but the detention facility will need to be designed in accordance with the latest Stormwater Management Guidelines. We are unsure that this has been done at this point." Board also received a copy of the legal notice relative to the Conservation Commission public hearing scheduled for January 28, 1998. J. Giovinazzo points out the lots Mr. Matthews referred to in his letter and notes that he disagrees. The steep slope is not on lot 9. Lot 8 does have some areas which are steep. They plan to locate the house for lot 7 on the flat area up front. He presents a letter, dated January 22, 1998 which he prepared in response to the Conservation Commission's letter. They reviewed the perennial stream and followed the DEP Regulations. It is not up to them to prove it is not a perennial stream but it is up to the person who says it is. They had the wetlands reviewed by a specialist. They show they have followed the DEP regulations exactly.

V. DeAngelis reads January 22, 1998 letter from Donald DiMartino, DPW Director. Relative to General Roadway: The pitch of .5% on the western cul-de-sac of Jamie Drive is too flat. This will yield a gutter pitch below .5% and will most probably cause a puddle problem. As noted in other correspondences with you, he would like to see the regulations changed regarding roadway pitch especially at cul-de-sacs. He suggests we revise our regulations to require a minimum cul-de-sac gutter slope of 1%. This is equal to a center line slope of 1.6%. As puddle problems often effect the final acceptance of the street, he urges the Board to request the developer to modify the pitch on his plan. He requests the sidewalk width be increased to 5' from the noted 4'. The extra width makes sidewalk maintenance equipment we now own usable. The paving detail shows the top course of pavement installed in a manner that will leave only about a 2" curb reveal. He prefers to have the berm installed on top of the top course of pavement to yield the full 4" curb reveal upon project completion. Relative to Water: If PVC C-900 water main is to be installed, ductile iron fitting must be used at all bends in the water main. We accept C-900 or ductile iron class 52 water main installation. The water service connection detail does not show the required tapping saddle. The water main should be placed in shoulder just off the paved area. The best location is 2' to 3' behind the curb on the side of the road without the sidewalk. Either the water pipe should be extended to the limits of the property near the Bellingham Housing Authority and Town of Bellingham property corner or at a minimum a 20' permanent utility easement should be established along lots #7 and #8 lot line and along the Town of Bellingham lot line with lot #7. This will allow for a future water main extension to eliminate the dead end. It would be an easement that could be used for possible future sewer construction. In connection with the above item, the water main the easterly end of Jamie Drive should be installed so that it is aligned with the lot line for lots #7 and #8. Wherever any water main that could be extended is terminated there should be two full lengths of water pipe installed beyond a main line shut off valve. The end

of the pipe should be capped with a water tight cap and main testing should be done with the valve open (i.e. Testing performed to the end of the entire main). The water main at the west end of Jamie Drive should be connected to the existing main on Northeast Drive. This will complete the loop and eliminate two dead ends. The developer should work with Summerlan to obtain the rights to perform this work. Relative to Stormwater Control and Quality Management: He leaves comments of drainage design to the Board's consultant and to the Conservation Commission. He would prefer to see the drain pipe installed as close to the gutter as possible. This would leave more space in the center of the street for possible future sewer construction. No sewer is available for this property at this time. J. Giovinazzo agrees to modify the .5% to 1%. The 4" reveal is provided. The sidewalk will be provided 5' wide. He has no problem making the adjustments which D. DiMartino requested.

P. Herr notes there remains confusion about the berm. The berm is to be placed on the bottom course. He presents a cape cod berm detail which he prepared. The one on the bottom is the one D. DiMartino asked for. If these are done right it will be more durable. J. Giovinazzo explains the top one locks in with the top course. He is more comfortable doing it the top way if that is okay with the Board. P. Herr states the issue is the reveal where the grade top looks structurally more appropriate. T. Bailey points out the cape cod berm extruding machine is 12" wide. The same machine uses a vertical berm. D. DiMartino is concerned in 5 - 10 years the 1 1/2" overlay berm will be totally gone. They are looking for as much reveal as they can get.

P. Herr explains the width of the street measures the inside berm. The right hand side of the berm roadway is 20' plus a 12" berm on each side so it is visually a 22' road. A car can go up over the curb. There is concern about cars parking on the street because of the width so it is beneficial for the cars to be able to park on the curb. There will be a grass strip between this and the sidewalk which is what the Regulations call for. J. Giovinazzo explains that Mr. DiMartino asked him to adjust the location of the storm sewer and water line within the roadway. T. Bailey indicates the berms on Brittany Road were done monolithically with the pavement. PC notes it is not an accepted road and they were not supposed to do that there.

P. Herr did not look at the issue of storm drainage. The town may want it looked at by a consultant engineer. If the applicant agrees, the Town Administrator will get someone to do that. J. Giovinazzo thinks this is a simple system because it is so small. He believes it is straight forward. P. Herr explains the issue is not with the pipe sizes and detention but it is the new stormwater management. PC explains the private consultant makes sure everything is right on the town's behalf. Board members agree to allow communication between the applicant's engineer and the independent engineer. P. Herr indicates all the items he raised have been responded to by the applicant's engineer. However, he did not get an indication of the annual high water mark. J. Giovinazzo responds they are required to take them between February 15 and May 1998. They did take some preliminary measurements but can't take any more measurements until that time. they do have a well on site. P. Herr refers to the temporary drainage system sediment basins. The project will be reviewed by the Conservation Commission who will scrutinize it. He refers to a note on Sheet 5 which the Conservation Commission enforces and administers it.

P. Herr asks for a description for brush and stump removal. J. Giovinazzo responds it will be chipped on site and used for mulch. EM refers to Cook's business which takes stumps and mulches. This is an important issue because we don't want them to get buried. P. Herr refers to the Regulations which call for a 4' sidewalk but D. DiMartino asked for 5'. He asks if the location of the major trees are truly shown. It appears on the plan that they aimed the street to hit the trees. He asks if there can be some modification to reduce the number of trees being cut down or are there no trees on the site. J. Giovinazzo responds there are no trees on the site in the center area. P. Herr notes the plan shows the only trees identified on the drawing goes down the middle of the road. J. Giovinazzo does not show every tree on the site, just the outlining area. They show the trees they will cut down which are located within the roadway area in the right of way. P. Herr explains the Planning Board is interested in some adjustment of the right of way to save the trees. In order to make a judgment we have to know the trees around the right of way. J. Giovinazzo confirms they have minimized the amount of tree cutting. They will provide the Board with more information. It is hard to locate every single tree. EM states that from looking at the plan it looks like they tried to hit all the important trees. He also notes there is an existing approved commercial subdivision for this site. P. Herr believes there was a site plan submitted but it was not approved. EM notes the commercial subdivision was called Thayer Park. This is the lesser of 2 evils and is a better use for the site.

Abutter Robert Kempton, 35 Mendon Road, did not understand where the water will flow to in the catch basin. J. Giovinazzo explains their objective is to maintain the existing drainage patterns and collect the flow to the cul-de-sac. It flows through the easement to the detention facility. It is next to the seasonal brook and is not part of it. It is directly behind the dentist office. It is discharged to the seasonal brook in a gradual fashion. R. Kempton refers to the 8" water main on Mendon Street, 8" main to the development and 8" main at Northeast Street. It feeds from the center of town. This would be the first outlet to the project. It is not right to tie in at Northeast since they will tie into the 8" which will come back out at the same place this comes in so it is not a good loop. The people at Northeast just bought; it is no longer owned by Summerlan. EM explains the loop would keep it from being dead-ended. R. Kempton refers to the 2 mains at Depot Street. PC explains the reason for looping is the quality of the water for the people who live there. EM believes that if they go the other way it would be a different pipe. J. Giovinazzo agrees this is not the greatest loop but it is better than nothing. R. Kempton understands that if they can't get the easement through private property there will be no loop. J. Giovinazzo will talk with the two property owners about the loop. R. Kempton would like a buffer of screening along his property line. It is an open field now. P. Herr does not know what authority the Planning Board has to require that. R. Kempton is concerned because the developer could put a house 20' off his rear property line. EM suggests that Mr. Kempton and the developer get together to discuss the buffer.

Kathleen Ettl, 31 Judy Lane, abutter, asks if there is no buffer from house to house, does that diminish her property value? She is concerned that someone behind her would be able to look through her window. Joseph Ettl, explains there are kids cutting through their property going across so they are concerned about people coming down and cutting through. They want to keep a decent buffer by keeping as many trees as they can. K. Ettl asks if they will level the land out at



the embankment. J. Ettl also asks that the direction of the drainage be addressed. J. Giovinazzo explains this will actually reduce the amount of flow which goes in their direction. The road will pick up the drainage going in their direction. It is more desirable for a house to leave as many trees on site as possible. There is no need to cut all the trees to the back. K. Ettl refers to the debris which ended up on their property when Northeast Acres was being built. J. Giovinazzo asks that they contact him if that happens with this project and he will take care of it. K. Ettl asks if they will get rid of the stonewall. J. Giovinazzo responds negatively. It is part of the deed and they have no intention of moving it.

EM moves to contact the Town Administrator to request an independent engineering analysis for the Town Common Estates to be paid for by the applicant. Direct contact between the engineers is allowed. Seconded by RD, carried with a vote of 3. (PC, EM and RD). AM abstains and WW absent. EM moves to continue the Town Common Estates Definitive Subdivision public hearing to February 26, 1998 at 8:00 p.m., seconded by RD, carried with a vote of 3 (PC, EM and RD). AM abstains and WW absent.

#### **BRIEF DISCUSSION WITH DPW INSPECTOR TED BAILEY**

Mr. Bailey would like to discuss having the water service turned on to new developments when construction is started. Developers don't turn the water on until after the houses are built. He suggests the Board may want to put something in the decision that there be a foundation only until the fire hydrants are charged. We don't want houses built before the water is turned on. The contractor does the work but doesn't tell the developer that the water hasn't been turned on. EM does not think this issue belongs with the Planning Board. T. Bailey will discuss with D. DiMartino.

#### **MASTER PLAN DISCUSSION WITH GUY FLEUETTE**

Guy Fleurette, Selectmen and Chairman Master Plan Steering Committee explains they met with P. Herr for the final review to the Master Plan which will be ready by the second week in February 1998. They have to approve the revisions which are not major revisions. Some stuff in the draft changed significantly. It will be modified to re-elect the current realities including the new proposed high school, the proposed power plants, and sewer planning to incorporate current development. A needs assessment is included in the Master Plan. In February 1998, they will give the Board the final draft and ask the Board to consider adopting it. EM asks about the Assisted Living Zone and asks why it is not allowed in any zones which the town already has. P. Herr explains they are not suggesting an assisted living zone but an assisted living provision. He refers to Continuing Care Residential Centers (CCRC). G. Fleurette explains it is not clear where it is allowed now. EM refers to language in the Master Plan where it says they will change residential to industrial and industrial to residential which is contradictory. G. Fleurette refers to a suggestion to rezone Farm Street. P. Herr explains the Master Plan doesn't say what should be rezoned but does say some areas should be considered for a change but it is up to the Planning Board to do the looking. G. Fleurette agrees it is not binding like a Bylaw. EM thinks that Holliston, Medway, Mendon are all shooting to get a Master Plan proposed but it can be used



later to prohibit something after the fact. G. Fleurette does not think it changes anything. P. Herr refers to some large pieces of industrial land in the quadrant east of 495. This is a commitment for the Planning Board to take seriously. It is not seeking an increase in the proportion of the town in different zones. P. Herr states they will not be allowed to build a retail development in an all industrial district. This defines where the town wants retailing. It doesn't make sense to do retail on the length of Maple Street. He presents the new zoning map and recalls an occasion when the full Board was present and went through each section of town to see if areas should be rezoned from residential. and the answer was there just wasn't enough area.

V. DeAngelis asks who will facilitate the Master Plan. G. Fleurette responds it will be facilitated through integration and coordination. They will set up a committee structure called Community Development Coordination Committee which will be comprised of the various Boards with a suggestion for Denis Fraine to facilitate a twice a year meeting. They will look at coordinating and integrating the issues. G. Fleurette believes the Master Plan will be used more and more because of growth. EM refers to the Uxbridge Master Plan which is being rejuvenated. P. Herr used the Uxbridge Master Plan when teaching his class at MIT because he knew it wouldn't get used. It was written by outsiders in technical language. This was really written by town's people. There was a great deal of input in forums. G. Fleurette notes they received a lot of feedback after the draft was printed in the Bellingham Bulletin. This is not binding like a Bylaw and is not fixed in a lot of areas. It describes a lot of things the town can do. It makes us all accountable but there could be very valid reasons for not following through on some items. EM asks if the Master Plan allows power plants to which P. Herr responds affirmatively. G. Fleurette will present the Master Plan to the Board at the February 26, 1998 meeting with a discussion scheduled for March 26, 1998. P. Herr suggests the Board pay attention to the many verbs (explore, develop) used the plan when reviewing it. Presentation scheduled for 7:00 p.m. on February 26, 1998. Members of the Steering Committee will be present when it is presented to the Board. G. Fleurette asks if the Board minds if the press is in attendance. An introduction will be prepared explaining the process and that this is still a draft and not a final Master Plan.

#### **CHARLES RIVER CENTER FINAL PLAN**

P. Herr distributes a memo he prepared relative to his review of the final Charles River Center Development Plans revised January 6, 1998. The drawings now appear to be consistent with the Board's July 2, 1997 vote to accept certain field changes so the Board can endorse the plan. The Board should vote together. Since this is a Development Plan, we do not need 4 members to sign. EM moves to endorse the Charles River Center plans, seconded by AM, carried with a vote of 3 (PC, EM and AM). WW absent and RD unable to endorse since he was not a member at that time.

#### **WESTON ESTATES DEFINITIVE SUBDIVISION CONTINUED**

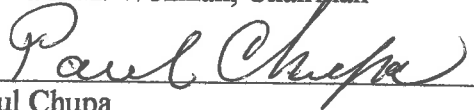
AM abstains and removes herself from the hearing room. P. Herr discusses the site distance analysis prepared by Bruce Campbell and Associates which says it meets AASHTO for the standard site distance but doesn't meet the recommended AASHTO for intersection of the site

distance. It is a maybe and a very murky, gray area. They suggest chopping down the vegetation up and down the street which is unthinkable. If the Board denies egress, the developer could claim a limited access development. It requires a 400' site distance which they have but the location is not enough to make it fully safe. 15% of the traffic was clocked at more than 50 mph. The Board also received a letter from Walter Amory saying that everything is fine. Refusal to allow egress may bring on litigation. EM moves to continue the Weston Estates Definitive Subdivision to February 12, 1998 at 8:00 p.m., seconded by RD, carried with a vote of 3 (PC, EM and RD). AM abstains and WW absent. RD moves to approve the extension requested to February 28, 1998, seconded by EM, carried with a vote of 3 (PC, EM and RD). AM abstains and WW absent.

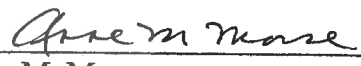
Brief referral to the Heritage Pines Definitive Subdivision which was approved by the Board but the plans were never signed because the developer did not pay the independent engineering review fee. The 6 month time period for recording of the plan will be up soon. Someone was discussing purchasing the development in order to build duplexes but P. Herr confirms that can't be done because a restriction against duplexes was part of the decision.

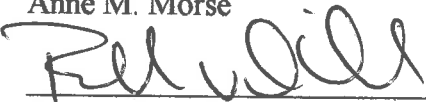
Members (PC, EM and AM) endorse the Charles River Center Development plan. AM moves to adjourn at 10:45 p.m., seconded by RD, carried with a unanimous vote of 4. (PC, EM, AM, and RD). WW absent.

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William M. Wozniak, Chairman

  
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Paul Chupa

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Edward T. Moore

  
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