

**June 6, 2013
Blackstone Planning Board
15 St. Paul St.
Blackstone, MA 01504
Main Meeting Room**

BOARD MEMBERS PRESENT: Chairman Paul Marvelle, Members, Joe Belrose, Gerry Rivet, Kirk Vandyke, and Owen Bebeau.

The Chairman opened the meeting at 7:00 pm.

BOARD BUSINESS:

Reorganization

Gary Jolicoeur took nominations for the reorganization.

Chair:

On a motion made by Joe Belrose and seconded by Gerry Rivet, The Board voted unanimously to appoint Paul Marvelle as the Chairman to the Blackstone Planning Board.

Vice Chairman:

On a motion made by Joe Belrose and seconded by Gerry Rivet, the Board voted unanimously to appoint Kirk VanDyke as the Vice Chairman to the Blackstone Planning Board.

Clerk:

On a motion made by Paul Marvelle and seconded by Gerry Rivet, the Board voted unanimously to appoint Joe Belrose as the clerk to the Blackstone Planning Board.

Capital Outlay:

On a motion made by Joe Belrose and seconded by KirkVanDyke, the Board voted unanimously to appoint Gerry Rivet and Paul Marvelle as Capital Outlay members.

CMRCP:

On a motion made by Gerry Rivet and seconded by KirkVanDyke, the Board voted unanimously to appoint Joe Belrose as the CMRCP representative.

Energy Committee:

On a motion made by Gerry Rivet and seconded by KirkVanDyke, the Board voted unanimously to appoint Owen Bebeau as the Energy Committee representative.

The secretary will send a letter to the town clerk informing her about the recent appointments.

ANR Plan:

The Board is in receipt of an application for an ANR Plan submitted by Pambo, LLC for Lots 76, 77, 78, 79 and 81 for numbers 2,4, 4(rear) and 6-8 (rear) St. Paul Street.

The application was sent to Consultant Carlucci for review. A copy of his review was in the Board packet.

Consultant Carlucci's review letter is dated May 22, 2013.

The Board is also in receipt of a letter from Attorney Knapik dated June 6, 2013 in response to the letter from Consultant Carlucci. In his response letter there is reference made to G.L c. 41, Section 81 L which references the "division of a tract of land into two or more lots."

It was explained that the property consists of one large lot with multiple structures. There are five separate structures on the current property.

Consultant Carlucci did note that the Town of Blackstone did put in effect in 1963 the subdivision laws which note that two or more buildings were standing when the subdivision control law went into effect.

The subdivision rule of 1963 does apply. All of the houses were there before 1963. The homes are over 100 years old.

Consultant Carlucci indicated that there are now five lots and he is separating lot 78 from the rest and combining the other four into one. Parcel A is now being created.

Mr. Whipple indicated that the only house on lot is 2 St. Paul St.

The assessor's records show Lots 76 and 78 as separate lots and then were combined. The applicant wants to now separate.

The one in the back is on one Lot (81). This is a six family and was built in 1989. The two on St. Paul Street were 100 years old.

Lot 80 is the front and Lot 78 would stand alone.

This is already on its own lot. The one building is on two lots to complicate things further.

It was recommended that Mr. Whipple bring in his engineer, Mr. Nyberg to the next meeting to explain the plan.

Consultant Carlucci recommends to leave the lots as is and grant an easement.

It makes more sense to grant an easement in the back.

The Board would to have Consultant Carlucci to discuss this with legal for clarity.

The Planning Board will discuss this at their next meeting which is scheduled for Thursday, July 11, 2013 at 7:00 pm.

**Public Hearing Special Permit Submittal for
Flexible/Conventional Subdivision 30 Pickering Rd.:**

Member Belrose recused himself from discussion since he is an abutter to this project.

The Planning Board alternate Gary Jolicoeur will sit in on this hearing.

On a motion made by Gerry Rivet and seconded by Owen Bebeau the Board voted unanimously to open the public hearing for the Special Permit for the flexible conventional subdivision for 30 Pickering Rd.

The proposal is entitled The Meadows at Harris Pond II. The applicant is Robert L. Massucco Jr.

The Engineer on the project is Stephen O'Connell, from Andrews Survey and Engineering, Inc.

The application is for a flexible residential development and major residential development on property located at 30 Pickering Road, Map 17, Parcels 4, 5, and 8.

The Engineer began his presentation by explaining that the property in 1986 had a 55-lot subdivision known as Heritage Estates approved, but the developer due to financial reasons was not able to complete this project. The Planning Board did endorse a plan entitled "redivision of Heritage Estates" dated September 1995,

which was rescinded. Mr. Massucco then purchased the property.

The project locus is in the middle of the rendering. The connection of the proposed will be to the existing Harris Pond. This will be an extension and proposed access with road and access out to Pickering Rd. Under the Special Permit portion of the application, there are three areas of open space.

The yield plan was reviewed with 36 lots and a minimum 40 with the open space plan and a major development land with a reduction in frontage.

There were three scenarios shown, but the preference is the open space plan. The access and egress to the subdivision will be provided for the lower portion of Pickering Road within the existing right-of-way and from the adjacent subdivision known as the Meadows at Harris Pond.

These houses would include a phasing for development. The stormwater would be collected in the noted areas, piped back and recharged. Any water will be intercepted before the Pickering Rd. properties. This will be a good solution to the drainage issues in Pickering Rd.

The wetland will be avoided. The applicant has applied for an ANRAD. The hearing process has begun. The wetland boundary lines are being determined.

The project will be serviced by public water and sewer. There is a manhole at Farm St. The project is proposing a force main throughout and down Pickering Rd to the manhole on Farm St. A new line will be run. This will be a 3 inch force main. There will be check and cleaning valves. What is there now, will remain. This has not been discussed yet with the Water and Sewer Commission. The water system will be looped.

For traffic, there is an existing access point. They are going to use the other point off of Pickering Rd. This will be for accommodating the residential traffic. The intersection will be challenging due to the ledge at the southeast corner. The site distance needs to be confirmed. There will be a proposal to remove vegetation to make this work.

The Engineer indicated that the open space areas could be for a park, or for passive activities. There could be some picnic tables. This will be discussed further.

The Engineer also indicated that at the definitive stage, there will need to be a modification to the other plan for Harris Pond. The grade will need to be done and there will be two major access points.

The traffic will be divided with the two accesses in and out. There will be a way to go to Bellingham and another to Woonsocket.

Member VanDyke recommended possible put in three exits instead of two for fire safety and traffic flow. .

These developments (Harris Meadows and Harris Pond II) will be separate. If approved, there will need to be a formation of a homeowners association. The roads will be public for both. Some of the open space may be a benefit to the homeowners association.

There was a comment that the open space as indicated on the plan would only benefit the abutters, but as far as intent for public good, this is an island of open space which only benefits five residents.

The Engineer concurs that there should be access to the two open space parcels. The open space areas are uniquely different but could connect.

The Board wants to make sure that the open space stays as open space and is not for future development by the town.

There was a mention of blasting for the development for trenches and for utilities. The drain pipe will need to be deeper. This would be localized blasting. A preblast survey will take place if blasting is needed.

The yield plan was reviewed.

The Engineer drew a line from the pre-existing development to the new potential development. He further explained that the bylaw requires the affordable component would be four and the applicant would then take a reduction in frontage.

The applicant wants the 40 lots with the benefit of the open space.

Chairman Marvelle wanted to know with the affordable units in this plan, do you plan on keeping those in place, and is the financing available. He also wanted it noted that he has no intention of waiving this like they did with a previous subdivision.

Mr. Massucco responded that this is his application and this is a benefit to town.

Attorney McTiernan responded that there were things that we did put in place in lieu of the affordable which benefited the town in many ways. For this plan, we want to do the affordables. The trade-offs from the other project came from negotiations with others.

The Board is in receipt of the memo from Consultant Carlucci relative to his comments and suggestions. There was a suggestion that a landscape architect be part of the team. There should also be renderings of the buildings.

The Engineer responded that he does have the memo from Consultant Carlucci and has reviewed it and will comply.

Darron Lebonne 26 Pickering Rd.:

He is concerned about water at the bottom of the hill.

Richard Labonne 26 R. Pickering Rd.:

This development is adding an expense to all the people who have to tie in. This is designed to run gravity and a two inch line is not enough. This will not be able to handle the flow. The wetland issue has not been resolved. There are erosion problems with the Onyx development.

Chairman Marvelle reminded all that the Board is looking for information and it is the Boards job to review this. We need to determine if a 2 inch pipe will be sufficient. In regards to the Wetlands, this process is to go to the Conservation commission. There are concerns about erosion problems on the recent development.

Joe Belrose, Pickering Rd.

He wanted to know if an impact study has been done. The traffic in this area needs to be looked at. There is a potential for 80 cars a day.

The Engineer indicated that this has not been done at this point.

There was a question about if the preliminary stormwater numbers have been done.

The Engineer noted that the water run-off will be significantly improved for the residents who live people downhill. The water will be intercepted and will not run to Pickering Rd.

One of the abutters noted that there is water coming from the ledge. This is the penetrating water. These are natural running water.

The Engineer responded that the goal is to intercept this water.

There was a question about the water which currently runs from Mr. Massucco's property.

The Engineer noted that without the project, the water will still be there. With the project, the situation will be better. The town put the basin in. The applicant will look into if there is a right of way for the drainage there. The run off will be collected at the end of the Lots 17 and 18. 2/3rds of water will go into the other direction. There is a lot of natural run off.

The proposed basin is on the existing property which would connect to the drainage system.

Mr. Massucco noted that when he bought the land, the project was still on the books. They communicated to him that the drainage on his land was a mess 35 years ago. The contractor did not get paid, so the stripping was done thus the erosion problem.

The cut for the pipe could be with a 15 ft. rise. The contour of the road is 240. The pipe will need to slope at the highest point of the road. This cut will be at the minimum. The size of the pipe will probably be 24 or 30 to maintain the flow. It would start as 12 or 18 and go up.

There was a recommendation that the peak flow be to be looked at.

Mr. Bik: 132 Farm St.:

Mr. Bik indicated that his property and he currently floods every spring due to the construction which took place from the first project. The erosion and run off problem still has not been addressed. He wanted to know when is this going to happen. The first development needs to be restored and fixed prior to the permitting of another project. He wants fixed what is there first, before this developer goes full throttle on the new proposal. He also wanted to know if all the areas will be restored. He also wanted to know how long the cul-de-sac will be.

The Engineer noted that the subdivision will have a 300 ft. Cul-de-sac and any areas which are disturbed will be restored.

There was a comment that hay bales on the current project were to be put in and nothing was done.

A resident at 18 Pickering Rd wanted to know how much land the applicant is proposing to take.

The Engineer indicated that there will be no taking of land. There is a right of way, but not a taking. This will be 40 ft. The requirement for street opening is 50 ft. and the applicant will be asking for a waiver and wants 40 ft.

A resident at 113 Farm wanted to know the impact on the vegetation, along with the impact on the schools.

The Engineer responded that studies show that the number indicate 1 ½ child per household times 40 homes.

The other option is an open space area with less road length and smaller lots and less disturbance and open swales and rain gardens which would need to be maintained. The applicant does not want to go in this direction.

The country feel of the project needs to be maintained to keep the character of the Town of Blackstone. The applicant wants to preserve the natural features of the town.

The applicant will be requesting a waiver from the pavement width.

There will need to be an impact study completed.

One resident is concerned about the depreciation of his property due to this development.

Attorney McTiernan responded that new developments do not decrease property value, but in fact increase their value.

The Chairman of the Water and Sewer Commission wanted to know if there is a plan to extend sewer down to Pickering Rd. There is a T at the intersection.

Engineer O'Connell responded that the line will be put in. We are prepared to go from Farm to the railroad crossing to Rocco drive.

The Chairman indicated that there will need to be further discussion with the water and sewer commission about any proposed improvements on Pickering Rd. This will need to be a team effort.

The value of a home increases when a home can tie into town water and sewer.

There is some gravity fed that could be attached to some residents at no cost. This is all possible with discussion. All residents in the area might not want to do this, but others might. There needs to be further discussion.

The Chairman communicated he wants to know what the residents want with this project.

There was a question about how much gravel will be removed.

The Engineer indicated that they have no intention to remove any gravel. If there is any gravel removed, a report will be provided to the Board.

One resident wanted to know if there were any variances or deed restrictions filed.

There are no variances or deed restrictions.

One of the residents presented to the Board a variance that did not meet the frontage.

The Chairman communicated that the papers submitted would not have any impact on this site. The papers permitted were for a frontage variance.

The chairman would like to have some handouts available at the Town Clerks office. This is preliminary at this point.

Croteau, 26R Pickering Rd.

This resident has a concern about the wetlands. The plan has not been updated.

It was communicated that the wetland issues must go through the conservation commission. The Chairman urges all residents to go to the conservation meeting.

Consultant Carlucci noted that more detailed plans will come at another time.

Steve noted that there is full transparency and we must establish this and then we can design around the natural resources areas.

One of the residents wanted to know if the Board will visit his yard tomorrow after to rain storm to see the drainage.

The Chairman communicated that he can't promise he will get out there tomorrow, but the resident can certainly take photographs and submit them to the Board to view. He urges the residents to put their concerns in the record.

The applicant wanted to know what they can do prior to the next meeting.

The Chairman wants any information from Conservation to be forwarded to the Board.

There will be written responses to the Consultant letter along with what we have for groundwater. This should be in written format. The engineer will follow-up on school issues and traffic flow and road conditions on Pickering. The engineer should also think about construction alternatives. They will be requesting some information from the Water and Sewer Commission.

A resident asks what if the system put in for water does not work, what are the ramifications to the developer if the system does not work.

The Chairman noted that before we do the final sign off we can have them fix things and make improvements prior to signing off the final. There will also be a bond which could be held. All residents can write a letter with their concerns. The drainage was an issue 20 years ago. This has been an ongoing issue to this street.

One resident wanted to know what this land is zoned and are the taxes currently paid.

The Chairman communicated that this information would need to be sought from the Board of Assessors.

Continuation Hearing:

On a motion made by Gerry Rivet and seconded by Gary Jolicoeur, the Board voted unanimously to continue the hearing for Harris Pond II to July 11, 2013 at 8:00 pm.

The Board wanted the Onyx representatives to contact Jimmy Sullivan in regards to the erosion issues at the Onyx.

Member Belrose joined the meeting at 10:00.

Rolling Brook:

Chairman Marvelle indicated that he discussed with legal the fact that the Board has sent the most recent letter to Rolling Brook regarding the Board not getting the requested information.

Sycamore Estates:

The applicant was not able to make it to make his meeting. The applicant has replaced and fixed the broken fence around the sycamore tree. Larry Webber did inspect and was satisfied with the job completed.

The contractor has not exceeded the amount of gravel allotted. There will be some more gravel removed for each individual lot. The Board is still concerned about the gravel. The gravel is being stockpiled in the back.

Minutes:

The minutes from May 2, 2013 will be approved at the next meeting.

Payment of Bills:

On a motion made by Joe Belrose and seconded by Gerry Rivet, the Planning Board voted unanimously to sign the bills as presented.

*Minutes of June 6 2013 Meeting
Blackstone Planning Board
Approved July 11, 2013*

ADJOURN:

On a motion made by Joe Belrose, and seconded by Gerry Rivet, the Board voted unanimously to adjourn the meeting 10:30 pm.

FUTURE MEETINGS:

The next meeting is scheduled for Thursday, July 11, 2013 at 7:00 pm.

Respectfully Submitted,

Amy Sutherland
Meeting Recording Secretary

Approved July 11, 2013