

March 6, 2014
Blackstone Planning Board
15 St. Paul St.
Blackstone, MA 01504
Main Meeting Room

Members	Paul Marvelle	Joe Belrose	Gerry Rivet	Kirk VanDyke	Owen Bebeau	Darron LaBonne
Present	X	X		X	X	X
Not Present			X			

The Chairman opened the meeting at 7:00 pm.

Warrant Articles:

The Chairman opened the continued public hearing for the warrant articles.

Amendment to the Flexible Residential Open Space:

The purpose is to be clearer about the open space. The current bylaw makes reference, but the proposed bylaw makes it clearer.

The members discussed that they want the land conveyed to two unrelated entities.

Consultant will provide revisions and will provide back to board.

Medical Marijuana Facilities:

This would allow it only in the industrial area only. It requires a special permit.

The facility needs to be licensed in the state. They allow 35 licensed and awarded 20. There is a maximum of 5 per county.

ATV Use:

The State has good requirements to limit this, but the intent of the board is to add language not allowing recreational use of ATV on this for less than an acre of land.

The Chairman wanted to send a letter to the police chief inviting them to the meeting to discuss this.

Member LaBonne is concerned with the limited hours.

On a motion made by Owen Bebeau and seconded by Joe Belrose, the Board voted unanimously to send a letter inviting the police chief to the next meeting held on April 3, 2014 to attend the meeting.

Purchase Padula Property:

This article came from the presentation from Tom Bik who is a representative from Metacomet. The Board did discuss this piece of land at previous meetings and supports the town purchasing this piece of land.

The funds are already in the budget.

On a motion made by Joe Belrose and seconded by Owen Bebeau, the board voted unanimously to accept the article for the purchase of Padula Property as written.

Harris Pond:

The hearing for Harris Meadows at Harris Pond Estates II was reopened at 7:30 pm.

Member Joe Belrose and Darron Labonne recused self from discussion. Member Rivet is also not in attendance.

The Chairman noted that member Owen Bebeau did review the tape from the February 6, 2014 meeting and reviewed the minutes.

Attorney McTiernan was present with Howard Baily.

Attorney McTiernan noted that one of the major issues was the two entrances instead of three. This was redesigned and the third entrance has been put in. This is an improvement. Attorney McTiernan informed the board that he held another meeting with the representatives of the current development and the residents are pleased that the third entrance will be added.

Other Issues which needed Resolution:

The Attorney worked out an agreement with Mr. Millette in regards to his concerns. Mr. Millette is satisfied with the resolution.

Mr. & Mrs. Carol Bray who live on the corner will be provided with an alternate driveway and landscaping and a fence.

Engineer O'Connell began the presentation by providing the reduced copy of the plan. The open space shows that the acreage is 12.63. The land conveying to Mr. Millette is noted. The engineer noted that the 7.3 acres are provided to Mr.

Millette. He will now have legal frontage along road A and this brings it into compliance with Zoning.

There will be a meandering trail constructed with entrance with handicap access with crosswalk.

The reworked entrance was shown on Farm Street.

Member Bebeau agrees with the plan with the third entrance.

Attorney McTiernan indicated that in relation to 18 Pickering Rd., we will put in a driveway so they can come in and out either way. This is an improvement. They will grade the whole area. Some of the small growth trees will be taken down. A white fence will be installed. The developer will plant trees at this location as well.

The Board had the consultant review the letter which noted the advantages and disadvantages of connecting the subdivision.(See Attached).

The consultant agrees that the third entrance does work best.

The Board is in agreement that the revised plan is better than the first.

Member VanDyke comments that the open space #3 is mostly wetland. His concern is that unless this is delineated the property line will become overtaken. He would like the engineer to check if there are any historic foundations on site.

The engineer responded that as part of revised plan, there is an angled parking at the entrance with trail heads and this will be stone dust with a two rail fence with signage and designation as open space. He also recommended that nice boulders be placed on trails. We can delineate this. They have not heard of the historic foundations. This area is not a wetland under the protection act. The replication sheet were provided.

The Chairman asked about comments for or against new lay out.

42 Pickering Rd:

- The concern is about lack of open space and distribution of this land. It appears that it is compressed. Another concern is about the congestion of the houses

The engineer responded that the average lot size is reduced from 2700 to 2400 square feet. They are a little smaller than the other development, but it is still a good size home

Member VanDyke wanted to know if there is going to be a clear cut of the land like the other subdivision with no trees in the front of the lots.

The Attorney responded that there were no trees at the beginning of the subdivision due to the fact that there was a quarry and no trees were there to begin with. We also needed it cleared for electric lines.

Chairman Marvelle would like to see the applicant leave and existing buffer for houses.

The Attorney agreed and this is a good for selling point to the development and makes the homes more desirable.

Member VanDyke wants to know what will be done with the third open space land.

Howard Baily responded that the Hamlet residents could use it. He would be glad to do a site visit.

The Board is in receipt of a memo dated February 28, 2014 from Gino Carlucci outlining the advantages and disadvantages of connecting the two projects.

Attorney McTiernan informed the board that the water and sewer items are being reviewed by Weston and Sampson.

The Chairman would like a letter sent to the water and sewer commission seeking their recommendation on the water and sewer items.

On a motion made by Owen Bebeau and seconded by Joe Belrose, the Board voted unanimously to send a letter to Water and Sewer seeking their input on the water and sewer system after the review comes from the consultant.

44 Pickering Rd:

The resident at 44 Pickering Rd wanted to know if there is a possibility to have all on Pickering Rd. be able to tie into the sewer.

Member VanDyke would like the applicant to see how much money/or how many residents would tie into sewer.

The engineer indicated that it would be about 600 ft. and can look into that.

123 Farm Street:

The resident would like to see this area widened on Pickering Rd. since it is dangerous.

Howard Baly informed the board that there will be a new construction entrance.

Attorney McTiernan informed the board that there will be one Homeowner's Association group. This document will need to be amended.

Affordable Housing:

The board is in receipt of a memo dated March 4, 2014 regarding the Affordable Housing Component.

Attorney McTiernan explained that the intent was not to ask to waive the affordable; but proposed something to satisfy this.

The letter proposing the following: The developer will purchase a lot or lots and construct four affordable dwelling units either single family or duplex condominium. The developer will purchase existing housing stock in Blackstone and rehabilitate those units as four affordable dwellings. The developer will utilize two lots in the new development and construct a duplex condominium on each of those lots as affordable dwellings. Any combination of the above options that will total four affordable dwelling units.

Member VanDyke communicated that we missed the opportunity to get affordable when Harris Pond I was put in.

Attorney McTiernan noted that we did things for the town in place of the affordable. This was an agreement made with the Board of Selectmen. There will be a new entrance on Farm and can now fit in two more lots. This can be done on the modification.

The Consultant informed the applicant that the special permit limits the noted lots and it needs to be rewritten and they would need to refile the modification of the special permit and definitive to do such.

Attorney McTiernan informed the board that it is his preference to find something off site someplace else in town to address the affordable requirement.

Howard Baly did inform the board that they are doing the research on this and have seen some houses in disrepair.

Member Bebeau believes that the applicant is making an attempt to meet the goals of the affordable housing bylaw based on by the letter dated March 4, 2014.

The Chairman is not comfortable with the %. There need to be a plan ahead of time. We can put some grasp on what we are getting before the 50% completed. Want to have a certain plan prior to 50% through.

Attorney McTiernan explained that this is an expenditure of money and does not want to spend the money right at the beginning since we have to spend \$1,000,000 up front for the infrastructure. The town does not lose anything since we have to build four units whether off site or on site. We must have two occupied and two under construction.

The Consultant recommended that in the decision it could reference the letter with language that number #1 and #2 would be subject to approval of the board.

This is subject to the Boards approval.

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On a motion made by Owen Bebeau and seconded by Kirk VanDyke, the board voted unanimously to accept the proposal letter dated March 6, 2014 with an amendment on #1 and #2.

The Chairman asked that the applicant will need to provide an extension.

Continuation Hearing:

On a motion made by Owen Bebeau and seconded by Kirk VanDyke, the Board voted unanimously to continue the hearing for Harris Pond II until April 3, 2014 at 7:30 pm.

Member Belrose and LaBonne rejoined the meeting at 9:15 pm.

Payment of bill:

On a motion made by Owen Bebeau and seconded by Joe Belrose, the Board voted unanimously to pay the bills as submitted.

Accessory Apartment Information Seeking:

Attorney Ryan was present and explained that his client lives on Blackstone St and wanted information regarding the process for an accessory apartment. He wanted clarity on the following:

- Notice to abutters 300 ft.
- Plan showing 40% of total area.
- Hand drawing plans are acceptable
- Need to build a covered egress – all the way to the bottom.
- Photographs will help.
- Septic is adequate – needs to talk with Board of Health

Rolling Brook Mylar:

The representatives from Rolling Brook have supplied the mylar for the Planning Board to sign. The last plan submitted previous was incorrect and needed to have the signature block signature for the Board of Selectmen taken off. The current plan submitted has reference to street acceptance. The board is in agreement that they will not sign until correct.

On a motion made by Owen Bebeau and seconded by Joe Belrose, the Board voted unanimously to not endorse for inaccurate plan for Rolling Brook and will contact legal counsel to inform the applicant.

Other Business:

- The Town was awarded a grant for the Green's Community.
- The board is in receipt of the letter from Gino Carlucci regarding the frontage waiver plan and it will be forwarded to the town clerk.

Minutes:

On a motion made by Kirk VanDyke and seconded by Joe Belrose, the Board voted unanimously to approve the minutes from January 16, 2014 and February 6, 2014.

Adjourn:

On a motion made by Kirk VanDyke and seconded by Joe Belrose, the Board voted unanimously to adjourn the meeting at 10:00 pm.

Respectfully Submitted,

Amy Sutherland

*Minutes of March 6, 2014 Meeting
Blackstone Planning Board
Approved May 1, 2014*