

PLANNING BOARD MEETING OF JANUARY 24, 2006

PLACE: TOWN HALL BANQUET ROOM

Meeting called to order at 6:30 P.M. by Chairman Fleurent

I. ADMINISTRATIVE BUSINESS

A. Quorum/Attendance

Members Present – Chairman Fleurent, Gary Staffon, Wayne Hayward, Marinus Vander Pol, James Holmes, Jeffrey Lucas and Dennis Vello.

Members Not Present – Albert Borges.

Planning Director William Roth was also in attendance.

The Planning Board and the Board of Selectmen presented Channing Hayward with awards recognizing his years of service on the Planning Board and in the Town in general. His service and presence will be missed.

B. Acceptance of Minutes – January 10, 2006

Jeffrey Lucas motioned to accept the minutes to the January 10, 2006 meeting. James Holmes seconded. The vote was unanimous in favor. The motion passed.

C. Planning Board Bills

1. Refund – Whelan Associates - \$1,676.08

Gary Staffon motioned to pay this bill. Jeffrey Lucas seconded. The vote was unanimous in favor. The motion passed.

2. Staples – Office Supplies - \$63.18

Dennis Vello motioned to pay this bill. Jeffrey Lucas seconded. The vote was unanimous in favor. The motion passed.

3. Tibbetts Engineering - \$1,477.44 – Bank Five/\$1317.44 – Brahmin/\$160.00

Jeffrey Lucas motioned to pay these bills. Dennis Vello seconded. The vote was unanimous in favor. The motion passed.

D. Receipt of Plans –

1. Rezone – G. Bourne Knowles (3) – 267-271 Huttleston Avenue/302C Weeden Road (PH 2/28/06)

Jeffrey Lucas motioned to set the Public Hearing for February 28, 2006. James Holmes seconded. The vote was unanimous in favor. The motion passed.

2. Special Permit – Nextel – 72 Sycamore Street (PH 3/14/06)

Jeffrey Lucas motioned to set the Public Hearing for March 14, 2006. James Holmes seconded. The vote was unanimous in favor. The motion passed.

3. Special Permit – Carapace, LLC

Jeffrey Lucas motioned to set the Public Hearing for March 14, 2006. Gary Staffon seconded. The vote was unanimous in favor. The motion passed.

E. Approval of Plans - None

F. Street Acceptance -

1. Potter Street – Robert Hobson

Chairman Fleurent – This doesn't usually come before us at this stage.

Robert Hobson (petitioner) – I'd like to see the procedure for filing on Akin Street. I think there's a back door deal to get Akin Street done.

Chairman Fleurent – The Board of Selectmen, the BPW and the Planning Board can recommend what they want.

Selectman Ron Manzone – The BPW has tried for the last three years to get Akin Street done. It's always been overlooked. They now have voted to support Akin Street as have the Board of Selectmen.

Chairman Fleurent – This shouldn't be before us.

William Roth – I've never seen a joint hearing called.

Chairman Fleurent – There's never been one. It's just a recommendation.

Marinus Vander Pol – Petitions like this go directly to the Board of Selectmen and we do what we do.

Chairman Fleurent – We have a choice between Akin Street and Potter Street.

William Roth - You can recommend both.

Jeffrey Lucas – I'd like to know what the public good is, the benefit to the town and the cost of engineering.

Robert Hobson (the Petitioner) – I went before the BPW and they approved it. My next step is to come before this board to get it accepted, to get the ball rolling. I just want to see the street fixed. I'm trying to follow the rules and do it the proper way.

Marinus Vander Pol – How many of the 14 signatures make up the 19 homeowners?

Robert Hobson – None. They're summer residents, not town residents, and they can't sign.

Marinus Vander Pol – You could have gotten letters from them.

Gary Staffon motioned to allow engineering, survey and acceptance for Potter Street and Akin Street in that order. The motion died for lack of a second.

Jeffrey Lucas – I'd like to postpone this until we hear arguments regarding both streets, I still don't have a cost estimate.

Marinus Vander Pol motioned to put Potter Street on the Town Warrant. Gary Staffon seconded. The vote was 2 in favor (Gary Staffon and Marinus Vander Pol) and 5 against. The motion failed.

Wayne Hayward – We don't know what the residents down there want.

II. PUBLIC HEARINGS

1.) Special Permit – Bank Five – 107 Huttleston Avenue (Continued from 1/10/06)

Chairman Fleurent – This is a continuation of the hearing of January 10, 2006. We were talking about the left hand turn onto Route 6 and the stormwater facility. We also discussed that there will be no dumpsters on site.

William Roth – I recommending approval subject to the conditions identified. There were issues regarding right and left hand turns, landscaping, drainage and widening the entrance on Huttleston Avenue. The applicant has addressed all issues. I recommend approval with the conditions.

Wayne Hayward – Where did the press on this come from?

William Roth – They came to my office and ask what projects are coming before us. They looked at the file and took a copy of my report. It's public record.

James Holmes – The Advocate made it sound like this was a done deal. I got calls about it, which I didn't appreciate.

Gary Staffon – Could you put a similar entrance there to the one you have on Cross Road at the Dartmouth branch?

Rich Rheume (Project Engineer) – That one is not regulated by Mass Highway. This one is.

Gary Staffon – Can't we recommend that the concrete be one inch high?

Rich Rheume – That makes for a problem with plowing. Also, we asked if we could obtain a building permit prior to getting a curb cut permit from Mass Highway. The Building Inspector said it was o.k. We need your approval. We'd like that added as a condition.

William Roth – Brooks did the same thing.

Wayne Hayward – We've gotten in trouble with conditional permits in the past.

James Holmes – What's the angle on the Huttleston Avenue stop?

Rich Rheume – It's a 40-foot radius. I prefer a 90-degree angle.

James Holmes – I see the left hand turn on the west side of Route 6 as an accident waiting to happen. I recommend a right in, right out. A right in, right out is not a big inconvenience. I'm thinking of safety, the safety of your customers and town residents.

Wayne Hayward – I agree with him.

Chairman Fleurent – They had it looked at by professionals.

James Holmes – Do they live in town?

Atty. Art DeAscentis (for Bank 5) – I hear both sides. Mass Highway says the left turn can work. The bank is more on the hook than the Town. The bank thinks the design is o.k.

James Holmes – Will the bank change it if it proves to be unsafe?

Atty. Art DeAscentis – Yes.

Marinus Vander Pol – The islands at the Wal-Mart Plaza don't deter anyone from making that hard left.

Wayne Hayward – That's not the rule of thumb.

Jeffrey Lucas – It does happen and it will happen here too. But I don't really have an issue with it.

Mr. Bobola – There's still boundary disputes to consider. I want that on the record.

Wayne Hayward – Could that change the layout?

Atty. Art DeAscentis – We're confident the lines are correct.

William Roth – If they were not, this would eventually come back to us.

Wayne Hayward motioned for an added condition for a right in, right out entrance. James Holmes seconded. The vote was 3 in favor (Wayne Hayward, Dennis Vello and James Holmes) and 4 against. The motion failed.

Gary Staffon motioned to approve the Special Permit with 13 conditions. Jeffrey Lucas seconded. The vote was unanimous in favor. The motion passed.

2.) Special Permit – Brahmin Leather #2, 77 Alden Road

William Roth – They are adding 10,000 square feet for a second story. This requires 14 more parking spaces. They are also proposing a grassed pavement system called "GRASSPAVE2". In looking at their business, this should not be a problem. I'm recommending approval subject to 11 conditions.

Chairman Fleurent – They're using this for storage.

Scott Martin (for Brahmin Leather) – Yes. We feel it's best to make a second level.

Jeffrey Lucas – Were the 14 spaces not on the plan we approved the last special permit?

Scott Martin – That's correct.

Wayne Hayward – There's nothing to prevent another retail space here.

Scott Martin – There's a condition for that.

Wayne Hayward – What kicks in the 14 grass pavers' parking spaces to be paved?

William Roth – When a change of use that requires more parking such as retail is proposed.

James Holmes motioned to approve the Special Permit with the Order of Conditions. Wayne Hayward seconded. The vote was unanimous in favor. The motion passed.

3.) Special Permit – Robert Gomes #3 – 32-44 Howland Road

William Roth – The issue of widening was to discourage the left turn movement on Howland Road. I agree that widening the curb cut will help. If you choose to allow entrancing and exiting at that spot, 28 feet is fine. If you decide to maintain the entrance only, then 20 to 22 feet would be acceptable. It's up to you. The exiting movement is the biggest transportation issue.

Selectman Ron Manzone – The storeowners are concerned. There are petitions out there. They want it extended 28 feet. That will make them happy. They feel it is currently causing accidents. The Police Chief is in favor and the BPW voted in favor.

Wayne Hayward – We need an adequate design to work with. The turning motions you're proposing will cause problems.

Eric Bradley (NAPA Auto Parts) – People are hitting the curb and getting flat tires. The entrance is too small.

Marinus Vander Pol – The Board has allowed too big of a building.

Pear Thompson (NAPA Auto Parts) – The sidewalk is too big.

Gary Staffon – I recommend we go 25 feet with the entrance as proposed.

Chairman Fleurent – He's here for 28 feet and to extend it for handicap parking.

James Holmes motioned to remove condition #4 from the Order or Conditions. Wayne Hayward seconded. The vote was 6 in favor and 1 (Gary Staffon) opposed. The motion passed.

James Homes motioned to approve the Special Permit with the order of conditions with condition #4 deleted. Wayne Hayward seconded. The vote was unanimous in favor. The motion passed.

William Roth – We have nothing scheduled for February 14. So, do you want to have another work session on subdivisions?

James Holmes – How about February 14, 2006, 6 p.m.?

William Roth – O.K. That's fine. Also, SRPEDD's coming in on February 28 to make a presentation on a grant they're working on.

- A brief discussion on street acceptances ensued.

Gary Staffon motioned to adjourn at 9:35 p.m. Marinus Vander Pol seconded. The vote was unanimous. The motion carried. The meeting was adjourned.

Respectfully submitted,
James Pelland, Secretary to the
Planning Board