

PLANNING BOARD MEETING OF JULY 18, 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 Not Present – None

Planning Director William Roth was also in attendance.

B. Acceptance of Minutes –

Al Borges Motioned to accept the minutes to the June 13, 2006 meeting. James Holmes Seconded. The vote was unanimous. The motion passed.

James Holmes motioned to accept the minutes to the June 27, 2006 meeting. Timothy Cox seconded. The vote was unanimous. The motion passed.

C. Planning Board Bills –

1. GAF Engineering - \$946.25 – Bouvier/Severence

Wayne Hayward motioned to pay this bill. Timothy Cox seconded. The vote was unanimous in favor. The motion passed.

2. N. Douglas Schneider – Update Zoning Plats - \$60.00

Timothy Cox motioned to pay this bill. James Holmes seconded. The vote was unanimous in favor. The motion passed.

3. Refunds – Closed Projects - \$2,717.36

- Brahmin Leather - \$901.19
- Nextel - \$281.32
- Well Built Homes - \$1,534.85

Marinus Vander Pol motioned to pay these refunds. Albert Borges seconded. The vote was unanimous in favor. The motion passed.

4. Southcoast Media Group - \$191.50 (Bouvier/Severence)

James Holmes motioned to pay this bill. Wayne Hayward seconded. The vote was unanimous in favor. The motion passed.

D. Receipt of Plans –

1. Definitive Subdivision – Mariner Estates (2) – Welcome Street (9/12/06)

William Roth – This has been resubmitted.

Marinus Vander Pol motioned to set the Public Hearing for September 12, 2006. James Holmes seconded. The vote was unanimous in favor. The motion passed.

E. Approval of Plans – None

F. Other

William Roth – Harborside Village has asked that they be allowed to withdraw their application without prejudice.

James Holmes motioned to allow Harborside Village to withdraw without prejudice. Timothy Cox seconded. The vote was unanimous. The motion passed.

III. CONSULTATION

1. Revised Entrance – Alden Buick

William Roth – Does this new configuration that they have presented meet approval?

Marinus Vander Pol motioned that the new configuration meets approval. Gary Staffon seconded. The vote was unanimous. The motion passed.

2. Shannon Meadows Subdivision

- A. Removal of Chicane Traffic Island.
- B. Adding an additional street light on Rivard

William Roth: I spoke with Public Works and they indicated that putting in a concrete rumble strip in the area of the chicane would be acceptable replacement. However, removing the chicane and patching it with asphalt would not be acceptable because the road has already had it's top coat put down.

Chairman Fleurent – Did any board members go down there to look at that?

William Roth - A neighbor sent me an E-mail that he asked to be read into the record, which I will do. He has attached some photos.

Marinus Vander Pol – I would move that the second issue is not debatable. Albert Borges seconded. The vote was unanimous. The motion passed.

Chairman Fleurent – Selectmen are in charge of all roads. Subdivision roads are under our purview until they're accepted.

William Roth – Are you going to require a subdivision modification, which requires a hearing.

Chairman Fleurent – Are you going to remove it and are you going to fix it?

Robert Long (Longbuilt Homes) – We have been contacted by 3 or 4 residents by the chicane. I took a look at it. Number 1, all of our customers knew about the chicane. It's difficult for people to look at a plan and imagine what it would look at. We're willing to do what they want. We did go through a traffic study. But I don't live there. They do. They want us to take it out. We need Planning Board approval. That's why we're here.

Chairman Fleurent – Is there anyone in the audience that wants to speak.

Tom Carreira (abutter) – I live at 34 Oliver Street and this is a huge inconvenience. I have to go on the opposite side of the road to get in my driveway or bypass my house completely. The street is only 11 feet wide. There was an incident where a little girl almost got hit by a car because there was nowhere for the car to go. It's a blind turn. If you head up Oliver Street, you're forced to go left. I guess the ripped concrete might be a solution. A speed bump at the entrance might work. Everyone messes up that turn. It's a bad, blind turn. You would see that if you spent the day on my front lawn. I think it takes away from the development and it's a safety concern.

Robert Roderigues – I spent thousands of dollars to protect the people of Oliver Street. The way it is now is a nightmare. They drive like they're driving on Alden Road. The traffic study said either road could access the subdivision. I knew this would happen. Something needs to be done. Make that an emergency access at the top of the street. That is a blind corner. They go right across the speed table and don't even stop.

Ann Pena – The chicane has become a real hazard. If an emergency vehicle comes through, it will have a hard time. It's a real hazard. We have asked people not to park near the entrance because it's a blind turn. One day, there's going to be a head on accident. The neighbor who parks his car said he will never move his car.

Clark Peterson – There's over 50 children in the development. It's a safety issue. There are way too many near misses at the entrance. The chicane is not the answer.

Chairman Fleurent – Has the chicane caused any accidents?

Clark Peterson – Minor. Tires being lost and such.

Robert Long- There are sidewalks on both sides. The kids should probably be riding their bikes on both sides. The traffic studies have been done. We have tried to keep as much traffic off Oliver Street as possible. If you want me to take it out and put a rumble strip in, I would be happy to do it.

Chairman Fleurent – That would make these people happy.

Wayne Hayward - The pictures don't show the chicane. The roadway is not complete. There are signage issues there. That may or may not help. The rumble strip won't work. We're going to have to tear up that road base, if we're not careful. We gave a waiver on road width at 22 feet. If it's 11 feet, it has to be wider. What would happen if we widen the road?

Robert Long – I'm not looking to do that.

Wayne Hayward – It sounds like we need to give this more of a chance. Give it time to finish the subdivision and see what it looks like. This is not a public hearing.

Marinus Vander Pol – It occurs to me that there is another office in town hall that has a say on street names.

Chairman Fleurent – The assessors do.

Marinus Vander Pol – The purpose of this chicane was speed reduction, speed control. There is another method of achieving the desired result and I would love to see a proposal to do a full width road strip of well used cobblestone. You can't do 40 mph on Johnny Cake hill. It doesn't work.

Chairman Fleurent – How wide is it now?

Robert Roderigues – It's tapered.

Chairman Fleurent – Can it be narrowed down, or would you rather see it gone?

James Holmes – I agree with "Mr. Vander Pol about the cobblestone. It wasn't designed as an entrance.

Ann Pena – You're asking everyone to go down Rivard to get to their house on 'Oliver Street.

Chairman Fleurent - Cobblestone is probably 5 times the money of ripped concrete. He says he would modify it with ripped concrete.

Gary Staffon – This is a concern of a lot of neighbors. I feel we put the chicane in for the residents on Oliver Street. Rivard will remain a full access use. I am ok with taking out the chicane, but I don't like the rumble strip. The cobblestone will be too noisy. A simple stop sign, four way, might help. It's not a million dollar fix, but it's not a lot of money. Police can write tickets once it becomes an accepted subdivision.

Timothy Cox – Everyone has brought up a good point. Mr. Long spent a lot of money on this. There are lawyers involved. If and when this gets to another level, we will be opening up a can of worms for other people. It's there now, I say we just leave it there and give it time, and approach it if it doesn't work in the future. You have to give it a chance.

Wayne Hayward – If we remove the chicane, I don't think the street will meet our regulations. There has to be something there to slow it down. We've gotten an education here tonight. We still have surety on it and if it's a safety issue, we have to address it. I don't know that it is yet.

James Holmes – Once the striping and signage is done, and the subdivision is complete, I think the extra traffic will slow down. There will be no more visitors looking to buy a house. Once it's properly marked, it should take care of the problem.

Chairman Fleurent – That's not why they're here tonight.

James Holmes – They want it removed. If they come from Rivard, they have easy in and easy out.

Robert Long – It looks like three people are affected.

James Holmes – That chicane was there when these people bought the houses.

Crowd – NO!

James Holmes - I stand corrected then.

Wayne Hayward - I motion to take this under advisement, meet with the developer, make sure it's up to standards and see what we can do with it and not remove it at this time. Timothy Cox seconded.

Marinus Vander Pol – I would like to deal with the developer while he's here.

The vote was 6-1 in favor (Gary Staffon opposed) (Marinus Vander Pol abstains). The motion passed

3. John Medeiros – Benoit Square project

John Medeiros – I represent NFIA about rehabbing Benoit Square to make it more accessible to the people. There will be a gazebo built as well as a repositioning of the flagpole and shrubs. We have to look at Christmas decorations. It will be a two year or so process. We're looking for approval from different boards. We're looking to have night concerts, etc.

James Holmes motioned to approve. Gary Staffon seconded. The vote was unanimous. The motion passed

3. Michael Panagakos – Bridge Street and Alden Road

William Roth – The Building Inspector and I met with Atty. Koldys and Mr. Gioiosa and it is the Town's position that a second special permit is required because an application has come in for a tenant improvement in one of the retail areas on the far end of the building, which is different from the original approval. The issue is at that a fast food restaurant without a drive thru has applied for a permit. It was approved for a drive thru. So, it requires a second special permit.

Steve Gioiosa (SITEC Engineering) – there was a typo on the first page of the special permit. We're looking to correct it. The second item is what Mr. Roth just spoke to. As you know, Mr. Panagakos doesn't have specific tenants. Now Quiznos is looking to come in. We want to move tenants within the building. Does that require us to come back for a second special permit?

Chairman Fleurent – That wasn't the intent of the bylaw. The building is already there. You're trying to make the best use of the building.

James Holmes – I agree with the chairman. It's the same building. You will have to go before the building department for changes, but that will suffice.

Marinus Vander Pol – This proposal came in for specific uses at this point.

Chairman Fleurent – At first, he wanted two stores, one with a drive thru. He didn't know which one.

Albert Borges - I agree with the chairman. If there is no addition, we shouldn't even look at it.

Wayne Hayward - Is the drive thru staying?

Steve Gioiosa - Well, there's no tenant for the other side yet. The parking has already been approved.

Wayne Hayward – I wouldn't have a big problem if there were no parking issue.

William Roth – It was requested and permitted by the petitioner. We are reading this, as they need to get another special permit.

Wayne Hayward – Your recommendation is to hold another hearing for a special permit when there's no change in use.

William Roth – If not, you should caution the applicant about the use of the 1800 square foot use with drive thru.

Steve Gioiosa - We're not looking to deviate from what the parking ratio is. We're looking from some flexibility. We meet the parking requirements. There are no physical changes. I don't have a problem. I think you should have flexibility. I would caution if you wanted 2 fast food restaurants.

William Roth – If we do this, a fast food restaurant could not be located on the drive thru side.

Steve Gioiosa – Mr. Roth is correct.

Chairman Fleurent – What is the recommendation?

Marinus Vander Pol motioned that as long as the parking determination is not exceeded, it doesn't require a special permit. James Holmes seconded. The vote was unanimous. The motion passed.

III. PUBLIC HEARING

1.) Definitive Subdivision – Gus Pinto, Jr. – Washburn Avenue

William Roth - There has been no word yet from tax title attorney and the treasurer hasn't heard. So, it's still in limbo. I recommended they move it to September. They have a continuance request for September 26, 2006.

James Holmes motioned to grant a continuance to September 26, 2006. Timothy Cox seconded. The vote was unanimous. The motion passed.

James Holmes motioned to adjourn. Dennis Vello seconded. The vote was unanimous in favor. The motion passed. The meeting was adjourned at 8:19 p.m.

Respectfully submitted,
James Pelland, Secretary to the
Planning Board