



Halifax Planning Board Meeting Minutes March 5, 2015

A meeting of the Halifax Planning Board was held on Thursday, January 15, 2015, at 7:30 p.m. at the Halifax Town Hall, Meeting Room #1, 499 Plymouth Street, Halifax, Massachusetts.

Members Present: Gordon Andrews, Chairman
Rob Piccirilli, Vice-chairman
Mark Millias, Clerk
Larry Belcher, member
Rick Greeley, member (arrived at 7:35 pm)

The meeting was called to order at 7:30 p.m. and the agenda was read into the record by Gordon Andrews

MOTION: Rob Piccirilli to accept the agenda as read
SECOND: Larry Belcher AIF

Secretarial: Meeting minutes:

Motion to accept Meeting Minutes of January 15, 2015 as written.

MOTION: Larry Belcher
SECOND: Mark Millias AIF

Motion to accept Meeting Minutes of October 2, 2014 as written

MOTION: Mark Millias
SECOND: Rick Greeley AIF

Motion to accept Meeting Minutes of December 18, 2014 as written

MOTION: Rob Piccirilli
SECOND: Mark Millias AIF

Discussions: Tri-party Agreement with Ed Johnson for Highland Estates:

Mr. Millias was interested in having something to compare it to as the board has not done an agreement like this before. Secretary went over a few point interests in the agreement. Board discussed again the situation with Mr. Johnson and Scituate Federal holding \$100,000.00 to ensure the completion of the road.

Mr. Johnson is willing to put the Town on the agreement. Welby Builders bought out the 10 lots on Sherwood Drive, they are also dealing with Scituate Federal and is holding \$100,000.00 from them as well.

Sherwood has a covenant, but the Board was holding Sherwood to ensure Highland was finished. Now Sherwood has been sold so there is nothing being held in Highland. Town has nothing on Highland, only Sherwood is being held, but is now under different ownership.

Finish coat, Sherwood to Thompson St. Bayberry, Split Rail and Rye Meadow still need to be completed. Plus a few bounds need to be put in. Board questioned part of the agreement, as Highland doesn't have lots to release. (#4)

Board did release 3 lots on Sherwood in good faith, but will require a cash surety(bond) before releasing any further lots.

Piccirilli: wanted to know what Mayo is looking for the board to do at this time.

Just to review the format and if the board is in agreement of the Tri-partied Agreement. Gordon would like to talk to the attorney on this. Call him in and have him meet with board to clarify and protect the town.

Would rather Mr. Johnson leave the entrance up to Sherwood but finish all the remaining roads.

Possibly have Welby Bldrs. finish the rest of it. Board in future will not hold lots, will require cash surety bond. As far as Sherwood goes, no more lots will be released until bond is secured. Contingency has to be enough to go after it if road does get finished. This Agreement doesn't have anything to do with Sherwood. When they (Welby)come back for more releases, board will require bond.

Discussion: Two River Farms: update

Sent out a Notice of Default as required. If Board is agreeable with the Conveyance of Covenant, Atty. Mayo will forward to developer for execution and does not expect any negotiations. Deed information will be required. The Town will also have to adopt 81U of MGL Subdivision laws in order to release monies to the Town to finish the road. Charlie should be writing up the by-law to be accepted at Town Meeting.

Members looked over the agreement.

The town can't appropriate the money until 81U is adopted, however the Board can continue to proceed with getting the bond released to the Town. Member asked if Gordon would like to discuss Two River Farms on Monday with Larry along with Tri-Party Agreement.

Discussion:

Amanda Estates: Board has received from Webby Engineering a new plan for Amanda Estates. Page 2 has been revised. Members discussed the revised plan and believe the road has been narrowed down to create a 30' buffer on the left side and potentially narrowed the entrance and possibly shifted the sidewalk. Members looked at the old plans compared to the revised plan.

Mr. Millias stated that the Planning board did not have to do the 30' buffer that was a Zoning thing.

Mr. Andrews advised it is part of the regulations, but PB does site plan.

Mr. Millias: they only did it on one side and did not enforce it on the other side.

Mr. Belcher believes they adjusted a curve on the entrance and shortened it out.

Mr. Piccirilli: radius of 55 and new is 50, kept the radius of 35 on the other side. Edge of pavement, scale that, Gutter line to gutter line. Really need 110 feet of road to have 30, 30 and 50. Looks like they shifted the road over to one side but short changed the other side. This is not the plan we approved.

Applicants said it was a minor change. The sidewalk actually get moved

Mr. Millias also stated that they shifted the sidewalk so you would have to cross the road, but the sidewalk doesn't even go out to Elm St.

Mr. Gordon again stated that we did not approve this site plan so they don't build to it, then they shouldn't get a permit. It says you need an approved plan from the Planning board. They did not send this in for approval, they just sent it in advising of the revision.

Mr. Greeley asked how they can get building permits without approved plan.

According to by-laws there has to be an approved site plan for Special Permits Multi-family development to be approved by Zoning, and also Building Inspector does not have to issue permits without an approved site plan.

Board requested letter to go to the Building Inspector that the plan approved by Zoning was not the site plan approved by the Planning Board. Cc: to the Zoning Board, Board of Selectman. Also letter to The Party Trust.

Secretary advised of Notices received.

*Signature required for Clerk *receipt of Ethics*

*McDonald land fill in Bridgewater just off Rt 106, bringing in fill to convert to a solar farm.

*Received a Notice from DEP Environmental Impact regarding the Amanda Estates project.

* 40B Application was received with the Zoning Board of Appeals for Blackledge Farm off Franklin St.

The first hearing is Monday March 16, 2015.

*Email sent out to members regarding Right to Farm by-law. and create Agricultural Commission

Adjourn:

Motion to adjourn meeting.

MOTION: Larry Belcher

SECOND: Mark Millias

AIF

It was unanimously voted to adjourn the meeting at 8:45 p.m.

Respectfully submitted,

Date Approved: _____

Terri Renaud
Planning Board Secretary