

*Matthew J. Hayes, P.E., Chairman  
Andy Rodenhiser, Vice-Chairman  
Alan DeToma, Clerk  
Karyl Spiller-Walsh  
Cranston (Chan) Rogers, P.E.*

*Approved – June 21, 2005*

**PLANNING BOARD MEETING MINUTES  
March 8, 2005**

BOARD MEMBERS PRESENT: Chairman Dan Hooper, Matt Hayes, Karyl Spiller-Walsh, Alan DeToma, Eric Alexander

ALSO PRESENT: Mark Louro, VHB, Inc.; Gino Carlucci, PGC Associates, Inc., Irene and Mark Streiffer, Attorney Bob Gilbert, Jim Ferrara of Daylor Engineering, Town Counsel Dick Maciolek, John Early, Bill Halsing, Mrs. Dickerson, Matt Barnett, Paul DeSimone, Mr. LeToile, John Spink

The meeting was called to order at 7:40 p.m. by Chairman Dan Hooper

Citizen Comments – None

NOTE – Susy Affleck-Childs was not in attendance due to a death of her father-in-law in Florida.

Irene Streiffer was present regarding Countryview Estates. She introduced her attorney Bob Gilbert and her engineer Jim Ferrara. Mr. Gilbert stated that Daylor Engineering had been hired to review the drainage situation. He related the fact that the drainage system was not constructed as designed. As a result, stormwater runs into the backyard of the Streiffer's. The Streiffer's clarified that it is actually the side yard on the east side of the house where the runoff goes. He said that the problem is getting worse. Ice accumulates on the street and the Streiffer's incurred \$10,000 in damage when their car "slipped" off the road.

Mr. Gilbert said they were present to ask for the following:

1. Authorization for Town Counsel to speak with him. He mentioned an issue with the Order of Conditions and Dan Hooper asked him to clarify whether he meant the

Conservation Commission Order of Conditions. Mr. Gilbert said he meant the Subdivision conditions, but that they have problems with the Order of Conditions as well.

Dan Hooper clarified that the Town has taken notice of the problems and that there is correspondence documenting this. He also asked if there were any findings regarding the Town's enforcement authority. Mr. Gilbert suggested that that he come back in 6 weeks or so after the engineer's report is received.

2. There was a discussion of the bonding for the project. It was noted that it might take many times the remaining bond amount to fix the problem. Dan Hooper asked what Mr. Gilbert was suggesting that the Board do. Again, he replied that he would like to come back in 6 weeks or so after receiving the engineer's report.

Matt Hayes asked if types of leverage should be discussed tonight and he reviewed the bonding process. He suggested that since bonding amounts are presented in line items for specific tasks, it might be a problem if the amounts remaining in the bond are not for the tasks that are an issue.

Karyl Spiller-Walsh said that the discussion might be premature since the developer has expressed his cooperation for a creative solution. She also stated that, as designed, the basin is not a desirable solution. Mr. Gilbert said that the status of the easement is in question, and they may seek to enjoin any more drainage work on it.

There was some discussion about some of the problems with the basin and Mr. Gilbert noted that the issue is not size but function of the basin. Dan Hooper said he would be looking for a win-win situation for a new design – as long as it works. He also wants to set a timetable. He recommended that Mr. Gilbert make sure that a recommended time line and a maintenance plan are part of the recommended solution.

Mrs. Streiffer asked about enforcement of a timeline. Dan Hooper that that would be discussed along with the bonding and other issues. He suggested that the Planning Board would probably require a modification to the subdivision plan. Dick Maciolek asked for a date for the next meeting, and it was tentatively set for April 26.

Next, the Board considered the plans for the West Haven 40B project. Dan Hooper presented a list of possible comments that were reviewed by the Board. Karyl Spiller-Walsh suggested more open space was needed. Alan DeToma asked what say the Planning Board has for this project. Dan Hooper responded that the Board can make any recommendations it sees fit. Karyl Spiller-Walsh suggested that it needed to be reviewed by VHB. Dan Hooper suggested that the Board could request to see the plan again if it is changed following an engineering review. One recommendation discussed was combining the driveways of Lots 17 and 18.

The Board then began a public discussion of the Franklin Creek preliminary plan. Dan Hooper asked if anyone had a copy of a letter from the Department of Public Services since David D'Amico had significant comments. Bill Halsing then reviewed the plan. He noted that it was proposed as private way with a pavement width of 18 feet and a cul-de-sac with a landscaped island. Three lots were proposed and the wetlands have been delineated and approved by the

Conservation Commission. The right-of-way was a little more than 50 feet and the pavement was off-center to reduce the impact on the wetlands. Town water and sewer was available. The design meets other standards for grades and slopes.

Eric Alexander suggested moving the right-of-way slightly to allow the curb radius to be provided in compliance with the regulations. Matt Hayes questioned the detention basin within the 25-foot no build zone. Karyl Spiller-Walsh stated that she would like the trees on the north side of the road to be preserved. Alan DeToma suggested a hammerhead instead of a cul-de-sac. Dan Hooper also suggested a hammerhead, and suggested that Bill Halsing meet with the Fire Chief.

Matt Hayes asked about the possibility of duplexes and access to the road from other abutting properties. Bill Halsing suggested a separate parcel with a deed restriction to prevent additional access.

There was a discussion about the additional access issue. Gino Carlucci commented that a private way does not provide access for an ANR lot, but that such access could be granted. He also suggested that the applicant could voluntarily provide a deed restriction against creating a duplex on the new lots.

There was a discussion about the potential for duplexes could result in 5 dwelling units on the road, which would require a 20-foot width, rather than 18 feet. Dan Hooper asked if a through road were to be proposed in the future, could this road be required to be improved. Gino Carlucci responded that it could.

The public discussion was continued to March 22 at 8:30 PM. Mrs. Dickerson, an abutter than asked what the project would look like from her property, in terms of house location and land clearing. Matt Hayes responded that the new house would be closer to her than the existing house. He also suggested that a 30-foot selective cutting zone could be a condition of the subdivision approval.

The continued hearing for Pine Meadow began at approximately 9:30 PM. Paul DeSimone began by stating that the project could accommodate at least 6 duplex lots and a seventh with a purchase of additional land with a conforming road length. He said the roadway would be about 100 feet less than originally proposed. Mark Louro stated that this improves one lot because it reduces the impact of the detention pond. He also commented that it seems that the footprints of the houses shown are smaller than usual. Paul DeSimone responded that he uses 40' x 80' footprints on 1 acre lots and 30' x 60' on ½ acre lots. He also provided drainage calculations for the duplex lots.

Paul DeSimone said that the project would either be all duplex lots or all single-family lots. If the road length waiver is granted, the applicant will provide a restriction against duplexes in the project. Chairman Dan Hooper stated that the Board needed to provide guidance now on its preferred proposal. Alan DeToma responded that he preferred a complying road, whether the lots were duplex or not. Eric Alexander said he wanted to see a comparison of the two plans. Seeing the alternative plan with 12 duplex units (Alan DeToma interjected “possible 12”) versus 8

single family homes, he said he is OK with the lower number of units and a waiver on the road length.

Karyl Spiller-Walsh said she is concerned about the length of the dead end because it creates a problem on the end lot with the detention basin close to the house. She said she prefers a complying road even with duplex units. Alan DeToma suggested that 6 larger lots might be more desirable for the developer than 12 duplex units. Matt Hayes said he prefers no waiver with the larger lots.

Dan Hooper said he prefers to keep it straightforward. He said believes in the purpose and intent of the Rules and Regulations, and so he supports the plan that complies with the road length requirement. Karyl suggested that if the applicant could purchase a little more land, he could end up with 7 single-family lots with a complying road.

Dan suggested the hearing could be closed and that the Board could consider a decision at the next meeting. He noted that the deadline for the decision is April 30, and asked the applicant whether he wanted to close the hearing or continue it. Matt Barnett said he would like the hearing to be closed now that the Board had reviewed the options.

Mark Louro reviewed the comments from his March 4 letter. Paul DeSimone said he had not received a copy of those comments. It was noted that no comments from the Police or Fire Departments were received.

Matt Hayes moved to close the hearing, Karyl Spiller-Walsh seconded it. The vote was 5-0 in favor of closing the hearing. An appointment to discuss the decision was scheduled for 9:00 on March 22.

Mr. LeToile and Bill Halsing then presented a concept plan for a 2-lot subdivision off Route 109. A hammerhead was suggested in lieu of a cul-de-sac. Bill Halsing asked about the frontage, but it was explained that the right-of-way layout would remain the same and only the pavement would change. Dan Hooper commented on the possible need for connections. Eric Alexander and Karyl Spiller-Walsh said they preferred the hammerhead and a smaller radius at Route 109. The road is to be private and it was suggested that the pavement could be offset Dan Hooper asked if the applicants were aware of a culvert on the site. Mark Louro asked about the slopes and the applicants responded that the road rises for the first 40-60 feet then drops.

John Spink was present to discuss River Run. He explained that a new developer, Abbott, would be pursuing this project. He said they are developing apartments in Franklin off Union Street. Among their design changes are to construct a 36-unit, 3-story building. The other units would all be triplexes. The clubhouse would be moved near Village Street. The total number of units would be the same.

Dan Hooper, who had recused himself as a Board member from this discussion, suggested that 75-90 units would be better due to the wetlands and river frontage on the site. Matt Hayes asked whether the drainage would be underground. Mr. Spink responded that it would be. Matt Hayes also suggested that 2 parking spaces per unit would be desirable as well as a mix of front and

side-facing garages. The open space and trails are a vital part of the project, as is the canoe launch.

It was noted that there are several substantial trees as well as a walnut grove. John Spink said that the large oaks would be preserved. Landscaping is a huge concern, especially at the Village Street entrance. The Board agreed that the boulevard concept is good. It was suggested that the ARCPUD amenities include architectural lighting. Matt Hayes asked about sidewalks, and John Spink responded that they would be on one side. Affordable housing was also suggested, perhaps for 10% of the units or money in lieu of.

Karyl Spiller-Walsh suggested that the third floor of the apartment building be removed. Eric Alexander said he would like to see elevations first. The possibility of a friendly 40B to provide the affordable housing was discussed.

John Spink stated that there are no basements proposed. Mark Louro pointed out that there has never been an engineered plan for this project. John Spink said that the soils are good on site, and that the slabs are a function of cost and not high groundwater. He also said that plans would be submitted in 2, 3 or 4 weeks. Karyl Spiller-Walsh suggested that there be a better articulation of the buildings.

Discussion of the Subdivision Rules and Regulations was deferred until March 22.

The meeting was adjourned at 11:20 PM.

Respectfully submitted,

Gino Carlucci, PGC Associates  
Consulting Planner