

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

**MINUTES  
PLANNING BOARD MEETING  
July 12, 2005**

PRESENT: Karyl Spiller-Walsh  
Andy Rodenhiser  
Matthew Hayes  
Chan Rogers  
Alan DeToma (arrived at 7:39 p.m.)

ALSO PRESENT: Susan Affleck-Childs, Planning Board Assistant  
Gino Carlucci, PGC Associates, Planning Consultant  
Mark Louro, VHB, Inc., Engineering Consultant

Chairman Hayes called the meeting to order at 7:35 p.m.

**CITIZEN COMMENTS** - None

**PUBLIC HEARING - HOPPING BROOK ESTATES DEFINITIVE SUBDIVISION PLAN**

NOTE – Karyl Spiller-Walsh recused herself due to a conflict of interest. (She has a financial relationship with applicant's engineer – Steve Poole.)

Andy Rodenhiser read the public hearing notice. It is attached and made a part of these minutes.

A motion was made by Andy Rodenhiser, seconded by Chan Rogers to approve the plan review fee estimate of \$450 from PGC Associates. The motion was approved.

A motion was made by Andy Rodenhiser, seconded by Chan Rogers to approve the plan review fee estimate of \$4,588 from VHB, Inc. The motion was approved. Matt Hayes recuse.

Steve Poole, VEO Associates  
Tony Delloraco, VEO Associates  
Paul Zonghi, Applicant

Steve Poole – This definitive plan is based on a preliminary plan you previously looked at. We have 3 lots off West Street. One of the lots would be where the existing house owned by Barbara Ashman is located. We propose a private way to access 2 additional lots. All lots conform to zoning requirements of town. With this being a private way, we are asking for several waivers – reduced roadway width with a hammerhead turnaround within a cul-de sac right-of-way. We are looking at an 18 foot width on pavement within the 50 foot right of way. We want to offset the centerline of the roadway within the right of way to make for better turning into the new street from West Street. The drainage from the roadway will flow to the end of the cul de sac to an infiltration system and then down into a level spreader for discharge into the wetlands. We have received the initial comments from the Board’s consultants and we will file with the CONCOM. We will bring Town water in from West Street. We propose to have individual subsurface sewer disposal systems although there is some potential to have sewer on West Street in the next few years. With the road profile, it has a 1.5% downgrade. It is very shallow. We will be placing fill in this area to raise the area up for stormwater management purposes. We filed the preliminary under the previous rules and regulations.

MATT HAYES – Have you received Mark Louro ’s review letter?

Steve Poole – Yes. I went thru Mark Louro and Gino Carlucci ’s letters. We would like to address them within the next 2 weeks. We would look to come back to you in a month. We will file with the CONCOM right away.

Mark Louro – One issue is the 200 foot riverfront area. Part of a driveway and most of the drainage system is within the 200 foot zone. I ran it by our folks and they said that within the 200 foot area you can impact up to 10% of the area.

Steve Poole – Stormwater management is exempt from the riverfront rules.

Mark Louro – You could still try to minimize the impact and move it away from the 200 foot line.

Steve Poole – There are 3 resource areas – the wetland itself with 100 foot buffer and 25 foot no disturb area; the Riverfront Act area with the 100 foot no disturb zone; and a 100-200 foot regulatory zone where changes are limited. If the CONCOM feels, we could move it back and consolidate the stormwater facilities.

Mark Louro – I recommended they start discussions with CONCOM to finalize where the drainage system will be.

Steve Poole – We will definitely get with them (CONCOM).

MATT HAYES – Have they (CONCOM) approved the wetland line?

Steve Poole – Not yet. The work was done by Ecotek which does a fair amount of work here.

Alan DeToma read a letter from Health Agent William Fisher. It is attached and made a part of these minutes. The letter noted concerns about the proximity of the septic systems and

stormwater management facilities and requested that the applicant's engineer contact him to discuss the matter further.

Alan DeToma read a letter from the Police Department's Safety Officer, Jeff Watson. It is attached and made a part of these minutes.

Steve Poole – We have pushed the roadway away from the closest driveway on West Street as far as we can go.

ANDY RODENHISER – How far is (proposed) road from 37 West Street?

Steve Poole – About 25 feet.

Mark Louro – The riverfront issue needs to be addressed. You showed a downspout detail. Is that for recharge?

Steve Poole – Yes, for one of the houses.

Mark Louro – What house footprint size was used for the drainage design?

Steve Poole – Exactly as shown. One house is smaller.

Mark Louro – What about trees?

Steve Poole – Two are definitely going to have to be removed.

Mark Louro – What are your thoughts on tree planting?

Steve Poole – We will add some landscaping to this. I will sit down with Mr. Zonghi and come up with a plan.

ANDY RODENHISER – There should be some screening with the property at 37 West Street.

Mark Louro – Regarding the 20 foot turning radius issue, did you put a template on there to see how that would work and what size truck can do that turn?

Steve Poole – We will get that backup info on size.

Tony Dellorco – I can look at that for you.

Mark Louro - You show turning radiuses at the end of the cul-de-sac with the hammerhead. Certainly a vehicle could use the driveways, but I am not sure about a fire truck.

Steve Poole – I will talk to the Fire Chief. I will make sure to get a letter from him.

Mark Louro – You are very close on the drainage calcs. You need to get those to work so you don't need to ask for a waiver. Like the Board of Health, we commented on septic and infiltration system being so close. Have you used that system before?

Steve Poole – Yes, up in Hudson on several occasions. It is called Atlantis drainage cells. They are cubes and you stack them.

MATT HAYES – Can they be placed under a roadway?

Steve Poole – I will make sure we get a letter from the company about what weight they can support.

ANDY RODENHISER – What about putting it under the roadway? Could it be installed under the road?

Steve Poole – No, not with all that water. You could have some settlement. I hate to put them under pavement.

Susy Affleck-Childs – You need to apply to the Street Naming Committee.

Gino Carlucci - There was not an erosion and sedimentation control plan. In the preliminary plan decision, there was a suggestion that there be a covenant regarding possible extension of street.

Steve Poole – We need to incorporate that into the thinking on this.

Gino Carlucci – The plan as drawn shows a stub in the cul de sac.

Steve Poole – That is a turnaround.

Mark Louro – It leads one to think there is a connection.

ANDY RODENHISER – What is your intention on connection to 37 West Street?

Steve Poole – We have not discussed it.

Gino Carlucci – I think we just wanted to allow for it to be done in the future. There was also a suggestion in the preliminary plan decision that if lot #1 is changed in the future, the access to that new house should come off the new road (instead of from West Street.)

Gino Carlucci – You show a utility pole on the plan. How come?

Steve Poole – The electric service is across the street. It needs to come overhead from there and then underground within the subdivision.

Gino Carlucci – Our sidewalk requirement would involve about 500 feet of sidewalk construction along West Street.

Steve Poole – With regard to Development Impact Report, do we have to do that?

Susy Affleck-Childs – No, as you are coming in under the old regs. That is a requirement of the new regs.

MATT HAYES – Are there questions from the board?

ANDY RODENHISER – You will be coming back after you meet with Conservation?

Steve Poole – We will respond to comments from VHB and PGC. I would estimate in a month we would return.

Susy Affleck-Childs – That would be our meeting on August 9<sup>th</sup>.

Barbara Ashman (33 West Street) – I don't want to have anything to do with the new development. I don't want to be part of any association. I didn't agree to that at the beginning when I was selling the property and I don't think it should be thrown in now.

MATT HAYES – Let's discuss waivers.

Mark Louro – They are proposed high-density polyethylene instead of concrete pipes. That will need a waiver.

ANDY RODENHISER – Just a comment. I don't have a problem with any of the waivers. It is a very extensive list. But this review letter is overwhelming to consider when there is so much that needs to be done.

Steve Poole – Probably half of that list is small technical issues. We just need to work out some things with Mark Louro and the Fire chief. We will give you a definite written response.

MATT HAYES – Customarily, we require sidewalk on the frontage street. In lieu of actually building the sidewalk within the West Street right of way, a payment in lieu of sidewalk construction is an alternative. We will have VHB prepare an estimate for this.

The public hearing was continued to August 9, 2005 at 7:35 p.m.

## ***ROLLING HILLS PRELIMINARY SUBDIVISION PLAN***

MATT HAYES – We need to approve the plan review fees.

A motion was made by Andy Rodenhiser and seconded by Chan Rogers to approve the VHB fee estimate of \$250 for review of the Rolling Hills Preliminary Subdivision Plan. The motion was approved. Matt Hayes recuse.

A motion was made by Alan DeToma and seconded by Chan Rogers to approve the PGC Associates fee estimate of \$150 for review of the Rolling Hills Preliminary Subdivision Plan. The motion was approved.

Paul DeSimone, DeSimone and Associates

Paul DeSimone – This area is on Milford Street, west of Colonel Fales Street, east of Summer Street and west of Highland. What we want to do is to carve it up into 3 lots with one existing house and 2 proposed lots. There is a separate parcel for a drainage facility (retention or detention pond). We haven't done any testing yet. The owner of the house has told the prospective buyer that testing was done in the past and that it did pass. The topography is all over the place. Starting at Milford Street, the contours go south. The existing house will stay, no additions are planned. The swimming pool will be gone. It sets up a good flow for drainage

toward the back of the site. We are looking for a bunch of waivers and are proposing a 20 foot paved road.

MATT HAYES – Are you looking to do this as a public or private way?

Paul DeSimone – We have no preference. We are not proposing sidewalks. We want to keep it as small as possible. We do show a landscaped island. What we would try to do is to save whatever is already there.

MATT HAYES – What is our new private way standard.

Mark Louro – 18 foot with cape cod berm for a private way to serve up to 3 lots.

Paul DeSimone – We have no problem with that.

MATT HAYES – That is allowed under the new regs

Paul DeSimone – We would need a sidewalk waiver.

MATT HAYES – There is no requirement for sidewalks on a private way.

Paul DeSimone – What about the sidewalk issue for the Milford Street frontage?

Mark Louro – Sidewalk does need to be provided.

MATT HAYES – If there is existing sidewalk that can be repaired, that would be OK.

Paul DeSimone – So we could repair what is there now and make a payment for the rest that doesn't have sidewalk?

Comments from DPS and Police department

Alan DeToma read an email communication from Dave D'Amico, DPS Director. It is attached and made a part of these minutes.

Alan DeToma read a note from Police Safety Officer Jeff Watson. It is attached and made a part of these minutes.

Paul DeSimone – The length of road is actually longer than we would like but we need it to make the Lot Shape Factor work. Re: Dave's letter, the area from the Groehl's property that was added to this site is all uplands. The drainage will all flow to the drainage parcel. There are wetlands immediately to the west.

Mark Louro – You may want to adjust the profile of the road.

Paul DeSimone – We will flatten that out more. Re: Gino's comments, we will include trees on the definitive plan.

ANDY RODENHISER – Is there a list of waivers yet?

Paul DeSimone – We will go with 18 feet paved width and cape cod berm. We will fix it for the slope to go to 2%.

MATT HAYES – That is important since Milford Street is a major roadway.

Mark Louro – Have you done the wetland flagging?

Paul DeSimone – We had Municipal Engineering Services flag it. I will meet with CONCOM to set up a sight walk.

Mark Louro – Do you have any idea on wetlands impact?

Paul DeSimone – By going with the narrower road, there will not be a lot of impact, maybe 100 sq. ft of fill in two places.

ANDY RODENHISER – Where will you replicate that?

Paul DeSimone – We have enough to do 3 to 1 replication.

Gino Carlucci – Would it make sense to offset the pavement here to minimize wetlands impact?

Mark Louro – That would be OK.

MATT HAYES – That would be a waiver.

KARYL SPILLER-WALSH – That is absolutely fine.

Mark Louro – On the locus plan, it looked like a stream or ditch to the west. Is that a perennial stream?

Paul DeSimone – It is not. The wetlands are more extensive on the adjacent parcel than is shown on the Assessors map.

Mark Louro – The houses you are showing are too small. Per the new regs, the footprints need to be 40 by 80 plus driveway and that is what the drainage calcs have to be based on.

Susy Affleck-Childs – (With the 30,000+ sq. ft lots), do you intend to seek a special permit from the ZBA for duplexes?

Olga Gererre – My husband is the buyer. We simply do not know yet.

MATT HAYES – We will open this up for public input.

Mark Robinson, 26 Milford Street - You just mentioned this duplex possibility. I would be concerned if you did that. Your proposed road is right across the street from my house.

Paul DeSimone – It will take us at least a month to put together the definitive plan. Right now, the new lots are 30,000 sq. ft.

Mark Louro – They would have to get a special permit from the ZBA to do duplexes.

Mark Robinson – Private sewer?

Paul DeSimone – Private septic systems will be put in.

MATT HAYES – We would want to see the access to the existing home come off the new road.

Mark Louro – If you go to 5 dwelling units (with two duplexes) that would change it to a local road that would not be private and would require wider paved width, sidewalks, etc.

Joe Buchini, representing 6 Fales Street Trust – It is zoned for duplexes.

Mark Louro – It would need a special permit from the ZBA.

Joe Buchini – There is an existing drainage that goes from Fales Street west toward the proposed cul de sac and I presume the cul de sac would sit on top of the. It doesn't seem like there was a lot of cover.

Paul DeSimone – 2.5 feet is required.

Joe Buchini – The hydraulics are very sensitive in there, very shallow. I want to make sure that your subdivision is downstream of Fales Street.

Paul DeSimone – The mouth opening is lower but the elevation of the houses is about the same.

Joe Buchini – We want to make sure the impacts to the Fales Street neighborhood will be negligible.

Paul DeSimone – We inspected the pipe at the outfall and there is nothing coming out. We aren't going to back it up.

Joe Buchini – Re: the septic systems, you mentioned that the soil was perked some time ago. So, you don't really know that this will work?

Paul DeSimone – Only by his word of the current owner. We have no results to study. We will do our own tests. I would expect it was done within the last 10 years. I know this area of town well and it will be pretty good. The Town (BOH) has strict regulations on that.

Joe Buchini – The fourth concern that the neighbors on the eastern boundary have is about the trees. They want to make sure that your subdivision won't be seen and that ample tree coverage will be retained.

Paul DeSimone – I understand what you are saying. We have dealt with this Board on showing selective cutting zones at the plan stage. But once owners come in, we can't control what they do.

KARYL SPILLER-WALSH – We can certainly require a selective cutting zone with the plan.

Joe Buchini – Who owns that easement?



Paul DeSimone – I believe the Town has right to the easement, but it will be owned by the Guerreros (once they own the property.)

Rob Pearl, 4 Fales Street – The existing detention pond (for our neighborhood) is on my property. I am really concerned that the water is really downstream and that nothing will come back. I want to make sure that they don't drain into our pond. A couple of years ago when this was tried before, they couldn't make it work. There is not a lot of room out there for even an 18 foot road without impacting the wetlands too much. My other concern is what do the regs say about endangered species? There are fisher cats out there.

Mark Louro – Both the wetlands and endangered species issues will be addressed by the CONCOM. That info will have to be disclosed.

Mark Louro – As far as the drainage goes, the outfall from your property has to be maintained. The drainage for this subdivision has to take all its runoff and treat it and detain it so there is no increase in rate or volume of flow from the site. There will be a complete drainage study with the definitive plan.

MATT HAYES – On item number #13 on the Development Impact Report, you state there are no endangered species.

Paul DeSimone – That is correct. I got that information from the ????

Sharlene Harris, 1 Fales Street – The property that you have acquired, it seems just to the east of the house, there is a shed there. Is that part of your land?

Paul DeSimone – I do not believe so.

Lori Mosher Murphy, 24 Milford Street – It is ours. Our house is across the street from the shed.

Susy Affleck-Childs – I think we are tight on time and should make a decision on this at the next meeting. There are a lot of details that should go into the decision.

Joe Buchini – Is there a schedule for what boards they need to meet with and what sequence? And do the boards talk to each other?

MATT HAYES – We do try to communicate. We share our plans with the others boards. It is not set in stone who an applicant comes to first. But if they want to build duplexes, they will need to go to ZBA for a special permit. They also have to go to the Board of Health for septic permits.

ANDY RODENHISER – There are liaisons between the different boards. Chan Rogers is our liaison with CONCOM.

Paul DeSimone – I will do conservation planning at the same time. I will file with CONCOM soon for the wetlands flagging. I think it will be a couple of hundred square feet of wetland disturbance. It won't be much

MATT HAYES – Thanks very much

## ***Hartney Acres II Definitive Plan Revision***

Paul Yorkis, Patriot Real Estate  
John Claffey, CLAFCO Builders/developer

Note – Alan DeToma recused himself as he is an abutter to the subdivision.

Paul Yorkis – We have Mylars for you to sign. We have the building permit from Bob Speroni for the walls, which we can give you.

Susy Affleck-Childs – We have two new members who are not familiar with this project. Could you please recap for us?

Paul Yorkis – There is an approved subdivision called Hartney Acres. (Since its approval) a decision was made to present an alternative approach to accommodate the needs of the 2 abutters (on Nobscott Street). So we don't have to build a stone retaining wall and instead have a landscaped area that needs to meet their approval. The plans that have been prepared by David Faist and Dan O'Driscoll reflect the lack of a retaining wall at the entrance.

Mark Louro – The wall is being removed from the “cut” section of Nobscott. The “fill” wall at the wetland crossing remains.

Paul Yorkis – The aesthetics of that wall have not changed, but the method of construction has.

ANDY RODENHISER – Who is the private agreement with?

Paul Yorkis – The Pedutos and Carosellis on Nobscott.

Mark Louro – So instead of walls, there will be sloping land.

John Claffey – At the “fill” section of the wall, we went with CastleRock for their system with stacked block up to grade.

MATT HAYES – Do you have any concern about the end treatment here?

Mark Louro – They actually had guard rail at one point. There will be a blunt end at the bridge wall.

Paul Yorkis – When we get to that point, we will deal with it then.

KARYL SPILLER-WALSH – Cast the return on the end if you don't do a guardrail.

Mark Louro – It would be better to bury that.

KARYL SPILLER-WALSH – What about landscaping on the grassy slopes?

John Claffey – That design should be done this week and we have to get that to them and get their sign off.

MATT HAYES – We want to see that plan and a sign off from them.

A motion was made by Andy Rodenhiser, seconded by Karyl Spiller-Walsh to approve revisions to sheets # 4, 6 and 11, dated May 3, 2005, of the Hartney Acres II Definitive Subdivision Plan. The motion passed unanimously.

NOTE – The Planning Board needs to sign these plan sheets and return the mylar to Paul Yorkis for recording.

Mark Louro – A complaint has been received about dust control on site. Please address that on the Nobscot side.

***Informal Discussion – Possible Open Space Residential Development (OSRD) off of Candlewood Drive***

John Claffey, prospective developer/applicant  
Paul Yorkis, Patriot Real Estate  
David Faist, Faist Engineering

Paul Yorkis – I represent John Claffey and CLAFSCO builders, and am here tonight along with David Faist, civil engineer. What I would like to do this evening is to walk the Board thru this site, present some facts associated with the proposed project, and respond to any questions you may have. I have distributed a packet to you. The first page is a copy of assessor's map 1-4 and it shows the existing Candlewood Drive subdivision and the site under consideration - parcel 1-5A – 19 acres. That is the potential site. Candlewood Drive subdivision as approved by the Planning Board is not how it was actually built. The second egress from Candlewood to Farm Street was never constructed. It was done that way one because of an error on the part of the applicant and one error on the part of the then PB consulting engineer. Let me be clear, I am not referring to the current engineer. The Assessor's map shows what was approved, but not what was built. The second page shows how Candlewood Drive was actually built (shaded portion) and the relationship of the proposed project to Candlewood Drive. The third page is an aerial photograph. The fourth page is a preliminary concept plan. There are a couple of things I would like to point out. We are showing a lot of wetlands on this, but we know that it is not all wetlands. I would also like to point out that the owners of this property, the same family, owns property on Village Street and they do not desire to use that property for another access to this site. The owners are the Wasnewsky Family Trust. It is an 18.34 acre site. I have also prepared a fact sheet.

MATT HAYES – I have a question on land ownership. How does Marvin Development fit in?

Paul Yorkis – We propose the access to be a private road 24 feet wide, through this right of way stub off of Candlewood which is owned by Marvin (Vincent Manzelli). We would shift the road construction within the right of way toward the east (toward 14 Candlewood) to have more room between the road and the house to the west of the ROW stub (at 12 Candlwood.)

KARYL SPILLER-WALSH – Does the shift save the pine trees?

Sat Bir Khalsa, 12 Candlewood – One of those trees is already gone.

MATT HAYES – This is a very interesting plan.

Paul Yorkis – What we are looking for this evening? We are not seeking approval. We know we are the guinea pig under the new OSRD. We would like to schedule a site visit. We are looking for some guidance on the number of units. Some of the garages are side loaded. These will not be your cookie cutter dwellings. It will be all condos. The radius of the cul de sac circle meets the requirements for emergency vehicles. We have taken this as far as we can go without getting some guidance from you.

MATT HAYES – Do you have an architect yet?

Paul Yorkis – Not yet. It is premature at this point. These are not all going to be white with black shutters or all the same. The floor plans may be similar. The facades will be attractive and different yet complimentary.

Mike Newman, 9 Candlewood Drive – Any estimate on house prices?

Paul Yorkis – I can't answer that yet. It depends on the Planning Board's requirements. There is a big unknown right now is the number of units. We have to do a lot of engineering to have the drainage system work. All of that ends up being part of a formula for John to use to consider size of the units.

MATT HAYES – What is the road length?

Paul Yorkis – We don't want to get into an argument on dead end lengths, etc. under this bylaw.

MATT HAYES – Where I was going with that is to ask if you could determine the ownership of the access way between this site and the end of Island Road and find out if there could be egress there.

Mark Louro – Is Candlewood an accepted street?

Paul Yorkis – It is not.

Mark Louro – Can the board approve a plan that requires access over a private way?

Paul Yorkis – This new road will be owned by Mr. Claffey and then by the condo association.

MATT HAYES – Did you state earlier that you would be doing some work on Candlewood?

Mark Louro – When would you be doing that work?

KARYL SPILLER-WALSH – What seems to be the big issue is the number of units and the traffic that will be funneled thru the Candlewood subdivision. They will never have the other through street out to Farm Street.

Paul Yorkis – The property owner's preference is not to create another access thru to Village Street.

KARYL SPILLER-WALSH – This is going to have a huge impact on the Candlewood neighborhood.

Paul Yorkis – Right now there is no cut thru from Candlewood out to Village Street. The owners do not want to do that but they do want to convey the property. The site works at 20 units.

MATT HAYES – I have no desire to see a road come thru the open space to Village Street. It would certainly ruin the open space.

KARYL SPILLER-WALSH – As a creative beginning to this project and considering where there are pluses and difficulties, I think it is an excellent idea. I think the site calls for something like this. Something is going to be developed there. This is an appropriate concept for the site. What I see as difficult is the number of units. I do have a very big concern about Candlewood and its egress to Farm Street. I feel that the numbers are very high and I would probably like to see some singles mixed in.

Paul Yorkis – We can't do it. It is economically impossible.

CHAN ROGERS - What portion of land is being developed?

Paul Yorkis – The total parcel is 18.34 acres. The developable part is 4.5 acres.

CHAN ROGERS – What will you do with the balance?

Paul Yorkis – It will be open space. We would want input from the Planning Board as to whether it should be owned by the condo association (or the town). We would want the walking paths to be open to the public.

Mark Louro – What is status of your discussions with Dave D'Amico (DPS Director)?

Paul Yorkis – Susy provided us with documentation on what needs to be done at Candlewood based on old punchlists. Dave's staff looked at it and said if we did all that, it would be OK. I would be happy to ask Dave D'Amico to do a letter for you. We met with Susy soon after the town meeting approved this bylaw to chat about the project. She asked us to not contact other boards at this time.

Mark Louro – Are there any current sight distance issues where Candlewood meets Farm Road?

Paul Yorkis – It is our belief that the occupants of these dwellings will not necessarily be occupied by large families. These will be 3 bedroom units. The indications we are getting is that people are downsizing. There are people who live in Medway now and want to stay here but want something a bit smaller.

ANDY RODENHISER - Within the regs, what is the formula we use?

MATT HAYES – If they had to provide 20 acres of open space, 10 acres would have to be uplands.

Paul Yorkis – If, at some point in time, you need us to thoroughly flag the site, we can do that.

David Faist – A plan was done in January 2005 where the wetlands were flagged by Paul Robinson.

Paul Yorkis – Several years ago I was involved with the sale of this land.

MATT HAYES – What size units?

John Claffey – About 2,000 sq. ft per unit.

MATT HAYES – The issues as I see them are the length of the roadway. Also, the fact that there is only one actual access out to Farm Street from Candlewood.

Richard Sousa, 14 Candlewood – The work that needs to be done to get Candlewood accepted is what?

Paul Yorkis – The catch basins need to be cleaned and corrected. There are some issues with the sidewalk and curbing. The detention pond needs to be dredged out. If the Board were to approve this proposal, we would expect they would require us to get Candlewood into shape to be accepted.

ANDY RODENHISER – Wouldn't another issue be the matter of the second outlet?

Paul Yorkis – There was an agreement on Candlewood with the Planning Board to not build the second access.

CHAN ROGERS – This board is not obligated to accept any prior agreement.

Tom Anderson, 16 Candlewood – With the regs you are going under, the open space would be available to the public so the traffic would come thru our street.

Paul Yorkis – The open space will be used most frequently by the residents of Island Road and Candlewood.

Mark Louro – The board has to be confident that they can approve a plan that is not accessed from a public way. Legally, you may not be able to do so.

Paul Yorkis – The issue is whether there is “access” to a road that is shown on a duly approved plan.

Mark Louro – The town needs to be comfortable with that.

MATT HAYES – Susy, we need to do a letter to Town Counsel on this.

KARYL SPILLER-WALSH – I have more concern about access to Farm Street.

Sat Bir Khalsa, 12 Candlewood – I have real concerns about the number of units. This is not in keeping with the nature of the neighborhood. It would be strange to have condos stuck back in there. My real concern is the traffic and I am sure my neighbors would confirm that. Isn't there a road from the treatment plant out to Village Street?

Paul Yorkis – Yes, there is a privately owned driveway (off of Village Street) to the Charles River Pollution Control facility, but it does not connect to this parcel.

Resident ?? - You mentioned that less than 20 units is not economically feasible?

Paul Yorkis – 20 units works. Less than that, then Mr. Claffey and the current property owners will have to reconsider.

John Claffey – The owner of Candlewood Drive (Vincent Manzelli) doesn't care what happens there, as long as the roadway work is done and he can get out it.

John Claffey – It will be cheaper for me to fix that road than it would be for the Town.

Paul Yorkis – The cost of taking the Candlewood bond is probably more than the bond balance.

Paul Yorkis – The last item on our fact sheet refers to a private agreement between the applicant and the owner of Candlewood is to handle the issues that VHB has identified, to the satisfaction of the Medway DPS.

ANDY RODENHISER – Will the owner of Candlewood turn over the roadway completely to Mr. Claffey?

Paul Yorkis – When a private agreement is in place, based on an approval of this project, Candlewood will be repaired to become a public way. If I were sitting in your seat, I would have one of the conditions of approval be to have this be done.

Paul Yorkis – We will do the work, prepare the as-builts, and do the punch list to DPS' satisfaction.

KARYL SPILLER-WALSH – That doesn't solve the access issues.

ANDY RODENHISER – We also have to address the bonding issue and possible legal fees. It looks like a great project. I believe the residents will benefit from this but these things can blow up in your face.

Paul Yorkis – I think the Board expects an applicant to use candor when they appear before you and let you know what they are trying to do. There are certain financial issues we are not able to disclose to you. As it relates to the street, we know work needs to be done. We know there is a scope of work outlined by VHB. We have met with DPS. We are as aware as any applicant can be on the process involved. We are confident we can address these issues. We need to know if this proposal is workable. Is it reasonable? We need guidance and direction from you, we have proposed 20 units.

CHAN ROGERS – What legal pitfalls do you see Andy?

Paul Yorkis – We will use the punch list.

CHAN ROGERS – They have agreed to bring it up to a condition to allow it to be accepted.

John Claffey – Also, part of the agreement with Mr. Manzelli is use rights over Candlewood Drive.

Gino Carlucci – The agreement to access and have rights to use Candlewood should be in place at the time of application.

Paul Yorkis – One of the attorneys can provide that.

Mark Louro – Will CLAFCO own Candlewood?

John Claffey – I will own the stub (50 ft. ROW between 12 and 14 Candlewood.)

Paul Yorkis – The current owner will not touch Candlewood to finish it up. We have tried to look at the project, the context, the neighborhood, and believe perspective is fair and reasonable considering all the parameters.

MATT HAYES – Does the board feel that this is a workable plan and want to give them some direction?

KARYL SPILLER-WALSH – The fact that we have spent an hour on this, I believe we all feel there is a tremendous amount of validity to what you are trying to do. It is going in a good direction. This time shows a good faith on behalf of the Board that we are interested in working with you on this project.

CHAN ROGERS – I second that but I don't think the impediments that Andy mentioned are really problems.

ANDY RODENHISER – The only real issue is access over Candlewood.

Paul Yorkis – I would expect that your approvals would allow for public access to the open space.

ANDY RODENHISER – This is in the spirit of what we are trying to do with open space, so these neighbors don't have bulldozers clear cutting the entire area.

CHAN ROGERS This is a tremendous example of what can be done so you don't have to spread out houses.

MATT HAYES - So I take it that the board is generally positive.

KARYL SPILLER-WALSH - I am not happy with the numbers.

MATT HAYES – I will want to see a traffic study.

CHAN ROGERS – I second Karyl's position that we should move ahead with the approval of a concept.

Paul Yorkis – We need guidance. Is 20 units an acceptable number that we should use in a traffic study? We need to know that for trip generation numbers. If we use the number 20 for a traffic study, I will call it a preliminary traffic study, and take all of Candlewood and add to it 20 condo units, is that the direction we are getting?



ALAN DETOMA – Another concern I have is the legal aspect of Candlewood. There was some earlier discussion as to whether the legal road is what is on the plan vs. the actual as built.

Paul Yorkis – This board routinely recommends the acceptance of roads from station A to B. It would be my position that if the road is brought up to standards, you would recommend acceptance of that portion that was built.

Mark Louro – Was the Candlewood plan ever formally modified to reflect the non-build status of the second access to Farm Street?

Paul Yorkis – Everyone understood that that portion of Candlewood wouldn't happen. It would have been a negative for everybody to have it constructed. People sought a way to move forward.

Paul Yorkis – Regarding the issue of what gets deeded to the town, Susy now requires that deeds get prepared. That would be that would be one of the early on details. The undeveloped strip could be deeded to the Town. That is a solvable issue.

CHAN ROGERS – We should do a motion of support.

Susy Affleck-Childs – I would advise you to not take any vote. This is an informal discussion with no abutter notice.

Paul Yorkis – I hear your concern is whether 20 units work in terms of traffic.

John Claffey - So we do a traffic study, then what?

Paul Yorkis – We would do the application for a special permit and bring in a traffic analysis at that time.

KARYL SPILLER-WALSH – Included in this traffic study should be some discussions with the neighbors.

MATT HAYES – I don't think that is input for the traffic study, but for the public hearing.

Paul Yorkis – I would like to thank the abutters for your comments.

NOTE – Send Tom Anderson ([tom.anderson@fmr.com](mailto:tom.anderson@fmr.com)) the OSRD bylaw.

### ***Consideration of Site Plan Modification – 159 Main Street/Paul Yorkis***

MATT HAYES – Before we begin, the site plan bylaw was changed by town meeting (June 6, 2005) but it has not yet been approved by Attorney General's office. However, I believe we should go forward as if it is working. That would mean we can approve a site plan modification.

Paul Yorkis – My biggest priority is to get the steps installed as soon as possible. I really need to try to get this done. I have the material.

MATT HAYES – As context, we are considering a site plan modification. This project was previously approved. The Zoning Enforcement Officer determined that the additional work constituted a minor site plan modification.

CHAN ROGERS – What part is new?

Mark Louro – A newly graveled driveway, the turnaround, and the proposed steps.

Paul Yorkis – I am happy to do nothing until the AG comments are in.

Paul Yorkis – Let me provide some more background to your new members. To correctly build the paved parking area in compliance with ADA and AAB rules and regs, I needed to install a ramp on the east side of the building and install a level parking area. We did both of those. As a result of that, the slope on the back portion became very severe for drainage and it was impractical. It created a blockage to the garage. So now there is a retaining wall, and the slope is not as severe and then it is level, and a turnaround area that was basically eroding is now graveled so that you can now drive the vehicle in around the building. You do a 6-7 point turn and unload things at the garage and then come back out. The slope is still too steep to walk on comfortably between the garage and the house so we propose to build a steps with old granite curbing. To reduce some of the overland flow, we now have the downspouts piped under the driveway and out to the back yard. There is no erosion anymore.

ANDY RODENHISER – What kind of slope is there from the top of the gravel turnound to the base?

Paul Yorkis – It is graveled now. At the back of it, we put a lip to stop the sheeting action that was going down the hill.

ANDY RODENHISER – How steep is it off the back?

Paul Yorkis – That is not a parking area, it is only a turnaround.

ALAN DETOMA – And you can't drive off of this.

A motion was made by Chan Rogers, seconded by Andy Rodenhiser to approve the minor modification to the site plan for 159 Main Street, as depicted on the sheet titled Sketch Changes 6/29/05 by Paul Yorkis and the application for Site Plan Modification dated June 29, 2005. The motion passed unanimously.

Susy Affleck-Childs – We do need to write up something for the Board's signature and for filing purposes.

Paul Yorkis – Do I need to wait for that?

MATT HAYES – You may go ahead and begin work.

## **OTHER BUSINESS**

### ***Set Plan Review Fee for Pine Meadow II Definitive Subdivision Plan***

A motion was made Andy Rodenhiser, seconded by Alan DeToma, to approve the plan review fee of \$3,295 for VHB's services for the Pine Meadow II Definitive Subdivision Plan. The motion passed. Matt Hayes recuse.

A motion was made by Andy Rodenhiser, seconded by Alan DeToma to approve the plan review fee of \$450 for PGC's services for the Pine Meadow II Definitive Subdivision Plan. The motion passed.

### ***Construction Observation – Mark Louro***

Country View Estates – As you requested, I prepared a master punch list. There are 50 items plus all the work for Phase II on Stable Way per the plan.

Susy Affleck-Childs – How do we want to handle this? I can forward to Greg Whelan. A few neighbors asked for the list.

Mark Louro – I will forward it to Bill Canessi, Greg's contractor. I want to make sure that he understands the scope.

Hartney Acres II – They have started installing the drainage. They are working their way from the cul de sac at the top of Blueberry Hill toward Nobscott.

ALAN DETOMA – They are starting work very early, at 6 am. What does the zoning say about that?

NOTE - Mark Louro leaves at 11:20 pm

### ***Smart Growth Technical Assistance Grants – FY 06***

Gino Carlucci – These funds are available to assist towns. One of the higher priorities is to implement recommendations of the EO 418 Community Development Plans. The idea is to go forth with a zoning overlay district for C1 and C2 and also to look at some Low Impact Development (LID) stuff. There is an interesting twist. The state also has these Commonwealth Capital applications. For all other grants, the higher your Commonwealth Capital score, the better. But with this grant program, the lower the score is better because its purpose is to help towns improve. So it would involve a 2 step process to prepare the Smart Growth grant and to prepare the Commonwealth Capital application. It is not a big deal. That would just involve tweaking the existing Commonwealth Capital application we did back in May. Some grant applications are very involved and complicated. I am 90% sure this is not too involved. I could come up with an estimate of how much time it would take to put this together and a rough assessment of our chances.

MATT HAYES – Wasn't there a workshop on this recently?

Gino Carlucci – Yes, it was yesterday. They mostly covered the Commonwealth Capital program. I think that the two items we are looking at are exactly in line with what they are looking for. And our Commonwealth Capital score was in the range of 54-58 out of 140. That isn't as bad as it sounds. It was slightly below average although it is going to go up because of the approval of the new OSRD and stormwater bylaws at town meeting.

Susy Affleck-Childs – How many hours do you think, 15?

Gino Carlucci – I don't think it would be that much.

A motion was made by Andy Rodenhiser, seconded by Alan DeToma to authorize Gino Carlucci to spend up to 15 hours to prepare the Smart Growth Technical Assistance grant application and Commonwealth Capital update. The motion passed unanimously.

MATT HAYES – Gino, I would like you to get back to me this week with a more specific estimate.

Gino Carlucci – Will do.

### ***Committee Reports***

ANDY RODENHISER – On the permit streamlining project, I will continue to talk to people and build a consensus. I would really like to get somebody out here from the state to talk to the town about this program

MATT HAYES – I would like Susy to work with Andy Rodenhiser on a date to have them come out.

### ***Summer Meeting Schedule***

Susy Affleck-Childs – Due to vacation schedules, I would like to request that we change the August 23<sup>rd</sup> meeting to August 30<sup>th</sup>.

ALAN DETOMA - I am away on both those dates.

OK for everybody else.

### ***Invoices***

PGC Associates for \$927.50 for FY 05 consulting services. Motion by Alan DeToma, seconded by Andy Rodenhiser to authorize payment of \$927.50 to PGC Associates. The motion passed unanimously.

PGC Associates – \$192.50 for plan review services. Motion by Andy Rodenhiser, seconded by Alan DeToma to authorize payment of \$192.50 to PGC Associates. The motion passed

WB Mason – \$77.71 for FY 06 office supplies. Motion by Andy Rodenhiser, seconded by Alan DeToma to authorize payment of \$77.51 to W.B. Mason. The motion passed unanimously.

VHB, Inc. – \$463.09 for FY 06 Contracted Services. Motion by Alan DeToma, seconded by Chan Rogers to authorize payment of \$463.09 to VHB, Inc. The motion passed. Matt Hayes, recuse.

VHB, Inc. - \$1,879.12 for construction observation services. Motion by Alan DeToma, seconded by Karyl Spiller-Walsh to authorize payment of \$1,879.12 to VHB, Inc. The motion passed. Matt Hayes, recuse.

### ***Chapter 61A Land Sale - Briggs property on Adams Street***

Susy Affleck-Childs – The Planning Board received official notification that Mr. Briggs intends to sell his property. The Town has 120 days to match the offer. This is the project that Jim

Wieler has been working on with Mr. Briggs. The idea is for the Town to buy this property, with CPC funds, then lease it back to Mr. Briggs so he can farm it. Then Mr. Briggs will put some conservation restrictions on some adjacent property. Normally, the BOS would refer this to the Community Preservation Committee for review and recommendation.

### ***BOS – Sign Bylaw Enforcement***

MATT HAYES – The BOS discussed this last night. They have directed Bob Speroni to come up with a plan of action. I went to the BOS to discuss a complaint system. Susy had done a draft letter for their consideration and she had drafted a complaint form to notify the BOS or Bob of an alleged violation. So, Bob is in the process of drafting a response to the BOS on how to handle these matters.

ANDY RODENHISER – They were also talking about not renewing business licenses on an annual basis if he signage does not comply.

MATT HAYES – Right now, we are looking at a friendly kind of warning system.

### ***Sick Leave - Susy Affleck-Childs***

Susy Affleck-Childs – My knee surgery is scheduled for September 29<sup>th</sup>. I have mentioned it to Kent Scott and he has asked the PB to prepare some notes and options on staffing support while I am gone.

A motion was made by Alan DeToma, seconded by Andy Rodenhiser to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 11:55 p.m.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant