

December 5, 2006

PRESENT: Bob Tucker, Andy Rodenhiser; John Schroeder; Chan Rogers; Karyl Spiller-Walsh

ALSO PRESENT: Paul Carter, VHB; Susy Affleck-Childs, Planning Board Assistant; Gino Carlucci

The meeting was called to order at 7:02 pm

Chan Rogers – I would like to make a statement – at the end of the last meeting I made some statements which I regret – and I apologize to the board and the IDC – I have found I was totally in error re; their - I wish to compliment the IDC re the work they are doing – I make this apology – the town needs the cooperation of all the boards

Karyl – what a wonderful statement

Bob – very nice

Andy – thank you

CITIZEN COMMENTS - None

Andy – one of the things I talked about with Gino as part of the 43D grant to get some power point equipment for Sanford hall – to be able to show

Daniels Village ARCPUD Special Permit –

Rob Truax, GLM Engineering
Kenny , Barberry Homes

Rob Truax – this is the latest and greatest layout we have come up with – tonight we want to go over the layout, give you a general idea of how the drainage system works and get your blessing on the layout so we can turn this over to the landscape architect – you have seen the most of this a bit – we did a little more reconfiguring – we are now down to 80 units - - opened up some spots – there were some significant trees that you showed us – unfortunately, we can't save the trees – this is the high point of the site, I can't raise the site to meet and bring in massive amounts of fill – it is a catch 22 – they are in a bad spot – down in another area to the south, we are able to preserve some trees and a wall and bring the path through there - to design the whole site around 2 trees would be really difficult –

Bob – you have a pretty good size cherry and hickory

Rob – I didn't see a 61 inch hickory – I have seen the two really large trees –

Andy – so the big ones will be lost . .

Rob – yes

Karyl – it is right at the edge

Rob

Andy – the road system will cut away the roots

Rob – yes – the grade goes from 238 to 228 – we need that to balance the site –

Karyl- how large is the retaining wall – how realistic is it to take out the building and put it somewhere else

Rob – doesn't matter – I have to get the road cut through here – we are working the site as a whole – I can only jump buildings by about 1 foot – it is hard to work the site like this for the over 55 – I have done four of these over 55 developments – need to have gentle grading –

Bob – you would end up with a grading plan like out at river bend – I don't think we want to see that kind of situation again

Rob – we have worked very hard with this final layout – trying to balance the site – getting the drainage to work – preserving the fields –

Andy – of the significant trees that are on that diagram – what will be preserved and lost? Using that drawing, what will be saved?

Rob – I would like the LA to look at this –

Chan – didn't Bob raise a question in an email that I would have thought would have been passed along to you – we would like to know what the balance is between the trees that will go and those that

Rob – we can show them on the plan, we have done the best we can to preserve the tree line – we haven't gone out to locate every tree that is shown on the sketch – we want the LA to look - I can go out and

Andy – when we were last together we talked about the 4 step design process – inventory of existing conditions is to be shown –

Gino – the bylaw talks about identifying the key natural resources on the site

Rob – we have shown the stone walls and the tree lines the rest is open fields – we did not go out and pin point every tree in the tree line –

Andy – we had a gentleman who had come to the meeting at the library who prepared the tree inventory – what we are trying to do is be responsive to a citizen who attended the meetings – I think it is important that we follow the bylaw to identify significant natural resources – and where we will lose

Chan – it helps us to know that you are saving some trees of significance –

Andy – it is not our

Karyl- if the development was one the open space to the right, this conversation would be a moot point, - but where you are proposing to do the development, it is just rich with trees,

rolling , stone walls – it is a shame to have to lose – if there is any possibility of saving, or recreating some – especially trees of shape, character and age –

Andy – if you are going to have to lose some of them, please show which are going to be gone and saved - every significant tree – what is a significant tree

Bob – all the trees that are shown on the inventory

John – 48 inch circumference

Karyl – if it is dead, no – if it has a nice shape

Rob – what is considered large

Chan – I would say 36 diameter

Bob – let him use his judgement

John – we have a tree warden in town, he might go out with you – there are an awful lot of large trees at the front of the site –

Rob – there is a pine in the scenic road layout – we will need to do a hearing

Rob – we are pretty much here to present the layout – we did try to do what you asked – detention area in the front – several infiltration system – some swale – we tried to mix it up – we will landscape the front detention pond to hide it – we don't have to cut any trees to build it

Bob – any way to minimize the size of it? I really hate them. Just creating more wet space out of good land –

Rob – you have to do something with it – it is a low area there – I am building up a dike around it

Andy – what is board's feeling on layout

Bob – I am not a proponent of detention basins – over time they have a tendency to not be maintained and they look horrible – I have one at the end of my street that looks terrible- I don't like the idea of taking good land and cutting a hole into it –

Andy – any other alternative you might suggest

Rob – swale will clean but not do the trick

Karyl – that is a logical use of that area

Andy – is it possible that it could be designed so it won't hold water

Rob – it will infiltrate . . . it is not designed to be a wet basin

Bob – how far out does that big cut go? Couple hundred foot radius mount

Rob – 400 foot diameter knoll

Karyl – I think the discussion on the layout is contingent on what will happen with the trees – try to save some – I think the water concepts are what is going to happen – I think it is a logical solution – basin needs to be there – it will be about landscaping

Andy – I think they are not intending to preserve the mound of the hill line - Karyl, you want to preserve the knoll, - we need to give him some direction on this – if we say we want them to preserve the knoll, what are the tradeoffs

Kenny – we pushed Rob to do – to where the grade change wasn't too significant we tried to keep - I don't really want to change the layout

Bob – as you are going along in that light, just show where you are going to keep or lose stone walls, etc. – to what extent are you going to clear everything

Kenny – on another site, they brought in a tree expert to relocate trees

Rob – I don't think we can take care of those hickories

Karyl – come up with some ideas like that – and discuss the retaining wall – it needs to be a stone wall

Rob – you aren't going to see it – it is on the downside

Andy – will it be visible from within the throp

Rob – you won't see the face of it

Andy – look at the bylaw – stone in appearance – versus lock is the least desirable

Karyl – use some stuff from the stone walls from the site –

Rob – we want to bring in the LA

Karyl – that ties in with the initial discussion on existing conditions

Chan – we started off with a layout that proved to be faulty in terms of circulation – this layout – I think it would help the board to show us a plan that shows us significant natural resources where they will be untouched – for the board to say we approve the site, it is a necessary step to see what natural features are going to be preserved and what is going to be lost – balance – what percentage of the site is going to be left in its natural state – that would help us decide whether the site plan is good or not. I am not ready to say that is a good layout yet

Karyl – ditto

John – the topography that is on there is the existing

Rob – it shows both existing and proposed

John – from what we looked at originally, it is very nice – I can't really tell what they really look like by scraping the 400 foot knoll

Rob – we will try the best we can to show you the impact

Karyl – anything you can suggest that might be interesting to us – reasonable enough to move – that would go a long way to making the layout just fine in my estimation

John – spading of the trees comes with the LA – but before we can get to that, we need

Rob – we will see if we can get some trees –

Karyl – give him that list and see what can be transplanted on the site –

John – get the tree warden's

Rob – I am a little nervous about the amount of curbing

Andy – I think the layout of what you have come up with – good blend of TND and what we are accustomed to – this seems to be a move toward that direction – that seems more familiar

Rob – we feel very good of the design –

Andy – it gives you the density you are looking for

Rob – while it doesn't look as dense

Andy – it pains me to lose the old trees, I appreciate your efforts to save the others – I want to make sure that we consider, and that residents know that we considered it and balancing what is being lost – we see that as a critical piece to moving forward – in general, it sounds like everybody is in favor of what you are showing

Andy – is it OK for them

Rob – if we can get out there and get the trees located and get the LA in – we will take our chances that way

Susy – January 9th

Andy – are we comfortable with 2 roads coming into Winthrop Street – go ahead and get started on the scenic road work permit, then

Andy – the tree warden will measure and use the formula to come up

Rob – just go through what we anticipate as some of the waivers –

Drain pipe – we would like to use all plastic – private site – instead of concrete

5 foot sidewalks – these we will not be plowed by the town – maintained by the condo association

from a dimensional standpoint – narrower grass strip – we will go with 4 feet vs. 6

centerline radius at on eo fhte curves – it gets tight –

andy – fire truck and moving truck templates

rob – we will take it to the fire chief

rob – more waivers

cellar drains – common drian system

roadway slopes – we have gone down to 1.5% in some areas – to keep the cuts and fills

rob – per the building code, the cellar has to be 2 feet above groundwater . . .

chan -0 the second waiver you mentioned – couldyou say that again

rob – width of the sidewalk we want ot do 5 feet instead of 6 ft

chan – you are just giving us a list of the likely waivers

andy – any heart attacks

no

paul – all 2 way roads?

Curbing - asking for vertical concrete throughout instead of granite

Karyl – I will have to think about that

We are not going to curb any of the common driveways – just the main roads would be curbed –

Rob – 22 foot roadways, common drives would be 16 feet

Andy – next meetin g- paul would have gotten the revised plan

Karyl – any tree info you want to submit

Rob – once we complete the final engienernig, we will get packets to you folks and to the various boards

Rob – I expect you will get this around December 15 –

Andy – then perhaps we cold talk about the affordable housing on January 9th – recap everything and those issues –

Rob – maybe the traffic engineer can get some resonses to you

Susy – other mitigation – senior center

Andy – show us the pathways next meeting

John – take trail out to Winthrop Street

Rob – trails will be shown on the landscape plan

Continue to 1/9/07 at 8:30 p.m.

Pine Meadow Redesign

Paul Yorkis – as a result of the meeting that you and Paul Carter attended and the Turis and the Feldmans – there has been a series of revisions, some requested by the Turis, some suggested by Paul Carter – some of a very technical nature e- I met with the Turi's last night and they are comfortable and they have approved it and signed -0 they are very pleased with it – And I have the original and tons of copies which can be

Andy – I am asking, Paul Carter – the comments you have – everything is a go and acceptable

Paul Carter – yes, I have reviewed – they show all the items we asked for –

Bob – what kind of slope does their driveway have coming down to Fisher Street

Paul Carter – I am not sure – 234 to 232 –

Bob – will it be any steeper than it is now

Paul Yorkis – no change to their driveway compared to now

Motion to revise plan – bob, chan – all yes –

Motion to authorize Andy to sign on behalf of the board – bob, chan – all yes

Marian Community – Betania

Andy – we are looking at tonight, overall site plan, locations for septic/wells ; locations for stormwater management facilities – I would like to listen to their presentation – give them feedback directly re: problems or concerns – we are almost starting from scratch without them resubmitting – we are looking for significant this evening

Bill Proia
Rich Coppa
Bill Drexel

Bill – thank you for the board and to Susy for providing followup notes – we have taken those comments to heart and designed a plan here that will really give you a sense – we have a separate open space plan to put up

Black outline is arched site – this reflects the 65 unit plan – shows chicken brook, vernal pool at center of site – shows all the features – we have not encroached on them – met all the standard

setbacks – on the design of the whole project – the board had an interest that the design would be based not just on arcputd, but on the other applicable permits, etc.

3 septic systems and reserve units – all designed to meet the title 5 standards - - shown in brown

blue features are water – oval shaped are detention areas – they have been relocated to maximize setbacks of the subdivision rules and regs – other blue piping reflects the private water supply we are proposing on site – there is a group of units associated with a specific well in a well zone –

by taking out the internal road, we moved another road further west – nicer layout so fronts are along all the roadways

brown pathway – public accessway from the opening woods – this reflects a public access easement with a conservation restriction

andy – septic system reserves?

Andy – does the trail exist presently?

Rich – some does, other parts will have to be built

Bill- the overall design is consistent with the ARCPUD goals and objectives – low impact plan- use existing contours/grades/features – trying to minimize cuts and fills –

Andy – the devotional recreation area – why is it the shape that it is- does it relate to anything specific – what is its purpose – this is a new term since the septic and well thing came in – how does it relate to the infrastructure

Bill – we knew we needed some reserve space in the center- we wanted to keep some space open for that – it also provides some centrally located common space for the condominium to use – walking

Eric – is its shape

Bill – it is at the top of the hill

Andy – should it be a concern that the devotional area and the septic reserves overlap

Andy – are any of them mounded

Bill Drexel – the grading for the septic – but it will be above grade and will match the grading of the duplex units nearby – it will blend in – it won't look like it will stick up out of the ground

Bill proia – consistent grade

Andy- emergency access road? Where is the ridge for the other possible subdivision –

Bill proia – south of here

Andy – will that emergency access crossing of the wetland be a problem

John spink – no, concomb has seen it – OK

Bob – having the expansion area – I can see you meet the letter of the law – it seems like an awfully long distance away – you would have a major repiping effort to round there

Bill Drexel – that can be pumped

Susy – how many wells

Bill Drexel – 11

Bill proia – the Board of Health asked for info

Andy – has there been a determination from DEP?

Bill proia – we have determined that we don't need one

Andy – does the board feel it is necessary to find out more about this

Bill proia – I sent my letter to DEP to Bill Fisher

Adam costa – I can't say – we

Bill –

Andy – could you lay out the basis for your determination and give it to Mark

Gino – if a well serves more than 25 people a day – if they have 11 wells – it seems logical that they are making an accurate system

Bill – the way the regs are written, common ownership aggregation rule – the aggregation is only the units associated to using

Eric – dep is aware of it, by virtue of the fact that they haven't acted –

Bill – I will send it along to mark's office

Andy – I don't think that is now necessary

Andy – how are the soils

Bill Drexel – we will meet with the BOH on 12/11 – we are going to go over the findings – we have done ledge tests – we have computations for the size of the systems we will use – computations for size of reserve areas and show them what we have so far – we want to make sure we take care of any issues they have

Andy – at what point will you be able to say this is the design?

Bill – depending on how the BOH handles this

Andy – VHB

Karyl – is there any limitation on how far away a reserve area can be away from the septic

Bob – it has to be on the property –

Andy – pumps

Karyl – the devotional area of land – how will it be done

Bob – piping will be a cut and cover

Bill Drexel – forced main pipe it will follow the terrain – but several feet deep

OPEN SPACE PLAN

Bill – table showing the various categories of open space –

Bill – Dave Travalini had wanted to see where the vernal pools are in terms of open space

Orange line – protected space – subject to conservation restriction –

Bill Proia – wanted to show that we could have more open space along the roadways –

Bill – we meet or exceed all the tolerances -

You had also asked us to show the septic facilities in terms of the open space –

Andy – the retention areas you show – are those iconic or actual size

Bill Drexel – actual size

Andy – are you still using LID techniques

Bill Drexel – that is correct

Andy – are you having swales on either side of the road to collect the water

Bill Drexel – by and large, there are not swales on either side of the road –

Bob – what is big area in the middle

Bill Drexel – it is part of the church lot where the statue area

Andy – what you are looking for from us tonight is a greenlight on conceptual

Bill – what Eric said last time is to come up with the drawings so we can really understand

Karyl – it is much clearer

Bob – your walking paths – were those intended to be open access?

Bill – one main pathway through would be public – to be used for any purpose that sidewalks may be used

Rich – but not 4 wheelers

Eric – signage??

Bill – yes, something –

Karyl – going back to the devotional land, why isn't that included in the open space –

Bill – the major reason is because we needed the area for the septic reserves – we want to allow that space to be used for community activities – we wouldn't want to make it protected open space – more of a common gathering area

Andy – I would think

Bill – I just didn't see passive recreation defined very well – I want to make sure that they can use it as

Andy – they could continue to use it as they saw fit

Gino – I suppose, I do see his point to not restrict them for something they might want to do in the future – they have met the open space requirements – this would be similar to that areas around the streets

Karyl – one thing we asked you to show us are significant features of the site – interesting things such as stone walls, large trees, pine grove – mature and very beautiful on this site – and then we asked you to show where some of these features will be retained – on that devotional land area that may or may not be open space – what exists on that area? What items would have to be removed for the community to use that space?

Andy – that seems like a daunting task

In this instance, there is forested uplands – do you want to see every tree

John Spink – in the devotional area – that is the top of the knoll – there are outcroppings up there and oak trees up there – and they run from about 18 inches across and down – those are the significant things that are in the area

Andy – Karyl, what are you asking for?

Karyl – what are the noteworthy features of that devotional area

Andy – for the areas that aren't included in the open space, please include the significant

John Spink – what are you really looking for

Pine grove is on lot 3 – not on the arched lot

Bil Proia – may I make a suggestion, maybe one of the aerial photographs

Karyl – from Kimberly,

John – we will walk it with you

Gino – under identify conservation areas – steep slopes, mature woodlands, etc. . .

Andy – does the 4 step design process apply here because of the date of their application

Susy – I would say that is correct

Karyl – no, this is a special permit so we can

Eric – I think that many of the nature features we are interested in are not on the ARCPUD parcel – so personally, I feel like I have adequate information – I am curious as to what is on the other associated parcels like lot 3

Andy – which is to be part of another discussion

Bill proia – the community still has a need for some under 55 housing – we will have to grant an easement over lot 3 for the trail to keep it going – so to that extent lot 3 is related to this – we don't want to lose the right to develop some under 55 housing for the community

Karyl – I think the purpose of these plans was to provide info and clarity to the board – so now we now where all these things are . . I think that communication has been very successful

Chan – do you have any plans that would require man made construction in the devotional areas

John – it is part of the arcpud parcel and will be limited as the special permit will do –

Chan – I don't want to

John – non committed open space

Eric – I know the conglom was very concerned about protecting the vernal pools – the small vernal pool –

Rich – we can expand that area per the open space

John – conglom will make us

Bill – a lot of these things are redundant in effect

Andy – our intent is to be congruent

Bill - no problem to extend the orange area around that vernal pool

Karyl –

Bob – large trees, ledge outcroppings,

John – could somebody just walk the site with us

Bob – ask the tree warden to visit the site with you to ID what to protect

Bill- could we do that in conjunction with an aerial photograph

Andy – we don't want to do something that is overly burdensome

Susy – not just trees

Rich coppa – stone walls, outcroppings

Karyl – is it possible to spade or transplant any sizeable trees – that might be of interest to us or replicate any stone walls that are in the middle of your roads

Karyl – referring to the open space- the shape and usability – most of it – although the numbers meet and exceed the requirements – the accessibility and usability of the open space is not the most attractive – most follows the brook and vernal pools – to my eye, it is not a very attractive/interesting proposal in terms of what can be – I think it could be bigger and more of it – of all the ARCPUD projects, this is probably the least interesting open space

Bill proita – to tie it back to the ARCPUD bylaw – I don't see these as insignificant

Karyl – I see the open space as very fractured – the pathway is already there – I don't see this as a massing of land that would be usable or visible – the lands you are proposing as open space are buffers, etc and not really massing for the town

Bill proia – my understanding of the ARCPUD open space is that the function is supposed to be for screening and density

Andy – or centralizing density so to preserve large tracts of open land

Karyl – you would have to do buffers, and setbacks any ways

Bill – this land doesn't lend itself to open fields

Karyl

Bill – who would use it? I read it as to the extent

Andy – to preserve land in its natural pre-development state to recharge aquifers and passive space – wildlife habitat

Bill – I think we have done that with the setbacks and all the open space

John – the devotional area is open space under the ARCPUD – but it may not be permanently restricted open space

Andy – it will remain as open space because it is subject to the special permit

Bill – we could come up with some better potential uses for the site – clarify that – show it on a drawing or create a condition for the special permit that would limit or prescribe how the devotional area

Andy – what type of situation are we going to be getting ourselves into

Adam Costa – you have 4 categories of open space – I understand you don't want it to be "protected" – why don't you identify that area as one of the other types of open space

Gino – it could be part of the general open space – it wouldn't be significantly different from the other open spaces – restriction on what would happen to the land

Bill – general kinds of uses – gardens, walking paths, picnic area

Kalry – devotional recreational area

Adam – if the board wants it to be open space – we can work with them on coming up with conditions

John – I am pretty comfortable with it the way it is

Bob – I think they are heading in the right direction

Chad – I am comfortable with it the way it is – they can't use it as open space but not count it in Open Space

Eric – my primary concern is if there was potential for them to put a large structure on it – that would not

Eric – it functions as de facto open space

Kary – I am just cautious that it is an enigma right now – what is the plan for how it is to be used – be clear

Bill Proia – when we had back when submitted a conservation restriction – there were a couple of ways to describe the easement – we can look at this similarly – we can do that –

Karyl – this is the central massing of land in the project and it is not described

Bill Proia – point taken,

Andy – the wetland crossing –

Bill Proia – we will file our application again with the ZBA once we get closer to working it out with you

Andy – as we look at what we have seen this evening, is there anything you want to communicate to the applicant to get on this

Bob – no, I hope this is the last time we see this get revised

John – no, I think it comes down to the water, technical

Chan – I don't want to see this again

Karyl – I want to make sure these little detention ponds – how will this work - also comments

Eric – I think we have told you everything

Andy- nice job on everybody's part

Andy – next issue we will deal with stormwater management . . we need to deal with what mounded systems will do to -

Paul carter – they have our comments that they haven't responded to – the spacing of the detention areas may change because they are proposing an open space – use the road to convey the stormwater – there are a lot of things that need - as far as the septic systems go, they will meet with the BOH – the septic system plans as they would get depicted on the site plans, the grading would be important – until

Bill Drexel – the grading for the septic - we need to get that all together –

Andy – so you will need landscape plans for the DRC

Paul carter- the only landscape plan submitted so far are for the circles

Bill Drexel – we did have typical landscaping detail for the detention areas – that was shown on the architectural plans – I will transfer that to the site plans

Karyl – the detention ponds – naturalized form instead of repairing a standard oval

Andy – lighting – street area

Bill Drexel – at driveway entrances – being a wooded area and scenic – I think light would be a distraction to the animals that are living there-

Rich coppa- post lighting at end of each driveway

Bill Proia – we will submit a lighting plan and take your comments on that

Susy – next public hearing would be on 1-23-07

Bill Proia – could the PB look at the wetlands crossing issue for the ZBA special permit – I think the above ground issues are separate – I think we can do that separate from the ARCPUD public hearing

Paul – I would suggest the flood plain crossing is pretty integral to the site plan – it has been a contentious issue – it is the main access to the site – we have talked about the types of structures – what it looks like, what the elevation of the crossing will look like

Bill Proia – it is where it is at – that isn't changing -

Bill Drexel – the nuts and bolts of the bridge are not necessary for the flood plain review -

Paul – the board is interested in what the bridge looks like – elevation views - there are still some questions, I don't see why that can't go forward as the site plan continues to go forward – why does it need to predate as it is the main access – you have our comment on the crossing plans

Andy – how does the board feel

Chan – there is a function by the bridge – the character of the bridge may or may not be impeded

Andy – the building inspector has told us that

Bill Proia – we understand that the board wants to see what it will all look like

Paul – one of the comments – the plans you have submitted are not consistent – inconsistent between height of culvert and height on plans - there are questions whether the sidewalk needs to be continuous through the area –

Bob – I don't remember us coming to a resolution on this – we are trading water here – you need to come back, review what you have, address the issues, and come back to us with what is proposed to do – let's get through the hurdles you have already created and then go forward

Bill Drexel – you have plans submitted to the board that show what the crossing will look like - the nuts and bolts is rather immaterial - you are more concerned about what it looks like – I need to know that now – we need to have the input from you - we need to have that info from – we haven't gotten any feedback on the bridge design

Paul – we reviewed it and gave you comments, you have been working on other things

Bill Proia – it sounds like you don't want to create any division

Andy – I don't want to talk about the bridge but I guess we have to – we want to move this along, but we aren't comfortable with doing it in a way – this has been a contentious issue –

Karyl – the last thing I remember in dealing with it was the size of the culverts – the functionality of it hadn't been resolved it –

Bill – we are trying to give you enough info so that the function is analyzable so you can give a recommendation to the zoning board so that the floodplain bylaw was served – there are some things that relate to the ZBA inquiry and there is stuff that you need to review per the ARCPUD – we just want to get the ZBA going – I am hearing that you are not comfortable with it

Andy – let's just imagine that all the other information was in, we could close the public hearing and vote

Bill – we want to keep it part of the general process . . . I think we made a lot of progress tonight, so reconnect –

Andy – let's maybe put a separate meeting aside for that topic –

Bill – meanwhile, we have Paul's comments and we will respond to that

Andy - comments from the audience

8:15 on January 23 -

citizen – I am dying to move into this property – I am living with my son –

paul – due to the size of this project – we need a full 3 weeks to review

rich coppa – you really aren't stopping at ground zero

bill Drexel – if we knew what we were doing the bridge,

paul – you have to address our comments on the bridge

bill Drexel – we were hoping to advance the flood plain

andy – when paul reviews a set of drawings, it is for us – the need to review them from ground zero and there are subtle changes, we own it and we are putting our name on them. We endorse plans knowing that our engineer has reviewed it and is satisfied

bill proia – so for the 23rd, could we have a checklist – check time??

andy – we will give you a list – susy and I will prepare it for you – each time we meet on this and the changes you have brought about are major – to characterize this that we are dragging our feet or remiss in our responsibilities, I don't think that is a good characterization of what is going on

eric leaves at 9:50 pm

Construction Observation reports from Paul Carter

Andy – On Saturday, susy and I will be meeting with the BOS on interviews of town council candidates - we have been asked to prepare some questions and scenarios that we could present on Saturday

51 Alder Street – AZZ/CGIT draft site plan decision –

motion by chan, Karyl – all yes, bob abstain from voting as he was not present at the first public hearing

Medway Gardens/extra mart site plan – letter from CME requesting former PB fees

John – the only date they can really go by is the date they actually apply –

Andy – what is the differential amount

Susy –

Bob – what is that they already paid?

Motion to pay the full amount- bob, Karyl – all yes . . .

Village at Pine Ridge – OSRD Special Permit

Motion by Chan, seconded by John

Board signed -

Gino’s review – completeness review on Medway Gardens/XXtra mart submission –

Andy – we have some emerging problems on this – differing opinions on whether a service station is allowed in the district

Gino – the Commercial V district allows for retail uses –

Karyl – “auto service station – definition – any building, land area or other premises . . . “ – from the medway zoning bylaw . .

Karyl – Commercial V –

Gino – I would think it would not be an allowed use here – but the hook that may result in the interpretation of retail is an accessory use . .

Susy – gave a history

Andy – we have to go through the planning process and wait for the building permit

Andy – can we deny this

Gino – site plan approval is not about denial – use is not the PB’s discretion to make –

Karyl – others have said that

Bob – I don’t see how we can even accept this application due to the

Chan - I think we acquiesced in this process – we even felt that this was a good use for the site

Andy – Matt Hayes met with Bob and the Avellinos – the size and scale of the proposed project was much less than what is presently being pitched -

Andy – they went to the DRC

Bob – I don’t even see how this is allowed in Commercial V.

Andy – we need to go back and correct this

Andy – I understand we are not in a position to deny

Karyl – we were hoping the problem

Chan – I remember that we had sort of agreed

John – if you are going to have a gas station, it should be allowed on the edges of town

Andy – we have to stay on topic – we have a site plan application – we are going to have to deal with this on January 9th –

Andy – Gino, what are our options?

Karyl – I don't think we have enough info – I think we need legal advice –

Andy – you are not going to get it

Karyl – we have attorneys that are citizens in the town of medway –

Chan – what does the record show?

Andy –

Karyl – I will supply what I can find out

Chan – you are backing off what you had agreed to do

Bob – this didn't exist

Karyl – we were hoping the problem would go away,

Chan – we thought this site would be a good for that use – initially I thought that the ZEO was go in beyond his authority – eventually we felt it would be OK –

Andy – Matt had a conversation with Bob to get some clarification – I called Bob on Monday to try to get up to speed – today he was out at a training session so he wasn't available – we have to focus on the task before us – I will try to get us some advice

Susy –

Chan – I think we are being dishonest here to vote a higher fee for this applicant when you said that you would not vote to support this - we couldn't contest

John – bob and Karyl both feel the use is not allowed in that district -

Karyl – what has been happening so far, we have been trying to make it palatable to the town – we have been trying to make the scale

John – because they have haven't

Chan – we all agree it is not an allowed use, but the building inspector has determined that it is

Does the PB have a right to approve a site plan when it feels the proposed use is not allowed?

Gino – legal counsel can't tell you how to interpret the zoning bylaw – he can tell you what he thinks, but it doesn't have any authority – bu

Karyl – but they can tell us whether we have any authority to deny based on zoning use

Andy – john feels that it is either an allowed or not allowed use and the scale doesn't matter

Karyl –

John – because it is an allowed in C6 by special permit, is it allowed anywhere else?

Gino – C1 and C2 by special permit – but nowhere else

Chan – we agreed with that, but we were stymied by Speroni's decision

Andy – it all comes down to what you define as being agreed to?

Chan – we did encourage the applicant to go forth with the application – the problem is that it took them 6-7 months to come back to us – I am not

Chan – at that time, I was opposed to how it got it, we discussed how this was and OK use for that site because of the site limitations

Bob – the zoning needs to be corrected

Gino – it is no different as it was zoned residential

Andy – the point of the fees is tied to the date we voted . . and they put in their application in after

Chan – we did encourage them to come back with a gas station

John – if we determine that is not an acceptable use

Andy – we told them to put in an application and to go through the process – the fees are consumed in the process

Chan - I don't want to be a party of taking an advantage of somebody coming in –

Chan – this board went through the process of an informal, the building commissioner made a decision

Andy – no, it was an opinion

Susy – send Bob's explanation

Gino – the gasoline is one of four uses on the site – in terms of the project – the garden center takes up much more square footage, maybe it really an accessory use

Andy – you have the proponent saying that there is anything less than 5 pumps, that the whole thing doesn't work financially

Motion to move on -

Karyl leave s

Bills invoices

PGC – Consulting services - \$300 – 43D, medwa ill, - motion by john, bob – all yes –

PGC – Plan review -\$881.25 – motion by john, bob – all yes

Vhb – plan review – daniels village, river end, marian, - 11,600.05 - bob, chan – all yes

VHB – construction – rolling hills, pine meadow – wingate farm, 8168.28 – bob, john – all yes

bob, john – ok to close out pine meadow bond account for matt Barnett

43D next steps

approved last night by the town meeting –

two applications – one to the state as a site and another for the TA grant – once the TA grant is approved

andy- convene the development review coordinating council – have april Anderson come out from the state – brainstorm ideas – how we can work together – how to facilitate faster permitting – use some money for some technology upgrades for this room to help with permitting process –

john – how about web site – applications

bob – did you ever get into our web site for looking at drawings – being able to share information

andy – if we acquired some technology -

john – when people have plans – it would be good to be able to show them better in Sanford hall

andy – wireless microphone to give to applicants

motion to close – bob, john – all yes

11:15 pm