

May 9, 2006 – PB Meeting

PRESENT: Andy Rodenhiser, Chan Rogers, John Schroeder, Matt Hayes,

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

Call to order at 7:07 pm

Election of officers

Chan – nominate Matt for chairman, not seconded

Matt – I will not accept the nomination

John – nominate Andy Rodenhiser, Chan seconded – unanimously elected

Chan – postpone other officers until later - . . . all agreed

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Andy – thank you and I will try to do the best job I can

No citizen comments

June meeting schedule we need to address – June 6 and June 20 instead of

Chan – I would prefer June 14 instead of June 6 –

Andy – extra meeting next Tuesday night – May 16<sup>th</sup> at 7:45 p.m. – smart growth techniques LID and the Commercial Redevelopment Project

Gino – I think I will have by then an updated drawing for both sides of route 109 –

Extra meeting for property owners and businesses – to be determined

Andy – request from Paul Yorkis to adjust the public hearing on Pine Ridge on 5/23 from 7:30 to 9:00 pm –

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Public Briefing – Daniels Wood II

Paul DeSimone  
Fred Sibley

Paul – 7 acres of land at end of Daniels Road – when we came to you before we said there would be a total of 4 lots; since then, we cut out that first lot and sold to Todd Allen – still have Fred's

house and his mother's house – finish the cul de sac to get 169 feet of frontage – we can bring out a driveway across north part of lot or keep the existing driveway down to Oak Street – we met with c conservation on wetland flags for southeast corner of site – we have revised plan a bit based on Gino's comments – we want to ask for waivers on construction of the road itself – the contours drops down to Fred's property so even if we put the driveway in, the water would come down onto Fred's property – that would give us 3 lots and then we would eventually do an ANR lot in the future –

Karyl – you would look to an easement through the new lot to get to the other 2 houses – if you were doing a conventional subdivision, where would that access be?

Paul – same location

Matt – what you have shown there as a driveway

Fred – on Oak Street there is 400 feet plus – enough for 2 lots

Paul – we want you to know that we will do an ANR – create last loop for frontage but waive construction

Matt – is your desire to keep the oak street driveway?

Fred – yes

Matt- if they did create that driveway off the end of Daniels that would exceed the 600 feet

Fred – references the 2003 Certificate of Action – the decision was made then that the length was acceptable – trade off was to only subdivide one more time on that cul de sac –

Susy – still 4 lots

Andy – how would you arrange for easements thru there – will the driveway be asphalt or dirt?

Paul – it is paved all the way now in a funny way,

Paul – on the original proposal

Susy – it should be engineered so that

Karyl – I think the cul de sac be engineered but there should also be some sort of turn around facility – that it not just be a driveway – a hammerhead

Paul – we would design it as a ball

Andy – so they only waiver you would ask for is on the actual construction

Fred – read part of former decision that the  
Chan – not asking for street acceptance

Karyl – you need an actual turn around – there are 2 houses on that driveway – maybe some sort  
of turnaround on the ground –

Fred – we wouldn't actually want to build the driveway at the northern end of the site

Paul – we can do a drainage design and a profile –

Matt read letter from Paul Chagnon, 7 Oak Street, dated May 9<sup>th</sup> – attach and make a part of the  
record

Andy read letter from Peter Klein, 10 Oak Street – attach and make a part of the record –

John read letter from Ron McPhee, - attach and make a part of the record -

Andy read letter from David Klein, 9 Pond View Avenue/Scituate, MA

Chan – if we don't comment on these letters, people will think that all these comments are true –

Andy – the decision from 2003 is in your board packets – there are some covenants – that plan  
states on it that if further subdivision was to occur it would have to come back before the PB –  
some of these letters state that no further subdivision was to occur – that is inaccurate –

Matt – the lot you will propose for an ANR plan – why aren't you including that on this  
subdivision plan?

Paul – we could put it on

Fred – it is an ANR plan – it really isn't necessary to show –

Matt – I think it would actually simplify

Fred – we thought it created so much confusion when we discussed it before – CONCOM has  
approved relocating the driveway . . . they do suggest we try to get a variance from the ZBA to  
adjust the front setback to make it closer to the road to have less impact on the wetlands

Matt – I think it would be easier for this board to write a decision with all of the facts – and say  
that there would be this lot – we are clearer now –

Fred – we have engineered that lot so we can just add it in

Karyl – this is the point now where you are creating a 3 lot subdivision where that driveway will  
now serve 3 houses – needs to be upgraded – private driveway from Oak Street –

Fred – the new ANR house would not come off the existing driveway, it would have its own access from Oak Street

Karyl – that is another curb cut, it would actually make more sense if all 3 came off one common driveway

Susy – if the ANR lot is brought into the subdivision then the drainage design should include

Matt – I would be willing to consider . . . .

Paul – we already have

Karyl – do we consider the “battered” driveway as adequate access?

Chan – we are taking a lot of time –

Fred – there are restrictions on this –

Andy

Bob Klein – resident – I have a problem with water – ever since the Allen property was put in, the water has increased tremendously – I will be challenging the CONCOM’s decision to DEP

Tim Elton, 8 Daniels Road – I have water in my basement since Mr. Allen’s house was built – I am going to ask the Town to take a look at – I believe his driveway is on my property line –

Fred – I believe that is a separate issue that doesn’t belong here – there is no proposal for construction of pavement up near you.

Andy – the process we use is this is preliminary plan to identify issues – plans will be provided to our consulting engineer to make sure it is correct – I am not sure what can be done about your problem through –

Fred – I gave CO \$ to the town to have the engineer inspect the driveway during its construction

\_\_\_\_\_ 3 Daniels Road – I would like to comment on what Tim is saying – the execution of that prior action was horrendous – I would like you to take that into consideration – the Daniels Road end of this development – what was once a very nice subdivision is now a mess –

Karyl – part of the process on this should be to correct whatever problems occurred and eradicated

6 Daniels – Marsha Pohn – we got a letter, it seems like the agenda is different – I think they want to move the frontage from Oak Street to the back because they don’t have enough – in my

mind, I know there are codes and bylaws that you have to go by – what is definition of frontage – we are talking about people moving this – there are a lot of different exceptions –

Andy – as a PB, we are given the responsibility to represent the town’s interest such as what is put forward – this is a preliminary meeting – this will be an ongoing meeting – you will be included in that process – tonight, we didn’t have this slated for a long period of time – you are welcome to come back – we don’t want to shut down debate because we have an agenda that we need to get to – we will have these guys to come back –

Matt – the letter you received was about the plan that did not show this additional lot which is there right to do – we are now asking them to include it all as one –

Fred – this process has been going on a long time – things are on paper, and the cul de sac was proposed way back – and another lot would be permitted – this is nothing new – I realize that not everybody is involved in the whole process- I am not trying to create unhappiness in the neighborhood – what I am doing should not effect Daniels Road at all –

Susy – I would suggest that we continue this

Chan – I would like these people to make specific claims about your concerns and how it is effecting your properties -

Fred – I would like to see the pictures that Mr. Klein has circulated – date taken, and exact locations

Continue on May 23<sup>rd</sup> at 7:30 pm

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Paul DeSimone – request continuation

Motion to continue to June 14 at 7:35 pm

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Medway Gardens

Conrad Decker – Drake Petroleum/Extra Mart – update 4/13/06 –

3.7 acre property – we have made some revisions – highlight some

eliminated separate retail building

Greenhouse and retail area for Medway Gardens has been expanded

Parking realigned

Only one driveway on Summer Street

Reduced size of convenience store

Reduced canopy length

Reduced number of gas pumps from 6 to 5 –  
Reduced impervious area  
18.8% building lot coverage  
Convenience store will now have a drive-up window for HoneyDew Donuts  
Changed canopy style to tie in better with building design . . .

Matt- re: internally illuminated signs are not allowed in this district

Conrad – that will all be part of the application . . .

Karyl – one little comment just to start, too bad that the little building had to go

Matt – improvement on size of canopy I like

Andy R - work with the DRC early -

Karyl – concerned about the number of pumps – we would be much more cheery with

Karyl – what about the drivethru

Susy – that is the first time I have heard that –

Karyl – I would not look favorably on a drive-thru

Chan – I am pleased with what I am seeing here – you are going to have to have some internal traffic circulation plans

Andy R – have you made any attempt to talk to the neighbors –

Karyl – what about water?

Andy – the greenhouses

Matt – way to use roof drains – reuse it

Karyl – the size of the store might actually work – the building design will go further still with the DRC – I think there are still too many pumps under the canopy

Conrad – up in Sturbridge – need to accommodate the gas business at the am and pm peak – you want to not have people queing up waiting for gas – we had to add an additional fuel positon – we don't want to put in 4 and then have to add another pump at a later date – we got from 171 down to 135' canopy –

Conrad – with regard to drive up window – concerns about que length – the building is displaced so far from the street – it is way set back compared to Dunkin Donuts – Honey Dew is not as popular as DD – there is room for a 25-30 car que –

Andy – show us some type of plan

Karyl – I don't want to see a

Chan – what is relative topography of fuel area to the street

Conrad – about 8 feet higher

Chan – you show an overhang on the greenhouse –

Andy – it would be

Susy to contact Bob Speroni re: drive thru question

Conrad – when do you want us to see DRC

Karyl – as soon as it is smaller, we are ready – you need an architect – we can start to work on the convenience store building and wait a bit for on the canopy and pump

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Applegate Farm Definitive Subdivision Plan –

Rob Truax

Ralph Costello

Rob – since our last hearing, we revised plans and submitted and they have been reviewed by your consultants – issues are pretty much ironed out – other than waivers getting put on the cover sheet – we feel pretty comfortable at this point – we have not provided you yet the plan for the sidewalk on coffee street – we would give you that before you endorsed the plan – we should have it in the next week or two –

Andy – have you spoken to Dave D'Amico

Rob –

Matt – what is plan on sidewalk?

Rob – along Coffee Street from Ellis down to end of property line –

Andy – what about coffee street up Holliston street

Rob – we talked about this. .

Karyl – I have looked at this in some detail – that is not really a slam dunk – it really needs to be looked at the ability to fit in the sidewalk

Rob – I would do a standard sidewalk with curb – not a meandering sidewalk – I would do a bit berm – the only thing I saw was some mailboxes and one catch basin that we would need to handle

Andy – so what is required for us to nail down the sidewalk

Ralph – last time was the discussion on whether we would be required to build a sidewalk on Ellis Street – PB on subdivision vs. PB as scenic road – it seems to be you cant have it both ways – that is where the discussion was last time – my position is – it is the same strip of street – it is the same side of the same street. .

Andy – it is your position that if we are going to build the sidewalk

Ralph – as the PB overseeing the subdivision, you are saying that I should build a sidewalk or pay for it. . but as the PB overseeing the scenic road provisions of the bylaw, you are saying you don't want a sidewalk – it is either one or the other

Andy – we made the distinction – we created the sidewalk fund so that construction

Rob – if you don't want the sidewalk, you can't ask him to pay for it

Andy – because we are trying to preserve e the nature of the scenic road

Gino – another possibility would be to build a sidewalk on an easement inside the property line to get it build –

Karyl - how feasible is to do a meandering on Ellis

Ralph – I don't think it would look good – everybody agrees that we should leave the stone wall – leave the trees – I don't see it where there –

Rob – it would just be a straight line, just behind the trees,

Karyl – bring the sidewalk awfully close to the houses

Karyl – have we figured out what the sidewalk amount would be for that?

Andy – what is the board's feeling on this?

Karyl – I had to pay it

John – the spirit is to provide safe walking transportation within the development - so I would like to see the sidewalk on Coffee Street from Ellis to Holliston

Karyl – it is not either one or the other



Andy – that is a given along coffee street . . . from Ellis to Holliston Street

Ralph – if you do make me put some \$

Karyl – I thought that the continuation of the sidewalk on Coffee Street from Ellis Street was all set – the other question to me

Andy – coffee street sidewalks

Matt – there is a requirement for sidewalks on the subdivision – that total frontage is coffee street and Ellis streets – there is a certain length of sidewalk – if it doesn't make sense to provide sidewalks in a certain location or for other reasons . then a payment in lieu of for that length or other construction – we are taking the Ellis Street frontage,

Rob – in lieu of providing money to do sidewalk on Ellis Street, then you are saying to do the sidewalk on north side of Coffee Street from Ellis to Holliston Street

Matt – you are saving money by not halving to do curbing on coffee street frontage of the property

Ralph – I think that is well stated – so then the question is whether to pay the money or actually build sidewalk on coffee street from Ellis to Holliston

Andy – I think we need to figure out the cost estimate, based on what the town's cost

Ralph – that is why

Rob – I don't agree with this approach . . .

Ralph – our option is to build it or pay into the fund

Karyl – we need to look at the math of this –

Agreed it is shorter

Andy – 41 replacement trees - \$12,300 – the board needs to decided whether to have then contribute to a tree fund or to do pruning –

Butchy – I would like to see it go to pruning on Ellis Street

Andy – do it in the winter, completed by

Ralph – I would go out and get the best contract I could

Andy – the town will receive the benefit of \$12,300 tree pruning –

Susy – to be done under the supervision

Butchy – probably will need a police detail –

Rob – include that in the estimate - - work –

Butchy – I would like the money to stay on the scenic road – but in fairness to the landowners on Coffee Street and Ellis Street – let's do Ellis first, then do Coffee Street from his property line up and then make a decision to either stay on coffee street or Ellis Street if there is anything left –

Ralph – I am OK with doing this by 3/31/07

Andy – The Grenons, status of discussions

Ralph – they had dropped off some pictures of their house, and I have come up with a landscape scheme – put up some granite pillars with landscape around those with shrubbery and trees – and they want something else –

Karyl – it is creepy –

Ralph – granite pillars . .

Karyl – what happened to the idea of a little stone wall section that would look more finished –

Matt – there is stone on site that you will have

Ralph – Mr. Grenon has suggested I build a wall along their property line

Ralph – it may not be displayed on this sample,

Matt – if they aren't happy with it, then we don't want you to do

Andy – we would encourage you to work it out with them . . .

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Ralph – I don't mind providing them with some stones from the site – the stone has value - I don't know that we are going to work out any acceptable design

Karyl – what is the Grenon's frontage on Coffee Street?

Chan – 2 conical fir trees?

Mr. Grenon – up to the existing stone wall it is 45 feet from

Karyl – so what would be the cost of building a farmer's wall for 45 feet – 2.5 feet high?

Ralph – what do you mean by that? How manicured? There are sections of wall along coffee and Ellis that are indigenous to the area

Karyl – the DRC is in the process of compiling a photo catalogue of farmers' walls

Mr. Grenon – yes, I would like that

Ralph – I have expressed an interest in offering something – I don't think there is anything that we have done that looks bad –

Karyl – it would be a nice look for those coming out of the development –

Ralph – what is it without going crazy – I don't know if I can get any kind of agreement

Ralph – I don't want to hold up my subdivision plan for this – I am very easy to get along with . . . I don't want this board –

Andy – we want to make sure we are willing to work on the problem

Andy – status of revisions to landscape plans

Andy – status of consolidating two driveways

Rob – we will do that with the scenic road plan –

Susy – OK

Andy – design for the stone wall construction –

Karyl – we need some kind of visual reference for you

Ralph – there are some sections of the wall that look better – I have my ideas . . . it is subjective – it is in my interest to make it look as good as possible – I want to maintain the character – it is important we get on the same page –

Karyl – let's start with what he has in mind – let's see what he likes –

Paul – do you have street name

Rob – we will get it taken care

Ralph – how about Applegate road?

Susy – I can facilitate this for you . . .

Paul Crisfauli – I live on Spruce Road – I have walked that road for many years – it might be better to run a sidewalk up Virginia Road out to Holliston Street –

Andy – I would like to see them talk to Dave D’Amico before we close the public hearing –

Karyl – and wall photos –

Rob – we have responded quite rapidly – and get the decision in process –

Jeff Grenon – we are hoping to leave with something definite, or some possibility – the idea came up that perhaps if we knew the cost of his plan, if that cost were brought out and if the stones could be dumped on our front yard in the approximate –

Ralph – I will try to work with you on this . . . – I offered you the stones earlier, that is a good offer - what is your idea of a wall, something like across the street from you – I am interested in doing something that looks good as well – that represents an entrance and exit to our development – I don’t think we will be displeased – I don’t know if we are going to get there in the next 5 minutes

Andy – we can’t require him to do anything on your property – that is up to you to work out on your own

Karyl – we are going to specify a type of stone wall that Mr. Costello wants to see and

Mr. guenon – we like the idea of a stone wall that will provide the protection from vehicles existing

Ralph – that is the easy part, the hard part is to make it look good

Andy – you guys\

Karyl – close the public hearing, seconded by Chan – all yes -

Close the public hearing on the scenic road – all yes – Karyl, Chan

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2 minute break at 9:35 pm  
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Take CVS Pharmacy before we do Betania

Karen Johnson – Charter Realty and Development on behalf of CVS – they have run into a scheduling issue for when they want to stock the store – when they need a

They would like to get a CO tomorrow – but Building Inspector has determined that he can’t do a CO until – I have been able to confirm that CVS will post a bond for this

Karen – the building inspector feels it is a safety issue – the PB has the authority to impose a performance guarantee if all work is not completed – per the revised site plan bylaw – there is also a provision in the original site plan certificate for a performance –

Chan – I feel no guarantee should be imposed – I think it is an overbearing

Matt – Technically, they need a CO to allow people to work in the store

Karen – we are willing to provide a bond

Chan – I move that a bond be accepted in the amount of \$27,000 – seconded by Karyl- all yes . .

Matt recuse –

Check to be here by end of the week

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Betania II Public Hearing –

Andy – continuation of Marian Community Betania II public hearing - Gary is here from the Design Review Committee and I believe

Gary – I am looking for some guidance and some fair play – when we were taking a look at their building design s- we asked them to get a little better detail – the issue became one of concern with garages facing forward – garages becomes more and more prominent and human aspect recedes – we talked about impact of double garages – at Pine Ridge, there is a requirement for side loading on structures as that is an OSRD – whereas at River Bend, we haven't focused on that too much – they are concerned about cost of - we are concerned that we will end up with buildings that are focused on cars –

Rich Coppa – get you up to speed with what we have done – progressive changes since last June – with changes as recommended by the DRC – we have done a lot to break up – we have been trying to respond – Paul Crisafauli has some info to share –

Paul – showed an example – but this scheme requires more space between the buildings – more like 60 feet vs. 40 feet

Rich – it does require a bit more paved area

Andy – but you are doing impervious surfaces

Eric – just a thought, in those situations where it is difficult to break them up, just the style of garage door can break up the blank face –

Rich – we have given them a sample of garage doors

Gary – how many of these could we do? they have indicated that they don't know yet how many of each

Rich – we can hold a few locations aside for these side locations

Gary – give us a rough idea of how many

Andy – at some point soon, you are going to have a specific site plan as to how these buildings are all going to be laid out – you have to commit to what you are going to build

Rich – footprints

Andy – where you put your swales is impacted where you put the driveways

John Spink – generally not – if they put driveway between the units, that may impact the swales

Paul – that is a different footprint from what you have give us

Karyl – the opportunity to use this alternative is in those locations where a swale wouldn't be needed . . . how many places

Rich – there are a few spots I think

Andy – in the interest of moving this along

John – is that a solution to your look problem –

Karyl and Gary – we are happy with this and we speak loudly

Rich – there still may be some with 4 garages on the street –

Gary – we would recommend that this solution be used whenever possible

Rich – we will show you the locations where it will work – I want to put them where it doesn't effect it –

John – where are you in the review – in the middle of this?

Bill Proia – what he said caught my ear. That he doesn't speak for the DRC – what other issues

Eric – I can tell you that this is acceptable to me personally. Keep in mind that the DRC is advisory,

Andy – I value what the DRC does – they do a lot of legwork that we couldn't possibly do and I don't want to devalue what they do by us saying

Gary – I think this was the last design issue that I was aware of – trail issues maybe . . .

Andy – I would expect landscaping will be the last thing

Karyl – I want to make it very clear – there has been an awful lot of time spent on these designs – we have kept saying get an architect and come back – we were perfectly willing to minimize the quality and competitive nature of the architecture per se and make it minimal but the original designs were below standard – this is a huge leap for the applicant

Bill – can we get something to move this issue off the table –

Rich Coppa – we are on for the DRC for 5-15 mtg –

Gary – can we do landscaping then?

Rich – we can give you a typical –

Paul – did you submit a landscape plan for the cul de sac?

Rich – yes, but nothing for the buildings,

Karyl – on the landscape plans might be contingent on the size and nature of swales and water issues – they can't talk about the planting until they know the scope of

Andy – A landscaping plan needs to go to DRC

Bill – I would like to wrap up the buildings

Gary – check off list – we will need to go over that in the DRC meeting – we don't have a formal checklist system -

Lighting – lampposts at end of each driveway – no street lighting

Andy – before we go too far on anything else . . I have a big idea I want to throw out

Bill – can I say something first – congratulations to Andy and Matt –

Andy – I have been thinking about this and how to appease the different problems that seem to plague this process – this lower portion that is not part of the ARCPUD – what if you were to push 7 lots – reconfigure the shape of the ARCPUD - move those 7 lots for the future OSRD You don't have cash to offset the mitigation but you do have land – relocate the ARCPUD houses – we would resolve the issues relative to Kimberly Drive and the fields and with respect to the mitigation issues – you would still maintain your open space and we could take it into consideration for all the waivers –

Rich – that will cost me a lot of money to redo this – delays will be phenomenal – this would delay us 2-3 months and I don't have a lot more development funds available – I had to go back and get more – you are going to run me out of my credit line –

John – in addition, the only place we have to place those is on the rock ridge which we could get perhaps 2 units in -

Rich – if any development in lot 3 is OSRD, is that another means to have control over the buffer

Andy – these Kimberly Road residents, access road and fields and type of architecture – and the waivers you are looking for

John – the concept you propose is not off the wall – but you don't really need to do that until you want to do the OSRD itself –

Andy – I don't mean to throw a wrench into the mix or delay things – but I think it provides a solution that would make everything else move along – and solve your mitigation issues as well

Rich – I can't afford the money or the time – Any development there is 5-6 years away anyways. John could design forever.

Bill- Ultimately, the board will have to make a decision based on what is in front of this

John – provides a written response to VHB's review of the hydro plans.

Andy – I would like to make a comment on VHB's 5/4/06 review

Paul – you need to show everything on the plans – all you show are the box culverts – doesn't show parapet and retaining

John – you don't have the right drawings to look at – there is a disconnect on where the drawings went -

Paul – so you will revise based on my letter

Karyl – I haven't seen any wall details –

Paul summarized some of the problem areas . . . per his 5/4 letter – there is no design for the pedestrian bridge over the brook in the flood plain – also a chip stone sidewalk through the wetlands – so no handicap accessibility there –

Susy – I would think we would want the DRC to look at the pedestrian and vehicular bridge

Andy –

Susy – email the handicap booklet from



Rich – I have a response to your comments on the traffic signal – we will have revised plans for you by close of business on 5/10 from northwest engineering – they will be delivered to VHB and to the PB office too

Paul – it doesn't meet the warrant for a traffic signal – not any of the 8 warrants – we do not recommend this installation in this application – normally only used for temporary situations – it is a safety office.

Rich – we are basing this on the town's safety officer –

Chan – we should go along with the safety officer's recommendation

Susy – it is not his recommendation – he wants a 2 way but if a one way is to be allowed, then it has to have a signal

Paul – we recommend that they provide a two way travel over the bridge – 22 feet instead of a traffic signal – we just have to make clear our position relative to our responsibility. You asked us to review it and we have done so. But that is still our position – relative to the safety officer, he did present more than one alternative and we are recommending the two way alternative – the one way signal does not meet any standards

Chan – I think it is very appropriate for VHB to take that position

Bill – you said there may be a narrower two way option –

John – Jeff Watson said 20 foot with 1 foot berms on each side.

Rich – CONCOM was pushing real hard to narrow the roadway to reduce impact on wetlands

Paul – the board has standards in terms of widths in the subdivision

Rich – didn't we get a signal from the board that the 1 way road would be OK and we spent money to design it

Paul – there is an issue for a variance on the 22 feet

Rich – we can fix all those things that he has

Matt – you can fix the technical aspects of the signal itself, but the meat of this letter is the opening paragraphs that this is dangerous –

Rich – the read of the board was that the safety officer's reco would be OK

Karyl – but now we have the engineering review and they are saying

Bill Proia – just to comment on your statement – basically, what you are saying then, is that there is no reason for

Paul – our point of view is clear from the letter, we don't recommend it, we think there are problems with it –

Bill – then why highlight the things that are deficient that leads us to think that we can solve it

John – I thought we had a calling of the members that we should go to one lane –

Andy – because we didn't have the benefit of the review –

Karyl – now the review is in,

John – we said you could, but not that you should – weighing everything – you chose to go with the single lane – but you need to fix the details

Chan – personal opinion is that CONCOM is driving this. Safety officer has said he can accept a one way bridge if there is a signal – Holliston location . .

Andy – what is the sight distance –

Rich – about 200 feet –

John – fully visible from every direction . . .

Paul – they are proposing to incorporate the intersection into the signal –

Rich – the intersection is 50-60 feet away

Paul – the phases are going to be so long – it would have loop detectors – the travel distance

Chan – I think we are making a mountain out of a molehill – I cant see that there would be more than 3 instances per day when this would be triggered . . .

Andy – there is also the statue up here with public access . . .

Bill- if the ZBA grants the variance on the 22 feet, that is it?

Paul – Has the safety officer seen traffic signal plans? And how will he react to it?

Chan – I personally think that this is a minor problems. We shouldn't make a mountain out of a molehill

Karyl – I think we were really stretching – try to see how it would work – wanted to go along with CONCOM - I had no idea that there is another intersection coming into this - I am much more skeptical than I was before – it seems sketchy –

Let's show the Safety Officer the plan and give them VHB's review letter –

Chan – no one is really

Karyl – CONCOM's comments are a request

Bill – I wanted to go back to one of earlier questions – I would like to send over our response to VHB's letter - if these suggestions were incorporated into the plan, would it make any difference? I would like to have VHB review our response?

Paul – you met with the safety officer based on certain parameters – I would suggest it would be appropriate

Paul – who is going to enforce this? Who is going to maintain the traffic signal?

Andy – do you need a letter from us re: the ZBA variance request?

Bill – not a requirement but I expect that they might want your feedback – you can decide yourself if you want to comment on the variance petition (16 feet – one way ) – probably first meeting in June for ZBA

Andy – Bob Speroni has determined that the two types of housing have been met. Matt read into the record.

Andy – the waivers from our subdivision rules and regs – we need to have this in compliance with how waivers are supposed to be put together – look at the regs 1.4 and 5.5.6 – what is reason for justification for the waivers -

Bill – we are withdrawing our subdivision application but you believe that the ARCPUD requires compliance with the subdivision standards

Andy – yes

Andy - you keep saying that you will be providing these units at cost, and making your case for waivers – pro forma analysis to be provided

Andy – our last issue is mitigation – a lot of the mitigation issues that we discussed early on – I think you guys need some time to evaluate what our suggestion was – you need some time to look at reconfiguring the arcpud boundaries per our suggestion –

Bill – we will look at –

Andy – Even some of the single families in the ARCPUD, could be converted to duplexes or triplexes –

Bill – we request withdrawal of the Betania II subdivision application

Motion by matt – seconded by Chan – all in favor

Continue to June 14 at 8 pm –

Chan – in view of the discussion tonight, that even though we are the PB and they are a private developer, our decision to allow them to do a one way could put the town in some jeopardy – I do agree with the point that Paul is making – we would be making an unsafe condition – liability would go not only with the owners but also with the town . . leave you with that thought . . .

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Matt – appointments to other town committees

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#### Other Business

Restaurant 45 Construction Observation –

Paul Yorkis – provided a 5/9/06 letter in response to the PB’s site plan decision to include construction observation

Matt – motion that we remove the condition for PB engineering review of construction for Restaurant 45,

Andy – I hear no second to Matt’s motion. The motion fails

Andy – there are some unique aspects to this site that warrant it but maybe not all of it. – it may be the shape and form of the estimate. The nature of where this water is going to go and the connections that will occur – swales to off property – as well as sidewalks that are in the public way and on town property - the quality of those – any catch basins or manholes in the right of way should be inspected by the town’s engineer – the stormceptor itself and anything that is just their private property – that is their problem – that is my perspective.

John – any item that VHB ssays takes 4 hours

Paul – Does the board feel it will inspect private sites? Normally the inspections are associated with a subdivision that may be accepted as a town road. I tried to put together an estimate based on the PB’s site plan decision. I understood that DPS would be doing the inspections in the right of way.

Chan – I don't think inspection of work to be done properly is the same as accepting the work. We need to ensure that work done in the public way is done properly. The tributary work that leads to the public hook has to be properly performed. It is a matter of what the board feels

Paul Yorkis – the director of DPS is going to be doing the inspections – he has requested and the applicant has agreed to have an engineer's certification and a schedule for inspections for DPS can be present at the site – I think with the civil engineer putting his certification on the line with a stamped document and with the DPS doing its inspection for which they have issued permits, to me that is reasonable and appropriate inspection – and on top of that there is a bond for each of their permits – to add another inspection is unreasonable

Karyl – I agree with you, Andy. .

Andy – as I read over what Dave D'Amico has said . . . he is saying that we should butt out

Matt – he is saying that DPS can handle -

Karyl – if it was another engineer other than David Faist, would we be as comfortable?

Paul – what does board want to do?

John – can we go down this list of inspections and see who may be handling

Gino – philosophical comment - key is to get the board comfortable with what is being inspected and how – premise that it is on private property taken to the fullest extreme would mean why do site plan approval at all??

Susy – this is an important policy procedure

Matt – I would think that the items would be in the public way would be even less under our purview because DPS can handle them.

Chan – let Dave D'Amico do what is in the public way – other things need to be looked at to certify that work was done according to the plans – and properly constructed –

Paul Yorkis – to me, when an engineer certifies something, it carries great weight – perhaps my experience is incorrect – in addition, when an applicant submits a set of as-built plans and stamps them and presents them to the PB, the town's consulting engineer reviews them but no one goes into the ground to see if the stuff is there – there is an understanding that the engineer represents things correctly – their certification is on the line. 3 other departments have responsibilities for inspections – and they are capable for doing their jobs. There are overlapping and complimentary inspections going on – as a community, we don't want to overburden the applicant with unnecessary inspections – reasonableness standard – there are reasonable standards in place – you will get as-built plans –

Andy – how did this get started with us looking at CO for site plan projects?

Susy – continuation of our subdivision mind set – also Medway Commons

Chan – I think for this site, relying on Dave is sufficient

Andy – Paul, what do you do in other towns?

Paul – sometimes water/sewer inspections; I think we have done some inspections of sites – it sounds like we haven't done any

Andy – does the bylaw prescribe this?

Paul – Gino,

Gino – in Norfolk, and other towns, the consulting engineer does inspections for site plans projects

Matt - motion that the PB remove the condition for site construction inspection by the PB engineer for Restaurant 45 – seconded by Karyl . . . unanimous

Karyl – with this applicant, we have a large comfort level –

Chan – Medway commons very different due to so many lessees

Paul Yorkis – Bob Speroni gets a copy of the site plan; he takes the site plan and walks the site – he checks the size of the parking stripes –

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Other Business

Chan – an abutter to a previous subdivision complained that work was done improperly – he gave me a piece of paper with his number – I would suggest that Susy contact him to properly document his problem – then we would have Paul go out and examine

Franklin Creek – endorse plans; sign subdivision covenant

Invoices –

Motion by matt Hayes to pay PGC - \$3300 for Smart Growth Grant – seconded by Chan – all yes –

Motion by matt Hayes to pay PGC \$ 1369.05 plan review services – seconded by Chan – all yes

Motion to pay FSU for \$54 for printing – matt, john – Andy opposed – everyone else yes . . .

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Motion to make matt clerk, Andy, Karyl – all yes,

Motion to make Chan vice chairman – matt, john – all yes - . . .

Chan will go to ARC meeting in Franklin

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Motion to adjourn – Chan, matt – all yes

12:10 p.m.