

October 30, 2007

PRESENT: Andy, Karyl, John, Bob

ALSO PRESENT: paul carter, gino Carlucci, susy Affleck-childs

Chan absent – wife in hospital

Meeting was called to order at 7:10 pm

CITIZEN COMMENTS – No comments

Andy – you have in your packet regarding certificate of completion for Medway Commons – there is an issue with funds that have not been paid to the town for police details – 20,000 plus by the subcontractor – the town is trying to collect it and is having a difficult time . . an idea we want to ask town counsel – but to collect the money, if we were to talk to the BOS about this issue and suggest they not renew business licenses at the site or allow them to do any future work there until this is paid and there is a cert of completion . . ultimately the benefit that accrued to the propertyowner and Charter Realty is that they are collecting rents – these police details were provided to them for the construction process – what do you think

Karyl – sounds good to me . .

Andy espinosa – how much

Bob – I would agree that we not issue it until this is paid . .

John – does that put the PB in the role of bill collector

Andy R. – not really . . the BOS would be in the position to not extend licenses to the businesses –

Bob – Charter should still be held accountable . . I don't understand why we are not going after them

Andy – this will be an agenda item in 2 weeks – Karen will be here -

Bob – they should have kept retainage to cover such expenses

Andy – Andy E can brief BOS on this if he would – we will ask town counsel

Public Hearing Continuation – Betania II Marian – ARCPUD Special Permit

Bill Proia, attorney –

Andy – Chan Rogers is not able to attend tonight so he cannot be part of any vote.

Bill – our request – withdraw without prejudice . . . that is really it

Karyl – would there be an opportunity to discuss – about the anticipated return of the project

Andy – when they will return, we can talk about anything then

Bill – generally, we know there are personnel changes coming and there is an election in May and we have always been consistent to have a panel of 5 intact – it is no secret that we have had difficulties fulfilling some of the requirements – Eric has been very patient – it is not fair –

Karyl – I had a concern that when the project comes back in, the submittal should include only what it needs to include – one of the VHB comments was about landscaping buffers – I think your engineers might not even be aware – I think there should be some informals, maybe some discussions before they submit –

Bill – I think the regulations provide for pre-meeting

Bob – a limited number, so you have a good idea of what you want to do

Bill – if we are allowed to withdraw without prejudice

Karyl – I would hate to see everything addressed and not have a chance to have input . . .

Bill – I hear your suggestions – we would take advantage of those pre-meetings – there may be new people that will be sitting here that will need to be brought up to speed – We know the categories of things that the board wants to weigh in on

Susy – truly a new applications

Karyl – how can we help you to clarify what needs to be done . . .

Susy – money for engineering services before an application . . . we will need that

Motion to accept withdrawal without prejudice . . . John, Karyl, Andy – all in favor – John, Eric - Bob does not vote

Bob – thank you for the consideration

Eric – it has been a real pleasure to serve with you all – keep the door open to coming back . . .

Bond reduction for Hartney Acres Subdivision

Paul – we did an inspection – we inspected sidewalk paving and berm – that came out fairly well – also they did top course paving as well which we also inspected and that came out well on 10/22 – we also took a look to see what was left to be done and those are the things to be done that show up in the bond estimate – some loam and seed – some landscaping around the detention areas and the islands –s till some guardrail remaining – Recommend \$42,426

John Claffey – I would ask that the road maintenance and snow plowing be reduced to one year

Andy – it is your intention to go for street acceptance in may 2009

Paul – I did put together a revised – I have those numbers \$36,414

John – I would like to make a statement that I am recusing myself

Karyl – I would like to express that unfortunately, I really have a problem with how the stone wall – the look of it – also the back of it was not supposed to be visible from the other street – there was supposed to be some plantings behind the retaining wall and I don't think those are in –

John/susy – the wall starts in further . . with a plan revision

Karyl - it is not a great thing –

Motion to accept \$57,235.80 would be refunded down to \$46,235.80 – bob, karyl – all yes . . .

NO JOHN SCHROEDER - recused

Daniels Wood II Def Subdivisoin Plan

Completeness Review by Gino

Gino – 18 items sounds worse than it is . . there are major deficiencies

Bob – application needs to be fixed – I move that we reject – karyl – all yes

Inspection Report from Merrikin Engineering on 2-4 Main Street

Bob – is there a surface to go on the wall? I have seen it being worked on at all times

Andy – my concern is that they were filling in and around the drainage structures at night

This is a situation where we said it was OK for their engineer to do inspections – he hasn't really said that he has conducted inspections – no stamp, -

Bob – we had talked about that in considerable detail – I would want to see periodic inspection reports submitted to us for review – if he hasn't done that, then the applicant has not held up his end of the bargain – we want copies of the inspection reports – until they go to put that stone façade –

Andy – I called Susy and asked if we had gotten any reports – she called Bob Potheau and this is a result of the inquiry –

Bob – periodic inspection reports that we had required –

Andy – the intent was that a professional engineer was going to be looking at this stuff – there is no stamp on the letter

Karyl – all it says is that it is coming along

Bob – I think we need more

Andy – he needs a strong reminder of what is required . . . we don't know if the gravel that was put in there . . .

Bob – I am concerned about techniques used

Susy to do a draft letter

7:47 pm – Country View Estates

Punch List – dated

Bob – do you have some more work to do – are you done?

Greg – we have a few things on the list still to do

Andy – he has an issue with two lawn inlets – Faist Engineering drawing – those do not exist – they were not installed - intent was that they would collect water – there is no definition or gullyng there

Greg – this is before VHB, PMP the original engineers, he felt that when the road was built, there would be depressions on either side and Paul DeSimone argued with him – but . . . east side on stable way is higher – the natural grade comes toward Stable Way corner

Andy – paul, what are your comments

Paul – looking at dave faist’s review – he did not find adequate justification for the inlets to be required – he didn’t find any design information or calcs that were done – these were added during the approval process – they are drawn in pencil on the plan

Andy – these were not included in any calcs

Paul – and no grading shown or swales shown to catch the water – looking at it in the field – it is a relatively small area, fully vegetated now – it has woods and mulch – relatively flat in that location – house blocks the side of the hill – the house is in the middle of where the sketch is

Andy – doesn’t look like there was ever a natural depression there –

Paul – number #2 is on the low side of the road

Karyl – any puddling?

Greg – there hasn’t been, I did knock on the door of the owner – she said there is a little bit of puddling when there is a lot of rain –

Karyl – any problem in the basement

Greg – she said yes, but not in this area – never been an issue at the corner

Andy – it doesn’t serve much purpose

Karyl – it would make it look horrible

Paul – you would have to do a lot of grading to make it – you wouldn’t be picking up much water –

Andy – better if left alone

AGREED – to not require the construction of the two lawn inlets at

Andy – relative to completion – I went over this list that you gave me – there really are – October 30th punch list –

Greg – I believe there are like 5 items –

#4 – Jimmie’s letter right here

Paul – his letter says there are a few items that are missing

Greg – I have been working with jimmie on these

Andy – what is your time frame to complete

Greg – last week . . .

Bob – next week or next year

Greg – I have been trying to get together with Jimmie to get these done – the stormceptor – I did have Jimmie out there today – we did clean it and we decided the original pipe that is draining from the stormceptor isn't long enough and the state buried it – I will go back in and unbury it and extend it – this is the main issue – I can finish this by the end of next week

Paul – outlet to the stormceptor pipe will be extended

#9 – stormceptor is with Jim

Greg – we cleaned it – we took little shovels and cleaned it out

Andy – there is mud being dragged out onto the street from the house lots – there should be a stone mat -

Greg – when they construct the house next year, I will try to mention it – typical cement tracks –

Andy – keep dirt on the site so it doesn't go out on the road – so it isn't an issue for stormwater management – regulations are going to become more strict – we are going to be watching more for that

Greg – there is a total of 3 more house lots to be built

#17 – I have a letter from officer Watson – dated October 28, 2007 – saying the signage plans can be changed –

SEND TO PAUL

#25-27 – Disability Commission

#26 – Certificate of Compliance from CONCOM – I dropped the ball –

Susy – concom has authorized me to go into the concom files to look for things – I need the DEP file #

#27 – revised as-built plans for Broad Acres Farm Road and Stable Way were provided . . .

Susy – and you will be taking good care of the streets up there this winter, right

Greg – one other issue. . #33 – it is a small repair on – he promised he would do it yesterday, I forgot to check it today – I think it was done . .

Greg – what I believe – I think I have very little to do . .

Greg paid check –

Paul – where are you with the bounds?

Greg – they found them all and dug them to show

Paul – steel pin?

Greg – they put that in

Andy – on the as-builts for the detention ponds? #28 – it has been addressed –

Paul Dave Faist sent an analysis of – I did review that

Andy – your next inspection, we should be wrapped up – should be 100% next time

Paul – I need to review the revised as-builts

Andy – thanks for your diligence –

November 13th . . .

8:15 pm – Paul Carter leaves . . .

ZONING BYLAW AMENDMENTS –

Andy – any issues with the redrafts –

Andy – Joe Musmanno sent an email t the board regarding the use and dimension tables – he questions whether it needs to be done as a bylaw – he wanted to have it in as an aid – I told him that susy had spoken with town counsel – susy has asked barbraa to put it into writing as to why . . .

Karyl – that was our original question – it seems like an addendum –

Bob – we need to remember, this chart does show a few glitches that we have within the system – everytime we go to do anything we will have to change

Andy – once it is done, it will be an invaluable tool to both the ZEO and prospective developers

John – town counsels position was that it needs to be a part of the bylaw . .

Andy – yes – and ZBA wants the same thing –

Gino – Joe felt that even with the disclaimer there will be conflicts and confusion

Andy – did he have a conversion with you/

Gino –no

Gino – Barbara had expressed concerned that mill provisions could be considered spot zoning – she suggested it be designated as a subdistrict of the overlay district – that parcel is different form all the other buildings in the district –

Bob – in the event that next door, they wanted to make a change to the mill buildings and wanted to add some retail space,

Gino – it wouldn't help them

Bob – why aren't we looking at both of them and treat them equally?

Andy – Sanford Mill is 100% housing right now – you would treat the other building differently because it is all commercial now and it has struggled with that – we are trying to preserve a unique property and its historical significance

Karyl – Sanford Mill has already allowed to become residential

Bob – it would be very difficult under current ownership situation there as condos to do anything to convert

Gino – they couldn't do it now or if this passed

Bob – I am not trying ot take our work onthis and push this aside

Gino – when we started, it was a general mill conversion bylaw but there weren't any other mills in town . . so it got narrowed down to midway mill

Gino – if the table goes forward when the Commercial I and II is combined, the motion to approve the tables

Is there a motion to accept these as a slate of zoning articles – bob, john – all yes -

Karyl – it would be good to have a little email reminder . . .

Bills to Pay

PGC - \$450 – consulting services/general budget – motion by bob, karyl – all yes

Susy – citizen survey, we may need some money

Gino – survey monkey web site to allow people to respond on-line and get results compiled –

PGC - \$75 – plan review 50 winthrop street – plan review revolving fund – bob, karyl – all yes

Vhb – construction observation - \$3926.01 . . . – clients funds – john, karyl – all yes

Blatman bobrowki and mead – \$1525 plan review for marian betania – karyl, bob – all yes

VHB – plan review – marian betania – 14801.44 – clients funds – bob, john – all yes

Karyl recuse

Wingate Farm Covenant

Susy's explanation

Bob –motion to approve, john – andy –

Board signed congigent on attorney providing the road deed . . .

Karyl – returns to discussion

Open Space Committee – John

John – article in the newspaper, there was an announcement that hoags have donated land

John – there have been a- I have put together a list of names – probably 7-8 of which are qulaifeid people that have been involved with medway efforts in thepast who have come forth – highly motivated – it is exciing that there is interst – I will meet with susy to plan ameting and agenda –

John – today, I attended the meeting of the western norfok county TA – presentation by DCR on open space planning and grants and the need for said plans inorder to qualify – different types o funding – the requirement to qualify to even apply is to have an open space plan - does not require town meeting vote, but the more community invovlment you can demonstrate, the better yhour chances of getting grants – they are really stressing

g- presentation and acceptance at open town meeting is highly recommended and I don't see why we wouldn't want to do that – the plan can occur prior to town meeting to get us on the list of being an eligible community for grants –

Karyl – what kind of vote?

Gino – ratification or expression of support by town meeting of an open space and recreation plan – one more thing that the town is behind

Andy – I can't imagine town meeting wouldn't approve

John – the DCR said care in choosing committee members – from various interests in the town that represent – diverse group – somebody that represents conservation, somebody that represents active recreation . . . I think it is time to put together an open meeting – present to the PBN with a list of candidates – I will say this, I felt a sense of urgency from today's meeting – July 1 grant application deadlines – I would love to go for the spring town meeting –

Gino – I would have to say – what is in the community development plan is probably 90 % of it – the goals and objectives that need to be reviewed – some demographic info needs to be updated and updates on more land – the nuts and bolts of it is in place and ready to take the next step – I think it might be do-able

Andy – look at the budget to see if we have money to get some help

Andy – gino, could you look at the stats and update

John – we can submit an open space and rec plan that is not finalized to qualify for the grant – we are way ahead because of the work gino did in 2004

Gino – one thing to be aware of, they do have a handicap accessibility component – for your recreation facilities – you have to document that it meets accessibility standards or you identify what needs to be done – also . . . when you apply for the grant, you have to have an appraisal of the land and I believe CPA money can be used for that –

John – I will look into that . . .

John – first order of business – put together committee, plan and then grant applications

Gino – the self help program is one of the grant programs for which the town has to have a commonwealth capital application on hand

Susy – good to get BOS/TA to authorize update of commonwealth capital application

Karyl – I would like to be part in some way . . .

Tetra Tech CO estimates – ask them to make a change in their form – so it will be signed off on by the Board instead of by Susy

Motion by bob, john – all yes

Minutes – john, bob – all yes --- sept 11, 25 and oct 16 ..

Gino – Development Handbook – cover for the booklet – I have more pictures that could go inside as well . . .

Motion to adjourn – all lyes

9:05 pm

Susy – email Andy Espinosa the current version of the development handbook