

**August 21, 2007
Planning Board Meeting**

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

ALSO PRESENT: Susy Affleck-Childs, Planning Board Assistant
Barbara Saint Andre, Town Counsel
Gino Carlucci, PGC Associates Consulting Planner
Andy Espinosa, Board of Selectmen

Meeting was called to order at 7:02 p.m.

Citizen Comments – none

Motion was made by Bob Tucker, seconded by John Schroeder to go into executive session for the purpose of discussing strategy with respect to litigation and to go back into open session upon completion.

Roll call – Karyl Spiller-Walsh – yes
John Schroeder – yes
Bob Tucker – yes
Andy Rodenhiser – yes

Executive Session concludes at 8:02 p.m.

Andy – for the public. This is the PB meeting of August 21st – we opened the meeting at 7 pm and went into executive session. We are now out of executive session – we are now going to continue with our agenda

Public Hearing Continuation – Marian Community ARCPUD Special Permit

Andy – the applicant did not get their information on the revised plans in to VHB in a timely fashion. We will continue to 8 pm on September 11, 2007 -

Motion by Bob, seconded by Chan to continue the public hearing to September 11, 2007 at 8 pm. All yes.

Lot Release – 31 Norfolk Avenue

Andy – we have a house keeping detail

James kinder – I represent the current owners of 31 Norfolk Avenue – they are selling their home. We are looking for a release for Lot #1. In doing registry research we cannot find anything that the lot was released from the 1994 subdivision covenant

Bob – have all the conditions been complied with on the covenant?

James Kinder – yes, - when the covenant was issued in 1994, it mostly applied to lot #2 because lot #1 already had the house on it

Karyl – what is built on the road?

Andy – it is in place.

Bob - would it be more prudent to release both lots

Karyl – is there any reason not to release it

Gino – I wonder if lot #2 has already been released

James kinder – it came across the title company’s radar – and they want it resolved

Motion by Bob, seconded by Chan to sign the lot release for 31 Norfolk Avenue. All yes.

James Kinder – thank you very much

NOTE – Board signed lot release. Susy will notarize.

51 Alder Street Site Plan Modification Decision

Bob – I suggest we add option of using an architect to do the certification

Chan – state law is very clear that it has to be an engineer

Bob - I do certifications all the time with architects

Gino – suggest you say “and/or” a registered architect

AGREED.

Gino – so the fencing will not match what is being done at the other end at AZZ?

Susy – most of the fencing will be quite hidden by woods. John suggested a compromise that they do the northern edge of the fencing in vinyl coated.

Bob – I want something to keep pressure on the building owner so we aren’t waiting for as-builts – let’s put a time limit on the temporary occupancy permit

Susy – I am not sure that is in our purview – the site plan bylaw gives them 2 years to complete work.

Andy – but the whole idea is so they can get in and not have to wait for the as-builts –

Chan – leave as is

John – yes

Bob – OK

A motion was made by Chan Rogers, seconded by Bob Tucker to approve the draft site plan decision dated August 20, 2007 as revised tonight. All yes.

NOTE – Board signed decision.

Andy – to Andy Espinosa, at the public hearing, the applicant asked for some relief so that the building inspector could review the building permit plans while the 20 day appeal is going on – we don't see it as controversial and don't expect it to be appealed – get building permit sooner, etc - ask to move this along . . .

Lot release – for lot 10 Redgate 2 – 5 Ash Lane

Susy – this is another housekeeping matter. The street has been accepted, all bond monies returned. I have a copy of the original lot release the PB signed in December 2000 that was given to the developer but apparently it was never recorded.

Motion by Chan Rogers, seconded by Bob Tucker to sign the lot release for Lot #10 at Redgate 2 – 5 Ash Lane. All yes

NOTE – Board signed lot release. Susy will notarize.

Country View Estates Completion

Andy – you received a copy of Greg Whelan's letter with his time schedule for completion. Here is a draft letter from the PB to him in response. I would like your input

Andy – I feel it is important that the process is followed and we have respect for different people in town hall that have a part in processing checks

Andy – we need to add a reminder to the letter re: November 2007 completion or lose his bond money - he was told that verbally at the last meeting and we will say it in this letter as well.

Andy – are you OK with this letter – I wanted to share this with you – suse and I worked on it

All Agreed.

Sidewalk Fund

Susy – Chan stopped by today and mentioned that the BOS had discussed possibly using the sidewalk fund for fixing the route 109 crosswalks. Here is the Milford Daily News article from today's paper about last night's BOS meeting. I have put together some info for you – the newspaper article, a copy of the original town meeting article creating the sidewalk fund, and a list of what monies have been collected to date. \$48,750. The article mentioned the BOS wanted to find out if the monies could be used for the crosswalk. This info should help.

John – issue of whether the fund is to be used for sidewalk improvements or maintenance? What is the crosswalk work considered to be?

Andy – I believe these would be legitimate improvements

Chan – The Town is in dire financial straights – the use of the sidewalk fund is a no brainer – we have people moving out of town because of the financial situation - higher fees at the schools, etc.

John – I just want to make sure that we are continuing to look forward and not backward – I am not being critical, but just because we are in dire financial straights, we should not forget to be looking at putting in sidewalks where there are none – not lose sight of the intent of the program

Chan – it is a no brainer today.

Susy – the warrant article is clear that there needs to be a Sidewalk Plan

Andy Espinosa – the question was asked to Dave whether he saw any other areas of town that needed the work – Dave indicated it was needed here because of safety –

Andy – I asked Dave if we could just repaint the crosswalks – that does not address the landing areas that need to be ADA compliant – they are not legitimate cross walks right now – it is in the spirit of what the bylaw was written for

Andy – We are also getting some developers to do sidewalk work as part of their projects - River bend will replace some sidewalks on Village street; Applegate will do sidewalks on Coffee street along their frontage and also along the north side of coffee street from Ellis to Holliston. Daniels Village will do work on Lovering street.

Chan – I think this is a very good use of the funds . . .

Andy – who should do the sidewalk plan?

Susy – I believe it is appropriate for DPS to prepare for sidewalk plan

Andy – but we need to make sure we plan for the future – we need to plan to build new sidewalks where there are none

John – the sidewalk fund, if we are not careful and there is no plan may end up getting used a little bit here and a little there – and we didn't really connect this part of town – we did patching

Andy – could we be part of creating the plan?

John – create a big giant loop all around town - whole community spirit

Andy – that is a vision we should have and translate into a plan – whether it is ever funded or not – but if grants ever become available – could community development block grant funds be used for that?

Gino – I don't think there is anything specific that could be used for sidewalks – but there is some where sidewalks could be a component of it

Chan – there are people who are upset that the route 126 improvements include granite curbing and bituminous sidewalks - they expected concrete sidewalks

Chan – The Mass highway resident engineer is fueling the fire by saying that they build concrete sidewalks all over the place. Too late now to change it

Committee Reports

Chan – I would express my own opinion to thank the BOS for having its liaison (Andy Espinosa) at our meeting – I would also like to say that it is too bad that 5 weeks have passed on the sluggishness of getting things done with the sewer project – the planning board does have the ultimate stewardship of the industrial park and responsibility to help the IDC

Because I am on SWAP, I am on a regional transportation committee – the commissioner came to the meeting last Wednesday night, they did a full power point presentation of what they have to do to Storrow drive -

MINUTES

July 24, July 31, and August 7, 2007.

A motion was made by Bob Tucker, seconded by Karyl Spiller Walsh to approve the minutes of the July 24, July 31, and August 7th PB meetings. All yes.

No other business

A motion was made by John Schroeder, seconded by Bob Tucker to adjourn the meeting. All yes.

The meeting was adjourned at 9:10 pm

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

*Minutes of August 21, 2007 Planning Board Meeting
Approved – September 11, 2007*