



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 8-18-16

Planning Board Meeting Minutes April 19, 2016

Members in attendance: Theresa Capobianco, Chair; Leslie Harrison; George Pember; Amy Poretsky

Members excused: Michelle Gillespie

Others in attendance: Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer; Mike Sullivan, Connorstone Engineering; Ian Gow; Bruce Goldsmith; Michael Radner, Radner Design Associates; Ann Beckstrom

Chair Theresa Capobianco called the meeting to order at 7:15PM.

Consideration of Minutes

Executive Session of November 23, 2015 – Ms. Joubert explained that, while the board had approved the Minutes of the Executive Session of November 23, 2015, a vote is also needed to release those Minutes.

Leslie Harrison made a motion to release the Minutes of the Executive Session of November 23, 2015. George Pember seconded; motion carries by unanimous vote.

Minutes of the Meeting of January 19, 2016 – Ms. Joubert noted that minor edits had been suggested and were incorporated in the Minutes.

Leslie Harrison made a motion to accept the Minutes of the Meeting of January 19, 2016 as amended. George Pember seconded; motion carries by unanimous vote.

Minutes of the Meeting of March 15, 2016 – Ms. Joubert noted that grammatical and spelling edits suggested by Ms. Harrison were incorporated. She also noted that Ms. Poretsky had requested additional edits, specifically to clarify that she had questions about the easement on the lot at 357 Main Street and not the lot size.

George Pember made a motion to accept the Minutes of the Meeting of March 15, 2016 as amended. Amy Poretsky seconded; motion carries by unanimous vote.

Review of Preliminary Subdivision located at 172 & 172A Howard Street – Mike Sullivan of Connorstone Engineering introduced the applicant, Dan Benway, and noted that the landowner is currently away on business. He explained that the project had been before the board several months ago, and the applicant is back with a revised plan.

Mr. Sullivan explained that the 9 acre parcel has 40 feet of frontage on Howard Street and 100 feet of frontage on Washburn Street. He noted that there are currently two existing single family homes on the property, one of which is occupied by the owner, Craig Callahan.

Mr. Sullivan stated that, when the project was before the board previously, the plan presented showed a road coming in off of Howard Street with a short cul-de-sac serving 4 lots (2 existing and 2 new). He noted that those plans required waivers pertaining to roadway construction and entry to the site, and the Town Engineer had several concerns with that proposal. He commented that the plans clearly did not meet the town's requirements and the Planning Board had opted not to grant the waivers that were requested. He indicated that, since that action eliminated the possibility of coming in off of Howard Street, the only alternative is to bring a road in off of Washburn Street.

Mr. Sullivan explained that the zoning line goes from Residential C to Residential B within the parcel, with Residential B requiring 40,000 square feet of area and 150 feet of frontage, but noted that reduced frontage is allowed on a cul-de-sac. He explained that the lots range in size from 40,000 square feet to 172,000 square feet, and the larger lot only requires 50 feet of frontage.

Mr. Sullivan stated that the topography of the site slopes downward from Howard Street to Washburn Street, with an existing wetland that they were trying to avoid by coming in from Howard Street. He discussed the new proposal to bring a 500 foot roadway in from Washburn Street, which will require 4.5 feet of fill and a 3.5 foot cut towards the end of the roadway. He noted that town water is proposed and lots will be served by individual septic systems.

Mr. Sullivan explained that drainage problems currently exist on the site, and his proposal is to collect runoff in a detention basin and divert it away from the abutters. He indicated that the plans are only preliminary in order to get input from the board and the neighbors, and a more definitive plan will be filed at a later date and will include a detailed drainage plan to be reviewed by the Town Engineer. He noted that the applicant will be required by statute to mitigate any increase in the rate of runoff. He explained that, though definitive drainage calculations have not yet been done, they have done enough work to know that they can satisfy the requirement to mitigate the increase in the rate of runoff.

Mr. Sullivan stated that the plans also propose the installation of a 4-foot wall to minimize impacts to the wetlands. He also noted that the applicant is seeking a waiver to eliminate the sidewalk on the right side of the roadway as well as a waiver to reduce the road width from 26 feet to 22 feet. Ms. Capobianco asked why the applicant is seeking this 4 foot width reduction. Mr. Sullivan commented that 26 feet is not really necessary, and by eliminating the sidewalk on the right side and reducing the width they can minimize the impacts to the wetland. He noted that the project has been before the Conservation Commission but they have not yet completed that process.

Mr. Sullivan indicated that the applicant has no major objections to anything included the comment letter provided by the Town Engineer. He noted that, at the last meeting, Mr. Litchfield had expressed a desire to find a way to prevent water from coming into Washburn Street using the gradient of road, and the applicant is certainly willing to take a look at that. He also indicated that Mr. Litchfield's comments about the wetland replication area will be conveyed to the engineer doing the wetland filing so that those issues can be resolved prior to resubmitting. In addition, he agreed to evaluate the capacity and structural integrity of the existing culvert in Washburn Street, which will be replaced if necessary.

Mr. Sullivan confirmed that conservation issues will be addressed prior to submitting a definitive plan to the Planning Board. Ms. Capobianco noted that there is currently a driveway off of Howard Street that services the existing homes on lot 3 and lot 5, and asked if the applicant will be eliminating that driveway access for lot 3. Mr. Sullivan stated that the plan is to continue use of the existing driveway for the two homes, which may require approval from the ZBA. In response to a question from Ms. Capobianco, Mr. Sullivan confirmed that the house on lot 3 does have a garage and maneuvering to it would not be as smooth if access was moved to the new roadway. He reiterated his desire to pursue approval for the continued use of the existing common driveway.

Ms. Capobianco asked if an engineer has determined if the existing culvert can handle the anticipated capacity. Mr. Sullivan indicated that a determination will be made as to whether the culvert is sized properly and is structurally secure. In response to a question from Ms. Capobianco, Mr. Sullivan noted that the culvert currently drains to the stream across the roadway on Washburn Street.

Ms. Poretsky asked if there are any plans for parcel A1 as there appears to be a substantial amount of land there. Mr. Sullivan explained that there have been some conversations about the potential for some of the abutters to purchase a portion of that property. In response to a question from Ms. Poretsky, Mr. Sullivan stated that there are no plans to subdivide lot 5 and lot A1 and indicated that the applicant would have no issues to any conditions on that in the decision. Ms. Joubert noted that there is no possibility to subdivide those lots because no additional access from Howard Street is possible and it is not possible to obtain frontage off of a common driveway. Mr. Sullivan confirmed that the lack of area and lack of frontage would prevent the creation of any additional lots.

Ms. Poretsky asked who will be responsible for maintenance of the stormwater basin on lot 1. Mr. Sullivan indicated that this will be the responsibility of the subdivision residents, and will be part of the Stormwater Operations & Maintenance Plan for all of the lots. Ms. Poretsky noted that there is a house in the middle of the lot where all of the water flows, and questioned whether the house will block flow to the basin. Mr. Sullivan agreed to evaluate the situation but voiced his opinion that the house will not dam up everything flowing down.

Ms. Harrison asked about the driveway, and Mr. Litchfield's desire for a 90 degree turn where the driveway meets Washburn Street. Mr. Sullivan indicated that the turn is fairly close to 90 degrees. Ms. Harrison requested clarification from Mr. Litchfield. Mr. Litchfield noted that the regulations require it to be as close to a 90 degree turn as possible but the plans show a slight jog, which he believes is designed to avoid the wetland and will be contingent on approval of a waiver to reduce the width of the roadway. In response to an additional question from Ms. Harrison, Mr. Litchfield stated that the radius turns appear to be appropriate.

Mr. Pember asked about drainage off of the new roadway. Mr. Sullivan explained that the plans provide for a series of catch basins and manholes that will discharge into the detention basin. He noted that, in an extreme storm event, the basin will overflow and follow the pattern that currently exists. Mr. Pember asked if the basin will only capture flow from the left-hand portion of the roadway and not the lower section of Washburn Street. Mr. Sullivan confirmed that to be the case, and noted that the rate of runoff leaving the site will be the same as what currently exists because it is being reduced elsewhere on the site.

Ms. Joubert noted that, as this is not a public hearing, the board is not required to entertain questions from the audience, but it has historically invited abutters to raise any questions if time permits. Ms. Capobianco welcomed questions from the audience, but requested that any comments address a new issue or concern.

Bruce Goldsmith, 63 Washburn Street, explained that his hearing is compromised so he missed a fair amount of the discussion. He discussed the location of his house and property, and noted that his house was built in 1933, at which time there were no houses north or south of him. He stated that the stream bed runs north to south, and water flows in a southerly direction under his driveway and into the wetland and across Washburn Street. He expressed a desire for the board to understand that whatever drainage is in place was likely installed in the 1930s when there were no other houses in the area.

Mr. Goldsmith noted that the existing culverts are relatively small, and over the 46 years that he has lived in his home, the back portions of the house lots would flood during times of heavy rain or snow. He noted that his house is far enough away and at a slightly higher elevation so flooding does not impact him as badly as it does the other homeowners in the neighborhood. He stated that, at a recent meeting of the Conservation Commission, he heard that the culvert will be replaced with a larger one, so he assumes that a conclusion about volume and drainage has been made and he suspects this will go a long way to prevent flooding in the future.

Mr. Goldsmith also stated that, as recent as five years ago, in excess of 2,000 gallons of water were pumped out of the cellar of a neighboring home. He reiterated that other homeowners in the area have had flooding issues as well, so it is clear that the small culverts are not sufficient.

Mr. Sullivan confirmed that the two culverts will be addressed. Ms. Capobianco explained that the applicant is required to ensure that any work done on the property does not make the situation any worse. Mr. Benway explained that he will be doing the site work for the project and reiterated that the culverts will be addressed.

Mr. Litchfield noted that regulations stipulate that the project cannot result in water being released from the site at a greater rate than what currently exists. He stated that, although the applicant has agreed to mitigate the increase, it is not as simple as just making the culvert bigger, and there is more engineering work that needs to be done. Mr. Pember stated that it is crucial that the Stormwater Operations and Maintenance Plan be put together correctly to ensure regular maintenance.

Ms. Poretsky asked if lots 172 and 172A will also have access off of the proposed roadway from Washburn Street, since they already have existing driveways off of Howard Street. Mr. Benway expressed a desire to obtain a waiver to maintain the existing access so that access from the other side will not be necessary.

Ms. Capobianco asked if there is a reason why lot 5 has to be part of the subdivision. Ms. Joubert noted that the two lots accessed off of Howard Street have frontage on Washburn Street, and by changing the lot lines and disturbing two existing nonconforming lots, those lots will now have frontage off of a new subdivision driveway.

Ms. Capobianco voiced a preference for the revised plan over the plan that was previously presented which showed access off of Howard Street. Mr. Sullivan asked if the board is able to address the issue of the width reduction on the roadway.

Mr. Pember indicated that his initial opinion was that, in order to protect the wetlands and have the best option for drainage basins, he would not have a problem reducing the roadway width to 22 feet or waiving the requirement for sidewalk along the northerly side, but he feels that the costs associated with that work should be donated to the town's sidewalk fund. Ms. Capobianco noted that the town no longer has a sidewalk fund. Mr. Pember suggested that the applicant volunteer to do some sidewalk work in another location where it may be needed. Ms. Harrison voiced agreement with Mr. Pember. Ms. Capobianco stated that she is on the fence about the two waivers and noted that, while she understands the environmental impacts of the impervious surface, she would prefer to wait for Mr. Litchfield's recommendations/guidance. Mr. Sullivan indicated that he will meet with town staff and proceed appropriately. Ms. Capobianco asked if it would be possible to increase the size of the drainage structures based on the increase in available land that would be gained by reducing the impervious surface. Mr. Sullivan indicated that decisions about the size of the structures will be based on the impervious surface calculations. Mr. Litchfield explained that the detention basin cannot be moved into the right-of-way, and noted that less pavement will result in less drainage and therefore might mean more area for storage to address the existing issues.

In response to a question from Ms. Harrison, Ms. Joubert stated that she did not receive a comment letter from the Fire Chief.

Site Plan Approval for 1 Lyman Street, Map 66 Parcels 9, 10 & 11

Applicant:	Ian Gow
Engineer:	Connorstone Engineering Inc.
Date Submitted:	March 18, 2016
Decision Due:	June 15, 2016 (90 days from submission)

Mike Sullivan introduced owner and applicant Ian Gow, and Landscape Architect, Michael Radner. He explained that, because the lot is located in the Industrial zone in a Groundwater Area 1, there is really not much that is allowable by right. He commented that the existing residential house on the property is not allowed in an Industrial zone and noted that there is a wetland and flood plane to rear of the 4 acre property, with the topography sloping down from Bartlett Street to the wetland.

Mr. Sullivan discussed the applicant plans to build a self-storage facility, with a total of 6 buildings proposed (5 small single story 30' x 80' structures and one larger building). He noted that drainage will be handled in two ways. He explained that a subsurface Cultech system to be installed to collect roof runoff and confirmed that the soils can accommodate an onsite septic system and the subsurface drainage, which will handle half of the larger building. He noted that runoff from the remaining portion of the larger building, other buildings and parking will be collected using a typical system of pipes, catch basins, and manholes and will be discharged to an infiltration basin. Mr. Sullivan stated that the drainage was designed to accommodate up to the 100-year storm event.

Mr. Sullivan noted that access to the project will be from Bartlett Street only. He indicated that a security system will be installed, and someone will be onsite the majority of the time. He also discussed the photometric plan that was prepared, and confirmed that no light will shed to any of the neighbors.

Ms. Capobianco asked if the applicant has been before the Conservation Commission. Mr. Sullivan indicated that they have, but that hearing has not yet been closed. He explained that the Conservation Commission has expressed a desire to obtain a peer review of the wetland delineation as well as addressing the question of whether the intermittent stream is actually a perennial stream. Ms. Capobianco suggested that, if there is an issue with the wetland line, the layout of the plan could change. Mr. Sullivan agreed that this would be the case, but remained confident that the delineation is accurate.

Ms. Capobianco asked if a variance is needed for the project. Mr. Sullivan stated that the applicant has been before the Zoning Board of Appeals (ZBA) but has not yet been to the Design Review Committee (DRC) because Mr. Gow is still working on details of what the buildings will look like.

Michael Radner of Radner Design Associates, discussed landscape and planting plans for the project. He indicated that he had tried to mitigate some of the visual impacts to the west side of the site and is proposing heavy plantings along the length of property to screen the buildings. He noted that a couple of existing large oak trees will be preserved and several large deciduous plants will be used to fill in between the evergreens and large trees, with a double row of plantings to be provided in certain areas to provide additional screening. He suggested the use of various drought-tolerant varieties, many of which will be fast growing, to give a more natural appearance. He also noted that a fence with a sliding gate to completely enclose the project will be installed for security. In response to a question from Ms. Capobianco, Mr. Radner indicated that the fence will be a 6-foot decorative metal fence unless the board would prefer a solid fence.

Mike Sullivan noted that the applicant is seeking to accommodate tenants who may wish to store vehicles onsite and has identified two of the buildings in which he plans to accommodate them. In doing so, this will require that he provide an MDC trap and tight tanks, and tight tanks are proposed in two locations. Mr. Sullivan voiced his opinion that 2,000 gallon tanks should be sufficient, but agreed to provide calculations to the Town Engineer to confirm that.

Mr. Gow noted that there will be closed-circuit television to monitor the exterior of the project, with an internal camera proposed for the 2-story building. He explained that tenants will have access to the units between 6:00AM and 9:00PM and staff will likely be onsite from 8:00AM to 6:00PM, with no activity expected overnight.

In response to a question from Ms. Capobianco, Mr. Gow indicated that there will be a total of approximately 280 units, with the vast majority to be 10' x 10' in size. He also expressed a desire to install solar panels on the roof to power the entire project.

Mr. Gow stated that signage will be installed near the entrance from Bartlett Street so as not to impact the residential abutters. In response to a question from Ms. Harrison, Mr. Gow indicated that the roofs will be slightly pitched. He also stated that the colors of the buildings will likely be beige and green, in order to be suitable for the location and blend with the neighborhood.

Mr. Litchfield informed the board that he had not provided a review memo for the project due to the fact that there was a considerable dispute about the wetland line and the impact to the overall development on the site during the Conservation Committee meeting. In addition, he noted that the project review with the Groundwater Advisory Committee (GAC) was continued until their May meeting. He suggested that board continue this hearing until these issues can be resolved.

Mr. Pember suggested that there will need to be a gate in the fence to provide access from Lyman Street in order to do maintenance on the stormwater basin, which is not currently shown on the plan. Mr. Sullivan agreed. Ms. Capobianco asked about fencing around the basin. Mr. Sullivan noted that there will be a large enough opening to allow machinery to access and maintain the basin.

Ms. Poretsky stated that, while it is noted that there are a lot of industrial areas going east, she noticed while reviewing the package that this property abuts the road which is where the residential zone falls along. She voiced her understanding that the minimum setback along a lot line adjacent to a residential district is 100 feet from a residential lot lines, but plans show only a 40 foot setback. Mr. Sullivan noted that there had been a conversation early in the process and it was agreed that, as long as there was separation including the street, the necessary setback could be accommodated. Ms. Poretsky expressed uncertainty about that position, since the lot line is on the property and not in the street. Mr. Sullivan stated that the zoning line runs down Lyman Street. Ms. Joubert stated that, in checking the online GIS viewer, the district boundary line appears to run along Mr. Gow's property line and not down the middle of the street.

In an attempt to address Ms. Poretsky's question, Ms. Joubert noted that there is a section in the supplemental regulations about the 100 foot setback that allows for the setback to be reduced to 50 feet. She also noted that the front setback in the Industrial zone is 40 feet.

Ms. Poretsky commented that a few years ago the bylaws were revised to prohibit this use given the number of self-storage units already in town. She voiced her desire to send a letter to the ZBA reminding them of that and asking them to take it into consideration.

Ms. Capobianco stated that there are too many open questions about the project for the board to move forward. She expressed an interest in seeing what the Conservation Commission and Design Review

Committee have to say, and indicated that she would not be comfortable with voting on the project until the DRC has had an opportunity to comment. Ms. Harrison agreed.

Ms. Joubert noted that the ZBA is scheduled to hear this case at their meeting on May 24, and the Conservation Committee meeting is on May 16, though she is uncertain whether that hearing will be concluded on that night since the Conservation Commission has requested a peer review.

Ms. Joubert indicated that continuing this hearing until the May 3rd Planning Board meeting will not accomplish anything, given the timelines for the other boards, and suggested that it be continued to the board's June meeting. She reiterated that a use variance is required from the ZBA in order for the project to move forward and, without a use variance, there will be no need to continue with site plan review.

Ms. Capobianco noted that the decision deadline on this application is June 15, 2016 by statute, but an extension can be granted upon the applicant's request. She agreed that a continuance to the June 7th meeting would be advisable in order to afford the applicant time to conclude with the Groundwater Advisory Committee, Design Review Committee and the Conservation Commission.

George Pember made a motion to continue the hearing to June 7, 2016 at 7:00PM. Leslie Harrison seconded; motion carries by unanimous vote.

Ann Beckstrom, 152 Bartlett Street, expressed appreciation to the board for all of the effort they have put in and for the consideration it has shown the abutters. She asked what side of the fence the trees will be planted on. Mr. Radner stated that the plantings will be on the project side of the fence, with the fence to be on the property line. Ms. Beckstrom asked about the vegetation shown near the basin on the plans. Mr. Radner explained that they represent existing woods. Ms. Beckstrom asked if the applicant is definitely intending to cut down a good portion of the woods for the projects. Mr. Radner noted that there will be some tree removal, but a 20 foot buffer strip along the road will be maintained. Ms. Beckstrom voiced concern about impacts to wildlife including a nesting pair of Cooper's hawks.

Ms. Joubert asked why the applicant would propose a solid fence with plantings on the inside. Mr. Radner noted that the 6-foot fence is intended to prevent headlights from impacting the neighbors, and the trees are expected to grow up to a much greater height. Ms. Capobianco suggested that it might make more sense to put the plantings on the outside of the fence. Mr. Radner discussed concerns about snow removal activities damaging the fence.

Public Hearing Scenic Road Application for 280 Newton Street

Applicant:	Alan & Judith Gustafson
Engineer:	Engineering Design Consultants Inc.
Date Filed:	March 30, 2016
Decision Due:	May 10, 2016 (21 days from hearing date)

Mr. Bemis noted that the project site is located to the east side of Newton Street, with a brook, bordering vegetated wetland and riverfront associated with the brook nearby. He indicated that the project has been reviewed by the Conservation Commission and the wetland delineation has been affirmed and is on the record. Mr. Bemis explained that this property was previously before this board and the ANR plan creating 3 additional lots was endorsed. He explained that, to gain access to the existing home, the driveway will be moved further to the north, then brought around to wrap back and tie into the existing driveway. In addition, he noted that the existing barn will be relocated onto lot 3.

Mr. Bemis explained that the driveway for lot 2 will be to the south of the brook crossing and another driveway will be on the other side of the brook, with the end result being 3 new driveways opening onto Newton Street. He indicated that the requisite notes about affected stone walls to be relocated are included on the plans and there are no street trees to be affected. He stated that he has no issues with any of the comments in the review memo from the Town Engineer (copy attached).

Mr. Litchfield stated that the scenic road needs to be respected and he believes that the plan does so. He also noted that, while he believes that the driveways are in appropriate locations as proposed, he would like to confirm the sight distance. He indicated that the bigger issue is with the extensive amount of work currently being done on Newton Street. He explained that, at the time that the improvements currently underway were proposed and approved, there were no easements available from this side of the street that would allow some additional work to lower Newton Street as was desired. He stated that he is hopeful that the developers working on each side of Newton Street can get together and come up with a compromise to make some further improvements in Newton Street. He noted that there is a drop in the roadway on the Gustafson side that will require a wall or a guardrail, and any additional lowering of Newton Street at that location will change the grade of Mr. Ramadan's proposed driveway, which may require additional blasting. He indicated that, while he would like to see Newton Street lowered, he would like to see the two developers come up with some improvements that will meet town goals and satisfy the two of them. He requested that the hearing be continued to allow the developers to work together to develop a new plan that will produce the best possible product for the residents of Newton Street.

Ms. Capobianco asked if the decisions rendered for Mr. Ramadan's common driveway took into account the absence of an easement agreement from the Gustafson's properties. Mr. Litchfield recalled that there was a common driveway that was approved, and that driveway profile meeting Newton Street is as currently exists. He noted that the roadway improvements that Mr. Ramadan was required to make as part of his scenic road application involved dropping Newton Street a couple of feet at station 8+0. He also indicated that there is some additional work needed on Mr. Ramadan's driveway profile to make sure it meets the final plan for Newton Street as approved. Mr. Litchfield suggested that there is some additional lowering needed, or at least some discussion that needs to take place to determine if the common driveway profile can accommodate additional lowering that would make it safer.

Ms. Capobianco asked how much time Mr. Litchfield will need to help the board determine what this applicant is going to be required to do, should the two developers be unable to reach an agreement. Mr. Litchfield stated that he will need a month, given the demands of Town Meeting and activities in early May. He also commented that it is challenging to try to assign work when projects are already underway.

Ms. Harrison asked if the applicant had given any consideration to doing a common driveway instead of individual curb cuts and the resulting disruptions to the stone walls. Mr. Bemis stated that it was considered, but did not make sense and also raised concerns about the potential impacts to the wetland. Mr. Litchfield explained that town staff had made the same suggestion, but it did not appear that anything would be gained and there were environmental impacts to consider.

Mr. Bemis expressed the applicant's desire to try to bring closure to the hearing this evening. He indicated that they have no problem with any easements, grading, or conditions on their side of roadway. He also noted that the adjoining property will need to come in at the high point to gain access, so lowering of the road will adversely affect them. He explained that he is looking to widen out the grade through that area to have a proper shoulder along Newton Street, and reiterated that the applicant is ready to commit to any easement needed to create the shoulder. He commented that there

appears to be no benefit for Mr. Ramadan to lower the driveway, and lowering it two more feet will make it more difficult to get to their land.

Ms. Capobianco noted that it would be helpful to have a revised plan for the Town Engineer to evaluate, and voiced her desire for Mr. Litchfield to determine if the creation of the shoulder will be sufficient. Mr. Litchfield voiced his desire for the two developers to work together, but if that is not possible there is a way to condition it in its current state that would allow it to be what the board has already approved. He reiterated his desire to encourage the two developers to work cooperatively to try to get a better solution for the town. Mr. Bemis stated that the applicant is happy to accommodate anything requested on the east side of Newton Street.

Ms. Joubert expressed skepticism about anything happening in time to address this application at the May 3rd Planning Board meeting. Ms. Capobianco suggested that a status update can be provided at the first meeting in May, which might enable the board to obtain an extension beyond the May 10th deadline if needed. Mr. Bemis stated that the applicant would be willing to grant an extension tonight to the May 17th meeting. He reiterated the applicant's willingness to do anything necessary on the east side of Newton Street in order to move the project forward.

Mr. Litchfield indicated that he would like feedback on the ability of the two developers to get together and further lower the road as the town had previously desired. Mr. Bemis stated Mr. Ramadan's common driveway was approved as not to exceed a 5% grade. He noted that lowering the road will require the grade to be steeper, and asked board to give him the ability to explain that to Mr. Ramadan so he understands that he is not accepting something that he cannot fulfill. He indicated that he would like to hear from the board that it would be acceptable for the road to have a steeper pitch to it. Mr. Litchfield stated that he believes that Mr. Ramadan understands that his maximum grade cannot exceed 10%. He reiterated that, given that the Gustafson's property is now up for development, there is a possibility to improve the situation and he would like to see the two parties attempt to do so.

Based on the availability of board members, it was agreed that the board will meet on May 11th and request an extension from the applicant to June 17, 2016. Mr. Bemis agreed to grant the extension as requested.

Mr. Ramadan explained that, when he received approval for phase 1 of his project, he got it bonded and moved forward with it. He also noted that phase 2 approval is based on him building phase 1. He stated that, at the time of his application, it was clearly stated that the road cannot handle any more traffic until the roadway improvements are done, and he hopes that applies not just to the houses he is building but to any houses built there. He also stated that he had previously reached out to Mr. Gustafson to see if it would be possible to work on an equitable way to share the costs associated with addressing the roadway, but Mr. Gustafson did not return his call. Mr. Ramadan also stated that there is a letter from Mr. Gustafson on record in which Mr. Gustafson indicated that he would not grant Mr. Ramadan an easement. Mr. Ramadan explained that there is a possibility that his project may not be completed and the roadway improvements may never get done, and questioned why Mr. Gustafson would have the ability to build his project without being required to make the roadway improvements that the town insisted Mr. Ramadan make. He voiced his opinion that the first developer to actually build houses should incur the costs or at least be made to share them, and it is unfair for him to incur all of the costs. He reiterated that Mr. Gustafson should be treated no differently by the town than he was.

Ms. Capobianco expressed a desire for Mr. Ramadan and Mr. Gustafson to reach an agreement about how to move forward.

Mr. Pember commented that he is disappointed to hear that the Gustafson's were completely uncooperative when Mr. Ramadan was making his application, and for them now to come in and try to

rush through the process when they would not cooperate in the past does not earn them any sympathy from the board. Mr. Bemis stated that the Gustafson's had informed him that they were not aware about the issue of the easement, and it is possible that they did not understand it at the time. He voiced frustration about the process dragging out for another month or two. Ms. Capobianco noted that the applicant lives on one of the most dangerous roads in town, so will have to deal with that. She also commented that it is unfortunate that they refused to participate in previous decisions and hearings, of which there were several. She suggested that Mr. Bemis explain to his clients that their failure to participate in the past is not going to buy them any favor now. Ms. Joubert requested that Mr. Bemis agree to an extension of the decision deadline. Mr. Bemis agreed to an extension to June 17, 2016.

George Pember made a motion to continue the hearing to May 11, 2016 at 7:00PM contingent upon receiving an extension of the decision deadline to June 17, 2016. Leslie Harrison seconded; motion carries by unanimous vote.

Five Year summary of ZBA permits – Ms. Joubert explained that she had provided an updated five year summary of ZBA permits to specifically show which applications were denied. Ms. Capobianco indicated that she would like some time to review the summary before discussing it with the board. Ms. Joubert explained that Ms. Grampietro provides a summary every year to submit as part of the annual report. She also noted that she did not attach a copy of every decision, but would be happy to do so if the board would find it helpful.

Ms. Capobianco expressed appreciation to Ms. Grampietro for compiling and providing the information, and suggested that the board review it more closely at an upcoming meeting.

Ms. Joubert noted she had provided a list of waivers that have been granted, which the board had requested in anticipation of looking at the subdivision rules and regulations.

Ms. Joubert stated that the DPW Director is available to attend the May 17th meeting to discuss the subdivision rules and regulations. She also noted that the discussion with the Green Communities representative is on the agenda for 7:00PM that evening. Ms. Poretsky indicated that she is unable to attend on May 17th and expressed a desire to participate in the conversation with the DPW Director. Ms. Joubert agreed to ask the DPW Director about his availability for the June 7th meeting.

Master Plan – Ms. Capobianco suggesting deferring the Master Plan discussion until a meeting when Michelle Gillespie can be present.

Planning Board Appointee to the Financial Planning Committee – Ms. Joubert advised the board that a vote is needed to reappoint Tom Spataro to the Financial Planning Committee for another 3 year term.

George Pember made a motion to appoint Tom Spataro to the Financial Planning Committee for a 3 year term. Amy Poretsky seconded; motion carries by unanimous vote.

CPC Articles for upcoming Town Meeting - Ms. Capobianco noted that the board had previously voted to write a letter of support for the Town Common and asked if that had been done. Ms. Harrison commented that the board had also voted to provide a letter of support for the White Cliffs. Ms. Joubert agreed to send a letter to the Town Moderator indicating that the Planning Board supports all of the Community Preservation Committee (CPC) articles. Mr. Pember indicated that he has not yet heard the most recent proposal for White Cliffs, and he believes the proposal going to Town Meeting is not what the board voted to support. Ms. Joubert explained that the minutes reflect that the board agreed to support all of the CPC articles and the White Cliffs proposal that is reflected in the documentation is the current article for 2.4 million dollars to purchase the property. Ms. Harrison voiced her understanding that 1.75 million is needed for the purchase and the remainder is to cover up to 3 years of protecting, maintaining, and evaluating potential uses for it. Ms. Poretsky commented that John

Campbell, Chair of the CPC, had indicated that there is enough CPC money to fund both the White Cliffs and Town Common applications, and requested that everyone spread the word.

Town Hall - Ms. Capobianco noted that the sign above the overhang in front of the Town Hall needs to be repaired. Ms. Joubert suggested sending an email to the Town Administrator.

Use variances - Ms. Poretsky discussed sending a memo to the ZBA regarding use variances. She noted that, in 2009, there was a large committee formed and they recommended prohibiting self-storage facilities in town. She also noted that a use variance requires that there be no other use for the land and, though the Lyman Street parcel is in an Industrial zone, there are other uses that can be put on the parcel. She suggested sending a memo to the ZBA opposing the granting of a use variance for a self-storage facility. Ms. Capobianco agreed, especially given that it is a use that is prohibited in town.

Meeting adjourned at 9:42PM.

Respectfully submitted,

Elaine Rowe
Board Secretary