



TOWN OF WEST BOYLSTON PLANNING BOARD planningboard@westboyiston-ma.gov
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**DEFINITIVE SUBDIVISION PLAN
PUBLIC HEARING MINUTES
223 Prescott Street – Nuha Circle
November 12, 2014**

Chairman: Marc Frieden

Members Present: Christopher Olson, Cheryl Carlson, Vincent Vignaly, Mark Brodeur

Members Absent: None

Others Present: See Attached Sign-In Sheet

All documents referenced in these Minutes are stored and available for public inspection in the Planning Board Office located at 140 Worcester Street.

The Chair opened the Public Hearing at 7:05 p.m.

Mr. Olson read into record the Notice of Public Hearing which was published in the Telegram & Gazette on October 29th and November 5th. The applicant provided green card abutter notification.

The hearing was to consider the Definitive Subdivision Plan application submitted by Crescent Builders for an eight lot single-family residential subdivision at 223 Prescott Street. Presenting for the applicant were Jason Dubois (Bertin Engineering) and Iqbal Ali (applicant). Mr. Frieden explained to the audience the process that will be followed (developer presentation, VHB engineering review, town department comments, and public comments).

Mr. Dubois presented and explained the project locus plans showing the existing conditions and roadway. The current use at the proposed subdivision is fields, some of which abut DCR property. He described the test pits that were conducted for the septic systems and the layout of the roadway. Both sides of the street will have trees, but only one side will have a sidewalk. There is a 50' right-of-way with a pavement width of 22'. Modified cape berms will be constructed throughout with the exception of the roundings and the cul-de-sac which will be granite. Mr. Dubois explained the drainage/grading plan and roadway profile showing the existing elevations along the centerline of the road and offsets. Catch basins which will flow into one manhole are proposed. The stormwater treatment area will have sediment forebays and a control outlet with an overflow spillway where the discharge flows into the woods. There will be an access easement on Lot 8. Mr. Frieden asked if there was an Operation and Maintenance Plan. Mr. Dubois said there is, but not on the plan. The "SWPPP and erosion control plan" shows the sequence schedule during construction with berms and check dams to catch sediment. Mr. Brodeur said the stormwater management has some deficiencies and there is some detail with precast structures that need to be present in order to work. Sight lines have not yet been submitted. There was discussion about using permeable concrete for the sidewalks. Mr. Amico

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said the subdivision regulations ask for the use permeable pavement if possible. Mr. Ali asked that bituminous concrete be used.

Mr. Amico (VHB) reviewed his letter provided to the board on November 6, 2014. It did not allow the applicant adequate time to respond formally, but Mr. Dubois agreed to review the list of VHB's concerns tonight. Lot dimensions – Mr. Dubois said the Zoning Bylaw under Section 4.1D states that "the direction of side lot lines shall be as close as possible to perpendicular to the street line or to its tangent at the point of intersection of the side lot line. In no case shall the direction of the side lot line from an angle of less than 75 degrees with the street line or the aforesaid tangent. This angle must be maintained for a distance of 25 feet." He asked if the board would grant a waiver to this in order to keep the lots as they are now. If they have to be changed, the number of lots will remain the same but it will not look as pleasing. Mr. Amico said waivers cannot be granted for zoning requirements, but he was unsure if this requirement was part of the subdivision regulations. It was suggested that Mr. Dubois provide a plan that would meet the requirement since the number of lots will not change. Also needed is verification of the 120' measurement straight across each lot, not along the setback.

Permeable Pavement – Mr. Dubois was asked to use permeable pavement if practicable. Mr. Amico said it is not in the best interest of the town to have permeable pavement because of the maintenance required in order to function properly. Mr. Ali was advised to ask the DPW how they would like to proceed.

There are water issues that require resolution with the Water Department and Fire Department. Mr. Amico had technical issues with the drainage computations but felt Mr. Dubois could comply with them. Snow storage needs to be included on the plan.

Street Lights – Mr. Ali said he spoke with the Municipal Light Department and they will be providing specifications.

Mr. Amico recommended that the Operation & Maintenance Plan and the Long Term Pollution Prevention Plan be put on the plan itself rather than a separate document in the event documents are lost. Mr. Ali was asked if the O&M indicated who is responsible for what. Given that it is a subdivision, there will be a Homeowner's Association who will be responsible for maintenance of the stormwater treatment basins. In the last few subdivisions, the town only accepted the street drainage structures located within the formal right of way. The Planning Board requires submittal and approval of the Homeowner's Association. Mr. Ali asked who maintains the detention basins and was told if it is within the right-of-way of the road, it is typically the town. Anthony Sylvia (DPW Director) reviewed the plans and said the design needs to be revised to specify access for maintenance of the detention basins. The pipes will need to be buried deep enough to withstand the weight of heavy equipment travel over them. Mr. Ali said the homeowners will not be educated enough to keep them clean. Mr. Frieden said the responsibility should be with the homeowners and not the town.

Mr. Amico suggested a slight revision to the profile at the end of Prescott Street. He recommended granite curbs be installed around the entire cul-de-sac to limit excessive wear and prevent damage from plowing. Mr. Sylvia said he would be satisfied with constructing a flared asphalt berm, not the tall cape cod berm. Mr. Ali agreed and the plans will be changed to reflect this.

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Fire Suppression – VHB discussed the need to have the Homeowner's Association be responsible so the town does not carry the burden.

Bonding – Mr. Ali asked about bonding and was told the town follows state laws; covenant, cash bond or tri-partite agreement. With a covenant, no lots can be occupied until the road work done is acceptable to the board and its engineers review.

One of the catch basins should be moved further up in the subdivision because of drainage issues. Mr. Dubois will include it with the revisions to Mr. Amico.

Mr. Olson read into record comments received from the town departments (Municipal Light Department, Water Department, Building Inspector, DPW, and Fire Department). Mr. Brodeur said regarding the Municipal Light comment, they will provide specifications for street lighting if installed. If Nuha Circle is accepted as a town road and street lighting is included in the subdivision, the town will have to agree to pay for additional street lights. The developer would have to continue paying if the road is not accepted.

Anthony Sylvia (DPW) commented on the permeable pavement for the sidewalks; he does not think it is necessary as far as stormwater improvement for the project. The proposed sidewalk will be surrounded by grass on both sides. Secondly, the DPW does not have the means to maintain permeable pavement. In regards to the proposed roadway pavement being 2" binder and 1" topcoat, he requested that it be 2 ½" binder with a 1 ½" topcoat which he feels that is standard pavement thickness for a residential street. Mr. Ali said he would put 2" binder with a 1 ½" topcoat. Mr. Sylvia was not satisfied with this. Mr. Ali said he would do this because of the cost involved. The board can only require what is in the regulations. Mr. Ali was directed to work that out with Mr. Sylvia.

Robert Barrell (Board of Health) said five septic plans have been approved by the Board of Health.

Mr. Ali was advised to be sure the length of Nuha Circle starts at the centerline of the intersection and not the edge of the road to ensure compliance with design standards for streets.

Mr. Ali asked if the board will require changes to the lot lines if the angle of the lots does not meeting zoning requirements. He was told he will need to do research and may have to go before the ZBA because the Planning Board cannot waive Zoning Bylaws.

Fire Chief Comments – Chief Welsh said there are many unanswered questions about the water supply. It is only a speculation that there are 500 gallons available flow at the hydrant. No tests or water flows were conducted. If they want to tie into the hydrant on the corner of Prescott and Nuha Circle, the pump at Western Ave would shut down when the hydrant is opened to fight a fire because it would mimic a broken pipe. The system then would be pumping from the bottom of Prescott Street on Route 12 which creates a low pressure water supply from that location to the hydrant on the corner of Prescott Street and Nuha Circle. Since no data has been provided, Chief Welsh does not know what the true flow would be. The Water Department said studies need to be conducted by an engineering firm to determine this flow. Until adequate information is provided, the Chief is recommending residential sprinkler systems for the homes for public safety. Each home would have an individual tank. Chief Welsh said that the cistern proposed

by Mr. Ali requires maintenance and he does not feel that the town or a Homeowner's Association can provide adequate protection. The developer will need to hire a company to do the tests. Mr. Ali said he spoke with Mike Coveney (Water District Superintendent) who said when a hydrant is opened, it trips the pump station. Mr. Ali said the proposed street is 750' with a hydrant on it and wants to put in a cistern. He said the Homeowner's Association would be responsible for the system. Mr. Frieden reminded Mr. Ali that he had said earlier that the Homeowner's Association would have a problem taking care of the drainage which is visible. Mr. Brodeur felt that putting individual sprinkler systems in every house would not be a burden for the developer. Mr. Ali said the cost would be \$10,000-\$12,000 per house. He asked if the board would approve the last three lots on the cul-de-sac with sprinklers with the remainder using the hydrant which he will replace. He was told that he would have to provide evidence that it is adequate and come to an agreement with the Water Department and Fire Chief. Mr. Ali said a study would not help because he was told by Mr. Coveney that the hydrant is not capable of handling any fire. The Planning Board stands behind the Water Department and the Fire Chief. Mr. Ali will speak with Mike Coveney and see if there is a solution for the pump.

Public Comments – Marcia Cairns (208 Prescott Street) said the two catch basins at the end of the proposed street are lower than the catch basin in front of her home. All houses on the other side of the street have catch basins at the end of their driveway. She said the town put in a catch basin and pipes that go down the side of her property to eliminate the water flow, but that was engineered for the current houses only. She said that with the development of the lot to the south side of this proposed subdivision and no new drainage, she will have more runoff. Mr. Ali was asked if anything could be done for those properties. Mr. Sylvia said when he reviews the hydraulic calculations it will show a zero net increase in the runoff for the entire project. Mr. Sylvia said for #217, #219 and #221, he would recommend putting in drywells for the roof runoff and impervious areas on the lots so the only new runoff from the entire project that would come onto Prospect Street would be at the driveway of 217. Mr. Ali will visit her property.

Bob Sliwoski (199 Prospect Street) asked if structural damages from blasting would be covered by a bond or covenant. Mr. Brodeur explained that if there is any blasting to be done, there must be a pre-blast survey of any properties within so many linear feet of where the blasting will occur, and a permit is required from the Fire Department before the blasting can occur. A bond would not cover that; but it would be an insurance issue.

Mr. Ali said that, based upon VHB's comments, he is asking to close the public hearing. He was told the board cannot accept new documents once the hearing is closed. Ms. Carlson made a motion to continue the public hearing to December 10, 2014 at 7:00 p.m.; Mr. Brodeur seconded the motion; four members voted in favor; Mr. Vignaly abstained; motion approved.

Date Accepted: _____

By: _____
Christopher E. Olson, Clerk

Submitted by: _____
Melanie Rich