

PLANNING BOARD
Meeting Minutes
Tuesday, September 4, 2012
Town Hall, 120 Main Street
7:00 PM

1 Present: J. Simons, M. Colantoni, D. Kellogg, L. Rudnicki. L. McSherry

2 Absent: R. Rowen

3 Staff Present: J. Tymon, J. Enright

4

5 Meeting began at 7:00pm.

6

7 **BOND RELEASES**

8 **858 GREAT POND ROAD:** Request for the release of a \$4,000 performance bond.

9 J. Tymon: This was for a new home in the Non-Disturb Zone. A site visit has been completed
10 and an as-built has been received.

11 **MOTION**

12 A motion was made by D. Kellogg to release all performance bond funds held for 858 Great
13 Pond Road, including interest. The motion was seconded by L. McSherry. The vote was
14 unanimous.

15

16 **NEW CINGULAR WIRELESS-AT&T:** Request for release of bonds held for 5 Boston Hill,
17 723 Osgood Street, and 0 Chestnut Street.

18 J. Tymon: A full set of as-built plans have been received for all three sites.

19 **MOTION**

20 A motion was made by M. Colantoni to release New Cingular Wireless – AT&T bond funds and
21 accumulated interest for 5 Boston Hill. The motion was seconded by L. Rudnicki. The vote was
22 unanimous.

23 **MOTION**

24 A motion was made by L. Rudnicki to release New Cingular Wireless – AT&T bond funds and
25 accumulated interest for 723 Osgood Street. The motion was seconded by M. Colantoni. The
26 vote was unanimous.

27 **MOTION**

28 A motion was made by L. McSherry to release New Cingular Wireless – AT&T bond funds and
29 accumulated interest for 0 Chestnut Street. The motion was seconded by D. Kellogg. The vote
30 was unanimous.

31

32 **ANR**

33 Tom Zahoruiko, 72 Great Pond Road: Proposal to create two lots from one existing lot.

34 J. Tymon: The lot size is a little over four acres and has one home on it. There was preliminary
35 discussion for a possible three lot subdivision for this property. Based on feedback from the
36 Planning Board and Conservation Commission the applicant has decided to create one lot at this
37 time. This lot would be just over an acre and have frontage on Great Pond Road. The remaining
38 lot would be just over three acres. The new lot would be within the 100' buffer to the wetlands
39 and the driveway may need to be constructed within the 50' buffer zone.

40 Tom Zahoruiko, Applicant: This ANR application is not intended to preclude previous
41 discussions of a possible subdivision. This lot is geometrically the same as one of the two lots
42 that were to be created on the preliminary concept plans for the subdivision that was presented at
43 the last meeting. Creating this lot does not disadvantage the conceptual subdivision plans.

PLANNING BOARD
Meeting Minutes
Tuesday, September 4, 2012
Town Hall, 120 Main Street
7:00 PM

44 **MOTION**

45 A motion was made by L. Rudnicki to direct the Town Planner to sign the Form A for 72 Great
46 Pond Road. The motion was seconded by D. Kellogg. The vote was unanimous.

47
48 **PUBLIC HEARINGS**

49 **CONTINUED PUBLIC HEARING**, 5 Boston Hill: Metro PCS application for a renewal of a
50 Wireless Special Permit.

51 **J. Tymon**: Mark Hutchins has submitted his report. The application is complete.

52 **MOTION**

53 A motion was made by M. Colantoni to close the public hearing for 5 Boston Hill, Metro PCS.
54 The motion was seconded by D. Kellogg. The vote was unanimous.

55 Draft Decision was reviewed.

56 **MOTION**

57 A motion was made by D. Kellogg to approve the renewal for the Wireless Special Permit at 5
58 Boston Hill, Metro PCS as in the written Decision. The motion was seconded by M. Colantoni.
59 The vote was unanimous.

60

61 **NEW PUBLIC HEARING**, 0 Great Pond Road: Application for a Watershed Special Permit for
62 construction of a single dwelling, porous pavement driveway, roofed porches, deck, site utilities,
63 and associated site grading on a presently undeveloped, buildable lot.

64 **J. Tymon**: This is for construction of a new structure within the Watershed. The lot is
65 approximately two acres in the R-1 zone and it was created before 1990 so the Conservation
66 Zone does not apply. Most of the proposed building is within the 100' Non-Disturb Zone. The
67 application did have to go to the ZBA for a variance. The variance was granted. The proposal
68 has two entrances off of Great Pond Road due to sight line distances. L. Eggleston has reviewed
69 the application and she has provided comments that the applicant will address. The limit of
70 clearing will be brought in and landscaping will be added to the plan based on comments by the
71 Conservation department and L. Eggleston. The lot was created Oct. 29, 1990 and the
72 Conservation Zone was established in 1994.

73 **J. Simons**: When was the two acre zoning established? Who owns the surrounding lots?

74 **J. Tymon**: Believes the two acre zoning change was done in 1988.

75 **Jack Sullivan**, Sullivan Engineering Group representing the applicant: The ZBA had the same
76 concern of common ownership. There are a total of four lots totaling 17 acres. One of the
77 existing lots has an existing home and there are three vacant lots. The ZBA said that it is a mute
78 point because this lot has sufficient frontage and upland and it is a buildable lot under current
79 zoning. The four lots were broken out in 1990. The applicant has owned the property since
80 1996. An application has been filed with the Conservation Commission. Conservation has
81 confirmed the wetland line shown on the plan. The total building footprint for the structure is
82 2,916 sq. ft. The lot coverage is 3.35%. Reviewed the stormwater drainage design which
83 includes a dry well, pervious pavers, and porous pavement. The proposed plan will be revised to
84 pull the limit of work line in. There will be a deed restriction in place for pesticides and fertilizer
85 use. The lot does not directly abut the lake. The distance to the lake is at least 500 feet from the

PLANNING BOARD
Meeting Minutes
Tuesday, September 4, 2012
Town Hall, 120 Main Street
7:00 PM

86 rear lot line. There is some type of abandoned foundation structure on the lot that will be
87 removed.

88 J. Simons: Requested the surrounding lots be displayed at the next meeting. Expressed that he
89 would like to understand any potential for future development on the surrounding lots. This is a
90 critical area and the wetland is a direct feeder into the lake. Stated that the applicant will have to
91 demonstrate beyond a reasonable doubt that there will not be any impact to the lake.

92 J. Sullivan: There will be 50' of grading beyond the rear of the house. The closest measure to
93 the wetland line is 53'. Every other measurer is over 75'. The design meets the Ma. Stormwater
94 Standards. Maintenance requirements are documented in the Operation and Maintenance Plan.
95 The property will be connected to sewer and there is limited grading. A key plan of the
96 surrounding lots will be provided at the next meeting.

97 J. Tymon: L. Eggleston will do a review of the revised plan for the next meeting.

98 ABUTTER

99 Mark DiSalvo, 1011 Great Pond Road: Lives directly across from the property. Stated he was in
100 support of the project and that applicant has always shown respect and care for the lake.

101 J. Simons: The hearing will be continued to the next meeting.

102

103 **PUBLIC MEETING**

104 NEW PUBLIC MEETING: Preliminary Subdivision Plan Appleton Street: Application for a
105 proposed 11 lot Preliminary Planned Residential Development Subdivision Plan on three
106 existing lots comprised of approximately 21 acres of land (map 65, lots 8, 9, and 55).

107 J. Simons: Explained the reason and process for a Preliminary Subdivision Plan and a Planned
108 Residential Development.

109 J. Tymon: J. Hughes, Conservation Administrator, has submitted a letter dated August 29, 2012
110 expressing a concern about the following: the applicant's ability to construct a house and
111 appurtenances outside of the 50' No-Build Zone on Lot 7, the applicant will need to submit an
112 alternatives analysis, and that the project will need to comply with the Stormwater Standards as
113 required by the Mass DEP. This subdivision proposal is comprised of three existing parcels
114 totaling 21 acres. A subdivision plan for these parcels was approved in 1989 but it was never
115 enacted. One of the open space parcels does contain a significant amount of riverfront. The
116 applicant is meeting the requirements for Open Space. At a previous meeting a Board member
117 asked that the applicant look at extending the proposed street all the way through to Appleton
118 Street. A new roadway profile has been submitted for review.

119 Phil Christiansen, Christiansen & Sergi: Reviewed a Subdivision Proof Plan with a 1,300' cul-
120 de-sac. There are eight lots shown on one side of the cul-de-sac in the R-3 Zone and three lots on
121 the other side of the cul-de-sac which is in the R-1 Zone. The first 100' of the road is within the
122 Riverfront. The wetland line on the plan has been approved by Conservation. Reviewed a P.R.D.
123 Plan which reduces the roadway length to approximately 800'. The plan has eleven lots and
124 three Open Space parcels. This will be a low impact development with wide swales on the sides
125 of the roadway and a detention area. Curbing and catch basins would be eliminated with this
126 type of design. There is an existing water line and an existing sewer line to tie into. Reviewed
127 the roadway profile connecting the roadway through to Appleton Street. Currently there is a
128 driveway in the right-of-way where the road would have to connect to Appleton Street. Another

PLANNING BOARD
Meeting Minutes
Tuesday, September 4, 2012
Town Hall, 120 Main Street
7:00 PM

129 problem with connecting the roadway is the steepness of the hill. There is a 12' elevation
130 difference between where the existing driveway turns into the house and where the road would
131 have to be to meet the present standards. The alternative is to keep the roadway at the existing
132 grade. The existing grade is 13% and there wouldn't be a staging area to get onto Stage Coach
133 Road. If the Town wanted the road to go through the applicant would not go forward with the
134 P.R.D. option. Reviewed the location of wetlands.

135 ABUTTERS:

136 Tom Kinneman, 299 Blue Ridge Road: Expressed concern that there is a very dangerous curve
137 in the road where the new road would intersect with Blue Ridge Road and the sight lines are
138 poor. Suggested adding a sidewalk or opening up the sight lines should this proposal be
139 approved. Stated that he believes the new road would be used as a 'cut-through' if it were to
140 connect to Appleton Street and recommended that this option not be considered.

141 Christine Garcia, 30 Keyes Way: Asked where the drainage detention pond would be located. P.
142 Christiansen showed the location on the plan. Asked if the 50' buffer zone would be adhered to
143 and stated that she does want the buffer zone maintained.

144 J. Tymon: The applicant intends to ask for a waiver of the 50' buffer for those lots that abut the
145 railroad right-of-way.

146 J. Simons: This is a preliminary plan so that would be taken under advisement. It will be looked
147 at in totality and perhaps a landscaped buffer in place of the 50' buffer would be appropriate.

148 P. Chistiansen: The railroad ROW is 80' wide. There is also a 25' easement for sewer.

149 Mark Ford, 385 Appleton Street: Owns the home with the existing driveway in the undeveloped
150 section on Appleton Street ROW. Supports the option of not connecting the road through to
151 Appleton Street because of the grade of the hill and impact to the neighborhood.

152 Colleen Diaz, 150 Pine Ridge Road: Concerned that if the road is connected through to
153 Appleton Street it would become a 'cut-through' road and negatively impact the neighborhood.
154 Also, it would be a safety issue and a speedway due to the straightness of the roadway. Believes
155 that any emergency response vehicles would travel Salem Street to get to this proposed
156 subdivision as opposed to through this neighborhood.

157 J. Simons: The biggest issue is that it is extremely steep and tough topography. Generally most
158 Planning materials say that connecting roads is a good thing. Given the circumstances the Town
159 has to weigh it and balance the local interest with the broad Town interest. Encouraged abutters
160 to communicate any additional concerns to the Town Planner and/or come to the next meeting.
161 A Preliminary Decision will probably be made at the next meeting. The Decision is not binding
162 on the final Decision; however, it gives the developer direction on how to design the final
163 version of the project.

164 A site visit was scheduled for September 15 at 9:00am. Attendees will meet at the Blue Ridge
165 Road site entrance. The center line of the roadway will be marked.

166
167 **DISCUSSION**

168 RED GATE: Certificate of Occupancy Lot 4

169 J. Tymon: The applicant has requested to come to the next meeting to request a Certificate of
170 Occupancy for Lot 4. The last house has been built. They have constructed the retaining wall in

PLANNING BOARD
Meeting Minutes
Tuesday, September 4, 2012
Town Hall, 120 Main Street
7:00 PM

171 the back of the house. A structural engineer has submitted a letter certifying that the wall will
172 perform as designed. The applicant will bring an interim as-built to the next meeting.

173

174 **MEETING MINUTES:** Approval of August 21, 2012 meeting minutes.

175 **MOTION**

176 A motion was made by D. Kellogg to approve the August 21, 2012 meeting minutes. The
177 motion was seconded by M. Colantoni. The vote was unanimous.

178

179 **MISCELLANEOUS**

180 D. Kellogg: There was a site walk-through at 16 Berry Street for the proposed 40B.
181 Communicated to the Board his concerns related to the amount of traffic that will be
182 generated, the additional traffic entering and existing Rt. 114, and his concerns with the
183 narrowness of Berry Street.

184

185 J. Simons: Requested that J. Tymon ask the applicant of 0 Great Pond Road to stake the lot
186 and possibly schedule a site visit.

187

188 **ADJOURNMENT**

189 **MOTION:**

190 A motion was made by M. Colantoni to adjourn the meeting. The motion was seconded by
191 L. McSherry. The vote was unanimous.

192

193 The meeting adjourned at 8:35pm.

194

195 **MEETING MATERIALS:** Agenda, ANR plan 72 Great Pond Road, Draft Decision 5 Boston Hill
196 Metro PCS, Mark F. Hutchins report for 5 Boston Hill Metro PCS dated 8/22/12,) Great
197 Pond Road Watershed Special Permit Application dated 8/7/12, Eggleston Environmental
198 report for 0 Great Pond Rd. dated 8/20/12, Preliminary P.R.D Appleton Street (Regency
199 Place): Memo from J. Hughes, Conservation Administrator dated 8/29/12, Preliminary
200 conventional subdivision proof plan for "Regency Place" dated July 16, 2012, Preliminary
201 P.R.D. Subdivision Plan for "Regency Place" dated July 16, 2012, Through-Road Option
202 Preliminary Conventional Subdivision Proof Plan for "Regency Place" dated August 17,
203 2012, draft 8/21/12 meeting minutes.