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Planning Board Meeting Minutes April 4, 2017

7:15 P.M. Call to Order

The April 4, 2017, meeting of the Norton Planning Board was held in the Board of Selectman's Meeting Room and was called to order at 7:15 P.M., by Joanne Haracz, Chairman. Member(s) Present: Joanne Haracz, Chairman; Mr. Edward Beatty; Mr. Patrick Daly; Mr. Frank Durant; Mr. Joseph Fernandes; and Mr. Stephen Jurczyk. Also present was Tabitha Harkin, Planning and Economic Development Director.

General Business

A. Report of the Planning & Economic Development Director

Ms. Harkin presented the document she compiled for the board titled "*Report of the Department of Planning and Economic Development*" dated April 4, 2017. She gave an overview on the materials in each Planning Board member's binders and noted the status of previously issued decisions and other planning news, including upcoming Town elections, Town meeting and saying goodbye to longstanding board members. She also announced the part time position of Recording Secretary and reiterated the locations of the Planning Board Facebook and Twitter.

B. Site Plan & Special Permit Modification: SP#454A 60 Commerce Way – Ryder Truck (con't)

Joanne Haracz opened the discussion by asking Condyne to speak on behalf of the project. Mark Dibbs, representative from Condyne, presented the revised plans and took questions from the board on stormwater system, reviewed under the Amended Order of Conditions by the Conservation Commission.

Mr. Daly asked about the construction schedule. Mr. Dibbs responded that they were looking to move forward with the construction in alignment with their other project at 46 Commerce Way, the NOAA offices. He noted that 60 Commerce had been cleared for some time and was ready to go.

Ms. Haracz asked the board if there were any other questions.

Mr. Jurczyk replied, No, as long as the comments from ConsCom were addressed.

Ms. Haracz said yes, the Amended Order of Conditions verifies that.

Ms. Haracz said the board would need to develop another set of conditions for the revised plans. She indicated toward the document "DPED REVIEW #2, RE: Site Plan & Special Permit Modification: 60 Commerce Way – Ryder Truck" dated April 4, 2017 which Ms. Harkin had prepared and said there was text of proposed conditions on page 4. The board reviewed these conditions. Ms. Haracz did have a question regarding the proposed condition "D": *"The Planning Board's consulting engineer shall be contacted prior to the installation of drainage structures. (DPED recommends: Construction Inspections shall occur by the Planning Board's consulting engineer upon the commencement of construction, at the expense of the applicant, to ensure compliance with all relevant laws, regulations and Planning Board-approved Site Plan specifications. And a pre-construction meeting shall occur with Town staff and the consulting engineer prior to the start of construction)"*.

Ms. Haracz asked Mr. Dibbs if this would be duplicative of the ConsCom consulting engineer.

Mr. Dibb said he didn't believe so.

Ms. Haracz recommended to keep proposed condition "D".

Ms. Haracz continued to outline the proposed conditions in the aforementioned document.

Ms. Harkin chimed in about the lighting for the "frogs", stating that the amended order of conditions required it. There was some discussion about the dark sky compliant lighting standards and a correction was issued to the proposed condition 2h on page 5 of the document to reflect a typo in the hours required- 11PM to 6PM would be changed to 11PM-6AM.

Ms. Haracz noted that the other items were standard. She asked the board if they had any other conditions to add. Hearing none, she noted that this was not a public hearing so they didn't have to vote to close the hearing, but they did need to vote on the request to modify the special permit and site plan.

MOTION was made by Mr. Fernandes to modify the Special Permit and Site Plan per the recommended conditions. Second by Mr. Durant. Vote: Unanimous. MOTION CARRIES

PUBLIC HEARING SP #468 316 East Main St. - Norton Self Storage (Continued from March 7, 2017)

Joanne Haracz opens public hearing for special permit #468 for 316 East Main Street, Norton Self Storage continued from March 7.

Ms. Harkin referenced document "DPED Review #2..." and gave the board an overview of issues and potential conditions for the project,

Applicant Craig Larson is in attendance and stated that he is there as a continuance for a modification of two permits. He stated that since last meeting in March they have received a report from the consultant engineer and they made observations which he would like to go over with the board. Mr. Larson expressed that he needs to follow up with the fire department and the

building department.

Mr. Larson directs board to the Beta report page 2 of 12, building A and E. He would like to modify the pitch on the buildings, construct vegetated swales to coordinate with landscape plan, as shown in revised landscape plans dated April 5, 2016. His hopes are to demonstrate calculations accordance with no run off to adjacent properties and would like the process to be administrative. Mr. Larson wished to have the plans dated April 5, 2016 added to the decision amended. Mr. Larson explained to board that the previous planner did not give permission to landscape, but wanted the property stabilized and started the landscape process. As there is about 80% done without permission, he would like to finish the 20% with the Boards permission. Mr. Larson is asking the Board to approve landscape plan, and allow BETA, Town Planner or Building commissioner to verify the work was done according to plan.

Next Mr. Larson went over the second modification for concrete ADA compliant sidewalk, ramp as well as a parking spot which was brought up previously. Mr. Larson mentioned his letter from Steve Hayes, the architect of record, included in the Boards file for reference. Mr. Larson asked if anyone had questions.

Ms. Haracz questioned the original plan presented by Mr. Larson, showing where the ramp was.

Mr. Larson showed the Board his large plan that marked the ADA accessible ramp as you face the office with back to the road, it's on left hand side by the gates entrance.

Ms. Haracz asked Tabitha Harkin who certifies compliance?

Ms. Harkin stated that any change or modification of a plan the building inspector should sign off on, which would mean the building inspector would inspect to see if it was built in accordance to CMR 780, and CMR 521 which is ADA. Ms. Harkin believes the applicant may have skipped that process before adding the ramp.

Mr. Larson stated that the plans had been out for a year and the only revision since then was March 19, adding the hydrants and wells to the plan.

The Board questions the main issue, in which Tabitha explained was that they have moved the ramp from one side and all grades associated with it, because it has to be a certain slope. They moved it to the other side which is outside the general path of travel for able body people. Putting those disabled at a disadvantage, as it is not looked at favorably in the law to have a different path of travel.

Mr. Fernandes asked where the ramp was before, And where does the 5% pitch come from.

Steve Hayes, Architect explained to the Board that the access to the porch of the building was on the right hand side of the building instead of the left hand side of the building. Through many discussions lighting, side walk construction and making most efficient use of it they decided to move it to the other side. No thorough discussion with building commissioner, so they chose to build as planned, resulting in more than 2% slope walkway. Mr. Hayes believed is provides access to the building approximately the same length as travel from location shown previously.

Mr. Haracz explained that MAAB has several standards with regards to access, pitch, slope etc. This results in a little more than a 2% sloped walk, not a ramp. I disagree that it does not meet the intent as described. It provides appropriate travel, etc.

Mr. Daley said, the original approved plan had the walk on the other side of the building?

Mr. Larson said yes, but there were impediments, etc.

Mr. Daley stated, but you can understand why there are a lot of questions here. Landscape 80% done, you never did the landscaping, now this?

Mr. Larson responded that they had met with the building commissioner, but when asked for a written statement, had none. He stated that they submitted the landscape plans over a year ago and felt they were doing their best to control the property, with sand blowing and such. Yes, they had done some landscaping outside the permission of the board, but they did it to satisfy the neighbors, who seemed pleased. He stated as far as the ramp goes, it just flipped, and it was something they could fix if so desired.

There was some discussion of relocating the ramp.

Mr. Fernandes: How do I get in if I'm in a wheelchair? It looks like it's at the end of the cement walk as opposed to going straight in.

The architect explained they made the change due to grading issues.

Mr. Fernandes asked, why is there no ramp directly to the parking area?

There was more discussion about grading and parking and changes made from the original plans.

Mr. Larson explained that it should be left to the building inspector, as the enforcement officer.

Ms. Haracz stated that it appeared to meet the intent of ADA, and Mr. Jurczyk chimed in that as long as the building inspector approves it, he's ok.

Mr. Larson stated that the proposed endcap was not necessary, and the median island was never constructed. Fire and Police said they are fine with access to the property, and the catch basin 1 of 12 was not constructed because it was not necessary as they have no intention of building parking. Regarding fence, they have galvanized/vinyl fence, and BETA refers to the board on the type of fence. Some discussion on vinyl clad fence.

Ms. Haracz said any questions regarding the fence? Hearing none, they moved on.

Mr. Larson then went on to address the drainage and the landscape plan. He started discussing how the berms had been modified and were nicer than originally proposed. Discussing the side yard plantings (evergreens) on west side of the property with the drainage swales. They were removed because of maintenance concerns. There was further discussion about buffering and the trees. He mentioned gates on the sides of the property and asked what the reasons for the trees.

Ms. Harkin mentioned that if you do not have trees, the drainage conditions change.

Mr. Larson responded that he would have to defer to the board but he didn't think they were necessary.

Ms. Haracz stated that there were two issues here. One was buffering for the neighbors, who seemed satisfied at this point. The second issue is that the drainage system works based on the revised site conditions and change in vegetative cover.

Mr. Larson said he'd be happy to provide proof that the runoff from the roof area was being captured, as the rest of the drainage was going out back. He said the roof is not that big.

Ms. Haracz said, well you have a swale over there, you want to make sure it can handle the drainage to the road, that it is properly sized, etc.

Mr. Larsen debated the question of how the swale was installed from the BETA report and read aloud from the document about the drainage calculations. He said what is there now doesn't calculate, but it will. There was a discussion on the maintenance of the swale, mowing, etc. He wanted to manage it without doing the trees.

Mr. Daly said, as long as the drainage works, there is no need to plant trees if they aren't going to grow.

Ms. Haracz stated the board was in agreement they needed documentation that the swale will look hydrologically.

Mr. Beatty and Mr. Jurczyk discussed the drainage some more, and the drop in elevation to Golds Gym. They wanted to ensure there was erosion control.

Mr. Larsen ensured the board there would be no erosion issues. There was a discussion about having a low maintenance drought resistant turf mix.

The discussion went on to the ornamental plantings, and how the landscape plan had been modified from the original plans.

The board members asked about the differences between the originally approved plans and the proposed As-Built and Landscape Plan.

Ms. Haracz stated that most of the landscaping plans originally came about to screen the frontage and control the windblown debris coming from the site, a former gravel operation.

Mr. Larson gave his reasoning for the plans, there was some discussion about what could change.

Not hearing major concerns, the board moved on to the number of plants.

Mr. Larson said he wants to know the plants are there.

Ms. Haracz stated that the board is generally ok with the landscape plan, the issue is making it work from a drainage perspective, with the requirement that it is built to the plan.

There was a discussion of the stamp from a landscape architect. Ms. Haracz said there is a requirement that the plans be stamped by a landscape architect, but they may have waived the requirement before. She said they waived it many times.

Mr. Daly and Mr. Larson went on to discuss the 2-year guarantee under the maintenance of the buffer.

Mr. Fernandes wanted to understand the pictures, and asked Mr. Larson how much he had complied with the landscape plan. He asked where the shrubs were around the sign, etc., and they had not planted the whole landscape. To be candid, he didn't feel it looked good. There was discussion that the landscape needed to be built according to plan.

Mr. Fernandes went on to say the landscape looked sparse, even in winter, but that was why there were evergreens, and with all due respect, the applicant had not always complied with the original plans. He said, again, there needs to be a plan to maintain the property.

Mr. Larson responded that what was out there today was subjective, and he would be open to modifying the landscape plan.

Mr. Jurczyk said if you modify the plan, we need to know if what you said you would do is done.

Mr. Daly said, let's be clear. What you are referring to here (the submitted as-built and landscape drawings) is not "the plan of record". The Plan of Record is the original plan. Before you walked in the door, someone signed off on it. That is the plan of record.

Mr. Larson said, yes, I agree. I'm asking to modify the plan of record with this particular plan. I don't want to sit here and argue. If we go back to the original plan, we can do that.

There was further discussion from the board (Mr. Jurczyk, Mr. Daly, Ms. Haracz) about the appearance of the landscaping and the modifications that have been completed, and how they would be able to determine if the proposed plan would be appropriate or not.

Ms. Haracz asked Ms. Harkin to offer her opinion, based on her professional training as a Landscape Architect.

Ms. Harkin stated that they were looking at a plan with more deciduous trees and shrubs, which lose their leaves in the winter, in lieu of the original plans, which had a greater amount of evergreens. Also, a greater percentage of perennials and annuals, which only appear in the summer, means you wouldn't see anything in the winter because they are all underground. She went on to say the original landscape plan has nice groupings of evergreen trees in the front corners, specifically at the west corner there was a grouping of spruces that 'could help mitigate any runoff from the rain garden onto East Main Street. She said it was common practice to utilize plantings that have seasonal interest year-round.

Mr. Larson said to move forward, can we use Tabitha's suggestions and we can add the plantings?

Ms. Haracz said, so you are asking to approve a plan subject to modifications from Tabitha Harkin, the Director of Planning and Economic Development?

Mr. Larson said, I'm happy with that, yes. I don't think that is unreasonable.

Mr. Durant said, so Tabitha you would recommend they would want more trees up front, correct?

Ms. Harkin said, a mix of trees and shrubs, because I understand you want to keep sight lines to the building, but we could do something at the corners, etc.

Ms. Haracz summarized the boards feelings, that they would need to see a revised landscape plan showing evergreen trees and looking for the calculations to show the swale works as proposed and the issue of the raingarden, ensuring they are constructed as proposed; document the lighting...

Mr. Daly added, And the handicap ramp, subject to the inspection by the building inspector...

Ms. Haracz replied that they were focusing on what needed to be returned to the board to render the decision, the handicap would need to be an item subject to the building inspectors' approval for an occupancy permit.

Mr. Daly said, why would you wait? Ms. Haracz said the applicant claims they meet (ADA/MAAB Req).

There was discussion on continuing the hearing and having to reschedule another meeting time.

Mr. Larson stated, we submitted these plans last spring. I would like to handle this administratively because of the time restraints, and I could probably get some of the things you are asking for, but because of the time restraints, I'm just saying that...if you give me a list...the drainage calculations are a different animal. What you are asking about is not unreasonable, but there are all kinds of things going on here, staff changes, etc. I would like to administratively approve this project. We are willing to satisfy BETA and the Town of Norton.

Mr. Fernandes said, you had a contractor plant these shrubs, or did you do it yourself? Did he give you a price to do it? When he/she planted this?

Mr. Larson responded, yes.

Mr. Fernandes said, you do have a contract? Because I'd like to see a contract, a performance guarantee.

There was further discussion about what had not been done over the history of the project.

Mr. Fernandes re-iterated that he wanted to ensure that the work was done. He felt like the business looked awful, and it looked awful despite the fact that they had an approved landscape plan that was ignored, and now the applicant was asking the board to expedite the approval process? After 11 years? He went on to say that before he votes for anything, the only thing he wants assurance on is a good faith estimate of what the plans propose is actually constructed. He was surprised that the Town of Norton was going to augment a landscape plan done by a private sector consultant, but it is what it is, and estimate a price based on all that to be held in escrow.

Ms. Haracz stated, the applicant is revising the plan based on the direction of the Planner, Not that Ms. Harkin was going to plant things herself. They had required performance surety for commercial properties. There was further discussion about setting up such a surety, and how an estimate would be developed. There was concern about how to bid a project, and coordinate construction, with the permitting issues.

Ms. Haracz and Mr. Daly further explained to the applicant that they needed to wait on construction coordination until the board approves the plan. That this was why 'we are all here' in the first place. The plan submitted has not been approved, therefore you cannot act on it. The plan that was approved is in the files. It is easy. You show us the amount you need to pay, we don't care how much you spend, and just that it's the full value of the work.

The board further explained that the quantities shown and the photographs differ. If the board approve the plan as shown, they need reassurance.

Mr. Larson re-stated, he'd be happy to show more plants on the plan, but he didn't want to get into what the guy did or didn't do.

Mr. Fernandes stated again, you are asking me to approve this modification where no one in front of me is anywhere near where you are supposed to be, and you are nowhere near this. I will not vote to approve this today or next week, unless I have assurances that there is money in there someplace that if you don't do it, because this 11 year episode has left a pretty bad taste in my mouth, that if you don't do it, we call up Joe the landscaper to go down to the property and take care of it.

Mr. Larson said, do you want to settle on that dollar amount today?

Mr. Fernandes said, no, I have nothing to base it on!

Ms. Haracz said, we need to continue this. I think you need to come back with a revised landscape plan and a surety to complete the plan? The planner can come up with draft language.

The other board members said that was fine. Mr. Daly said, how about the swales?

Ms. Haracz said the applicant would need to come back with documentation that the swales could take the drainage. There was discussion about wanting to see a cross-section of the swale.

Marilyn Benaski, an abutter to the project, got up to speak. She said, I wanted to clarify some things. For those of you who don't know, I do live right across the street and I was on the Planning Board 11 years ago when this whole thing started, the reason for the 30 evergreens down the side was to block the rear of Golds Gym. It's such a mess at Golds gym on that side, they are never finished, and it's an eyesore. That was the reason, not for any other reason. As far as the berm goes, it's there because they are open until 10 – 11 at night and they are there at 5-6 in the morning, the parking is full and the headlights go right into the houses. That's what the big deal is. At Self Storage, the berm isn't as necessary because its not a parking lot anymore, he's landscaped it and grassed it in. and the hours aren't as long as Golds, the few cars that are there are parked facing the building, not the street. I wanted you to have a better understanding of what it was, and for the people that weren't involved back then, that is what is behind the landscaping.

There was more discussion on the trees and evergreen vs others.
Ms. Haracz said, we need to continue this hearing to 4/11 at 7:25.

**MOTION was made by Mr. Jurczyk to continue the hearing for SP 468 to 4/11/17 at 7:25.
Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES**

PUBLIC HEARING SP #469 0 East Hodges St – Shared Drive (Continued from March 7, 2017)

Ms. Haracz opened the hearing. Ms. Harkin referenced a number of documents, including a DPED Review #2 document, plans and stormwater reports.

Ms. Haracz called upon a representative from the audience to speak on behalf of the project.

Mr. Oates, Engineer from Coneco Engineers and Scientists, introduced himself, adding, we are back today as a follow up, we have made some revisions to the plans and have addressed some comments from the Peer Review Engineers, Armory engineers. He stated he wasn't present at the last meeting and asked if the board had reviewed the original comment letter (from Armory). He said he would summarize what still needs to be addressed, and he read from the letter to address the rate and runoff calculations from the 4 lots proposed.

Regarding the Rate and volume of storm water runoff towards East Hodges Street- Mr. Oats summarized that this project is only subject to DEP to the maximum extent practicable as it is only four lots, however there remains to be capacity issues with the existing culvert on East Hodges Street resulting in flooding and overtopping the road. The information provided does not quantify the impact that this potential development could have to the existing culvert and increased hydrodynamic modeling with 'pre' and 'post' calculations and it has been asked that be provided by Armory engineers.

Mr. Oates said, I know this was discussed at the last hearing, we did have a conference call on this issue (himself, the Project Atty., the Town Planner and the Armory Engineering peer review consultant to Norton Planning board, Pat Brennan) and the short of it – in order to meet the pre and post runoff, they would need to construct a berm or basin within the wetland itself. To quantify, pre-existing runoff is 36 CFS and post development is 35 CFS. Just about a quarter inch of runoff from a volume perspective. The state and local requirements do not regulate the volume. As they discussed on the call, because this is a smaller project, they are not subject to the standards. He said what they were proposing was quite an improvement over existing standards, if it was just one lot with one driveway you wouldn't be required to do stormwater controls at all and you would have the same issues. So we are in a balancing act. Do we proposed berms within a wetland area, do we proposed an infiltration/detention basin within a wetland area? Knowing Norton Conservation Commission, I doubt that would be permitted under their regulations.

Mr. Oates asked if he should continue or should they discuss?

Ms. Harkin responded that those were the major issues they had discussed on the phone and she also wanted to draw the boards attention to the Review Document her department issued, titled "DPED Review #2" dated 4/4/17 with attached comments and photographic evidence from abutters to the project, which she informed the board she had included for their determination of benefits and detriments to the project. She also stated that Pat Prennan from Armory engineers

was present in the audience for questions.

Ms. Haracz asked Pat to come up to the podium, and stated that flooding of the culvert was the major concern and while they understand upgrades to this infrastructure are cost prohibitive, allowing any more flow to downstream areas is an issue.

Pat Brennan from Armory engineers responded as peer reviewer for the Town. He stated that as discussed on the call, he was looking for a better representation of the flooding impact, but as the property is part of a watershed contribution, the dynamics of the flooding are complicated and they would need to calculate additional land area outside the property to fully understand the impact. He and Mr. Oates discussed the calculation methods to find the volume.

Mr. Brennan stated that as it was modeled, the bigger storm events had a smaller volume than the more frequent, everyday storm events. He said there was a 103% increase on a two-year storm, while only a small 2-3% increase was shown on the 100 year storm event. He went on to say, in those events, everything is flooded anyway. He also mentioned that there was discussion during a previous iteration back in 2007, about replacing the culvert. There was the existing old stone culvert at 3'x3' and they had discussed replacing it with a 6'x6' culvert. He also talked about perhaps increasing the size of the wetland, but without actual calculations they didn't know to judge. He hadn't seen calculations verified. He wanted to bring it up so everyone is aware.

Mr. Daly asked Mr. Brennan if he was ok with 1/4" of runoff.

Mr. Beatty asked if that was a huge increase.

Mr. Brennan said he put together a table. During a 2 year storm its almost 900,000 Cubic Feet (CF), or 67,000 gal, 10-year storm is 75,000 gal and a 25 year storm it goes up to 83,000 gallons, and during a 100 year storm that increases to 95,000 gallons. So the increase in CF is roughly the same for every storm. Regardless of what kind of storm it's going to be...

Ms. Haracz – But we don't know how it's affecting the culvert. That's the critical issue.

Mr. Brennan said, correct. And it's the rate you are looking at, for the culvert. Not the volume. If they can slow down that rate. If they can adequately address the storage on site, they can slow down the rate. The volume is...when you have a bottleneck like that, if you can control the rate by holding back some water like Mr. Oates said about a berm or control structure that meters out the water, than you could get it to a point where you slow it down enough and you don't get that flooding issue.

Ms. Haracz summarized, in essence like a dam does on a river, you hold it back and then release the flow slowly. There was more discussion of replacing the culvert.

Mr. Oates stated, to analyze the culvert would be an enormous undertaking with an entire

watershed analysis, a tremendous amount of work.

Ms. Haracz reiterated that this was a critical issue for the project. Mr. Oates agreed.

Mr. Fernandes said the additional water is coming from rooftops, driveways, etc, none of which is near wetlands. Why not put more LID (Low Impact Development, bio-swales, basins) up top where the houses are?

Mr. Oates stated that they had explored that, and matching pre and post development rates was step one in a site development project. Usually it is easy to accomplish. The issue at this site is the runoff from the first 500' of the driveway. There is no upland area to put a mitigation measure like a stormtech chamber or a 100x100' detention basin. There is no way, it's all wet. So we come down to the shallow grade, we clean the water and get the TSS removal and then we have to directly discharge.

The last 500' we are proposing to run it through a rain garden as opposed to a forebay, because that rain garden will get them the TSS and nitrogen removal rates they need. It is sized adequately to address that runoff. He also described chambers where roof runoff would be captured and treated before being put back into the ground. He re-stated that the reason the calculations are missing is that the first 500' of the drive just have terrible (wet) soil conditions and you just aren't going to hit the rate unless you can mitigate in the wetlands area, which conservation would never let them do. He said they were at a threshold for Army Corps permitting as it is. He said if it was just one driveway, they could just make the drive 12' wide and pull a building permit, which would be the alternative to a shared drive.

Ms. Haracz asked about whether they needed to pave it? Mr. Oates said yes, according to the bylaw it needs to be a paved surface, 20' wide, with a berm. There was more discussion about paving materials. Mr. Oates said the integrity of a roadway through a wetland would be difficult.

Mr. Brennan chimed in that an issue with an unpaved drive is the runoff from the road would be discharging directly to the wetland it crosses. He said a porous asphalt would have this issue too. He and Joanne had a discussion about drainage from an unpaved drive.

Mr. Oates said if we can get that 500' of road and make it anything (of a different material), they'd be done. That's how close it is. He said, I know it sounds terrible, but we've done everything we can to mitigate the runoff.

Mr. Fernandes asked, on the ¼", this retention basin would be holding back some of it?

Mr. Oates said yes, the rain garden and detention basin treat that last 500' of driveway. There was more discussion and clarification on the 500' of driveway that needed the greatest treatment and the ¼" required to hold back. Some ideas were thrown out about surfacing.

Mr. Oates stated any other porous paving material (timbers, etc) would introduce pollutants to

the wetland. He felt Conservation Commission would be opposed to that and pervious paving, which would introduce runoff back in the ground, as it needs to be a closed system.

Ms. Harkin – And as you mentioned, wetland soils are too saturated to be able to take that volume. Mr. Oates said, a pervious pavement would treat some, not enough.

Ms. Haracz said, there were other issues too, wells?

Ms. Harkin responded that on the previous iteration of the plan the applicant had proposed a connection to water main that does not actually exist. The plans had been revised to reflect deep wells on site, with sprinklers to the dwellings.

Ms. Haracz asked if the wells were capable of addressing this.

Mr. Oates – What we've proposed is that a storage tank will be full at all times, with a pump at the bottom of the tank, sized for the appropriate gallon age. A Fire suppression engineer would need to get involved prior to issuance of the building permit. This adds a significant cost. He said what is shown is conceptual but they were prepared to work with the appropriate consultants. The other outstanding comment is that soils testing will need to be done for the detention basin, etc, but they wanted to only do testing once because even just crossing the wetlands to do the testing would need an Notice of Intent just to cross for testing.

There was more discussion about the location of water infrastructure like septic tanks and water storage tanks for fire proofing. The board asked questions about the sizing of tanks.

Ms. Haracz reiterated, so the drainage issue is the one outstanding issue.

Mr. Oates – Regarding the recording of easements for the drive, he said the applicant would address that.

The board discussed their impressions. Mr. Fernandes said he went out to the site that day, and the culvert appeared as woefully inadequate as it had been, but he wasn't sure that was the applicant's responsibility, as it is down the street and owned by the town.

An abutter to the project, Chris B. spoke. He had appeared before the board before, he asked Mr. Oates, was the storm we just had this past weekend, and was that a big storm? Mr. Oates said no, it was a little over an inch.

Chris – the culvert was probably 3' under water. It goes from 2" to 3'. That's a small storm. When he said he doesn't know the calculations and he's just coming in under the mark, that's convenient. It's a difficult statement. If you open the culvert, it won't make a difference, because it is getting water from both sides. Picture a bowl, and keep putting ice cubes in it. The more ice cubes that go in, it just floods the bowl. If you open up the culvert, it's already flooding, but no one is building it yet.

Mr. Fernandes – I was there today, and you get the water that accumulates and it was about a foot below the top of the opening.

Chris said, it's now underwater, and the other side is flooding too.

There was further discussion about how there was water on both sides of the road. If you open the culvert, all that water would go to the other side, but they are building more houses in down the street too. Everything goes down in the area. It's shedding to the road. A Lot of water. You change water tables with this type of development too. I have a shallow well, but do I need to get an artisanal well? Who is paying for that? They are changing the water tables.

He wanted to mention the taxes collected from the properties.

Mr. Jurzyck asked if the videos the board had been provided were from this gentleman. Ms. Harkin said yes, and there was a still shot in their packets.

Ms. Haracz summarized again that the drainage issue was still a concern, and a depth calculation was discussed. Mr. Oates said the only way to fully mitigate the culvert would be a with an entirely different development proposal. A detailed study would show a watershed analysis, which would need to be looked at. There were questions from the board on time and cost on that type of study. \$10-20k for about a month. This would be an in-depth analysis of the contributory areas.

The abutter asked if the engineer was surprised. Mr. Oates responded that the applicant is committed to not making the issues worse. There was further debate between the engineer clarifying the method of analysis and the abutter.

The board discussed what had been presented and what could be continued for next week.

Ms. Haracz asked for a confirmation of the information given so that the peer review engineer needed a better picture on the potential impacts.

Mr. Oates said he had the calculation, but the reality was they were not meeting pre and post.

Mr. Fernandes asked, there is runoff from the uplands. The only thing you have designed for is post construction runoff. Is there any area you can work in to handle any of the existing runoff.

Mr. Oates said, that is a good idea in theory but the upland area doesn't contribute to the culvert like the downstream areas. It runs off site in a different direction based on the topography (to meet with other wetlands flows). The other water is coming from offsite, so we can't mitigate for it.

Mr. Daly asked again about the first 500'. Mr. Oates said the first 500' will always be a problem.

Mr. Fernandes asked more about the drainage patterns on site. He stated they are only handling what is happening as a result of the construction, not what occurs pre-development. He asked why the pre-development conditions couldn't be addressed too?

Mr. Oates responded that the backside of the houses goes the other way, and then he mentioned how the soils could not capture everything. It was further elaborated that in the natural state, water needed to get to the wetlands. Mr. Oates said even if you make the pond ten times bigger, it won't make a difference. He said that they are over the threshold for MA DEP Stormwater regulations to be subject to the maximum extent, but because it is in the critical area (ACEC) they need to do something.

Ms. Haracz said they are looking for calculations for volume, and looked to the board for continuing the hearing.

MOTION was made by Mr. Jurczyk to continue the hearing for SP 469 to 4/11/17 at 7:30. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES

C. Potential Site Plan Modification Discussion- SP#351- Woodlark Park Multifamily 40B

Applicant and Board member for Woodlark Park was present to discuss issues the multifamily complex are having with parking. They are looking to change the parking design, as it's currently a two way street. When tenants and neighbors park on the side of the road it makes it more of a one way street, which impends traffic. They proposed to add parking, digging out grass area around it. They spoke with conservation and were told based on proposal there would not be any environmental disturbances.

Ms. Haracz asked where the applicant is proposing to place parking.

Applicant explained and showed to board that the parking parallel to the road.

Ms. Haracz stated that this site plan may need a modified special permit, as well as talking to the Fire Department about off road parking.

Resident of Woodlark Park brought up some views to why they need to change the parking, how it could be a hazard if there was an emergency.

Ms. Harkin expressed to the board that she has met with applicants and put them on the agenda as a discussion item. Allowing board and applicants to explore ways to move forward. Ms. Haracz asked for a measured plan with how many additional spaces.

Applicants are not too aware on how many total spaces.

Ms. Haracz stated the next thing to decide is if it's a Minor Modification or Major Modification.

Board all in favor of a minor modification- yes

D. Business and Policies

Joanne Haracz wanted to briefly discuss whom in the board will interim for chair since herself and Patrick Daly would be resigning.

Joe Fernandes along with Board decide he will take over for next meeting

Next meeting dates are discussed.

Mr. Haracz suggested to assign the next meeting dates for May.

Board agreed to hold next meetings on April 11, May 2 and May 16 at 7:15 P.M.

Approval of Minutes

Motion was made by Ms. Haracz to approve the Planning Board Minutes of Meeting dated January 12, 2016 as amended. Second by Mr. Jurczyk. Vote: Unanimous.

MOTION CARRIES

MOTION was made by Mr. Jurczyk to approve the Planning Board Minutes of Meeting dated November 15, 2016 as amended. Second by Mr. Beatty. Vote: Unanimous.

MOTION CARRIES

MOVED by Mr. Jurczyk to approve the Minutes of March 7, 2017 with recommended changes as stated. Second by Mr. Durant. Motion made by Ms. Haracz to release grant. Vote: Unanimous.

F. Bills and Warrants

Mr. Daly read Bills and Warrants. Pay roll for Courtney Salvo reflected the hours increased from 16.5 hrs to 18hrs a week. \$53.25 for W.B. Mason for office supplies.

The total is \$3,840.56. Mrs. Haracz stated this amount included payroll, coverage for workshops for Ms. Harkin, and reimbursing Coneco Engineers for site plan review.

MOVED by Mr. Fernandes to approve the Bills and Warrants of March 7, 2017 in the amount of \$3,840.56 Second by Mr. Durant. Motion made by Ms. Haracz to release grant. Vote: Unanimous.

Adjournment

MOTION was made by Mr. Beatty to Adjourn at 10:03 p.m. Second by Mr. Durant. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Tabitha Harkin
Planning & Economic Development Director

Minutes Approved by Committee on:

5/2/17

(Date)

Signature: _____

Chairman: _____