Very Rough Draft

PLANNING BOARD
FEBRUARY 3, 1992

Board members present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Stephen M. Nolan, and Daniel W. Nye.

KETTLE POND ESTATES - PRELIMINARY MEETING

Present: Greg Coras, developer; Joseph Hanlon, engineer; abutters - Leo & Gay Holderried, Robert Holmquist, William Holmquist, Susan W. Ressler, Bruce E. Ressler, Helen Lucy, John L. Mitchell, and John D. Palombo.

Chairman Bancroft began the meeting with an explanation to those present that this meeting is for the purpose of discussion of the Preliminary Plan for a subdivision on Plain Street entitled, "Kettle Pond Estates." The Board has instituted a new procedure for preliminary plans which is that the public will be notified of such plans so that they may come in and look at them in the early stages of the planning. The formal public hearing process takes place when there is a Definitive Plan submitted for a hearing. The Board felt it was a good idea to let the people know what is going on earlier in the process so that they may express their concerns early on.

Jospeh W. Hanlon, an engineer with ESP Associates, Main St., Medway presented the Preliminary Plan on behalf of the developer, Greg Coras. He explained the plan calls for 14 lots on 17.7 acres of land located approximately 950 feet down Plain Street. The plan proposes two roads. Road A, the main road, is 1328 feet and extends back to the Holmquist property. Road B, which comes off of road A, is 318 feet and extends to the property of Lucy and Welch. Boston Edison has a 250 foot easement for power lines which run along the western edge of the property.

The drainage system consists of four sections shown is orange on the demonstration plan. The first is a set of catchbasins at the intersection of Plain Street which would pick up a portion of the run off coming down Plain Street as well as a portion on road A and recharge that to a basin or set of basins by the entrance (final design not complete). The second section would pick up from approximately station 200 back to station 700 (500 feet of road) and a series of catchbasins and run it through a leeching galley (a concrete structure in the ground surrounded by stone). A major portion of the run-off will be recharged back into the ground. On the end of the galley there will be another pipe which would pickup any overflow and put it back into the system and run off back down to the wetland. That is how he proposes to deal with the runoff which presently flows to the north or is contained within this area. The third system will pickup from approximately station 750 up to station 1100. That runoff will be picked up in a series of catchbasins back to a little recharge basin which would be an open basin to the rear of lot 11. They did look at a subsurface system. The problem is with grades. There is a groundwater

table at elevation 183/184 which they wish to keep above for the drainage to avoid mounding problems and a failure of a recharge system. The fourth section of drainage would pickup at station 1100 and go to the end of the road and would bring down into the southern portion of the site. Discharge would be east to another Kettle Pond. Presently runoff in the area drains to the pond. They would want to encourage the water to maintain the predevelopment characteristics. Some of the water would runoff to the Holmquist property which is the present flow direction.

The area is serviced by town water shown in blue on the plan. Each lot will have onsite septic system.

The preliminary plans of the road proposed profile of the road shows the drainage structure. Grades at the entrance are 2% and a maximum grade at the rear if ± 2.8% at the Holmquist property. The end of the road he described as sort of a compromise. The road goes to the end of the property where there is a temporary turnaround, not a cul-de-sac. Medfield regulations have a maximum grade of 2%. The grades are under 3% for a couple of reasons. There is a 10 foot cut in. If they increase the grades anymore, the length of the vertical curve gets too long and will not fit in the property or overlap at the next curve. Road B, 312 feet long, shows the extension of drainage system into the leeching galleys. The invert is at elevation 190 which would put the bottom of the pit at elevation 186 which is only a couple of feet above ground water.

The entire area is zoned RT with 40,000 square foot minimum area, 40 foot setback, 15 foot side yard, 50 foot rear yard setback. The back portion of lot 8 is located in the Watershed Protection District at the 185 contour. No development is proposed in this district. The only committee the developer has heard back from is the Committee to Study Memorials which suggested that road A might be called Kettle Pond Road because there are two kettle ponds in the area and road B be called Cole Drive in memory of people who built the original house, a family member of whom died in the Revolutionary War. At one point on the plans the developer would be extending the roads up to the property line and the cul-de-sacs would have easements.

Chairman Bancroft stated that the Board of Health has specific requirements with regard to drainage and asked the engineer to explain for those present.

Mr. Hanlon continued. The Board of Health has extensive drainage requirements. They require soil testing to determine how well the soil will actually absorb the water. From that they will determine the flows for various storm frequencies, different intensity storms. With this information they then design a system which will allow no more or no less water to flow off site after development. This is because in the past sometimes people have had problems with flooding. Other times there have been problems with the diversion of water away from land such as a kettle pond might dry up or a brook would not have the flow.

Both the amount of water and the peak rate (heavy flow immediately after a rain storm) must be the same after development as before development.

Chairman Bancroft explained the Planning Board will need to hear from the Board of Health before they are allowed to act on the plan. At the present time the Board has not heard from the Board of Health. The deadline for the Planning Board to act on the Preliminary Plan is February 27, 1992. The Board's action would either be approving the plan as it is or approving it with stipulations that certain aspects of it be changed, or turning it down because it is unsatisfactory.

According to Mr. Hanlon, the soil in the area is basically gravel, with 2-4 minute perking time. The soil type is Hinkley. It is down to water table which is elevation 184.

In discussion of the cul-de-sacs, Mr. Hanlon said he had sketched the road to go to the Holmquist property to the south and another to the Lucy/Welch property to the north. In the future the road could go back out to Plain Street in the future. Mr. Gagliani questioned centering the road more with less of a curve which would take it further away from the wetland. There is considerable height at the end of the cul-de-sac. It is four feet higher than the Holmquist property. They are coming through a substantial cut. Any connection would require four foot of fill. The developer shows a 5:1 slope at the end of the property which would require, for anyone wanting to build the road through, would have to come in with fill and bring it back down to grade. The only other option the developer saw was to eliminate the curve and run the road deeper into the cut, something they are trying to minimize. To deal with the size of the cut, the developer shows 5:1 slopes. They will have to take some of the material out to get a house and septic system in. When asked about ledge, Mr. Hanlon said there is some rock outcrop. They will be doing testing with the Board of Health tests so they can do all the testing at the same time.

Mr. Hanlon was asked about connecting all the drainage systems together so, if there is an overflow through a massive storm it can go into the wetland in the back and having minimal galley systems making for lower cost of maintenance. He explained he has one area with a subsurface galley and another with a leeching pit. To make such a change would lose three feet in elevation which would force the system down 3 feet in an area that is flat. One system will not work because of the topography as well as distances. There is a 2% grade at Plain street. The water will flow down Plain Street into the kettle pond. The system will pick up and recharge some of that water. In a major event some of the water coming by Plain Street would bypass the system and go to the kettle pond. If the flows were brought back, they would need a much larger galley system. However, because there is another 250 feet of pipe at 1% would end up 2 1/2 feet lower which would put the galleys at the ground water level presenting a mounding problem.

Mr. Gagliani asked if the drainage regulations did not allow

underground systems wouldn't they have to drain back to the wetlands? Why not put in an above ground system all concentrated in one area? Why not put a system on Lot 3, an open retention or detention area? The underground systems are a maintenance problem for the town. If it is to be cost effective to the town and to the developer, one above ground system would make more sense.

According to Mr. Hanlon the Kettle Ponds are wet year round. He stated he learned from the Committee to Study Memorials article that the one pond is about 10 feet deep. It stays wet. It is next to ground water. At some period there was work done to stabilize the banks and make it more usable for farm animals.

Several lots have wetlands with a reference to the amount of area that is dry. The wetlands were flagged by a biologist. They are taking the area within the wetland it self without any buffers and subtracting it out from the total area.

The developer would like to come in under the new regulations which they feel are superior.

There is no outlet for the leeching pit in front. The proposed construction should not silt in. There is good gravel with no problem. There is an area of rock outcrop which they have not determined how big it is.

Mrs. Bancroft questioned access to adjoining property. There is access to the Lucy/Welch land and the Holmquist land but none is shown to the Wallingford land.

Mr. Hanlon said they had looked at the potential for connecting to the Wallingford land. They did propose an easement over lot 5 so that anyone who had the rights could cross over into the Wallingford land. Any connection there would have to come under 250 feet of power easement where no houses could be constructed. They would pick up a portion and then have to cross a wetland. The potential connection through there did not seem to be economically feasible of any connection of Garry Drive and there.

Mr. Cerel noted there are several cart roads and asked if any are defined as ways. Mr. Hanlon said that the one particular one which says right-of-way has rights given to it in Land Court.

Boston Edison does have a right-of-way over property owned by the Wallingfords. Such an easement goes across the land to an abutter on the other side. The 20 foot wide access easement connects to the existing right-of-way which would be there for anyone who has rights over this property. This would have to be land courted as will the entire subdivision plan. Since the piece has already been through Land Court subsequent plans would such as these would have to follow.

Upon inquiry of John Palombo of 22 Plain Street, across the street from

the development, Chairman Bancroft explained the Planning Board procedure for a Preliminary Plan. The deadline for this plan is February 27th. After the Planning Board acts on the plan, the applicant will come back with a Definitive Plan if he wants to carry on the process. So that the Preliminary Plan ties into the Definitive Plan he must act with seven months. Once a Definitive Plan is submitted the process starts all over again. A public hearing is setup and the abutters are notified. At that point the developer must have all of his plans complete. He must have his drainage calculations. The Board must hear from the Board of Health again. The Planning Board has 90 days from the date the plan is submitted to act on that plan or the contract can be extended by agreement between the applicant and the Board if there are still outstanding issues. At that point the Board has its engineering consultants, Whitman and Howard, review the plan. A very thorough review will be done at that time with attention to drainage.

Mr. Palombo asked once the Preliminary Plan is approved and there is some hearings how much are the final plans changed according to what the abutters have to say.

The purpose of the public hearing is to bring out any concerns that the abutters do have. It gives the Board and the developer a chance to adjust the plan. The reason for this meeting tonight is to hopefully to raise some of those issues earlier so that the developer does not have to keep going back to the drawing board later. It would be better to have him face all the issues now.

Mr. Palombo expressed his concern for traffic since there are currently nine houses over one mile of road. This plan calls for 14 lots and would increase the density.

Mrs. Bancroft explained now is a time for the abutters to question density as well as other concerns about the plan. When the Definitive Plan is presented there has to be a traffic evaluation. As far as density is concerned, the only thing that binds the developer is the zoning. In that part of town the zoning is for single family lots at 40,000 sq.ft. There are other issues such as the site distance where a new road comes into an existing roadway to avoid a hazardous intersection.

Mr. Cerel pointed out to the abutters that the Preliminary Plan is an option open to the developers. The Board does not require a developer to go this way. He may chose so to be able to work some of the situations out so that by the time he brings in a Definitive Plan it is a smoother process.

The entrance way for road A, in comparison to where houses are being built across the road, cuts between Lot 9 and Lot 10 (across the street). Lot 10 is almost across from the existing house which is number 27 Plain Street. The driveway cuts for those houses will be away from the road.

Helen Lucy, 115 High Street, expressed concern for possible flooding of her property. Mr. Hanlon repeated that under the Board of Health regulations there would be no additional flooding.

Robert Holmquist, 39 Plain Street, asked what guarantee would he have that the drain which would be put at the end of the street will drain toward his property would not give him more water. Mr. Hanlon explained they are forced to send the water where the water is presently going. According to Mr. Hanlon some water does come down the hill. Mr. Holmquist feels it does not come down the hill. His hay barn is right there. The plans are 8 feet above the bottom level of his barn. Mr. Hanlon stated there is no drainage structure proposed for that end of the road. There is a pipe which is directing down toward the Holmquist property.

Mr. Nolan said there appears to be no detention system but a direct shot down to the river.

Mr. Hanlon continue that the plan is preliminary. They really will not know the needs until they do the definitive and work with the Board of Health. There may be a need for another galley. The rear part of Lot 8 is the only area which falls within the Watershed Protection District. No work is proposed in that area.

Mr. Gagliani pointed out that Mr. Costello's subdivision drained into the Boston Edison easement area which is land which will never be developed.

The two lots on Plain Street are Form A lots and not part of the subdivision. The Board would like to keep the number of cuts out into Plain Street down and asked if the driveway for one of the lots would be coming off the subdivision street. The stone walls along that area are actually on private property. Plain Street is not a "Scenic Road".

Susan Wallingford Ressler stated that between the pond and the house there appears to be proposed a lot (Lot 14). There are times when the ponds all flood together in that area. The original right-of-way goes between Plain Street and the barn, straight back to the Edison line. The reason it is now the where it is around the field is because they asked Edison if they would go around the field instead of coming through the property which they agreed to. That right-of-way is for Edison and Wallingford to get back into that property. It doesn't cut onto the cart path. They way the developer has it setup with the right-of-way access if they are ever to be able to have access to that back property, and perhaps put a house or two on the high area back there they would have to come in off of the cart path. Edison has informed her that they must be at least 50 feet away from each pole. As it is setup now, the access into the back property would come in directly underneath a pole. She asked that they reconsider the access into the property so their availability is at least 50 feet away from the pole.

Mrs. Bancroft asked if this is the only opportunity for availability to access to the back land because the land on Garry Drive is wetland. There is a 100 foot buffer zone which is controlled by the Conservation Commission. It is possible to build within the buffer but subject to Conservation conditions.

Mrs. Ressler pointed out there would be a lot of "avenues" for them to go down if they would have to come in off of Garry Drive.

Chairman Bancroft recognized that as a legitimate concern since this is the only practical access to their land.

Mr. Hanlon clarified that they do not want the access to abut the existing cart path.

Mrs. Ressler continued that if it stays as it is now. They will not have any access into their back property. She spoke to Edison which said they deal with everything on a case by case basis. The fact that they own the land does make some difference. She asked the Board how wide a drive would have to be.

Chairman Bancroft explained that it is more than a drive that is needed. A 50 foot wide access is needed to give the potential for the required frontage. They need a 50 foot wide road built to the property line. There seems to be no other access to buildable land. The requirements for the Wallingford back land would be the same as for the Lucy/Welch land and the Holmquist property.

The Wallingford property does go up to the Garry Drive cul-de-sac but access is only over wetland. Mr. Holmquist has a right-of-way from Garry Drive to his back land but when the Wallingford's approached Mr. Manganello for a right-of-way they were not able to receive one. There is a stonewall which is their property line. They are sitting on the wetland. The part of the property which she considers buildable are the two high points that form a triangle beyond the Edison lines. They cannot build within the easement.

Mr. Palombo stated he has a well system with a pump and asked what the impact from this building would be on his water potability. Mr. Hanlon explained the zoning protects private wells. It requires 40,000 sq.ft. Septic systems must be 100 feet away from a well and in this case it will be over that. Mr. Palombo stated his well is about 50 feet from the road so he was concerned about the immediate lot across the street. Mr. Hanlon said they would have to measure the distance. Prior to approval from the Board of Health they must show existing wells on a plan.

Mrs. Ressler was further concerned with the town's policy of salting roads to which Mrs. Bancroft explained they use as little as necessary and mostly calcium chloride which is less intrusive. Additionally the road in this area is considered very flat so run off would be reduced.

She expressed her concern about how difficult it is to see this happening.

Mr. Cerel explained the land was in forestry classification and the town could have had an opportunity to purchase it but with the economy the way it is that would not even be an issue.

Mrs. Ressler explained they put the property in forestry because it was the only way they were going to be able to keep it as land.

Mr. Cerel expressed the Subdivision Control Law is setup in such a way if a developer meets the statutory requirements and the individual board's requirements, they have a right to develop.

Chairman Bancroft explain another alternative the town has for developing land which is the Open Space Residential where a developer can develop more densely on a certain portion of the land and to compensate for that the town requires the balance be left as common open. That is an option which developers have not been using. Generally it is necessary to be on town sewer to make it work. Other wise the lots are too small to have onsite septic systems and so forth.

Mr. Palombo asked if an alternative might be considered such as smaller development in the area instead of 14 lots and restricting the cul-de-sac to the 500 feet maximum as according to the rules and regs.

Mr. Coras said it would not be economically feasible since it would only support four or five homes. He must consider the cost of the land, the development costs, cost of building and factor all that in and try from a business point to maximize. The zoning gives the developer an indication of what they can do based on zoning requirements, and based on a certain amount of wetland and what can be done.

Road A is 1300 feet long and the requirement is 500 feet making the additional 800 feet subject to consideration of a waiver by the Planning Board. Chairman Bancroft explained that the Board does look at the abutting land. Road A is built with the intent it could be further extended in order to provide access for land which abuts. The Board would like to think that extension would not lead to a longer cul-de-sac. In this case it would appear that a loop could be accomplished in the road. The Board does seriously consider granting waivers before doing so. The Board has allowed them in areas where there is not a strong argument against.

Mr. Holmquist was asked if there was a physical or legal impediment to extending the road to his land that he might be aware of and he responded he will not extend the road into his land.

Mr. Cerel asked the developer if there exists a fall back plan if the Board would not allow a waiver for the length of the road. Mr. Hanlon responded that the length is consistent with others which the Board has

granted. They do not have an alternative plan.

Mr. Gagliani stated the Board has taken the intention of an extended roadway into a lot of consideration. There is no guarantee that the Board will grant a waiver.

Mr. Cerel pointed out that most of the potential problems which have been discussed this evening have been on the longer part of the cul-de-sac - the engineering problems, the drainage problems.

Chairman Bancroft stated the Board needs to look at this plan along with the Holmquist property to determine if it makes sense to have a long road parallel to Plain Street set back some 300 feet. Whether Road A could be ended short of Mr. Holmquist's land on the assumption that when his land will be developed it doesn't go back deep. The Board does have to consider his land has the potential of not being developed.

If the Board took this as a cul-de-sac of 500 feet and an entity unto itself then it would not be that close and there would be nothing wrong with having it as a separate entity.

At the end of Road A is a huge cut. It might work just as well to shorten the cul-de-sac a couple hundred feet short of the property line. That way there would be a lot backing up to Mr. Holmquist's land.

Mr. Gagliani expressed the need for access to the Wallingford property since they have the potential for three lots back there.

Chairman Bancroft concluded two major issued have come out of this discussion which are that there is a need for access to the Wallingford buildable land and the question of whether or not Road A should connect to the Holmquist land. She expressed to the developer that before the Board comes to a conclusion on the plan they could come back and discuss it further. The Board will then have had the opportunity to go out and view the land.

Mr. Coras stated he holds a purchase and sale agreement on the property. They bought the house and resold it. They are buying several lots each year. Less than 10 lots does not make buying feasible.

The Board agreed to view the site at 10 a.m. on the following Sunday morning, February 9th, and invited abutters to also be present. Mr. Hanlon agreed to stake out the area prior to the Board's viewing. This meeting will continue next Monday night.

Partially Done

Very Rough Draft

PLANNING BOARD
FEBRUARY 10, 1992

Board members present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Stephen M. Nolan, Daniel W. Nye

KETTLE POND ESTATES - PRELIMINARY MEETING (cont.)

Present: Greg Coras, developer; Joseph Hanlon, engineer; Paul F. DeSimone; Jack Scott; John Palombo; Leo & Gay Holderied; Thomas S. Cimem(?)

The meeting reconvened with Chairman Bancroft explaining that she and Mr. Cerel, two Conservation Commission members, abutters and development team walked the property on Sunday morning. Mr. Gagliani went at another time. It was very helpful to see what was there on the ground, particularly how this project does abut the land of the abutters. One thing of interest which they noted was two old maple trees at the entrance, one of which will probably have to go for the road entrance. Possibly with an adjustment within the layout the other will be saved.

Mr. Hanlon presented a slightly different configuration of the project in response to previous comments. In response to the issue of road "B" which was at the property corner, the Board was concerned that it was directed more toward the side of the property. Now they have moved the road over more toward the center which will allow for a better extension. They held a similar point on the road and started in with a 400 foot curve. This moved the road further from the wetlands. Road "A" was pulled back 45 feet from the layout. However, repositioning the road they picked up a couple of feet. In making sure that the lots stayed in conformance they pushed the curve out 10 feet. They are 45 feet from the property line but the road is still 1295 feet to the end of the pavement. In doing this also they can raise the elevation of the cul-de-sac such that they can divert the runoff back toward the wetlands and eliminate any discharge toward the Holmquist property. This is all part of Lot 8. The other issue is Parcel A. The more they can shorten the road, the less impact they will have on the existing land. They labelled it parcel A and did not show any roundings basically designed for frontage problems - between frontage and the 175 foot setback and the perfect square, it has encumbered one lot. It shows up on Lot 4. The way the zoning is written it must have 175 foot setback and the perfect square, he may have to go to the Building Inspector for an interpretation. This lot may not conform. One thing that could be done to conform with the 50 foot piece in there would be to alter the layout slightly such that the right-of-way from the southerly property line to the northerly property line would be joined by a single curve rather than a rounding. The perfect square goes in there and it does not meet the zoning definition of a corner lot because the angle is too flat.

The location of the three light towers was discussed as well as the location of parcel A. Chairman Bancroft explained that when they walked the area they did see a good piece of dry land, probably three or four acres. There is a wall on sort of a raised ridge. They walked over to Garry Drive along the raised little levy with swamp on both sides. A couple of people from Conservation Commission were there as well. When members of the Board asked what the possibility would be for access to this land from Garry Drive across that wetland. They said that it depended. If that was the only means of access they probably have to grant a crossing for a driveway for one house if there were no alternative. However there is certainly enough land there for more than one house. The owners of this land want to keep their options open. The Board has a responsibility to make sure that land stays open as we have in the past. The land was in common ownership but they did not retain an easement. The Board cannot look at ownership of the land but rather developable land. The current owners are not Wallingfords. The land is in separate ownership.

Mr. Hanlon continued that one piece was cut out with certain rights-of-way granted and it was land courted. The people reserved certain rights, mainly a twelve foot right-of-way. The developer is more than happy to work with them to improve that right-of-way as necessary to give them access. This is the estate. These people are the next generation. The Board is indifferent as to ownership. According to Mr. Hanlon one estate sold a piece off with certain rights and if they want a road and the Planning Board says they can have a road, the developer will comply and design it but their ability to pay for the installation of that road may create a somewhat messy situation. Mr. Gagliani pointed out that the road is the responsibility of the developer. Mr. Hanlon maintains that the people are now claiming additional rights on a piece of property. This is an issue between the developer and the abutter. The Planning Board has to look at developable land on existing abutting property and has the responsibility to make sure that that land is open. This is a constructed street. Access over Garry Drive, according to Conservation Commission, would be suitable for one driveway only. A twelve foot wide right-of-way is useless from the town's point of view. A 50 foot layout is necessary for access to back land. This is all part of the Town's regulations for providing access to undeveloped land. The only thing that makes this piece a little different from others is that there is a power line across the property which puts an encumbrance on the owner if they want to take advantage of the access. This was a lot carved off from another.

Mr. Hanlon continued that a road off Garry Drive would be a substantial argument but what is being proposed is that the applicant extend his existing road to provide additional frontage for a second road which would access to the power line.

Conservation will not allow access over Garry Drive. The Planning Board requires all back land to be connected through.

Mr. Coras continued that the abutters are not land locked. They have access from Garry Drive. They knew it was wetland when they sold the land for a profit.

Mr. Hanlon argued it would be more economically feasible to access through Garry Drive than the connection through the developer's property. There is the 50 foot right-of-way, an additional 60 feet of frontage that will be required for the rounding. That will be 210 feet of road beyond that there will be road constructed under the power lines. He figured the cost to be $32,500 to construct 145 feet of road into the wetland to pickup frontage and gain access. He continued to argue that the people who sold the property off should have to pay. It would cost the developer a lot, in the area of $130,000.

The Board pointed out there are many areas of Medfield where a developer has been required to build a stub of road to adjacent property where he was getting no frontage and no extra lots. They have always been required to do that in this town.

The length of the cul-de-sac was backed up 45 feet which the Board feels may help a little on the drainage. The significant issue is our provisions for respecting natural features. With the amount of cutting etc. that is going on there, simply to stretch it out to a length which is already way beyond our 500 foot limit. There just doesn't appear to be justification for a waiver. There is a very noticeable topographical feature in the knoll. Where the waiver causes a violation of another requirement which has been used in recent past to reject a subdivision because of similar situations, somehow, the logic in that is missing.

Mr. Hanlon said they could pull the road back further.

Mr. Cerel said it would have to be pulled back so far that lots would be lost. The knoll should not be impacted. The cul-de-sac should end far short of the knoll. Mr. Nolan questioned doing an S to skirt the knoll but the developer is not agreeable. The Board requires connection to land locked property and the Holmquist property is not land locked nor is it deep enough to require a connection. In addition it drops off. It might be preferable to have isolated subdivisions along the street rather than have them all connect so close in and have a road running so close to Plain Street.

Mr. Cerel raised the questioned that instead of a focus to maximize the lots as the developer that coming in off the other ANR which is being called the kettle pond and splitting up that way. This could resolve the problem of the back land as well as the left hand side of the property.

Mr. Hanlon stated that the way they have the lot cut up they need to reserve a piece of lot 14 in the back for building. They do not feel that this is going to be very buildable. His educated guess would be that it floods very substantially.

Chairman Bancroft pointed out that the Board's engineer, Whitman and Howard, has said that there should always be an outflow from a confined basin in case of major flooding so there would be a place for water to go.

Mr. Hanlon said it was the Committee to Study Memorials that identified the pond as a kettle pond.

Mr. Cerel expressed his concerns with the existing proposed plan. This is not a parcel to just cut out the maximum number of lots. There is an obvious topographical landmark on the site that needs to be dealt with.

In looking at the profile Mr. Hanlon said it does not show the road cut back. They did not have time in the week to do the entire profile. They could raise the road as much as possible and pull it back as much as possible so that the cul-de-sac sits more on the knoll which is elevation 214. The center line of the road is 203.

Another concern expressed is the drainage. Whitman and Howard's report showed concern for drainage and the adequacy of Plain Street. They recommended that the applicant either prove that Plain Street is adequate or propose improvements to make it adequate. Also, Whitman and Howard recommend that all leaching structures have an overflow connection with a natural water course. In dealing with ground water elevation, if there is an open system with outflow to a natural water course. That is a retention system.

Mr. Hanlon said the grades really don't work because it is flat in the area. The center line elevation is 196 with the road coming in at 2% and drops down to 1%. The wetlands are at elevation 184. Everything does not drain back. Most of the site drains down to the kettle pond thus a possible issue of storm water down there. They can recharge a good portion into the ground, tie it up during the larger storms. They could put in an overflow for a portion of the road and in the back put in a ???? He stated he spoke with Bill Domey, the Board of Health agent. The overflow is preferable. In this case it would not go anywhere. He does require that they be four feet above ground water at the bottom of the leaching system. It is down 8 feet at the front but if they brought everything back, it would push the whole drainage system down into the ground water. If the Planning Board required the them to connect with a natural water flow, the front portion would be a challenge. There is minimum pitch. The land does not have any outlet in front. He asked if Plain Street is ever flooded and does the kettle pond ever overflow. One of the neighbors said it comes up to the road but has never gone over the road. They will create the model so they know how much water is retained there without overflowing the road. If there is a limit on the development then they will go into recharge.

The Board needs to take some action on the plan at its next meeting. Its concerns include but are not limited to the length of the cul-de-

sac and the drainage. There is also an issue of ledge on the high elevation which could be massive. The Board has never allowed no outlet to back land and has also required silting. There is concern that if the road is allowed to skirt the wetland there could be problems when the abutting land is developed. The Lucy/Welch land is not land locked but has plenty of frontage on High Street as well as a right-of-way on Plain Street. The road could be pulled back on both ends.

Mr. Coras asked what the longest cul-de-sac was that the Board has approved. Copperwood Road was approved but connects through to back land on Bishop Road. There is an emergency cut through to the industrial road. Hawthorne Road was approved but it also connects to back land.

Mr. Coras asked, other than the knoll, if there were any other reason not to connect to the Holmquist property.

Mr. Cerel explained there are specific parts of the regulations that indicate that the existing topography must be respected. The area from the knoll coming down toward Plain Street has the greatest problem with drainage and this will exacerbate it by extending that way.

The Board is trying to present its concerns before the developer brings in the definitive plan. One of these concerns is the length of the cul-de-sac for no apparent reason. With a shorter road there would be less runoff and a smaller system. Planning Board rules and regulations do not have underground. The Board has waived them at times. The Planning Board rules and regulations are not compatible with the Board of Health. The Board of Health has recently adopted a very strict set of rules and regulations. Planning Board Subdivision Rules and Regulations do not say anything about them. The systems must be designed to meet both board's requirements. The Planning Board will recognize what the Board of Health requires and not present contradictory requirements. The Board is looking at the long term maintenance of the systems.

Mr. Hanlon stated he had been talking with Mr. Domey and voice the concern of the Planning Board. Mr. Domey is sending him information on galley systems. Catchbasins discharge into them. If there is a sediment removal prior to the water going into them, the leaching pits put out a much cleaner quality runoff or ground water recharge. This requires that the systems stay 4 feet above the ground water. In a case like this in order to connect this to the back they would eliminate the recharge possibility. This would qualify as a hardship.

The Board would have to deal with each situation as it came up. The applicant would be the first.

The Board is concerned about two trees at the entrance. The developer feels he can save the tree to the south side. They can take the pavement and hug the right-of-way to the maximum possible and bring the

proposed road around.

Mrs. Bancroft stated the Board would consider waiving the radii on Plain Street since Plain Street is a very narrow road. Occasionally a large vehicle might go into the center of the road but it would be safer to cut down the radii. The pavement could be set further to the edge to save the tree. The tree does appears to be healthy.

The traffic study would need to be done for a definitive plan with attention to the adequacy of Plain Street, site distance and trips per day.

Mr. Coras reiterated his belief that they should not have to pay for a road access to the Wallingford property, maintaining that they still have other access. They asked for a waiver to not construct the road and offered to deed the land to the Wallingfords.

The Board reminded him that the connection is required and the Board has never waived that requirement in the past.

Mr. Hanlon asked for possible waivers for the curve radius and the Board stated it would consider that as it has given such waivers in the past. The Board has not discussed anything as low as 230 or 240. It is coming off a very narrow country road. The minimum layout is 50 feet.

The existing lot with the house on has been resold and not owned by the developer.

More concern was expressed about water and the possible overflowing of the kettle pond. Mr. Hanlon said that presently the water runs down Plain Street. They can design a leaching station to adequately handle a 100 year storm but it wouldn't serve a purpose. Concern is expressed that the galley systems will siltup and need to be dug out. It would just remain dry. Mr. Gagliani expressed the possibility of an easement to the kettle pond to take care of the situation. The pond fills up in heavy rain. The elevation of the dry pond is 184 and the water is 183.8.

Mr. Hanlon stated they have an appointment with the Board of Health for soil testing the week of February 27th. They will be doing some deep holes and slug testing, permeability testing in the areas of recharge. When they are out there they would like to do the center line testing. The new regs require every 100 feet. Would every 200 feet be satisfactory in low lying gravel area? There are two ways to achieve the testing. One is to have the drill rig put in small holes. The other option is to excavate and dig holes. They would rather not dig holes every hundred feet. When they back fill there is the possibility of getting organic mixed in with the subsoil. The Board agrees that that sounds reasonable.

The Board will make its decision at the next meeting.

PLANNING BOARD MEETING
MARCH 9, 1992

Present: Mark G. Cerel, John K. Gagliani, Stephen M. Nolan, and Daniel W. Nye. Absent: Margaret E. Bancroft

ALL PURPOSE STORAGE - NORTH MEADOWS ROAD

Present: John J. White

Mr. White came before the Board to inquire about the possibility of opening a UPS drop off service within his current building space. This would be a drop off point for customers only and would not be a pick up point. It would be within the present office space. Access would be from Route 27 over an existing way. The physical structure of the office would remain the same. Wrapping service would be provided. It would be advertised in surrounding towns. Hours of operation would be from 7-5:30 P.M. Section 5.4.5.5 requires a special permit from the Planning Board. This would be a franchise. The office area would be 40' x 23' with half of that open to the public. Mr. White anticipated 6-10 cars maximum per day. The Board would like to see a parking plan including the area to be used by the UPS truck as well as traffic flow on the lot. The Board will also seek the opinion of the Chief of Police, especially regarding the traffic.

LEDGEWOOD ACRES

Present: Karlis Grinbergs, Architect and Joseph Hanlon, E.S.P. Associates, Engineer

Mr. Hanlon stated he had been contacted by the Chestnut Hill Bank which has taken over Ledgewood Acres and is working on a possible Open Space Residential Zoning plan for the area.

Mr. Grinbergs said he was making a proposal on behalf of the bank which has also listened to a proposal from the Milton Corporation. He was asked to look at the plan which he recapped as approved. As he sees it there is one house 75% complete, problems with water pressure, subsurface ledge, problems accessing parcels, a steep road, and a knoll. The bank is looking at the entire 62 acres as opposed to the individual parcels. Ten of the lots tested for perk. Due to the ledge and natural topography common driveways may be necessary. As an alternative plan he proposes Open Space development which would mean that 1/3 of the parcel in the middle would be for development and the remaining area left as open space. This area could be dedicated to the Town or an association and could include trails, paths, playground area etc. The area would touch on Rocky Woods Reservation. The Water Department would like a 12 inch main loop in the area. With the higher density of homes sewer could also be done. He is suggesting 30 lots ranging in size from 14,000 sq. ft. to 20,000 sq. ft.

PLANNING BOARD MEETING
MARCH 9, 1992

Hickory Drive

The Board reviewed a letter from Thomas L. McLaughlin, Attorney for Lajoie Corp., dated February 26, 1992. Enclosed with the letter was a copy of an Agreement for Judgment in which Ronald Tocci agreed with Mr. Lajoie to authorize the Town of Medfield to make payment to Lajoie Corp. of the proceeds of a bank account and a road bond that the Town is presently holding in connection with services to be performed on Hickory Drive. The Board expressed the thought that the sum of money ($6,587.50) in the agreement may exceed the monies remaining when the road has been completed and accepted.

Hutson Pines

Mr. Nolan has received a letter from the State of Florida concerning the bond on subject subdivision. The letter asked the Board to notify the state as to what sum of monies above the savings account book of $10,000 would be necessary for completion of the subdivision. Superintendent of Public Works Feeney has said he would seek an estimate from a couple of local contractors for completion of the road assuming that it may have to be completely done over.

Westbridge Estates

No discussion/action taken.

Grist Mill Pond Estates

VOTED to send a letter to Mr. Costello requesting payment in the amount of $501.79 for services rendered above the fees collected on subject subdivision. Such request is in accord with the vote of January 14, 1991.

Tannery Drive

The Board is in receipt of a letter dated March 2, 1992 from Dr. & Mrs. John Semeraro of 10 Tannery Drive alerting the Board of a matter that is, in their opinion, a problem to acceptance of the street, specifically a high voltage above ground padmount transformer and a telephone transformer located at the base of their driveway. The Board is of the opinion that this is not within the jurisdicition of the Town but could suggest 8 x 8 pressure treated posts placed by the transformers.

NEW BUSINESS

Street Hearings

Mr. Gagliani will attend the Board of Selectmen's street hearings the following night (Tuesday, March 10th). Tannery Drive still needs proof that the stump of the birch tree has been properly stumped.

PLANNING BOARD MEETING
MARCH 9, 1992

VOUCHERS

VOTED to sign the following vouchers:

Zip Print for Subdivision Rules and Regulations	$ 196.55
Whitman & Howard - plates for sub rules	2,414.75
Whitman & Howard - Kettle Pond Estates	224.46
Total	$2,835.76

Meeting adjourned at 10:00 P.M.

Respectfully submitted,

John K. Gagliani, Secretary

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PLANNING BOARD
MARCH 23, 1992

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Stephen M. Nolan, Daniel W. Nye

The meeting was convened at 8:12 P.M. by Chairman Bancroft.

ALL PURPOSE STORAGE

Present: John White

Mr. White reported that for two weeks he did a traffic count of vehicles at the storage facility with the results being 3.8 vehicles per day, the greatest number being on Saturdays. He brought a Parking Plan showing space for 37 vehicles which would be more than enough for the area. An area of the office 20' X 23' (2300 sq. ft.) will be open to the public for UPS services. A special permit is not required, since there is no addition to the building. Mr. White will return with a representative from UPS who will explain the operation. The Board will request input from the Police Chief.

COPPERWOOD ROAD/BISHOP LANE

Present: George Basile; several residents from Copperwood Road

Mr. Basile presented the Board with a report of drainage calculations as well as an "As Built" plan for Detention Pond #3 at Medfield Technology Park dated March 18, 1992 and drawn by Ernest W. Branch, Inc., Civil Engineers, Quincy. The report concludes "that detention pond #3 was constructed in substantial compliance with the proposed design." The fence which the Board required has not been erected. Mr. Basile stated such fence would cost approximately $8,000. Concern was expressed for safety since there is standing water in the area. The plan and calculations must be reviewed by Whitman & Howard. The Board reviewed Whitman & Howard's latest letter of October 31, 1990. Mr. Basile reported that the emergency access road is in place with a breakable gate. He further stated he would draw up an easement within a week that would allow the town to enter the property.

VOTED to reduce surety for Copperwood Road/Bishop Lane to $21,280.15 with the notation that the drainage calculations must be verified and an inspection completed before any agreement concerning the road can be made. Also an easement must be given for the Town to enter the property around detention pond #3.

Mr. Gagliani abstained from the vote.

Before any further funds can be released by the Board the drainage calculations must be reviewed by Whitman & Howard and an easement must be granted to the Town.

Mr. Osler Peterson, 10 Copperwood Road, asked the status of the road and questioned the procedure for acceptance by the Town. Mrs. Bancroft

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explained. He also expressed concern that matters about the detention pond would be left until approval of the Industrial Park. The residents would like to get the street accepted. The Board explained that before they would be able to recommend acceptance of the road it would have to be demonstrated to them and verified by the Board's engineer that the detention pond is the proper size and working adequately to serve the subdivision.

PONDVIEW ESTATES

Present: Residents of Stuart Street

Mrs. Bancroft and Mr. Cerel updated the Board following their site visit the previous week. Monuments in several areas are located in the sidewalk. The developer's engineer had shown, in orange paint, where each property line was and thus showed the sidewalk in many places on private property. There were discrepancies with "as built" plans. While the plans showed portions of the sidewalk on private property, they did not show the true magnitude of the situation. It appeared to them that there was only one solution, since some of the abutters said that they were unwilling to consider granting an easement. They felt the solution would be to relocate the sidewalk at the curb throughout the effected section which is approximately 2/3 of the circle. They further noted that monuments are missing at lots 23, 22, and 21 and the monument for lot 20 is located way into the lot. Many of the problems are the result of several developers working in the subdivision.

The Board will ask Mr. Eramo to come in. The recommendation of the Board is the sidewalk be relocated to the curb on the easterly side of Pondview at the monument location around station 2+75. The sidewalk shall be carried straight to approximately a midpoint on the intersection radius and ended at that point with a handicap ramp connecting it to the street. The next section of sidewalks to be relocated shall commence on Lot 29 at the north side of the driveway opening on Pondview Avenue at approximately station 11+5 and shall continue to the end of Pondview carrying around to the east on Stuart Street, on the same side, until the driveway opening on Lot 21, approximately station 2+60. For this whole section the sidewalk shall be located at the curb edge and the area between the sidewalk and the adjacent lawn (or the street property line, if no lawn is adjacent) be loamed and seeded.

The residents present did not object to such change. Mr. Totaro, 14 Stuart Street, stated there does not appear to be an alternative. The neighbors viewed the proposed change in sidewalk and suggested that it continue to the corner of Lot 20, ending with a handicapped ramp. Concern was expressed by the neighbors that the owners of Lot 21 be consulted to be sure they are in agreement with the proposal since the sidewalk in front of that lot is properly located.

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The alternative would be to having to relocate the entire street which would be very costly.

Copies of the proposed plan will be sent to all the neighbors affected by the change with an invitation for comments at a future meeting.

Mr. Kozel, 16 Stuart Street, added that the gas company has not contacted the neighbors.

The Board will schedule another meeting with the neighbors and the developer for the purpose of resolving the sidewalk situation.

KETTLE POND ESTATES

Present: Greg Coras, Joe Hanlon, Paul Murphy

The developer brought in a discussion plan showing 12 lots with the road forming a "T". There is a 90 degree intersection with the road extending to the Wallingford property and avoiding the knoll. They propose a temporary cul-de-sac with possible 3:1 slopes; a four foot wall with the 3:1 slope is possible. Perk tests have been scheduled with the Board of Health for April 16th and 17th. They will be discussing drainage with Mr. Domey. This plan would allow them to save the better tree. The length of the road from Plain Street to the end of the cul-de-sac is 1300 feet. It may be necessary to put an overflow pipe in the grass strip. All roads are planned as primary roadways.

CAUSEWAY STREET - ANR

Present: David MacCready

VOTED to approve a plan which "Approval under Subdivision Control Law Not Required" entitled "PLAN OF LAND IN MEDFIELD, MA" prepared by R. F. Merrikin Associates, Consulting Engineers, 46 East Street, East Walpole for 14 lots located on Causeway Street and 1 lot located on Orchard Street subject to Lot 1 on sheet 2 of 3 being relabelled Lot 3.

SELECTION OF NEW TOWN COUNSEL

At the request of the Selectmen the Board discussed the idea of having a firm outside the Town serving as Town Counsel vs one local person doing the job. Each member will each assume the responsibility of advising the Selectmen of their opinion.

Meeting adjourned at 10:45 P.M.

Respectfully submitted,

John K. Gagliani, Secretary

PLANNING BOARD DRAFT
APRIL 6, 1992

Present: Margaret E. Bancroft, Mark G. Cerel, Daniel W. Nye, Paul B. Rhuda; Absent: John K. Gagliani.

ZONING CHANGES HEARING

Present: Martin Rosen, Warrant Committee; other interested persons.

Chairman Bancroft convened the hearing at 8:10 P.M. with a reading of the Legal Notice as it appeared in the Suburban Press March 12 and 19, 1992.

Article 18. To see if the Town will vote to amend the Zoning Map so that the boundary of the Aquifer: Zone 1 includes a circular area with a 2,000 foot radius from proposed Well #6 as shown on a plan by Amory Engineers, P.C., Duxbury, Massachusetts, W.M.A. Permit Application No. 9P3-3-20-175.02, THEIS 2D Analysis, Proposed Well No. 6, Cumulative Drawdown Contours, Drawing No. 531, Sheet 2 of 2, "part of the Addendum to said Permit Application, dated July 1991.

The Board discussed agricultural uses within the district especially as it pertains to the Medfield State Hospital property. It decided that nonintrusive farming with restrictions on pesticides would be allowed. It also noted that a portion of the aquifer extends beyond the Town boundaries and will send a letter to Sherborn outlining Medfield's aquifer zone.

The Warrant Committee will recommend passage.

Article 19. To see if the Town will vote to amend the Zoning Bylaw, Section 13.5.1 by deleting the wording "one-third of the area of the window in which they appear." and substituting therefor "one-third of the total area of exterior street side windows."

The Warrant Committee will recommend passage.

Article 20. To see if the Town will vote to amend the Zoning Bylaw, Section 14.10, by deleting the present language and substituting therefor the following:

"14.10 SPECIAL PERMITS BY BOARD OF APPEALS

Certain uses, structures or conditions are designated as SP in Section 5, paragraph 5.4 Table of Use Regulations. These uses require a Special Permit from the Board of Appeals which may be obtained only by use of the following procedure. Special permits required by Section 7 - Open Space Residential Zoning, Section 10 - Flood Plain District and Section 11 - Watershed Protection District shall be exempt from the provisions of this Section 14.10 and shall be governed by the provisions of Sections 7, 10 and 11 of this Bylaw."

The Warrant Committee will recommend passage.

Article 21. To see if the Town will vote to amend the Zoning Bylaw, SECTION 5 - USE REGULATIONS by deleting Paragraph 5.3.9 as it presently appears and by substituting therefor the following:

"5.3.9 Day Care facilities for the day care of more than six children in Residential Districts shall conform with the following standards:

5.3.9.a. That the minimum lot area be 40,000 square feet or such greater area as is required by Table 6.2;

5.3.9.b. That the minimum yards be as follows:

Front Yard	30 feet
Side Yard	20 feet
Rear Yard	50 feet

or such greater yards as are required by Table 6.2;

5.3.9.c. That Buffers meeting the specifications set out in Section 6.2.10 be provided along side and rear yards;

5.3.9.d. That there be an on-site drop-off area capable of accommodating at least a number of vehicles equal to one fourth the licensed capacity of the facility;

5.3.9.e. That there be a separate entrance and exit for vehicles."

and amend Section 5.4.2.12 TABLE OF USE REGULATIONS by removing "(See Section 5.3.9)" from the first line

and by changing 5.4.2.12.b. to read as follows:

"b. More than six children (See Section 5.3.9)"

or do or act anything in relation thereto.

Persons present expressed concern for operating hours, the number of children, specific buffers for day care, entrance and exit (common) of driveway, fence requirements, height and bulk regulations.

According to the state law, day care structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and

building coverage requirements imposed by the town. The town can no longer require special permits.

The Board will seek to amend the article at Town Meeting to include height and bulk regulations as follows: "5.3.9.f. A day care facility shall not be considered a "Community Facility" for the purpose of Section 6.3.1.a and shall be subject to the height and bulk regulation of table 6.3."

VOTED to recommend approval of the proposed Zoning Bylaw changes with the amendment to Article 21 as follows "5.3.9.f. A day care facility shall not be considered a "Community Facility" for the purpose of Section 6.3.1.a and shall be subject to the height and bulk regulation of table 6.3.".

Hearing was closed at 8:45 P.M.

ROCKY ACRES

Present: Rick Merrikin, H. Ralph DiGiacomo, John DiGiacomo

Chairman Bancroft explained that the plan before the Board showed minor changes which were not significant enough to require another hearing.

The Board reviewed Whitman & Howard's report of April 6th as follows:

"1. The proposed change on Vine Brook Road Extension will increase the grade from 2% to 4% at the intersection of Willow Circle. Vine Brook Road Extension is the through road, however, and is not subject to platform restrictions."

The grade on Vine Brook is changing but not the grade at the smaller intersection. It goes to the definition of "levelling area" which is not required on a through street but only the intersecting street. There isn't a levelling required.

"2. Willow Circle has a 3% grade at the intersection of Vine Brook Road Extension. The December 1986 regulations allowed for this 3% grade platform. However, we believe that design changes should be subject to present regulations which is 2%. The proposed design would require a waiver to allow the 3% slope."

VOTED to grant a waiver to allow the 3% slope.

"3. The proposed vertical curves K values of 30 and 28.6 on Willow Circle are less than the required K=65. However, these K values will provide adequate stopping sight distance for vehicles travelling 30 MPH."

The plan complies with the new regulations and does not need a waiver.

"4. The change of location, inverts and slopes for the drain line are not a problem. The change in location of the water and drain should be made on the road cross-section."

The water main has been moved so as to require removal of less ledge. Approval of the change is necessary from the Water and Sewer Commissioners.

Mr. Merrikin was asked if he foresaw any more modifications to the plan and stated he that he "did not see further modifications to the subdivision."

VOTED to send a letter of approval for the modification of Rocky Acres subdivision pages 3, 4, and 5 of 9 subject to approval by the Water and Sewer commissioners for moving the water line.

OPEN SPACE COMMITTEE

Present: Jane Hayes, Chris Hajjar, Jim Sullivan

The Committee brought with them a large map of the Town marked with existing trails as well as desirable areas for trails. One of their goals is to preserve a trail from Rocky Woods Reservation to the center of Town. They have tried to negotiate with the developer for easements which would connect trails through Pederzini Way. Since the Open Space Committee is only an advisory committee it came to the Planning Board to make the Board more aware of some of the desirable trail areas. The Board might then be able to ask developers to set aside certain areas of development to continue the trail system. Such cooperation was achieved with Oxbow Realty for Overfield Estates on Pine Street.

The Committee further reported that it will be participating with Bay Circuit Alliance for a green belt walk around Boston, a portion of which will go through Medfield. The Committee will meet at the Sherborn line at 9:00 A.M. on June 11th for the Medfield portion of this walk.

ALL PURPOSE STORAGE

Present: Jack White

Mr. White reported that the Natick office of UPS has 10 trips per day and Franklin 15 trips per day. Walpole declined to provide information. The truck which will pick up at the Medfield office will be a regular UPS truck such as makes deliveries to homes.

VOTED to sign a plan entitled "Site Plan of Driveway & Parking Layout in Medfield, MA" dated April 2, 1992 and drawn by DMG Engineering Corp., 2 Milliston road, Millis, MA showing parking for 38 vehicles.

PLANNING BOARD DRAFT
APRIL 6, 1992

OLD BUSINESS

Hutson Pines - Clayton Street

The Board has received a letter from Mr. Clarke requesting an update on work on Clayton Street.

The Board will hold its discussion until it receives a response from Superintendent Feeney to its letter dated March 31, 1992.

Acorn Circle

The Board has received a letter from Paul and Evelyn Keigan, 3 Acorn Circle, requesting that it not release surety on Acorn Circle as the land still needs to be restored and the leaks in the Keigan's basement have not been completely fixed.

Lakewood Terrace

VOTED to sign "Acceptance Plan of Lakewood Estates II Sta. 2+50 to Sta 4+50 in Medfield" dated October 30, 1991, drawn by H2O Engineering Consulting Associates, Inc., 6 Page Place, Woburn, MA for Lakewood Terrace.

NEW BUSINESS

Woodcliff Phase 2

The Board will walk the land off Flint Locke Lane and Green Streets as shown on a plan entitled Woodcliff Phase 2 in preparation for the hearing scheduled next week.

Town of Millis - Groundwater Protection

The Board has received a copy of a letter sent by the Millis Town Administrator, Charles Aspinwall, to Town Administrator Sullivan with a Zone Two Delineation map for Millis' wells #3 and #4 at Southend Pond. The letter request that the Town of Medfield include the designated area in the town's groundwater protection law to ensure that the Town of Millis' water supply is protected.

The Board discussed the map with concern that all of Medfield's industrial land is located within the Millis Zone Two delineation. It also noted discrepancies between the Millis and Medfield Zone Two delineations.

The Board suggested that we send a copy of our Zoning Map and aquifer to the Town of Millis for consideration.

PLANNING BOARD DRAFT
APRIL 6, 1992

Williams Property - High Street

The Board has received notice that property on High Street owned by the Williams Estate will be taken out of forestry. The Board will send a letter to the Selectmen that it is not interested in purchasing the land.

Reorganization

The Board will reorganize after Town Meeting.

Respectfully submitted,

Mark G. Cerel, Secretary Pro Tem

PLANNING BOARD MEETING **DRAFT**
APRIL 13, 1992

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Daniel W. Nye, Paul B. Rhuda

WOODCLIFF ESTATES - PHASE II

Present: Scott Colwell, Paul Cutler, Vamid Karimi, Maggie Schmitt

Chairman Bancroft convened the hearing at 8:12 P.M. with an explanation of the hearing process. She stated that, while the plan before the Board is for consideration, there is concern over a possible tie-in with the Main Street development.

Mr. Nye read the legal notice as it appeared in the Suburban Press on March 26 and April 2, 1992.

Scott Colwell presented the proposed subdivision stating it consisted of 13 lots on 19.5 acres of land located off the intersection of Flint Locke Lane and Green Street. The plan shows two streets - Road "A," 1100 feet and Road "B," 400 feet. The bulk of the development is in an RT Zoning District with lots ranging in size from 41,000 sq. ft. to 96,000 sq. ft. This plan does not connect to Phase I but does show a stub which would allow for further development. (This is standard procedure.) There is a pond at the end of lots on Road "A". He stated he is aware of the possibility of connecting through but he does not need to use the stub because he has other access to the property. He stated he and his father have been building in Medfield for 25 years. They seek to improve property values in the course of their developing.

Paul Cutler P.E., Landmark Engineering of New England, Inc., presented the engineering aspects of the development. This is 19.5 acres of wooded land which slopes southeast to a wetland and ponding area as well as a portion which flows out to Flint Locke Lane. Roadway "A" joins Flint Locke Lane and proceeds easterly to Roadway "B". Daylor Engineering of Boston flagged the wetland area located in the back of the development. The profile of Road "A" shows the junction of Flint Locke Lane and Green Street has a 12" water main which would continue into Road "A" to the intersection and stub. An 8" water main would continue from there back to the cul-de-sac. Sewer will tie in at Flint Locke Lane with a 10" line to the intersection of Roadway "B" which would then be an 8" line to the cul-de-sac. This would be gravity sewer. The high point of the development is located on Lot 6. There are two catchbasins at the end of Flint Locke Lane which would be relocated approximately 10 feet further into the development to catch the drainage from the high point as well as the property owned by Bella Construction. The remaining area, everything north of the roadway and Roadway "B" will be connected by a series of catchbasins and drain manholes. There is a drainage easement across Lot 5 which leads to a detention basin located at the rear of Lots 4 and 5 just prior to the wetland. Post-development runoff would actually be less. That is being done by a detention basin with a regulating structure which is a rectangular weir built in a dike and then riprap going out to wetland. The Board of Health requires that they retain at least a two inch rainfall onsite prior to letting it dump out into the wetland area.

This detention basin will take at least a two year storm (3 1/2 inches of rainfall) before dumping. The pond fills to about 2 feet. In a 10 year storm it would back up in the detention basin before going out the weir slowly to the wetland area. There is riprap down to the wetland and stream. All the drainage runs to the wetland now. They are holding it back to a point where the velocity and volume of the flow is less. The deepest the detention pond would be is three feet. Elevation 237 is the height of the dike. 235.5 is the spillway. The highest depth the water will get is 236 in a 100 year storm. In a 10 year storm it would get to 235.21 and 235.71 in a 50 year storm. There is a cart path that parallels the wetland area which goes to Rocky Woods. Roadway "B" has 8" sewer to the intersection with under drains. The cut for the drainage on Roadway "A" averages about 10 feet for the sewer which is deeper than the drain line. In one area it is 14 feet deep. Test holes were done about every 200 feet along the proposed roadway and did hit ledge. It will require about a 10 foot cut in ledge. Blasting will be necessary.

Vamid Karimi, Senior Traffic Engineer with Rizzo Associates in Natick, explained the Traffic Study which was conducted at the intersections of Flint Locke Lane and Green Street, Flint Locke Lane and Pine Street, Green and Brook Streets, and North and Green Streets. The peak hours were from 7 - 9 A.M. and 6 - 7 P.M. when actual manual turning counts were done. There have been 2-3 accidents over the last 3 years with no major casualties. The site distances were determined to be adequate. The analysis was figured under current conditions. They then looked at the worst case scenario based on proposed traffic generated from the development using the standard manual (rates/dwelling units). There would be 158 trips in a 24 hour period (80 in and 80 out). 14 to 18 of the trips would be in and out during the peak hour. Consideration is given to the work force in the town. Then the turning movements are studied. It was determined that a good portion of the work force will be using Green Street. Presently there are 550 trips over 24 hours. There are 1500 trips in a 24 hours period on Green Street. Both of the streets are within the guidelines of the Institute of Transportation Engineers. In the morning peak hour approximately 150 vehicles use Brook Street towards route 109 and in the afternoon the same number are coming back from 109. (Note: This is one direction only.) Measurement was not made at the intersection of Brook Street and Main Street. The Board would be interested in knowing the traffic flow at the Brook and Main Street intersection.

The next stage was to determine the capacity of the intersections under both existing conditions and with the development in place. This is done under state and federal guidelines with a lettering system. "A" is the best and "F" is the worst. Normally roadways are designed to achieve at least a minimum of level service "D" or better. Today all the intersections are "C" and better. When the additional development is superimposed and the capacity considered for peak hours, the intersections were not degraded any. The capacity can accommodate the vehicles with no deficiency.

Linda Scanlon, 60 Green Street, questioned if any study has been or will be made concerning the curve on Green Street just beyond Summer Street which she considered a rather dangerous curve. No such study has been done. Superintendent of Public Works Feeney explained that his predecessor sought funds several years ago at Town Meeting to improve that area and was denied.

Jane Ounanian, 24 Emerson Road, asked if Road "B" was Pederzini Drive. Mr. Colwell said the two roadways are separated by 100 acres of land. Since the Planning Board likes to look at the bigger scheme of things, he had done a schematic for the Board to show what the area would look like if it were connected.

Bob Rudnick, 49 Cypress Street, expressed concerns: 1) for the area near Hinkley Pond where Green Street narrows, 2) Flint Locke Lane - Winter Street intersection visibility and cut through to Dover/Sherborn and Millis, 3) impacts felt on Tammarack Road and Pine Street, 4) children walking to school must cross the street, especially by Hinkley Pond.

Robert Autry, 9 Carol Ann Drive, stated the site distance may be adequate if traffic were going at the proper speed. He also pointed out that the word "STOP" was painted on the roadway in 1980 but has since been paved over.

Chairman Bancroft pointed out that as development takes place it is necessary to look at situations like that and bring them up to date.

Bill Loughnane, 41 Cypress Street, expressed concern for the safety of kids who play in the streets.

Chris Cleary, 123 Green Street, stated it would not be possible to quantify the number of people who do not want to sit through the existing three traffic lights plus the new one going in by Shaws. He felt people would be cutting through to avoid the lights and back traffic through Pederzini Drive.

David Press, 9 Flint Locke Lane, stated he did not think there should be a policy ("not that there is one") trying to relieve traffic from going through downtown by going through residential areas.

Jane Ounanian, 24 Emerson Road, felt if the road connected through to Main Street, it would become a cut through for route 27.

Caroline Standley, Conservation Commission, acknowledged the middle section is no where near definite yet and asked what the maximum number of houses would be that could be built in the center section. Mr. Colwell responded 50. Mrs. Bancroft stated overall there are around 100.

Donna Cleary, 123 Green Street, wanted to clarify that the people she has been discussing this issue with do not have an issue with this particular phase but are concerned if it is connected.

Debby Kiernan, 113 Green Street, stated the plan looked like it would go through wetland and asked what the procedure would involve.

Chairman Bancroft explained the process. They need a special permit from the Zoning Board of Appeals to work in the Watershed Protection District. They would also need to go to the Conservation Commission for work in the wetland. It would be very well controlled to minimize the impact.

Craig Harwood, Chairman of the Conservation Commission, stated the applicant has a hearing for Conservation issues on this phase of the development on the first Thursday in May (7th). Some of these wetland issues will be addressed at that time. He referred to the layout of road "A" and said that part of lots 5, 4 and 3 are in the wetland/buffer zone and asked the developer if houses would need to be built in the buffer zone on these lots. He pointed out they have allowed homes to be built in buffer zones but sometimes it presents problems with degradation of the wetland.

Maggie Schmidt, engineer from Daylor Consulting Group, explained they did the wetlands delineation. On the filing of notice the 100 foot buffer is shown.

Police Chief Hurley's letter was read into the record and dealt with the limited subdivision before the Board and not with the cut through. He stated that the Traffic Impact Study done by Rizzo Associates appeared to be fair and accurate.

Mr. Nye read into the record a letter from Charles Ferullo, 16 Carol Ann Drive, which was opposed to a connection through to Main Street.

Superintendent Feeney requested to meet with the contractor/developer particularly regarding drainage.

In keeping with a prior request from the Open Space Committee, discussion followed for a trail through the property which would connect Rocky Woods to the center of Town. The consensus was to save some of the existing trails to maintain such an access.

Neighbors questioned the possibility of connection to Ledgewood Acres on Pine Street. The Board explained that the agreement for Ledgewood Acres was that the property would not connect through to the streets in Pine Needle Park.

Discussion followed concerning water to the development. The developer has not taken the plan to the Water & Sewer Board. (The Planning Board has given a copy of the plan received by them to the Water and Sewer Board.)

More concern was expressed by neighbors of Pine Needle Park and Pederzini Drive that connection not be permitted.
Chris Hajjar, Open Space Committee, asked what would the plans look like if the road ended at the wetland. She further volunteered that

her committee would be willing to walk with the developer to look over the possible open space areas and trails.

Question of excavation of the roadways was raised. Paul Cutler said there would be approximately a 5 1/2 feet cut at the highest point which does not appear to be in the way.

Laine Hendy, 4 Emerson Road, asked what the impact would be if the cut through did not take place. If there is not a connection, the Board will have to look at the design of the road. As designed now it does not comply with regulations and will need some changes.

Chairman Bancroft adjourned the hearing for the evening with an explanation that there is much that the Board still needs to learn about the development. Fire and safety still needs to be discussed. The hearing will be continued to May 4th at 8:30 P.M. (May 11th if Town Meeting is continued to the 4th).

LONG RANGE PLANNING COMMITTEE

Present: Martha L. Smick, Chairman and other members of the LRPC

The Long Range Planning Committee reported on the results of their workshop held February 8, 1992. Representatives from 15 town boards/committees/departments regrouped on March 7, 1992 to assess the issues presented at the February meeting. The Committee submitted its report of those meetings with the following recommendations:

1. Develop strategy to protect/acquire Gun Club land (Noon Hill) & Hunt Club land (North Street - Wardner Farm Trust) if they become available and in danger of development.
2. Heighten awareness of dangers of indiscriminate pesticide/herbicide use.
3. Develop consensus among town officials on road design standards, safety issues, & preservation of town character (including reconstruction of existing roads).
4. Work to be sure that an expanded Post Office will remain in the town center.
5. Lobby for state passage of real estate transfer tax legislation for open space & affordable housing funding.
6. Investigate a "demolition delay" bylaw for historic properties.
7. Under the general heading of growth and its implications for future water & waste water - study water needs, require tie-ins to sewer, conduct Zone 2 studies.
8. Encourage greater use of cluster development and other creative land use such as a major residential development bylaw, conservation easements, a land trust.

The LRPC suggested holding a public event once a year and a planning workshop for town boards once a year (at six months intervals).

PLANNING BOARD MEETING **DRAFT**
APRIL 13, 1992

The consultant, Phil Herr, has 3 groups of students working on issues concerning the use of the State Hospital (if it should close), road design and safety, and a GIS system.

WIGHT & COMPANY

Present: Harry Wight and Richard Riggario

Mr. Wight and Mr. Riggario brought a plan before the Board for the purpose of discussion. The plan was not their plan but just used for discussion purposes. The plan was for six lots located within the Aquifer Protection Zone. The Board's primary concern would be with the street and drainage. There was discussion regarding adjacent land and the possibility of a need for connection given the Board's very strict regulation to take a road to the property line. They will consider bringing in a preliminary plan.

OLD BUSINESS

Town Meeting Articles

Article 18 - Aquifer for new well #6 - Paul Rhuda
Article 19 - Sign space change - John Gagliani
Article 20 - Open Space Zoning permit change - Mark Cerel
Article 21 - Day Care regulations - Margaret Bancroft

Tannery Drive and Sewall Court

VOTED to sign acceptance plans entitled, "Tannery Farm Road Acceptance Plan in Medfield, MA," drawn by Davna Engineering Company, 2 Milliston Road, Millis, Mass. 02054, Tannery Drive and Sewall Court.

Meeting adjourned at 11:15 P.M.

Respectfully submitted,

John K. Gagliani, Secretary

PLANNING BOARD
MAY 4, 1992

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Daniel W. Nye, and Paul B. Rhuda.

Meeting was convened at 8:00 P.M. by Chairman Bancroft.

REORGANIZATION

VOTED unanimously to reorganize as follows:

Chairman: Daniel W. Nye
Vice Chairman: John K. Gagliani
Secretary: Mark G. Cerel

Mr. Gagliani, on behalf of the other Board members, thanked Mrs. Bancroft for her year as chairman.

HEARING FORMAT

Chairman Nye explained the format to be followed for public hearings. The presentation from the applicant will be followed by the Board's opportunity to ask questions. The hearing is then opened up to members of other town boards. Following that it is then opened to the general population when letters and notices will also be read.

PONDVIEW ESTATES

Present: Raymond L. Allison, developer; M/M Peter Kozel, 16 Stuart St.; Steven R. Bodi, 6 Stuart St.; Michael J. Berberian, 10 Stuart St.; Richard Foley, 12 Stuart St.; M/M Richard Piccolo, 15 Pondview Ave.; Beth Asher, 11 Pondview Ave.; Raymond Totaro, 14 Stuart St.

Mrs. Bancroft read the letter sent by the Board to the residents dated March 30, 1992.

Mr. Allison spoke on behalf of Mr. Eramo and himself stating that the Planning Board's proposed solution to the sidewalk problem on Stuart Street and Pondview Avenue was unacceptable. He and Mr. Eramo will require additional time to review the letter and obtain cost figures. All parties want to resolve the issue. He referred to what he called a list of several minor items beyond the sidewalk that need to be completed. It is their plan for this season to complete all these items down to the point of the sidewalk and have everything ready for acceptance. Also they have contacted Bay State Gas Company because gas lines are under one or more individual's property. They indicated that they probably would not be able to give a resolution on that until late summer or early fall. They indicated they would be directly contacting the residents involved and work a solution with each individually. He felt they would be ready to go by early fall on the sidewalk with whatever decision can be reached.

The Board is concerned there are areas where the sidewalk is encroaching more than they were led to believe. The Piccolo's (15 Pondview Ave.) and the Kozel's (16 Stuart St.) are the main problems. However the sidewalk is still off on many other lots. The Board does not want the sidewalk to wander in and out and for that reason suggested it be relocated to the curb. The engineer has drawn in paint on the ground the property lines which is a discrepancy with the plans.

Several residents questioned the need to move the sidewalk. They did not like the idea of the sidewalk "hugging" the curb. They expressed concern for in ground sprinkling systems and maintenance of the lawn. They felt that it has taken years to get the lawns to what they are today and the change in lawn configuration would be noticeable and require additional loaming. They questioned the safety of having the sidewalk out to the street since children walk and ride on this sidewalk. The fire hydrants would also need to be moved. (They are currently within the grass strip.) Several said they would prefer to grant an easement to the town. Residents expressing these concern include: Michael Berberian, 10 Stuart St.; Steven Bodi, 6 Stuart St.; Richard Foley, 12 Stuart St.; Beth Asher, 11 Pondview Ave; Ray Totaro, 14 Stuart St.

Mr. Kozel, 16 Stuart St., and Mr. Piccolo, 15 Pondview Ave., were both concerned for their liability if they grant an easement to the town. They questioned indemnification from the town.

Mrs. Piccolo expressed the concern that communication between the residents and the developer has broken down and they are looking to the Board for assistance in getting the matter rectified. She asked if some time limit could be place on the developer.

Once the street is accepted, it is the responsibility of the town to maintain the sidewalk. However, if someone leaves a sprinkler or toy etc. on the sidewalk that person must accept responsibility for his action.

The problem with the gas line is for the homeowner(s) and the gas company to resolve.

The developer will be responsible for contacting the residents and obtaining easements. It is up to the developer to provide the form of easement which should be reviewed by Town Counsel.

Representatives from 4 and 8 Stuart St. were not present at the meeting.

Mrs. Kozel asked if the people granting an easement would be willing to allow the sidewalk to be moved on just the two lots since it is unlikely that there will be an easement all the way around the circle.

The Board will discuss the matter again at its meeting on June 15th after the developer and the residents have the opportunity to exchange views. The Board would like to be able to adopt a final plan at that time.

When asked about deeding the property to the Town, Chairman Nye explained that could possibly make the lots nonconforming.

Mr. Allison acknowledged that he and Mr. Eramo are responsible for the completion of the roadways.

WOODCLIFF ESTATES PHASE II HEARING (cont.)

Present: Scott Colwell, Paul Cutler, Police Chief Hurley, Fire Chief Kingsbury, various residents.

Chairman Nye reconvened the hearing at 9:10 P.M. stating the Board would first discuss the matter of possibly having a road connecting through to Phase I. The Board received a petition with approximately 161 signatures opposed to such a connection.

Fire Chief Kingsbury spoke in favor of a connector road. He stated that if his department had to take back roads to respond on Route 109, they would be travelling over rough terrain for emergency vehicles in a rapid response situation. From the station to the end of Flint Locke Lane as it is currently laid out is one mile. From the station to Hatters Hill and Vine Brook Roads is 1.5 miles. If it is necessary to take Philip Street and Foundry Street, the distance becomes 3 miles which reduces response time. In an area 0.8 mile there are 50 houses, a gas station, two shopping plazas and a medical building. In response to a question of emergency gates, he stated that the Emergency Medical Services System is not in favor of gates. They don't work effectively. There are problems with winter maintenance as well as who operates the gate.

Chairman Nye asked the Fire Chief, "How important is response time? What does it mean in terms of lives and property? If it takes an additional one or two minutes to get from point A, the station, to point B, if the connection is not there what does that mean?"

The Chief responded that it is not a matter of one or two minutes. This is a call department. There is also response time to the station and then to the fire. "For a fire, it's how fast does it burn. For the ambulance and the EMT's it's how fast do you die." Response time is also effected by the time of day.

Mr. Loughnane, 41 Cypress Street, questioned the number of times that Main Street has been blocked.

Mr. Cerel questioned if the Fire Station would remain at its present location and Chief Kingsbury responded there are no plans to move the station. There has been talk that if there were to be a substation it would be on the south side of town.

Police Chief Hurley stated that he would be against opening up the area for a number of reasons. He sited one of his goals as prevention of crime as opposed to working out a problem after it has happened. This is a deadlock area and people do not go down deadlocked areas. He understood Chief Kingsbury's problem because he has large pieces of equipment and it would be easier to go around that way. The Police Department has small pieces of equipment and can move very quickly. The ambulance can move around fairly easily. A person can be dead in 4 - 6 minutes so every minute that you can cut off of that you are much better off. However, you have to look at the entire picture. They worked very hard last year in regards to the school buses and we were able to cut back one bus because the roads and sidewalks were improved. This situation is similar to Pine Street which now carries a lot of traffic. The lights at Shaws will be operating within a couple of weeks. With the backup at night the people will snake their way around the development and use Green Street as a cut through. He equated Green Street to the present South Street. He considered there are enough cut throughs in town now. 109 is the highest travelled secondary road in the state. In response to an inquiry the Police Department has one four wheel drive vehicle. The Chief has no problem with the length of road of a cul-de-sac but stated a school bus needs a 100 foot stub to turn around.

Bob Rudnick, 49 Cypress St., expressed concern that the short cut over Flint Locke and Green would become the preferred route over Main Street for response for emergency vehicles. He was concerned about children on bicycles as well as children playing in the streets. Green Street is not up to standard now let alone adding to it. It can be an alternate use but is not suitable for a preferred route.

Dan Hanrahan, 18 Pederzini Drive, expressed concern for the safety of 10 or 12 children now living on Pederzini Drive.

Chris Cleary, 123 Green Street, questioned what a road would look like if connected through.

Chief Kingsbury had noted not only the distance his vehicles must detour but also the condition of the roads which would also lenghten response time. This could be an opportunity to have standard roads and not rely on the substandard ones.

Other residents also spoke of their concerns for safety of children and residents in the area if there were a connector that could increase the traffic through the area. Concern was also expressed that the traffic could increase such to require a light at Pederzini Drive in addition to the one that is currently at Shaws. Concern was also expressed that

a connector through to Pederzini Drive would result in additional traffic on Pine Street.

Craig Harwood, Conservation Commission Chairman, said he can't comment on whether the road goes through or not but asked, if it did, could the road be shifted to the north to remove 3 houses from the buffer zone thus having less impact on the wetland area.

Chairman Nye asked Mr. Harwood what conditions would be imposed if a road were to go over a stream. The Commission would hold a public hearing to look at all the plans. They would look at the drainage. Often it goes into a stream and they would prefer that it go into upland where contaminants going off the road would be filtered out before they reach an open body of water. The second alternative would be to put runoff into a wetland as opposed to an open body of water because the wetland has certain properties that can mitigate some of the impact from the runoff. The least desirable would be to put runoff directly into a stream.

With regard to the road crossing over the stream either by building a bridge or piping the stream under the road Scott Pitz, a member of the Conservation Commission, said they would have to do a hydrological study to see what the water flow was and make sure the structure would not impinge on normal water flow and act as a dam.

Mr. Pitz continued that he understood that a requirement for Phase II would be to pave to the property line of abutters property for a finished road. The Conservation Commission has not seen the final plans but he suggested that an easement to the land could accomplish what is necessary. Paved access increases the hard surface area and increases the storm water runoff into the brook. He asked that the Planning Board try to minimize the amount of paved area. The Board explained if it decides not to have the road connect that issue will take care of itself.

Scott Colwell said the cut for the drainage would be about 14 feet. The maximum depth would be about 6-7 feet for the sewer.

The general issue of connection was further discussed with residents of the area discussing such matters of using mutual aid from neighboring towns, diversion of traffic off 109, safety, traffic flow, the public convenience for the people who live in the area (current residents as well as new residents), traffic from other areas of town as well as other towns, Ledgewood Estates development, decrease in property values if connector goes through, maintaining the character of the town, a walking path/bike path to connect to Shaws.

Mr. Gagliani expressed concern that the Board should have traffic studies to show the generation of traffic both if the road connects and if it does not connect. He wished to look at the possibility of

connecting through somewhere else such as George Pyne's development or alternatives to connecting.

VOTED not to require a connector road between Woodcliff Estates Phase I and Woodcliff Estates Phase II. Four members voted not in favor of connection. Mr. Gagliani abstained.

The hearing continued with a discussion of the layout of the roadway. The Board would like to see a different layout since it will not be requiring a connector. Nancy Kenney, 131 Green Street, asked if they would receive notice if blasting is necessary. Mr. Colwell explained that they will notify people. Someone from the blasting company then will come out and do a free inspection of the property. Mr. Colwell indicated they are in the process of taking title to property owned by Bella Construction. They would be running a short cul-de-sac off Green Street for six lots. The two areas were not done as one phase because there wasn't time since they had not completed negotiations. Mr. Colwell stated he is trying to locate lots and roads so as to avoid as much ledge and wetland as possible. The possibility of trails was also considered. Mr. Colwell said he would sketch out new plans for the next meeting.

NOTE: The Board has received a letter from the Board of Health disapproving the subdivision. They will discuss it at a later meeting.

OLD BUSINESS

Rocky Acres

The Board is in receipt of a letter from the Water and Sewer Department granting approval of revisions to Rocky Acres Subdivision.

NEW BUSINESS

16 Kenney Road

The Board signed a Certificate of Release of Lot for 16 Kenney Road (Lot 28) as requested by Jowdy & Church, P.E., Attorneys at Law. This lot was originally released July 28, 1960.

Summer Schedule

The Board set the following meeting dates for summer schedule which will be posted with the Town Clerk: June 1, 15, 29; July 13 and 27; August 10 and 24; September 14 which will resume regular schedule.

VOUCHERS

VOTED unanimously to approve the following vouchers: Zip Print for Zoning Bylaws for $210.56; Whitman & Howard for review of Rocky Acres

modification plan for $112.24; Whitman & Howard for review of Woodcliff Estates Phase II Subdivision for $2,272.11.

INFORMATIONAL

Letters will be sent to residents of Clayton Street advising them of a meeting between the Planning Board and Alan Haigh scheduled for the next meeting, May 11, 1992.

A letter will be sent to Mr. Russell Burke, Oxbow Realty, requesting the slope and construction easements for either side of Quail Run be turned over to the town.

Meeting adjourned at 11:00 P.M.

Respectfully submitted,

Mark G. Cerel, Secretary

PLANNING BOARD
JULY 13, 1992

Present: Margaret E. Bancroft, Mark G. Cerel, Daniel W. Nye, Paul B. Rhuda; Absent: John K. Gagliani

Meeting convened at 8:15 P.M. by Chairman Nye.

WOODCLIFF ESTATES PHASE 2 (cont.)

Present: Scott Colwell and Paul Cutler

The Board reviewed a report from Whitman and Howard dated July 13, 1992 as follows:

1. 3.1.4 The twenty foot wide easement in lot 5 is required to be graded and provided with a 12 inch gravel base, and covered with 6 inches loam and seed. This easement must provide access to the detention basin for a pick-up-truck. This required work should be shown on the profile on sheet 5 and on the topographic plan on Sheet 6.

Response: Mr. Colwell has no objection.

2. 3.1.4.4 Temporary slope easements have not been shown on the plans. An easement should be obtained from the Tsimortas property for grading shown on their property. Slope easements should be provided for lot 7 and 13 for future grading that would be necessary to extend the road north. We recommend that any grading for lot 7 and 13 required for a road extension be accomplished now. If lots will be released before construction of the R.O.W. then temporary slope easements are required on all lots.

Response: The developer will be acquiring the Tsimortas property. He will put the easements on the plan but not draft them until more is known about what will happen with the abutting property (Ledgewood Acres).

A discussion followed about width at setback and the Board decided that the plan met all the requirements. The curvature of the front lot line allows sufficient frontage.

3. 3.3.6 The plans have not proposed park land.

Response: The Board discussed the detention basin. Mr. Colwell said they have safety benches all the way around it.

4. 3.3.7.3 The proposed ledge blasting for the subdivision requires a note on the definitive plan that the applicant is required to file a notification of intent to commence

site preparation and/or construction with the Board of Selectmen who will publish a public notice at least two weeks prior to actual work.

Response: This will be done.

5. 4.2.1.h We request that a document reference be given for the Decatur Lane Model used by the applicant's engineer for the calculation of the permeability of the basin. We believe the comparison to volume storage is incorrect, and should be surface area.

Response: The Decatur Lane Model is a chart used to determine the permeability rate of the inflow and outflow through the detention basin. Given to the developer by the Board of Health engineer, William Domey. It is included in the report.

6. 4.2.2 The index sheet is required to show street stationing, utilities, sewer and drainage.

Response: The developer will take care of it.

7. 4.2.3.e A second signature block shall be placed on the cover sheet of the plan for Conservation Commission, Board of Health and the Water & Sewer Commission.

Response: The developer will take care of it.

8. 4.2.3.p The depth of normal high ground water has not been shown in the street layout.

Response: They will show it on the profile.

9. 4.2.3.p The proposed street cross-section for the road is altered from the Medfield typical design. The sidewalk has been moved from the 15 foot wide to the 11 foot wide area outside the edge of travel way. What is the reason for moving the sidewalk across the street? The sidewalk can be continuous and match the sidewalk on Green Street if kept where originally proposed. If allowed to stay on the north side of the road, show where the Green Street sidewalk ends.

Response: The developer will be acquiring the abutting property. They can do more with the land. All they will need is a 3 foot high wall. They will continue the side walk on one side. There will be a 6 foot wide grass strip. The hydrants are on the other side.

10. 4.2.3.r All trees within and/or at the edge of the planting strips of the proposed street layout which exceed 8" in diameter are required to be shown on the plans, and identified by species.

Response: They are seeking a waiver since they will be losing most of the trees, if not all. Those that might be left would be down at the end.

11. 4.2.3.s A plan is required (USGS quad is acceptable) that shows the delineation of the entire watershed within which the subdivision is located.

Response: The developer will take care of it.

12. 4.2.3.w The list of waivers will have to be added to the plans.

Response: They will put the request in letter form and add to the plans once they have been granted.

13. 5.2.1.a A waiver will be required for exceeding the maximum 500 foot of a non-through street.

Response: Mr. Colwell is asking for a waiver on the length of road.

14. 5.2.1.6 We request a note be placed on the plans that states that "Curb openings for driveways shall be prohibited within 20 feet of any catch basin or hydrant."

Response: The developer will put the notation on the plan.

15. 5.2.1.9 The reference on the plans for a retaining wall along the Kenney property should be to a cemented field stone retaining wall. Plate 21 of the Medfield Planning Board Regulations should be included with these plans for a detail of this wall. The face of a three feet high wall will be approximately four feet out from the property line, leaving eleven feet to the edge of travel way.

Response: The developer will add the detail.

16. 5.2.1.11 We request that street trees be located, or a total quantity of proposed trees be noted on the plans.

Response: The developer can give the total number of trees to be planted and need not show the location.

17. 5.2.1.15 Street lights are required at the Green Street intersection.

Response: The Board will seek input from the Police Chief and Fire Chief before making a decision on this matter.

18. 5.2.3.2.a We request a redlined plan showing the different areas assumed for woods, grass and residential areas. There are no controls on limiting the amount of woods or impervious area. We suggest that a more conservative C factor equal to 0.40 be used for developed areas outside of the right of way. If C=0.40 is used, no red lined plans will be required.

Response: The developer will have his engineer check.

19. 5.2.3.2.c.2 The existing drainage system for Flint Locke Lane must be shown to have the capacity to accept the flow from the proposed developed site. Provide a description of the existing system, and calculations that show that the main line system will function properly during a 10 year storm.

Response: The total drainage area is 3.5 acres. The drainage from the existing development is unknown. The developer will talk with Mr. Feeney to see if there are any existing drainage problems.

By unanimous VOTE of all present the Board granted waivers for the trees, sidewalk and length of street (No. 9,10, and 13)

The Board still needs to hear from the Board of Health regarding the modified plan.

The developer will draft the language of the easement before the Board acts on the plan.

WILLIAM F. SMALL - 241 SOUTH STREET

Mr. Small, 241 South St., appeared before the Board for an opinion concerning dividing his property in two lots. His property is located on South Street, beyond Clark Road and consists of 35,000 sq. ft. but he could enlarge it to 40,000 sq. ft. He would have a problem complying with the perfect square requirement and proposed to change the front line of the property so as to curve, creating the frontage necessary. He considered lot 2 to be preexisting and not need to comply with the perfect square. Mr. Small stated the new lot would be for his daughter. The Board explained it could not give him the desired relief. He would need to show hardship to the Board of Appeals.

PLANNING BOARD
JULY 13, 1992

OLD BUSINESS

Georgetown Estates

The Board received a letter from George Basile requesting return of a portion of surety upon signature of agreement regarding surety for the "As Builts." The Board is unable to release more surety until the drainage calculations have been reviewed and an inspection made by the Planning Board engineer. A draft of the easement must also be reviewed by the Board. A letter will be sent to Mr. Basile.

NEW BUSINESS

Philip Street - ANR

VOTED unanimously to sign a plan dated July 10, 1992, prepared for James J. & Elene Cashman, 74 Philip St., Medfield by Carlson Survey Company, 106 Adams Street, Medfield. The plan shows 300 sq. ft. of land designated as "Lot 1A" being conveyed from "Lot 1B" to the neighboring lot labeled "Cashman 7071/120."

VOUCHERS

VOTED unanimously to approve vouchers as follows: Norma J. Matczak $20. reimbursement for mailing; Massachusetts Federation of Planning & Appeals Boards $80. dues and $22.50 updates for zoning and subrule legislation.

INFORMATIONAL

Mrs. Bancroft and Mr. Cerel will represent the Board at the Selectmen's meeting, Tuesday, July 14th. They will seek to have the Board appoint a task force to study potential uses of State Hospital property should the state cease to use it as a state mental facility.

Meeting adjourned at 10:20 P.M.

Respectfully submitted,

Mark G. Cerel, Secretary

PLANNING BOARD
AUGUST 10, 1992

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Paul B. Rhuda; Absent: Daniel W. Nye.

Meeting convened at 8:05 P.M. by Vice-Chairman Gagliani.

PONDVIEW ESTATES

Present: Raymond Allison, Alamo Builders; residents of Pondview Avenue and Stuart Street.

Discussion of the surety bond was postponed until the Board receives a response from Town Counsel regarding its validity.

Mr. Allison updated the Board on events. He stated he has had two meetings with the residents of Pondview Estates at Mr. Piccolo's home. While there has been some accomplishments there is not enough for a conclusion regarding the location of the sidewalks and gas lines. Some residents are willing to grant sidewalk easements; 1 wants the sidewalk off his property; 2 residents are willing to give gas easements. The sidewalk is totally on Mr. Piccolo's property but only up to 18 inches on other property. One solution would be moving the sidewalk to make it eliptical. Following all the requests of the neighbors would make a sidewalk that wandered in and out which would not be esthetically pleasing.

Mr. Allison proposed that where a sidewalk is on private property they would remove it. Following the engineer's line of the curve they would cut the sidewalk away and add the same sidewalk (with the engineer curve) to the outside by taking land from the loam strip which is 5 feet wide. By doing this there would be a straight line configuration continuing across Pondview Avenue.

Mr. Peter Kozel stated he is not going to give an easement to the gas company. They have not heard anything further from the gas company and do not know what it wants. The gas company was represented at the first meeting at the Piccolo's house. If the gas line is to be moved it should be done before the sidewalk is relocated.

Mr. O'Brien, Lot 23, said there is a "test cap" in the middle of his driveway that he wants removed.

Mr. Allison reminded all present that the work needs to be done before the first of November in order to have the roads accepted at next town meeting.

Discussion continued concerning the movement of the sidewalk so it would curve gradually. The Board requested an engineers plan showing this change. It is primarily concerned with safety.

Mr. Rhuda asked that the developer bring in a plan that would show the sidewalk (1) totally off the property, (2) the way the developer has it worked out and, (3) the recommendations of what the engineer considers to be the best way. Then the residents can look at it and decide that they are willing to give something to make it work.

Mr. Allison stated that they have spent two evenings with the homeowners, one accompanied by the gas company and one accompanied by his attorney, and came away with the idea that people are concerned about an easement. The lending companies need to approve the easements and some of the mortgages have been sold to other lending institutions. That discouraged he and his partner on easements.

Mr. Monahan said he is for granting an easement and would need to know the exact wording of the easement to take to his lawyer.

Mr. Allison had given the residents a basic wording for them to review. The exact wording would depend on the engineer's findings and the decision made for the location of the sidewalk. This would involve an engineering cost to the developer without knowing if the residents are willing to grant the easement. He objected to the continual engineering costs.

The Planning Board is looking out for the town's best interests. The previous Town Counsel was against granting easements and recommended taking the sidewalks off private property. The town does not want the liability of having its sidewalk on private property.

The Planning Board engineer will need to make an inspection of the subdivision so the developer can complete all the work. The developer will bring in the necessary $300 inspection fee. He will also bring in a marked plan showing where the sidewalk would be relocated.

Mr. Piccolo will meet with Mr. Gagliani to look at his portion of the sidewalk.

ALL PURPOSE STORAGE - NORTH MEADOWS ROAD

Present: Jack White

Mr. White would like to add a bottle and can redemption center to his business on North Meadows Road. Such a center is basically a recycling center which requires a Special Permit from the Board of Appeals. The Board referred Mr. White to the ZBA.

GRIST MILL POND ESTATES

Present: Ralph Costello

Mr. Costello wished to have the Board sign the subject plan which it approved in July of 1991.

The Board reviewed its conditions of that approval.

Mr. Costello presented the Board with exhibits required under the conditions of the approval which it then reviewed.

Conrail Lease: The Conrail Lease allows Delta Realty to enter the property to grade the area. The purpose of the lease is to regrade the site as the Board requires. Article #4 of the lease states that, "Lessee shall use the Premises solely for reducing the height of the embankment and weed control and for no other purpose." The lease is granted to "Delta The Real Estate Group" and all work would be done under that name. This is a standard Conrail lease which allows him to do what is necessary.

Mr. Cerel questioned the addition of Article #38 which states that the area should be restored to its original grade. This would defeat the purpose for which the lease was obtained. The article has also been added to a form lease. Mr. Rhuda expressed concern that Conrail could require the grade be put back to its original state. Mr. Costello felt the railroad would not change their wording. Some members of the Board felt there would be little reason for the railroad to want the area returned to its original condition.

Mr. Gagliani will meet with Mr. Costello and the Conservation Commission to discuss the restriction in an effort to obtain one acceptable to all concerned.

Mr. Costello said he had an obligation to file the plans within 30 days.

Mr. Cerel asked that there be a notation on the plan that the Conservation Commission is "recorded herewith."

OLD BUSINESS

Homestead Estates

Present: John Dugan, Attorney; Mr. and Mrs. Rowean

Mr. Dugan represented the Roweans in their request for release of two lots on Lawrence Circle in the Homestead Estates Subdivision. He advised the Board of approval of the Conservation Restriction by the Conservation Commission. The document will make the grant to the "Town of Medfield" and not the Conservation Commission per Town Administrator Sullivan. Mr. Dugan further discussed proposed grants of easement regarding the drainage and trees as shown on the plan. This makes it clearer that the town has the right to enter the specific land. He also submitted a copy of a deed which would record specifics relative to these various deeds.

Mr. Rowean explained that water is in place to the lots. The catchbasins are in and the road is at subgrade. He will put a binder on the road after they pour the foundations.

VOTED unanimously to recommend the Board of Selectmen sign the Conservation Restriction submitted by R.P. Rowean Construction, Inc. for Homestaead Estates Subdivision off Lawrence Circle and Homestead Drive.

VOTED unanimously to set surety at $27,000 for release of Lots 30 and 31 of Homestead Estates subdivision located on Lawrence Circle.

Underground Drainage policy

John Gagliani and Paul Rhuda volunteered to attend a joint meeting of representatives of the Conservation Commission, Water and Sewer Commission, Board of Health, and Board of Selectmen. The meeting is at the request of the Planning Board in an effort to bring involved parties together to discuss drainage policies.

Acorn Circle

The Board received a letter from Mr. Enright requesting return of surety for Acorn Circle. A letter from the Keigan's stated that Boyd and Enright had properly installed a 10" drain and head-wall from the rear of the Keigan's lot connecting to the water drain under the road in front of the Keigan's lot. The Board is holding $3,000 surety. The Board would like to hear directly from the Keigan's before releasing any surety.

Hutson Pines - Surety

Mr. Cerel contacted Roseann Twitchell, Claims Manager at the Florida Department of Insurance, regarding the prospect of recovery on the Southeastern Casualty Bond on Hutson Pines Subdivision. She informed him that there would be little chance of any recovery through their system though the Board could file a claim. He questioned a bankbook that the developer was suppose to have posted for collateral. She was unaware of any such book but advised that if it does exist the Board should immediately appropriate these funds for application to the cost of remedial work.

NEW BUSINESS

ANR Plan - North Meadows Road

VOTED unanimously to sign a plan entitled "PLAN OF LAND IN MEDFIELD, MA" drawn by R.F. Merrikin Associates, Consulting Engineers, 46 East Street, East Walpole, MA dated May 5, 1992. The plan shows three lots fronting on North Meadows Road.

ANR Plan - Philip Street

VOTED unanimously to sign a plan entitled "PLAN OF LAND IN MEDFIELD - MASS." drawn by Carlson Survey Company, 106 Adams Street, Medfield, Mass., for Earl F. Albee & Diane M. Newell, 33 Philips Street, Medfield, Mass. dated June 1, 1992. The plan shows two lots fronting on Philips Street.

Causeway Street violation

The Zoning Enforcing Officer issued a Cease and Desist order to Brook Run Corporation (David MacCready) for damaging stone walls at property on the Orchard Street end of Causeway Street, said street being a Scenic Road.

Mr. MacCready since has applied for a Scenic Roads hearing which is scheduled for September 14, 1992 at 8:00 P.M.

State Hospital Task Force

The Board will send a memo to the Board of Selectmen making recommendations for the State Hospital Task Force which the Board previously suggested.

Recommendations include:

1. Task Force should have broad mandate: not merely to study alternate use(s) of buildings and land, but also to formulate a specific proposal for re-use which includes a plan for actualization.

2. Membership should be broad-based: Representatives from all town boards, commissions and committees charged with land use planing and/or regulation; other town officials or citizens who have particular experience, expertise or interests that can be brought to bear.

Accessing Town Counsel

All requests to Town Counsel should be in writing and left with either Town Administrator Sullivan or Irene O'Toole. People are asked not to call Mr. Michelson at home or at the office.

INFORMATIONAL

Senator Lane

The Board received a letter of commendation from State Senator Lane on taking the initiative to form a task force to study alternative uses of Medfield State Hospital.

Dale MacKinnon

Mr. MacKinnon will comply with the Board's request to have reports in the office by the Wednesday prior to meetings.

Respectfully submitted,

Mark G. Cerel, Secretary

PLANNING BOARD
SEPTEMBER 21, 1992

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, and Paul B. Rhuda; Absent: Daniel W. Nye.

GRIST MILL POND ESTATES

Present: Ralph Costello

Mr. Cerel reported contacted Attorney John Dugan, Conservation Commission Chairman Craig Harwood and the State Department of Environmental Affairs regarding approval of Conservation Restrictions/Easements. Mr. Harwood told him that the state puts out a handbook for Conservation Easements. The Conservation Restriction recently approved locally for Homestead Estates was not acceptable to the Secretary of Environmental Affairs.

Mr. Costello's lawyer, Richard J. Gallogly of Rackemann, Sawyer & Brewster drafted an easement taking into consideration the concerns of various boards, and with Mr. Cerel's help was able to refine it. It was then presented to the Board and Mr. Cerel reviewed the language. The Board asked that the easement be noted on the plan and filed with the plan with the notation "subdivision plan filed herewith." The Board also requested a trustee's certificate that indicates Mr. Costello has the authority to make the agreement. The Board further needs to see a draft deed showing Mr. Costello to be the owner of the property before it will endorse the plan. According to the grant of easement the responsibility will be under the jurisdiction of the Town Tree Warden and not the Conservation Commission. Concern was expressed that the easement would be given to the town and then the subdivision not built. To satisfy this concern a statement will be added at the end of the agreement to read, "depending on the subdivision being built."

If all of the above is brought in next week the Board will sign the plan. Question does remain as to whether the town needs to accept the easement.

PONDVIEW ESTATES

Present: M/M Piccolo and M/M Kozel.

Mr. Gagliani stated he received a phone call from Mr. Eramo who stated there had not been any further progress with the gas company so he would not be attending the meeting.

The Board reviewed the three copies of letters received which had been sent between Alamo Builders and Bay State Gas.

Mrs. Kozel stated that, contrary to the letter sent by Alamo Builders, she and her husband have not decided to grant an easement. They want the gas line moved off their property.

Mr. Piccolo expressed concern that the statute of limitations might be running out on his legal rights for action against the developer. He wanted to assure the Board that if he did take legal action against the developer it would only be to protect his own rights and not meant to

oppose the attempts that are currently being made. He would seek a waiver from Mr. Eramo to have him do the work.

The gas company needs to do its work first before sidewalk work can begin.

SCENIC ROADS HEARING - CAUSEWAY STREET

Present: David MacCready and numerous neighbors from Causeway Street.

The Board continued its hearing from the previous week noting that Mr. MacCready would be submitting a request for another Scenic Roads and joint Shade Tree hearing. He did request that the Board continue with this hearing so he can go ahead with obtaining driveway permits.

Mr. Cerel shared a rough diagram with notations he made of the area which the Board reviewed with Mr. MacCready.

There is a break in the wall along lot 4 that is not consistent with the driveway placement. Mr. MacCready stated he has abandoned the area he had designated for the driveway and will use the area where the break in the wall is. Lot 4 is "under agreement."

The proposed driveway locations for lots 13 and 14 need to be moved southerly so as to minimize the impact on the stone wall.

In the area from Lot 7 through Lot 10 the wall is mostly submerged. On Lot 10 the driveway is shown at the crest of the hill and where the road curves. The question was raised whether to move it to the lower side of the lot. Mr. MacCready explained that Lot 10 is very high and then drops very low. The garage of the house is on the high side. The other side has a walk out basement. With the driveway on the high side there is better sight distance. If a good sight distance can be maintained he will consider moving the driveway toward the lower side.

The Board reminded the abutters that it only has jurisdiction over the stone wall. The actual site of the driveways is the Superintendent of Public Work's decision.

There was time for the public to view the plans.

The Board VOTED unanimously to approve the request of Brook Run Development Corporation to make 15 breaks in the stone wall on the westerly side of Causeway Street with the following guidelines:

1. That driveway cuts will be made as shown in yellow on a plan entitled, "Plan of Land in Medfield, MA" dated March 3, 1992 and revised to March 23, 1992 by R. F. Merrikin Associates, Consulting Engineers, 46 East Street, East Walpole, MA with the exceptions of those driveways located on lots 13 and 14 which are to be moved southerly so as to minimize the impact on the stone wall.

2. That the plan and subsequent work are, for safety reasons, subject to the approval of the Superintendent of Public Works.

3. That stones removed in cutting the driveway openings shall be used to fill in and improve the existing wall anywhere within the locus along Causeway Street.

4. That the walls will be cut and not rounded at the openings.

Selectman Harold Pritoni, Jr. inquired about the proposal for another hearing to place the water main. He was specifically interested in the location of the pipe as well as the time table to have it in place.

Mr. MacCready said he would like to have this done this fall. He is not sure of the location. There are three possibilities: one inside the wall; one outside the wall; and one in the road.

Mr. Pritoni said he would facilitate to resolution the siting of the pipe through the Board of Selectmen.

OLD BUSINESS

Oxbow Realty, Inc. - Quail Run

The Board will send a letter to Oxbow Realty requesting the easements on Quail Run be granted allowing access to the Newell property.

Frances Cafe - Parking

The Board will send Mr. Azargoon a letter of request that he attend the next meeting to discuss his parking plan.

Concern has been expressed regarding the change in the parking arrangement.

Kettle Pond Estates

VOTED unanimously to allow Kettle Pond Trust's request for extension to October 22, 1992 for the time in which the Planning Board has to make its decision on the Kettle Pond Estates subdivision.

The Board read a letter from Mr. Hasapidis of 27 Pine Street regarding trees near the proposed roadway. This item will be brought up when the developer is in before the Board.

NEW BUSINESS

DEP Check list for Well #6

Following the review and recommendations of the DEP for well #6 the Board will need to revise the Zone 2 boundaries in that area. This will need to be a Town Meeting article.

Report on Drainage Meeting

Mr. Gagliani reported on the combined meeting with the Board of Health agent, Mr. Domey, a representative of the Conservation Commission, Mr.

Thompson, Mr. Pritoni from the Board of Selectmen and Superintendent of Public Works Feeney for the purpose of discussing drainage.

The general consensus of opinion at that meeting was that underground drainage systems not be allowed except in rare cases where the lot is commercial and will be maintained in perpetuity by the private owners; a desire for all reviewing departments to be using the same system - the Board of Health uses TR55. There is also TR20. The Planning Board requires a different system. Having detention/retention ponds on privately owned land or easements rather than ownership was discussed. Maintenance problems and liability was a concern.

The Board would like to look more closely at the Board of Health regulations while considering changes to the Subrules as well. It will get information from Dale on design criteria on Detention/Retention systems. The Board would also like to look at excerpts from the Subrules of other towns.

VOTED to allow Dale MacKinnon to meet with a representative of the Conservation Commission and Mr. Domey to discuss the above matters.

Meeting adjourned at 10:05 P.M.

Respectfully submitted,

Mark G. Cerel, Secretary

PLANNING BOARD
OCTOBER 19, 1992

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Daniel W. Nye, Paul B. Rhuda

Meeting convened at 8:10 P.M.

CAUSEWAY STREET SCENIC ROAD AND SHADE TREE HEARING

Present: Tree Warden Hinkley; Richard Merrikin, R.F. Merrikin Associates; David MacCready; and numerous residents from Causeway Street.

Mr. Cerel read the notice for the hearings as it appeared in the SUBURBAN PRESS on October 1 and 8, 1992.

Mr. Merrikin spoke on behalf of the applicant, David MacCready of Brook Run Development Corporation, and explained that the applicant proposed to put a 10 inch water line along the gutter of the existing roadway. He would pave the unpaved portion throughout the 15 lots starting at approximately lot 3 and continuing approximately 2,000 feet. He will need to remove approximately 8 trees. These trees are currently marked with a blue ribbon. He will widen the road and install the water line. Three telephone poles must be moved. The driveways will be as shown on the plan and according to the previous Planning Board Scenic Road decision issued September 22, 1992. There are no trees within any proposed driveways. Around Lot 4 there is a large oak tree which might be a problem to keep the road at 18 feet. They will look at it in the field when working. The road is not built to the Planning Board specifications. The Superintendent of Public Works and the Highway Department will workout the layout. Mr. Hinkley reminded the applicant that when they take a town tree down they are responsible for replacing it with another tree. Mr. MacCready pointed out that he is giving a 30 foot wide strip of land to the town which would have numerous trees in it. This was acceptable to the Tree Warden and the Planning Board.

Mr. Gagliani read the letter from Mr. Sullivan advising the Board of the decision of the Board of Selectmen which allowed for an 18 foot road width with a two foot shoulder on each side, the westerly shoulder to be used for the installation of water lines; to modify two curves for a total distance of 300 feet and remove eight town trees and three telephone poles for proper sight distance. It was also noted that a 30 mph speed limit would be posted throughout the area. This conforms with the acceptable standards of the American Association of State Highway and Transportation Officials.

Mr. MacCready said the stumps will be ground thus leaving the roots. The work is supervised by the Tree Warden. Some of the driveways have been moved to avoid trees.

Mr. Gagliani asked that the telephone poles to be relocated be moved back away from the road.

Mr. MacCready said he planned to have the water line in past the Harrisons house this fall. Then let it settle over the winter and start paving in the spring. Only the road will be paved and not the shoulders. The water line will be in the shoulders as well as part of the roadway. The gas line is located on the other side of the road. The current residents will have access to water line.

All necessary trees to be removed will be done so along the entire 15 lots at one time.

Although they will need to do some grading, there will not be any water draining across the road.

Discussion continued regarding the walls and the trees with the decision by the Board that 8 trees would be removed and other trees to be determined by the Tree Warden and any part of stone walls disturbed are to be replicated. 29 trees had been posted for possible removal prior to the hearing.

DECISION: The Planning Board approves the request of Brook Run Development Corporation for work along Causeway Street to relocate stone walls and remove 8 town trees and other trees to be determined by the Tree Warden for the purpose of installation of water and driveways. Any part of stone walls disturbed are to be replicated. Conditions of the Board's September 22, 1992 letter are also to pertain.

KETTLE POND ESTATES - hearing continued

Present: Joseph Hanlon, Greg Coras

VOTED unanimously to grant an extension of the time in which the Planning Board has to make a decision on Kettle Pond Estates Subdivision to November 19, 1992.

The Board then reviewed the Whitman & Howard report of the revised subdivision dated October 15, 1992. (Whitman and Howard notes, "..we offer the following comments listed by item number of our July 27, 1992 review. Item numbers 33 and above are new items." Responses on behalf of the developer were made by their engineer, Joseph Hanlon, E.S.P. Associates.

3. It is cumbersome to show the 4 foot planting easement in some areas so the applicant's engineer has made reference to it on the plan. They will also reference it in the covenant.

4. The Board tabled discussion of the intersection of Plain Street and Kettle Pond Road.

8. The applicant sent copies of Norman Abends report to Whitman and Howard. They stated the required sight distance is 275 feet where W&H puts it at 300 feet. There may be view behind the trees as

well. Plain Street is considered a primary street. The Board discussed which of the two trees at the intersection of Kettle Pond Road and Plain Street should be saved and decided to save the southerly tree and remove the one closest to route 27.

27. Joe Hanlon stated that the pipe would be put in a concrete cradle. The pipe is actually a recharge structure. Mr. Gagliani expressed the concern of the Superintendent of Public Works that this is not the proper pipe to use. The grade at street level is 1.3% The developer will look further at this.

32. The engineer will make the change on the plans.

33. & 34. Both of these issues are connected to the easement issue.

35. This does not meet Planning Board requirements.

36a. It is reasonable to require the extra strength poroswall pipe.
b. Three foot sumps for the drain manholes are ok. The pipe is at elevation 187 which is 3 feet below the bottom of the basin. This section is designed for the 100 year storm. The overflow is toward the wetland. The system will recharge the water. Mr. Gagliani stated it appears to be a long retention system.
c. Mr. Hanlon said the system has 3 baffles and is cleaned by going down the manhole. Mr. Gagliani and Mr. Hanlon will speak with Superintendent Feeney regarding the drainage for the project.
d. Mr. Hanlon agreed to correct the discrepancies. Fines are silts or very fine mineral deposits. W&H have suggested a different filter fabric than the engineer uses. He will use it if required.

37. Notes from the plans for which the Planning Board does not grant approval will be removed.

STEEPLECHASE DRIVE - ANR PLAN

VOTED four to one abstention to sign a plan showing five lots fronting on Steeplechase Drive dated October 1, 1992 and drawn by The BSC Group, 425 Summer Street, Boston, MA. Mr. Rhuda abstained due to conflict of interest.

VOTED to send a letter to the Building Inspector expressing the Board's concern that some of the lots do not meet the Perfect Square requirement of the Zoning Bylaw. (Letter not sent per Mr. Cerel who investigated further the legislation to find it appears the lots are protected by the Subdivision Control Law.)

GREEN STREET - ANR PLAN

Present: Milton Economos

Mr. Economos presented an ANR plan of his land on Green Street. The Board expressed concern that, although the plan does meet frontage requirements, he would not be able to build on the lots because they do not meet the Perfect Square requirement. This could easily be changed by redrawing the lot lines. Mr. Economos said he would prefer to make the change. The Board allowed him to return at another meeting with a revised plan.

POST OFFICE

Mr. Cerel reported that the Postmaster had appeared before the M.E.M.O. organization and explained that the lease for the Post Office is up in August of 1993; the present site is inadequate; they are exploring their options; and there is restructuring of the Postal Service taking place. They have explored such alternatives as the Jackson Fabric's building and property behind the present Post Office. They would like to keep it as part of the village.

VOTED unanimously to send a letter to the Postmaster with copies to the Board of Selectmen and Long Range Planning Committee requesting that the Board be kept apprised of what is happening.

ZONING BYLAW INTERPRETATION

At the request of the Building Inspector the Board reviewed Section 6.2.11 and explained that any accessory building including a garage should be 60 feet from the front lot line. Section 6.2 governs principal structures.

The Board agreed it should consider a change in the requirement for garages.

Meeting was adjourned at 10:45 P.M.

Respectfully submitted,

Mark G. Cerel, Secretary

PLANNING BOARD
OCTOBER 26, 1992

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Daniel W. Nye (8:10 P.M.), Paul B. Rhuda.

ANR PLAN - GREEN STREET

Present: Milton Economos

Chairman Nye did not attend this first portion of the meeting since Mr. Economos is a client of his.

VOTED unanimously to sign an "Approval Not Required" plan showing two lots on Green Street, Lot A having 7.09 acres and Lot B having 20,008 square feet. The plan was prepared by Paul N. Robinson Associates, Inc., 37 Exchange Street, Millis, MA 02054 dated September 16, 1992 and amended to October 22, 1992.

WOODCLIFF ESTATES - PHASE 2

VOTED unanimously to extend the time in which the Board has to make a decision on Woodcliff Estates subdivision to November 13, 1992 as requested in a letter from Scott Colwell dated October 26, 1992.

PONDVIEW ESTATES

The Board reviewed the status of the sidewalk and gas line situation on Pondview Avenue and Stuart Street. The Board also reviewed the concerns of Town Counsel Michelson that the owner/developer history and responsibility is at best complicated. Alamo Builders, at a previous Planning Board meeting, stated they are responsible for completion of the roads. The Board considers that the matter of the location of the gas line is between the residents and the gas company and should not hold up the acceptance of the roads.

VOTED unanimously to send a letter to Alamo Building Corporation directing them to move forward with all due deliberation to relocate the sidewalks at Pondview Estates as agreed upon by the abutters, the Planning Board and Alamo Builders Corporation in order to have the streets accepted at the 1993 Annual Town Meeting and to have Alamo confirm in writing on receipt of the letter that the work will be completed by December 1, 1992.

Mr. Rhuda will contact the gas company to inquire about the status of the gas line.

VOUCHERS

VOTED unanimously to approve vouchers in the amount of $47.56 for

postage and petty cash.

ANNUAL BUDGET HEARING

Chairman Nye will attend the Annual Budget hearing at the Selectmen's meeting Tuesday evening, October 27, 1992.

MISCELLANEOUS

The Administrator will request suggestions from the Board of Health Agent, William Doomey, regarding other towns' Subdivision Rules and Regulations, specifically as they pertain to drainage.

Reguest Superintendent Feeney attend a Planning Board meeting with representatives of Kettle Pond to discuss drainage plans for that subdivision.

VOTED not to meet November 2, 1992.

Meeting adjourned at 8:50 P.M.

Respectfully submitted,

Mark G. Cerel, Clerk

PLANNING BOARD
MARCH 8, 1993

Present: Daniel W. Nye, John K. Gagliani, Margaret E. Bancroft and Paul B. Rhuda. Absent: Mark G. Cerel.

HIGH SCHOOL EXPANSION

Present: Superintendent of Schools Thomas M. Reis and Architect Alan DeHaan of A. Anthony Tappe' and Association.

Mr. Reis and Mr. DeHaan reviewed the plans for the proposed expansion of the high school. The plans would move the main entrance to be on line with the new library.

They reviewed the parking and estimate there are approximately 139 spaces at the present time. They do not plan on taking any of the parking away but look to improving the parking situation. They questioned the parking requirements. The parking regulations of the Zoning Bylaw (Section 8) requires that an "auditorium, gymnasium etc. - one space for each four seats or each eight feet of bench therein to bebased on the maximum seating capacity." This section also provides "School or college - Two per classroom in an elementary and junior high school and four per classroom in a senior high school plus spaces as required above for auditorium or gymnasium, whichever has the larger capacity." Normally they would provide for the greater of the two. If they must provide for both, the present parking is very inadequate. The gym would require 85 spaces and classrooms 176. (There are 44 teaching stations.) The requirement would add another 30-40 spaces. It may be necessary to obtain a variance from the Zoning Board of Appeals.

One plan intends to link the two schools with a driveway with possible parking added in the center. The present fire loop would be maintained around the buildings. Mr. DeHaan said 37 parking spaces can be added to bring the total to 176. Mr. Reis stated they do not schedule two events at the same time because of the parking. He added that people do park in areas they should not such as the handicapped spots as well as the fire lane. Mr. DeHaan felt the increased size of the school could increase to 8 the number of handicapped parking spaces required. There was a discussion about allowing diagonal parking along the fence which abuts the housing for the elderly as well as prohibiting cars from using the bus road (the connector road between the two schools). This would be a better alternative than having the cars parked in the center area created by the loop school bus road. It would help to preserve a green area. The use of diagonal parking would promote one-way traffic.

The Board then turned its attention to drainage. Mr. DeHaan said that it might be necessary to put in a retention basin. The drainage now runs off into the wetlands. Mr. Gagliani said a galley system might be an alternative. The elevation drops from 185 to 177. Mrs. Bancroft agreed that a galley system as high on the site as possible would be good. The Board of Health requires such a system be four feet above the water table.

Mr. Reis stated they are working on construction documents now and have a public hearing scheduled for Thursday evening at the high school. They will return to the Board in 2-3 weeks with the proposed parking plan and will also apply for a variance from the Board of Appeals.

HICKORY DRIVE (Tocci)

Mr. McLaughlin called at 3 P.M. and cancelled the appointment since Mr. Tocci was sick and would be unable to attend.

The Board did review some of its concerns regarding the development. The Board still needs as builts and acceptance plans. It reviewed a letter from USF&G along with Mr. Tocci's comments to that firm. The savings book that he refers to is for Planning Board surety while the bonds referred to are public works bonds which are not for the same purpose. The Board reviewed Whitman & Howard's comments of August 1990. Mr. Feeney has concerns about items number 1 & 2 regarding storm water runoff and location of bounds. The Board is concerned that there is not an easement on the Acorn side of the headwall. Once again the Board will ask that the bond be called. Mr. McLaughlin and Mr. Lajoie have rescheduled for next week.

PONDVIEW

Chairman Nye reported he received a call from Town Counsel Michelson who said the parties are working matters out and are close to an agreement.

TALLWOODS

VOTED unanimously to reduce surety for Tallwoods subdivision to $2,500 since the Board has received as built plans.

GRIST MILL POND ESTATES

VOTED that two board members will sign the Certificate of Release of Lots for Grist Mill Pond Estates and a third member will sign it upon receipt of the top page of the plans and the surety.

COPPERWOOD ROAD

Following inquiry from a resident concerning the status of Copperwood Road for acceptance Superintendent Feeney was consulted. He would need to inspect the area in the spring following the snow but did recall that the following were some of the items to be completed: slurry seal needed side to side; trench patches are cracking; need to check the curb inlets on Bishop Lane; concern about catch basin; the detention basin is not satisfactory (capacity, outfall, slopes).

The Board would like to find out who owns the road and see if the corporation exists. Concern continues regarding the detention pond on the industrial land owned by the same developer. Need also to check and see if there are as builts.

LEGISLATIVE BREAKFAST

The American Planning Association will hold a Legislative Breakfast in the Great Hall of the State House on Wednesday, March 24, 1993 from 8:30 a.m. to 10:00 a.m. Mr. Rhuda will attend on behalf of the Board.

VOUCHERS

Vouchers were read and approved in the amount of $85.00.

DATABASE PROGRAM

Mrs. Bancroft suggested the Board look into a database program for the purpose of keeping subdivision data current. This would be funded with monies in the consultant budget.

Mr. Gagliani will contact Will Rogers who has done a similar program in Dover about the possibility of such a program.

TOWN MEETING PLANNING ARTICLES

The Board reviewed these articles with particular emphasis on the Open Space Residential article to regulate the size of housing in such developments. Don Schmidt of the Department of Community Affairs will be consulted and the Board will make recommendation according to his findings.

The meeting was adjourned at 10 P.M.

Respectfully submitted,

Paul B. Rhuda, Secretary Protem

Approved & corrected

PLANNING BOARD
MARCH 15, 1993

Present: Mark G. Cerel, John K. Gagliani, Daniel W. Nye, and Paul B. Rhuda. Absent: Margaret E. Bancroft

HICKORY DRIVE (Tocci)

Present: Thomas L. McLaughlin and Greg Lajoie (Mr. Tocci was unable to attend.)

The Board reviewed the August 1990 letter from Whitman and Howard, Inc.

1. Mr. Lajoie stated Superintendent Feeney had said to do the sidewalk the way it is finished. The sidewalk is pitched back to drain into the wetland. He will work this out with Mr. Feeney.

2. The bounds need to be checked after the snow.

3. Headwall

Mr. Gagliani said the original agreement was to move the headwall which is on the property line with the development of Acorn Circle. There is not any easement which would allow access to the other side of the wall for any work that would be done. An easement should be obtained.

Mr. Lajoie asked about moving the headwall back so as to allow access from all sides. He asked the Board what needed to be done to satisfactorily complete the work.

Work that is necessary is to complete according to the plan, comply with the requests of the letter, and provide as-built and acceptance plans. Usually the town holds $1,000 until the road is accepted at town meeting.

Mr. Cerel noted Mr. Tocci was the applicant before the Board. All communications would be with Mr. Tocci and Mr. Dorfman and not third parties.

Mr. McLaughlin stated they were not third parties because Mr. Tocci has signed off to them. Mr. Gagliani advised they may want to protect themselves by getting an authorized agreement with Mr. Tocci. He should also contact Superintendent Feeney before proceeding with any work.

GRAND MANDARIN RESTAURANT - NORTH MEADOWS ROAD

Present: Attorney Virginia Fettig, Thanh Ngu, and George Cheng

Mr. Cerel withdrew from any decision process on this matter since Ms. Fettig is an associate of his.

The applicants are seeking approval of a parking plan for their new restaurant on North Meadows Road where the former book store was located. According to the plan there are four extra spaces. There is

a discrepancy between the number of parking spaces shown on this plan and the site plan originally approved by the Planning Board. The Board discussed a rear entrance to the restaurant to comply with the accessibility requirements of the Zoning Bylaw with regard to parking within 500 feet as stated in Section 8.2.3. The applicant will discuss parking requirements for the remaining tenants with Mr. Basile, the owner of the complex. The Board will check the parking currently there as well as ask the Building Inspector to do the same. The applicants will return next week.

HAWTHORNE VILLAGE

A brief discuss was held because Chestnut Hill Bank Realty Trust has requested surety be set for Hawthorne Village Subdivision. This is to include the cost of sewer from Tamarack Road as well as the pumping station, pumps and changing the pipes from 8 inch to 12 inch.

ZONING ARTICLE

The article to set limits on sizes of homes in Open Space Residential developments was briefly discussed with reasons given to withdraw explained. Mr. Cerel discussed reasons for keeping the article and expressed concern that it remain and if passed at town meeting then allow the Attorney General to act on its legality.

LEGISLATION

Mr. Cerel indicated that he, as a private individual, was considering a letter to the state legislature regarding snob zoning and the fact that it gives too much power to the developers. There is no way the town can take the initiative to take control. Mr. Rhuda suggested that there be a way to control location and would allow a certain number of homes per acre and at a specific price/home.

Meeting was adjourned at 10:30 P.M.

Respectfully submitted,

Mark G. Cerel, Secretary

approved & corrected

PLANNING BOARD
MARCH 22, 1993

Present: Daniel W. Nye, John K. Gagliani, Mark G. Cerel, Margaret E. Bancroft, and Paul B. Rhuda.

BRIDLEMERE SUBDIVISION

VOTED unanimously to extend the time in which the Board has to make a decision on Bridlemere Subdivision in accordance with the request of Mr. Harry Wight of Wight & Company to April 30, 1993.

WARRANT HEARING

Chairman Nye will attend the hearing on behalf of the Planning Board. Mrs. Bancroft will also attend.

The Board briefly discussed Article 23 to allow the Board of Appeals the authority to set square footage limits of living space for individual residences in Open Space Residential developments. Mr. Schmidt of The Department of Community Affairs has advised that this is not legal. Mr. Cerel would like the article to stand and, if it reaches there, let the Attorney General's Office make a decision. Mr. Gagliani would like Mr. Sylvia's (Chairman of the Board of Appeals) opinion.

GRAND MANDARIN (Chinese Restaurant - North Meadows Road)

Mr. Cerel excused himself from this portion of the meeting since his associate is representing the applicant and he has also done some work for them.

Mrs. Virginia Fettig represented the applicant. The Board has received a parking plan and small diagram of Papa Gino's Restaurant and the Grand Mandarin Restaurant from the building owner, George Basile. The plan shows 189 parking places. Members of the Board expressed concern for the actual number of parking places that may be there.

VOTED unanimously to approve a parking plan for the Grand Mandarin Restaurant entitled "Site Plan, Medfield Mass." drawn by Paul N. Robinson, Associates, Inc., 37 Exchange Street, Millis, Mass. 02054 dated November 20, 1992 and revised to March 22, 1993 showing 189 parking spaces with the following conditions:

1. That the Building Inspector approve in writing the plan.

2. That the Board send a letter of request to the Building Department that no occupancy permit be granted until the parking lot is striped.

3. That a back entrance be provided for patrons to comply with Section 8.2.3 of the Medfield Zoning Bylaw

4. That a sign stating "Additional Parking in the Rear" be located in front at a location to be determined by the Building Inspector.

OFFICE HOURS

The Board briefly discussed office hours. It will draft a letter to the Town Administrator following Town Meeting.

DATABASE

Mrs. Bancroft drafted information for a database program which the Board could use to maintain subdivision information. Mr. Gagliani suggested a consultant from Dover, Mr. Will Rogers, who may be able to design such a program for the Board.

BICYCLE PATH

Present: Eric O'Brien

Mr. O'Brien discussed with possible bicycle paths throughout the town funded with federal money through the ICETEA program. He suggested routes that would go from the Dover line to Millis and the Walpole line to Sherborn. The Board considered this might be a project that would be suitable for the Long Range Planning Committee to review. The Board will see if the LRPC can meet on April 12th. Mr. O'Brien left a notebook explaining the program with Mr. Gagliani.

The meeting was adjourned at 9:20 P.M.

Respectfully submitted,

Mark G. Cerel, Secretary

approved - corrected

PLANNING BOARD
APRIL 5, 1993

Present: Margaret E. Bancroft, John K. Gagliani, and Paul B. Rhuda
Absent: Mark G. Cerel and David E. Sharff (Passover)

REORGANIZATION

The Board voted to reorganize as follows: John K. Gagliani, Chairman; Mark G. Cerel, Vice-Chairman; Paul B. Rhuda, Secretary.

MINUTES - Minutes for the March 22, 1992 were approved.

CAUSEWAY STREET

The Board briefly discussed division of lots on Causeway Street owned by David Mac Cready. It will discuss further upon receipt of a letter from Town Counsel Michelson.

HIGH STREET - ANR PLAN

Present: Walter Reynolds, III

VOTED unanimously to endorse a plan entitled "Plan of Land in Medfield, Mass." dated March 30, 1993 and drawn by John J. Caffrey, P.L.S. showing two lots on the southwest side of High Street, Lot 1 with 64,802 s.f. and Lot 2 with 87,179 s.f.

The Board reviewed a second plan showing the division of land into three separate lots around the pond on High Street but took no action at this time.

HAWTHORNE VILLAGE

The Board needs Water and Sewer figures to be included in setting surety. No further action was taken.

KETTLE POND ESTATES

Present: Joseph Hanlon

Water and Sewer Department has approved this subdivision.

Following review of Whitman and Howard's letter dated March 17, 1993 Mr. Hanlon stated he added a double catchbasin as recommended.

The Board discussed vertical dimensions of slope granite curbing requirements in general and will talk with the Superintendent of Public Works regarding the height and width of curbing.

Mr. Hanlon made changes on the plan at the meeting before the Board signed.

VOTED unanimously to endorse a subdivision plan entitled "KETTLE POND ESTATES" in Medfield, Massachusetts dated June 11, 1992 and revised to February 8, 1993 drawn by Engineering, Surveying & Planning Associates, Medway, MA 02053.

PLANNING BOARD
APRIL 5, 1993

RIDGE ROAD MODIFICATION

Present: Huna Rosenfeld

Mr. Rosenfeld stated he came before the Board for a preliminary meeting to discuss finishing Ridge Road. He brought with him a plan showing two lots. He will return with definite modifications.

STREETS FOR ACCEPTANCE AT TOWN MEETING

VOTED unanimously to recommend the following streets for acceptance at this year's annual town meeting: Village Way, Thomas Clewes Road, Joseph Pace Road, and John Crowder Road.

WILLIAMS PROPERTY - HIGH STREET

The law offices of Nutter, McClennen & Fish advised the Board of Selectmen and the Planning Board, by copy, of land of the Williams Estate that is being taken out of forestry classification to be sold.

VOTED unanimously to send a letter to the Board of Selectmen stating the Williams Estate property on High Street is not critical for open space purchase and the Board recognizes that the town is not able to purchase this property.

SOUTHEAST AREA SPRING CONFERENCE

Members Bancroft, Gagliani and Rhuda will attend the conference to be held May 6, 1993 at Albert's Restaurant in Stoughton. The program will discuss "Site Plan Review & Non-Conforming Structures." The speaker is Attorney Elizabeth Lane. The other members will be asked next week.

VOUCHERS

Vouchers were read and approved in the amount of $1,960.64.

LEGISLATIVE BREAKFAST

Mr. Rhuda reported he attended the Massachusetts Association of Planning Directors meeting. The MAPD listed its legislative priorities of 1993 as well as results of a legislative survey.

Information regarding Cluster Housing was also presented by the Boston Society of Landscape Architects.

Meeting was adjourned at 9:50 P.M.

Respectfully submitted,

Paul B. Rhuda, Secretary

approved & corrected

PLANNING BOARD
MAY 3, 1993

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Paul B. Rhuda, David E. Sharff

BRIDLEMERE SUBDIVISION

Present: Harry D. Wight, Julius P. Diogenes

Mr. Wight explained that they had last met with the Board in December and since have been working with the Board of Health which had concerns about the detention/retention basin and the proximity to ground water, within four feet which is not good for recharge. They have redesigned the basin by moving it up the slope slightly. This is a wooded area and thus moving it up they were able to get sufficient depth of ground water to utilize the calculations for ground water recharge. They also took test pits in early February and confirmed the slope conditions and the level of ground water. They also adjusted the drainage system. They adjusted the inverts and grades and two manholes.

They also had a joint meeting with Mr. Gagliani, Mr. Domey, and Dale MacKinnon of Whitman and Howard to review the differences of approach to drainage. Mr. Diogenes explained they have a maximum of one foot of storage. They have created a stone weir to control the outflow. Although it does not discharge from the bottom it satisfies everyone's concern at that meeting. It retains up to and including a 50 year storm. The bottom elevation of the pond is 156 and the overflow structure is 157 so the maximum buildup is one foot which sits for 1 1/2 days. Because it is so gravelly it is not going to freeze. They were out there January 28th digging the test pits and there was no frost which is what you would expect with that kind of soil.

They are planning on having 4 inches of topsoil. That will not reduce the permeability. They will be able to maintain some growth. It will be so gradual that when it is built you will just see a shallow depression. The slopes are 4:1 with topsoil planted. This is a wooded area in which they were able to save some major trees. There will be a 10 foot wide shelf for access around the basin (safety level). This was to comply with both the Board of Health and Whitman and Howard request.

Mr. Wight referred to Dale MacKinnon's letter of December 2nd that included some recommendations which they included in their February 10th submission. He copied that letter and marked in the margins the changes in the plans. A copy of the letter is available in the file.

Included in the submission of material is a copy of an "Agreement to Grant Easement" to 22 High Street Trust which is signed by both parties and a "Grant of Easement" between both parties which is unsigned. Mr. Ritchie was present for another matter but stated that all has been worked out.

They have increased the area for the Water and Sewer Commission which would also follow the cart path and save more trees.

The Board will discuss with the Superintendent of Public Works regarding the vertical height of the sloped granite curbing.

The Board voted to approve the subdivision with David Sharff abstaining since he had not been on the board through the public hearing process.

VOTED unanimously of the four remaining members to approve a definitive subdivision plan entitled: "Definitive Subdivision Plans For Bridlemere, Medfield, Massachusetts," drawn by J & J Consulting Services, Inc., 111 Speen St., Suite 119, Framingham, Massachusetts dated "Definitive Submission" November 6, 1992 and revised to February 6, 1993 submitted by Wight & Company, Incorporated, 8 Cedar Street, Woburn, Massachusetts; originally filed with the Planning Board November 6, 1992 concerning 15.75 acres of land located off Haven Road and identified as the northerly portion of Parcel "B", as shown on "Plan of Land, High Street, Medfield, Massachusetts," dated August 14, 1990 and recorded with the Norfolk Registry of Deeds as Plan No. 647 of 1990 in Plan Book 394. The plan shows six building lots and one "Parcel A" which is "Not a buildable lot" with the following waivers:

1. One boring at the center of the cul-de-sac.
2. The traffic impact statement is limited to traffic generated from the subdivision.
3. The border of the plans are accepted as shown.
4. The scale of the subdivision is accepted as drawn.
5. The roadway centerline is accepted as shown.
6. The road is designated as a secondary road with a 24 foot width.
7. The roadway length is accepted as shown.

and with the following condition:

That conditions of all other town boards be met and that sign-off from the Planning Board, Board of Health, Conservation Commission and Water and Sewerage Commission be on the same set of plans.

ANR - HIGH STREET - RITCHIE/REYNOLDS PROPERTY

Present: Edward S. Ritchie and Walter Reynolds III

VOTED unanimously to sign an Approval Under Subdivision Control Law Not Required plan entitled "Plan of Land in Medfield, Mass." owned by Edward S. Ritchie, Trustee dated April 29, 1993 and drawn by MacCarthy & Sullivan Engineering, Inc., Framingham, Mass. showing Lot 1 with 7.98 acres, Lot 4 with 6.66 acres, and Lot 5 and "Parcel B" with 8.76 acres and with the notation "Parcel 'B' is to be combined with lot 5 and is not to be considered a separate building lot."

Mr. Ritchie again stated that it is his intention to deed the pond and front access lot, Lot 1, to the Town upon completion of the various real estate transactions related to the rest of his land.

WILLIAMS PROPERTY - HIGH STREET

Present: Neal McLaughlin and Michael Perrault

Mr. McLaughlin and his engineer Mr. Perrault presented a conceptual plan to the Board for development of some 24 acres of land off High street presently owned by the Williams Estate. Entrance to the new subdivision (yet to be named) would be between two existing ANR lots. These two lots would then have driveways off the new street to minimize the exits on High Street. They have done 36 deep hole and perk tests and placed the houses on lots in accord with these results. The light green area shown on their plans indicated the septic. The site has a couple of isolated flooding areas. The property line is bounded by a stone wall with the Ritchie property. Elevations on the property run from a low of 150 to a high of 210. The lots will be large in size to with the homes planned to be in keeping with this size. The cul-de-sac is approximately 1000 feet. There plan is to bring in a preliminary plan first somewhere around mid-June. The possibility of a trail connection was discussed briefly. It would be necessary to obtain a trail through the Ritchie property to complete the connection. The Board suggested the Traffic report reflect both design speed and actual speed.

FRANCES' PARKING LOT

After reviewing memos of approval from the Superintendent of Public Works and the Police Chief the Planning Board:

VOTED unanimously to approve the design for the entrance to the Frances' Parking lot as shown on a plan drawn by Green Earth Tree & Landscape of Dover dated April 9, 1993.

TOCCI SUBDIVISION - HICKORY DRIVE

At the request of Superintendent of Public Works Feeney the Board reviewed a letter from Attorney Thomas L. McLaughlin on behalf of his client, Gregory Lajoie, for work on the Headwall on Hickory Drive (Tocci Subdivision). The Board will send a letter to Mr. Feeney advising that the developer is Ronald Tocci through whom all agreements should be made unless he grants power of attorney to Mr. Lajoie. A copy of the letter will be sent to Mr. McLaughlin.

HAWTHORNE VILLAGE PLANS

The Board briefly reviewed subject plans as revised to comply with the Board of Health requirements. They are on the agenda for next week.

PLANNING BOARD OFFICE HOURS

Since the retirement of Mrs. Willis the Planning/Appeals departments have been operating less 1/2 a person (20 hours). In an effort to address the backup of work created by this reduction in personnel, the

Board discussed closing the office to the public on Fridays. A letter to this effect will be sent to the Board of Selectmen.

SUMMER SCHEDULE

VOTED to set the following summer schedule of meetings:
May 10, 17, and 24; June 14 and 28; July 12 and 26; August 9 and 23; September 13, 20 and 27.

MEDFIELD CROSSING

Present: Peter Fickeisen

Since Mr. Gagliani has property directly abutting this development he removed himself as a member of the Board for discussion of this matter.

Mr. Fickeisen explained that he purchased the remaining unit at subject development and completed the building. He expects to close soon on the two remaining units. The detention pond is not completed to specification. He has been before the Conservation Commission which suggested that the pond could be developed smaller.

Mr. Gagliani questioned whether the units were built to the Board of Appeals specifications of 179 foot elevation of the foundation. He asked for verification of the foundation and the detention pond - certified as-builts.

The Board discussed sending a letter to the Building Inspector stating the Planning Board respectfully suggests that occupancy permits not be issued for the remaining units until the work has been completed. (Letter was not sent since the Building Inspector had already issued the occupancy permits.)

Mr. Fickeisen will return to the Conservation Commission and possibly the Board of Appeals regarding the problem.

No certification as to as-builts was given at the meeting.

HIGH SCHOOL PARKING LOT

VOTED to send a letter to the Board of Appeals stating the Planning Board concurs with Whitman and Howard's recommendations dated April 29, 1993 for the High School parking lot expansion.

VOUCHERS

VOTED to sign the warrant for $27.49 petty cash.

Respectfully submitted,

Paul B. Rhuda, Secretary

approved & corrected

PLANNING BOARD
MAY 24, 1993

Present: Mark G. Cerel, John K. Gagliani, Paul B. Rhuda, and David E. Sharff. Absent: Margaret E. Bancroft.

MINUTES

VOTED unanimously to accept the minutes of May 3, 1993 as amended.

HIGH SCHOOL EXPANSION

Present: Thomas M. Reis and Alan DeHaan

Mr. DeHaan reviewed the modified parking plan as required by Board of Appeals decision #620. This included additional student parking, the addition of a bus road, perpendicular parking, narrower intersection to control traffic and stop signs so the busses have the right-of-way. The engineers are currently talking about the drainage. It is proposed to be an open retention area.

VOTED unanimously to approve a parking plan entitled "Renovations and Additions to the Medfield Senior High School" labeled sheet: SP.2 drawn by Anthony Tappe and Associates, Inc. Boston, Massachusetts. and to send a letter to that effect to the Superintendent of Schools.

KETTLE POND SUBDIVISION

Mr. Coras cancelled his appointment at 7:50 P.M.

AFFORDABLE HOUSING - MEDFIELD TECHNOLOGY PARK

Present: George Basile

Mr. Basile stated this was an introduction type of meeting concerning his proposal for affordable housing units under Chapter 776 at Medfield Technology Park.

He gave a brief history of his involvement with the property stating he bought the industrial park in 1985. He has put in $1,500,000 not including the sale price of $900,000. All the money that he made on his residential housing subdivision went toward this development. He paid $469,000 to the MBTA for a Right-of-Way over the tracks. He referred to the possibility of the MBTA bringing the railroad out to Millis. He further said that the property is surrounded by railroad. He went through a six month period in which Amtrak had several big companies like Chrysler and other national companies looked at it. He felt the industrial revolution is over. He has paid almost $798,000 interest. The land is "breaking" him. Personally he signed a note. If he doesn't sell this land there is a 90% chance that he will lose his shopping mall which he put up for collateral. The law, snob zoning, overrides all zoning. The process which was recommended to him was to go to the Board of Selectmen where he "made a gesture" and is here tonight before the Planning Board for the same. He has an appointment with the Affordable Housing Committee. He is seeking input from the Selectmen and Planning Board as to what people would like to

see done before making his formal request to the Affordable Housing Program and then go to the Board of Appeals for acceptance or rejection. There has been only one [Affordable Housing project] in 15 years turned down by the Massachusetts Board of Appeals. [Housing Court of Appeals] They have over turned everyone in the towns. That is the only one they have turned down in the last 115 permits. It is part of the law. Mr. Gagliani suggested he save this for his formal presentation as time was limited tonight.

Mr. Basile stated the name of the project, subject to change, is called the "Mews in Medfield." He proposes 144 units of which the town would be in control of 29. He stated the great thing about this is that Medfield gets credited with 144 units of affordable housing even though they only have 29. It is the multiple number which means they save 115 other affordable housings that could come into town.

He pointed out the detention area that has been approved for the development. He plans a club house and a pool area. These are three story units. All units are 2 bedroom and they are all 1000 square feet. The price range is $750 for a two bedroom and then $295 for the 29 that the town has rights to as they did in the affordable housing program. He will probably file with for a formal hearing with all the boards after the summer is over. "This is allowable. This is the antisnob zoning." Tax revenue would be over $180,000. It's taxed on a standard income basis. The school system will have 9-11 children. The state has a figure for this area. They say less than 10% will be children. The park was only going to be $6.5 to $7 million. This will be around $9.5 million when completed.

Mr. Gagliani said that, since Mr. Basile is seeking the Board's opinion, he has two opinions now. One is that years ago when the Master Plan came out this area was set aside for industrial land for specific reasons. It was not set aside residential. It is separate from all the other residential areas. It was one of the last pieces of industrial land in the town. From his standpoint it is cherished land for its industrial use. Once this is gone there are only little spot pieces. The town loses something by losing this industrial land. Second, and no opinion to moderately or low priced housing at all, from an aesthetic stand point and from someone who has lived in the town for almost 39 years he would hate to see development come into Medfield that looks like the atrocities that he has seen done in Dover off 109. He thinks that looks horrible. He would not like to see those in Medfield.

Mr. Basile said that is a nice comment. He does not have $14,308 a month any more.

Mr. Cerel stated he knew that Mr. Basile had the absolute right to proceed through the administrative process which could be very protracted. He asked if, while he was doing that, and, not side tracking him any, would he be willing to sit down with the town to try and find a way to develop the land industrially at the same time.

Mr. Basile said this is not wetlands.

Mr. Gagliani pointed out that with the development of 144 units Mr. Basile is developing to the maximum this industrial land.

Mr. Basile said no. That he is allowed about 230 units.

Mr. Rhuda stated that just because Mr. Basile may have the right formula doesn't mean that they are going to give him exactly what he wants.

Mr. Basile said his discussion with "Mass Housing" was to leave 100 extra.

Mr. Cerel said this is basically irrelevant. The fact of the matter is there is a vacant accepted industrial subdivision down there. It is hurting Mr. Basile as well as the town. This just happens to bring it to a head. All the parties should be sitting down and trying to find a mutually acceptable solution that would get Mr. Basile "off the hook" and give the town a positive tax base while not incurring the kind of burden residential housing brings. It doesn't make any difference whether it is affordable or nonaffordable housing. For any kind of residential housing it's $5,000 to educate a student per year. That is coming right off the tax base every time there is residential housing. We need to have commercial and industrial growth in this town. The town has to be prepared to cooperate with developers and try and get this done.

Mr. Rhuda expressed his belief that to do a realistic industrial park the access must be off route 27.

Mr. Basile continued that his sewer, his water, his hydrants are all in. He has a gravel base layer in as well. He has $480,000 in the ground. He said he has been contacted by Boston Edision. He said he got a call "last Thursday" from someone who wanted to come in and talk. He continued that "up until the time I get the customer to buy I have to progress to satisfy my bank." He will build 400,000 sq. ft. When the Board of Appeals gave him permission to put this in they allowed his buffer to be used for parking which maximized the land itself on the left hand side. He figures "440, low 275". Amtrak is working with him also because they need customers.

Mr. Cerel suggested they get on the next Selectmen's meeting agenda. He volunteered to be the liaison.

Mr. Sharff questioned the history of the development since he was new to the Board. He further stated that the plans look like they were used elsewhere. They look like a standard set of 1000 sq. ft. plan.

Mr. Gagliani read a letter from Jane Hayes of the Trails Committee requesting provision for a trail through the property be considered.

Mr. Basile read a letter from Lauren Harrington which he received in the office stating this would be a great place for tennis courts, baseball, pool since people have to go out of town for these activities.

Chris Hajjar from the Trail Committee explained the Bay Circuit Alliance attempt to keep trails. She spoke of a trail going from the Sherborn line to the Walpole line behind this property. She asked that when the property is developed Mr. Basile consider some kind of pathway.

Mr. Basile said he would gladly plot an area for walking. "There is no harm in that."

The site has both site plan approval and subdivision approval.

An appointment will be set up with the Board of Selectmen for representatives of the Planning Board and Mr. Basile. (Appointment set for June 1, 1993).

HAWTHORNE VILLAGE

Present: Joseph Hanlon

The Planning Board approval of the subdivision allowed a valve on the detention basin. The Board of Health considered this unsuitable. A device buried into the bank was proposed. There would be a 2 inch pipe at the bottom of the basins. Basin number two is expected to retain water for 2 1/2 days while basin number 5 will hold it for 4 days. A five year storm will fill to the invert.

Mr. Cerel stated that any amount of stagnant water is not acceptable.

Mr. Hanlon said there would not be stagnation for that period of time, just slightly less water flow.

Each pond is designed with an 8 inch outlet. The first flush elevation is just below the pipe.

The size of the pipe is still a concern.

Mr. Gagliani will attend the Board of Health meeting.

OLD BUSINESS

Bridlemere Subdivision

VOTED unanimously to sign Bridlemere Subdivision Plans on or after June 1, 1993 if no appeal has been filed.

Village Way

VOTED unanimously to return all surety held on Village Way since the

street was accepted at the last town meeting.

Lawrence Circle

Residents wanting to get the road accepted by the town approached Chairman Gagliani about their concerns including restoring the road since Mr. Rowean's development at the end of Lawrence Circle had disturbed it.

The Board will seek Superintendent Feeney's opinion.

VOUCHERS

VOTED unanimously to sign vouchers in the amount of $1559.15 for invoices to Whitman and Howard, Bacson Printing and Laser-Mate.

INFORMATIONAL

The Board has received a copy of a letter from the Water and Sewer Commission written to Anthony Delapa regarding his wastewater collection system.

The Board of Appeals has three hearings on Wednesday night, May 26, 1993. Ours - request for a variance for Wight Street; Doctor's office for 266 Main Street; and variance for addition to house at 27 Garry Drive.

Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary

PLANNING BOARD
SELECTMEN MEETING
JUNE 1, 1993

Present: Margaret E. Bancroft, Mark G. Cerel, Paul B. Rhuda, and David E. Sharff; Selectmen Pritoni, Thompson and Henry; Town Counsel Michelson; Town Administrator Sullivan; Developer George Basile.

The Planning Board attended the regular Board of Selectmen's meeting for the expressed purpose of discussing an alternative to a proposal by George Basile for affordable housing on industrial zoned land off West Mill Street abutting the town transfer station.

Mark Cerel, Vice-Chairman of the Planning Board, explained that the Board requested this meeting because of its concern for the proposed use of industrial zone land off West Mill Street owned by George Basile. Mr. Basile appeared before the Planning Board on May 24, 1993 with his proposal to develop his industrial land with 144 units of affordable housing. Mr. Cerel told the Selectmen that it is the general opinion of the Planning Board that this would not be in the best interest of the town. It would prefer to see the land developed industrial. This is the only industrial zoned land in the town. Access to the property is over West Mill Street which is a substandard road. Either West Mill Street would need to be upgraded or an alternative route provided. West Mill Street does have heavy industrial traffic for its size. Industries that Mr. Basile has talked with have preferred a more easily accessible route off 27. Mr. Cerel questioned the possibility of access over town land by the transfer station.

Mr. Cerel stated the issue is tax based. If there is <u>any kind</u> of residential development it is not a good tax base. It costs $5,000 per year per child in the school system. He recommended that it would be in the town's best interest to explore industrial possibilities with the cooperation of the developer.

In response to Mr. Pritoni's question Mr. Basile explained he has 2 grants to cross tracks. One is over the "invisible" MBTA tracks and the second over Conrail. He felt he could get Conrail to change the easement to "around the corner." He explained he has had 12 chances to develop the land but there has always been a problem with the approach. He currently has someone interested in 40,000 square feet now and an additional 20,000 square feet in the near future. West Mill Street is 19 feet wide with soft shoulders. Mr. Basile stated the road to the transfer station is a "class A" road. His reason for proposing the affordable housing project is because it is his only way out to "salvage" himself.

Mr. Pritoni asked if they work hard to create a workable situation would he withdraw his residential project.

Mr. Basile answered, "Yes. The town stands to benefit and gain more as industrial."

Mr. Pritoni stated that speaking for himself he would prefer to see the property developed industrial.

Mr. Basile expressed concern over the length of time granted for an easement. He pointed out that banks do not like to consider only ten year leases. Town Counsel will look into what is involved in a lease agreement.

Mr. Cerel restated the Planning Board's desire to act as expeditors to bring parties together in the best interest of all parties. Mr. Basile does understand that he would be responsible for construction of a road.

Mr. Sullivan reviewed some of the history of possible development of the transfer station to include town garage as well as recycling plant.

A committee was formed to include Selectman Henry, Town Administrator Sullivan, Superintendent of Public Works Feeney, Mr. Basile and a representative of the Planning Board to be named. This committee would be able to meet during the daytime in an effort to come up with a solution beneficial to both the town and the developer.

Town Counsel Michelson will investigate the legal process of granting an easement/lease to Mr. Basile.

Mr. Basile wishes to work toward an industrial development but will have to continue a parallel plan for the affordable housing should the industrial development not prove a viable project.

The Planning Board thanked the Selectmen for their time.

Approved & Corrected

PLANNING BOARD
JUNE 14, 1993

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Paul B. Rhuda, and David E. Sharff.

MINUTES

Minutes were approved as amended for the Planning Board meeting of May 24, 1993 and the joint meeting with the Board of Selectmen of June 1, 1993.

DOVER PLANNING BOARD

Present: Dover Planning Board members - James Repetti and George Chimento; Dover Town Planner - Sharon Wasson; Consultant to the Dover Planning Board - Thomas M. Paine.

Mr. Rhuda said he would not participate in any decisions with regard to this subdivision since he has worked with the property owner on projects in other states.

At Dover's request, the Board met with the Dover Planning Board regarding property in Dover proposed for development by Oxbow Realty. They presented the Board with a plan drawn by their consultant, Thomas Paine. The plan would reduce the number of lots from 34 to 16. This plan would require extending Medfield's Snow Hill Lane into Dover. Members of the Medfield Board expressed concern for services to the Dover homes accessed by this cul-de-sac. According to its decision Medfield required Overfield Drive be 10 feet from the Dover line so it could not connect Pine Street in Medfield to Centre Street in Dover. At Medfield's July 1991 meeting with DPB the Board stated it did not want a road connecting into Dover. Some members expressed concern about any advantage to Medfield or the developer. Under this plan Dover would be allowing 3 cul-de-sacs and preserving large areas of open land including the Koch estate which would be pleasing to some. The Dover planners intend to informally present their proposal to Mr. Koch through a mutual acquaintence.

KETTLE POND ESTATES

Present: Gregory Coras and Richard Merrikin

The Board reviewed Whitman & Howard's recommendation for surety as well as the developer's proposal. Adjustments to Whitman & Howard's report were made based on work completed and signed off since Dale MacKinnon's visit. Surety is being set in two phases. The developer stated he may not finish the second phase for two years.

VOTED unanimously to set surety for Kettle Pond Way from station 0+0 to station 5+44 and Cole Drive from station 9+00 to station 6+25 at $97,031.

VOTED unanimously to release lots of phase one Kettle Pond Estates shown on a definitive subdivision plan of "Kettle Pond Estates" dated June 11, 1992 and revised to February 8, 1993 drawn by Engineering, Surveying & Planning Associates, Medway, MA. Said lots to be released, original numbered lots 15, 16, 24, 25, and 23, upon presentation of satisfactory surety and presentation of easements and deed restrictions by the developer.

Mr. Merrikin questioned the possibility of reconfiguring basin 2 slightly to save vegetation. The Board expressed concern that a change could mean a trip back to the Board of Health for review. The developer will consider a modification.

ZULLO GALLERY

Present: Bill Pope

Mr. Pope came to the Board to discuss the possibility of opening a cafe within the Zullo Gallery from 5 p.m. to 10 p.m. a few evenings a week. It would have a simple menu in conjunction with Casa Bella downstairs. Mr. Pope will look further into parking, entrance and exits, requirements for Common Victular license, and handicap access, in addition to Board of Health requirements.

PONDVIEW AVENUE - ANR

Present: Rick Merrikin and Alan Brahams

VOTED four in favor and one opposed (Mr. Cerel) to sign an Approval Under Subdivision Control Law Not Required plan entitled "Lot D Pondview Ave." dated June 9, 1993 drawn by R.F. Merrikin Associates, East Walpole showing one lot on Pondview Avenue with 40,039 square feet with the following notation, "This plan is intended to correct errors found in a plan dated December 23, 1991 recorded as plan 9 of 1992 in plan book 403 and a plan dated January 28, 1978 recorded as plans 1160 of 1976 in plan book 272."

Mr. Brahams stated that the developer has not conveyed 3 lots as per agreement on property also located within the subdivision.

THE MEADOWS

Present: Paul Borrelli

The Board reviewed work done at The Meadows Subdivision with particular concern for trees. Mr. Borrelli reminded the Board that the trees do have a one year guarantee.

VOTED unanimously to reduce surety for The Meadows Subdivision to

$15,000.

OLD BUSINESS

Lawrence Circle

Residents of Lawrence Circle expressed concern, by phone calls to Chairman Gagliani, that their road had not been properly regraded following work done by R.P. Rowean Construction at the end of it.

In a memo to the Planning Board dated June 8, 1993 Superintendent of Public Works Feeney concluded that the road was found to be in satisfactory condition on inspection May 24, 1993.

Hutson Pines - Clayton Street

The Board is still in the process of determining the status of a $10,000 bank account. There has been no new correspondence from the developer.

Lueders Tree and Landscaping, Inc.

Mr. Cerel did not participate in this portion of the meeting as he has done legal work for Lueders.

Chairman Gagliani reported that the site at Lueders on Brook Street has still not been completed as required and workers are parking across the street in the wetlands. The Board will send a letter to the Building Inspector requesting the status of completion of the driveway to comply with the plan and requesting no parking in the wetland area.

Plantation Road

Mr. Cerel reported that tree stumps and material have been piled on lots foreclosed on. The Board is holding $20,000 as surety.

Hawthorne Village Subdivision

The Board received a letter from the Board of Health Consulting Engineer, Mr. Domey, dated June 14, 1993, which stated that revisions to the plan would need to be made to the design plan. Attached was a letter from Board of Health Chairman Neil MacKenzie dated May 28, 1993 approving subject subdivision subject to two conditions stated: In Basin 5, the maximum depth shall not exceed 3 (three) feet; and Increase schedule 40 pipe from 2 inches to 4 inches in diameter.

Frances Cafe - Parking

Mr. Azargoon's contractor advised the Planning Board Administrator that he will have the entrance to the Frances Parking Lot complete by the beginning of July.

Wampatuck Subdivision

Mr. Cerel gave a brief report of the bankruptcy agreement issued by the court for subject subdivision. The agreement is between Delapa and Dedham Institution for Savings which has been submitted to the court.

VOUCHERS

Vouchers were read and approved in the amount of $86.67 to Whitman and Howard, Inc. for an inspection at Kettle Pond Subdivision.

Meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary

OK

PLANNING BOARD
JUNE 28, 1993

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Paul B. Rhuda, and David E. Sharff

MINUTES

The minutes of the June 14, 1993 meeting were reviewed and approved as ammended.

GREAT POND BROOK ACRES - PRELIMINARY PLAN

Present: Neil McLaughlin, Michael Perrault, Robert Holmquist, Ernest Talpey and other abutters to the property who did not sign in.

Mr. Perrault, P.M.P. Associates, represented the applicant, N.F. McLauglin & Co. The property is the front portion of the Williams Estate located off High Street. This subdivision would finish the project for the land. It consists of 8 residential lots in the subdivision and 2 form A lots on route 27 which the developer will also be responsible for developing. The lots have been given a letter code A-J to coincide with deep hole testing done with the Board of Health. The plans are for town water and individual septic systems on the lots. Gas will be provided to the development. The proposed grading, wetlands and centerline of the road have been defined both on the plan and on the ground. The drainage intercepts drainage coming down High Street (route 27). The storm drainage will have one low point, a saddle back. Drainage will be to a back area that can be used for a combination of sedimentation, infiltration, and detention prior to discharge into the wetlands. Although the plan shows the road according to Subdivision Rules and Regulations, the applicant would like the road to be slightly steeper which would reduce the fill and loss of trees . They could possibly increase the side slopes. They also expressed concern for salt runoff from the road given the proximity of the town wells.

Continuing with review of the road, the Board also looked at the intersection of the subdivision road with route 27. A good leveling area is necessary there because traffic is hazardous in the area. They suggested posted speeds vs actual speed be considered in doing the traffic report. The proposed road is a secondary road.

After review of the plans and questions by those abutters present, the Board discussed the possibility of providing connection to the 11 acres of backland which Mr. Holmquist owns. The Board did not reach a conclusion at this meeting but will look at the area on a site visit which it scheduled for Friday, July 9th at 8:30 a.m. Discussion will continue at the July 12th meeting.

HICKORY DRIVE (Tocci)

Present: Thomas L. McLaughlin and Ronald Tocci

According to a memo dated June 28, 1993 the drainage outfall pipe and

the retaining wall on Hickory Drive were inspected by the Superintendent of Public Works and the Superintendent of Streets and found to be in satisfactory condition.

Mr. Tocci gave the Board as-built plans and acceptance plans for the Harding Street end of Hickory Drive. He will bring in a legal description of the road before surety IN EXCESS OF $1,000 will be released. Mr. Tocci and Mr. McLaughlin will come to the office together to obtain the bank book.

VOTED four in favor and one abstension to release all but $1,000 of surety posted for the Tocci portion of Hickory Drive upon receipt of the legal description of the road. Mr. Sharff abstained since he was not a board member at the time of deliberation on the subdivision.

KETTLE POND ESTATES

The Board signed the covenant for subject subdivision.

ELM STREET - ANR PLAN

Present: Pascal Levesque

VOTED unanimously to sign a plan, Approval under Subdivision Control Law Not Required, dated June 22, 1993, drawn by Cheney Engineering Co. of Needham Ma. showing three lots on the corner of Elm Street and Philip Street, lot 5C1 showing 5.054 acres, lot 5C2 showing 2.417 acres and lot 5C3 showing 2.301 acres owned by Pascal Levesque.

OLD BUSINESS

Lueders Tree & Landscape Inc.

Following up on a letter from the Planning Board, Assistant Building Inspector, Anthony Calo, sent a letter to Lueders Tree and Landscape reqarding paving the parking lot and parking in the wetland area. They in turn replied that the lot will be paved by September 6, 1993 and the employees will be spoken to regarding proper locations for parking.

Frances Cafe Parking

The Board received a memo from Superintendent of Public Works Feeney stating he and Superintendent of Streets Kennedy inspected the planting area at the Frances Cafe parking lot and found it to be satisfactory, the entrance and exit sizes satisfactory but that these should be designated by signs indicating directions and that some parking spaces must be eliminated in order to establish one way flow through the parking area.

The Board will send a letter to Mr. Azargoon expressing the concerns of the Superintendents.

NEW BUSINESS

Tubwreck Drive

Mrs. Taber, 7 Tubwreck Drive, Dover, called the office to express her concern about Tubwreck Drive in Medfield. In her opinion it is too close to the Dover line and confusing to people making deliveries to either the Dover street or the Medfield street. She has already had confusion over attempted delivery of a package to the Medfield address as well as a lost package which she is concerned may have been delivered to the Medfield street. The Board will advise the developer.

Medfield State Hospital Well

Judy Hutchinson of the Department of Environmental Protection called to inquire if the state hospital well is included in the Aquifer Protection District and if not it should be included. The Zoning Map does show the well included.

VOUCHERS

Vouchers were read and approved in the amount of $608 for new chairs for the Planning Department.

Meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary

OK

PLANNING BOARD
JULY 12, 1993

Present: Mark G. Cerel, John K. Gagliani, Paul B. Rhuda, and David E. Sharff. Absent: Margaret E. Bancroft.

CAUSEWAY STREET TREE HEARING

Present: Ed Hinkley, Tree Warden; abutters - Tracy and Roger O'Donnell, George Mclaughlin

In accordance with Chapter 40, Section 15C (Scenic Road Act) and Chapter 87.3 (Shade Tree Act) MGL a combined Planning Board and Tree Warden public hearing was convened at 8:15 p.m. for the purpose of removing 12 trees located between pole 34 and 50 on Causeway Street to allow for road realignment.

Mr. Hinkley stated he was also representing Superintendent Feeney regarding the removal of the 12 trees in the public right-of-way on Causeway Street which is necessary for widening the road. He stated that many are good trees but may have to come down for safety. There are also about 35 private trees to be removed. For the record, trees circumference is measured at the base of the tree.

The area of trees which is the subject of this hearing is just beyond the Causeway Street bridge.

Roger O'Donnell, 126 Causeway Street, expressed concern for the number of trees to be removed. Mr. Hinkley advised that the abutters could express their concern in a letter to the Board of Selectmen which might beable to give permission to keep some of the town trees.

George McLaughlin, 252 Causeway Street, expressed concern for trees near his end of the street. He objected to the number of trees being removed there. He was advised that this hearing does not include this area of the road. However, he continued to dispute what is and will be done on the street. He was also concerned about the MacCready lots, a portion of each which is to be deeded to the town. He was concerned about possible bark muclh and plantings that new homeowners might place in this strip of land.

Tracy O'Donnell, 126 Causeway Street, questioned if widening the road distorts the scenic status and Mr. Gagliani explained that the law tries to preserve the character of the scenic ways however it does miss where the trees are not town trees. All trees on private land can be removed at the owner's discretion. Mr. Cerel added that when the streets are straightened or widened the Department of Public Works is bound by safety standards. When the money is available to replace the Causeway Street bridge the state will probably require that the bridge be overbuilt for the location.

Mr. Hinkley explained that the trees removed could not be replaced further back because the town removed that from the budget a few years ago.

Since Causeway Street trees will be a subject on the Selectmen's agenda tomorrow, Mr. Gagliani and Mr. Rhuda will attend that meeting.

The Board will view the site and continue the hearing at its next meeting, July 26, 1993.

GREAT POND BROOK ACRES

Present: Neil McLaughlin

The Board reviewed the site visit made Friday, July 9th, along with Whitman and Howard's letter of July 8, 1993. During the site visit they noted a small knoll on one of the ANR lots which, if removed, could improve the sight distance to the south. This would require an easement with a permanent restriction on the lot to maintain necessary sight distance.

Police Chief Hurley was present during the site visit.

Neil McLaughlin stated the street lots were not included in the subdivison because they had previously been subdivided as ANR lots. They are not under agreement at this time. He stated he has a purchase agreement for the property subject to obtaining subdivision approval. He understood the Holmquist property abutted the subdivision but had not considered the necessity of his providing a road to that property line, especially since access was provided through the Bridlemere Subdivision.

The Board discussed the issue of connection to the Holmquist land through this subdivision and it considered that it allowed for access to that land through the Bridlemere Subdivision. Members also considered that geologically there is an esker that would be disturbed by such a roadway. It looked at the addition of traffic onto High Street with the thought that a minimum amount of traffic added at the intersection of this subdivision road would probably be best. There might be greater respect for the land if it is developed into the hill. They also mentioned the wildlife corridor through the area.

OLD BUSINESS

Frances Cafe Parking Lot

Mr. Azargoon stopped by the Planning office expressing his displeasure with his parking lot design. Chairman Gagliani will view the site and discuss the problem with him.

50 North Street

The Board will send a letter to the Building Inspector regarding the building at 50 North Street requesting review of the height limitations for the building and the parking plan with respect to the changes in occupancy.

The Board is further concerned that a portion of land cleared for use here may be town owned and should not be considered as property for use by the occupants of the building.

The Board will send a letter to the Board of Selectmen regarding a town Chestnut tree which was removed by the owner. Policy dictates that the tree be replaced elsewhere in town. Mr. Hinkley, the tree warden, has verified that the tree was a town tree.

NEW BUSINESS

Prentiss Place

A resident of Prentiss Place inquired at the office of the possibility of having the road accepted by the town. This is a driveway constructed under site plan approval and not intended to be accepted as a town road.

Meeting adjourned at 9:40 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary

PLANNING BOARD
JULY 26, 1993

OK

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Paul B. Rhuda, and David E. Sharff

Meeting convened at 7:45 P.M. by Vice-Chairman Cerel (Chairman Gagliani joined the meeting 8:00 P.M.)

Roll call vote to go into Executive Session for the expressed purpose of discussing prospective litigation with the intent of returning to open session:

Margaret E. Bancroft - yes
Mark G. Cerel - yes
Paul B. Rhuda - yes
David E. Sharff - yes

The Board resumed open session at 8:30 P.M.

PONDVIEW ESTATES

Present: Peter Michelson

Town Counsel Michelson reported the parties are very close to signing an agreement. The Board reviewed a copy of that agreement. The consensus of the Board was that it did not need to be a signatory to the agreement. When the parties have reached their agreement the developer should bring in a minor modification plan. At that time the Board could, where appropriate, waive the 50 foot right-of-way. At that time the Board would review the punch list for work to be completed. The developer would need to request acceptance of the roads and thus provide the town with certified as-built and acceptance plans.

CAUSEWAY STREET TREE HEARING (cont.)

Present: Tree Warden Edward Hinkley; Superintendent of Public Works Kenneth P. Feeney; Selectmen Pritoni, Thompson, and Henry; numerous abutters.

Superintendent Feeney explained that the Public Works Department intends to asphalt the road in the area of poles 34 to 50 on Causeway Street with 22 feet wide paving. Removal of the trees is necessary to improve sight distance as well as keeping cars from going off into the flood plain. Mr. Cerel noted the trees are all on the inside of the curve with the most desirable to keep most in need of removal. Mr. Hinkley said they would try to keep the farthest back beech tree if possible.

VOTED unanimously to authorize the Town of Medfield Public Works Department to remove 12 trees between poles 34 and 50 on Causeway Street for the purpose of road realignment with the intent that any trees that may be spared, specifically said beech tree, will be removed only if absolutely necessary.

GREAT POND BROOK ACRES

Present: Neil McLaughlin and Michael Perrault

Chairman Gagliani read a copy of the letter of approval from the Board of Health for subject subdivision.

The Board agreed in principle to extend the catchbasin down without requiring the necessary 300 feet between sets. It also considered allowing a 3:1 slope on the detention basin.

VOTED unanimously to grant approval of a preliminary subdivision plan entitled: "PRELIMINARY PLAN, KEY PLAN, GREAT POND BROOK ACRES, MEDFIELD, MA" dated June 10, 1993 drawn by P.M.P. Associates, 76 Ashley Drive, East Bridgewater, Ma 02333 and submitted by N.F. McLaughlin & Co., Inc. showing 8 subdivision lots and 2 ANR lots, which are labeled not part of the subdivision, with the following recommendations:

1. That the developer will meet with the Trails subcommittee of the Open Space Committee for determining the possibility of trails through the property.

2. That the "ANR" lot designated as B on the plan be graded to provide sight distance in compliance with Planning Board regulations at the intersection of the proposed street and High Street, and that a perpetual sight easement over Lot B, acceptable to the Planning Board be provided.

3. That the cul-de-sac be offset according to Subdivision Rules and Regulations, plate 5B.

4. That there be a culvert under the street connecting the two isolated wetlands.

5. That the detention basin be designed to the satisfaction of the Planning Board, Board of Health, and Conservation Commission.

6. That there be a full 100 foot levelling area on the subdivision street approaching the intersection, as shown on the plan.

7. That there be a 40 foot radius at the pavement edge on the north side of the intersection with High Street.

8. That the two catchbasins at the entrance be shifted to the PC's on High Street, and the other catchbasins be located as shown on the plan.

9. That the road may be considered a "secondary" in accordance with Planning Board rules and regulations.

10. That the road be renamed to the satisfaction of the Planning Board.

11. That the plan otherwise comply with all applicable rules and regulations of other town boards.

TIRE SPECIALISTS - ROUTE 109 DEVELOPMENT

Present: Richard Merrikin and William Kleimola

Mr. Cerel noted for the record that William Kleimola is a business acquaintance of his and consulted with him about this night and thus removed himself from the discussion.

Mr. Merrikin and Mr. Kleimola came before the Board to discuss possible development of property located on route 109, formerly Maider's Texaco and currently Tire Specialist. Mr. Kleimola has the opportunity to purchase the property (2 lots) from Mr. Maider. The parcel consists of approximately 2.5 acres. It is zoned business with an area in the wetlands which is zoned RS.

They propose a fast food restaurant (unnamed) upfront with a long building in the back which would be a multi-tenant building. Tire Specialists would be one of the tenants. They suggested they could put a road in and use some of the residential property for parking. They asked if the Board would consider letting them layout the road for frontage purposes but construct to a lesser degree. Discussion concerned the number of curb cuts to an already busy section of route 109, possibly looking into entrance and exit out of one that is already there. (The Board might be more apt to waive not building the road.) Access does not have to be from frontage. There are wetlands along the west side of the property. An area to the back was filled several years ago.

PHILIP STREET - KANE PROPERTY

Present: Richard Merrikin

Mr. Merrikin approached the Board with a discussion plan for property which extended from Philip Street to Eastmount Street near the Mt. Nebo tower. The property is shown on Assessors Map 38 as Lots 6, 19, and 18. Adjacent to this land is lot 9, not part of this proposal but for discussion purposes could be potential development. Lots 6, 19 and 18 total 10.5 acres. Lot 9 is 8.01 acres. The Board discussed the topography, the issue of road sequence, providing the potential for a 2nd connector. They were concerned about the length of the cul-de-sac as well as access for safety vehicles. The developer would sewer lots. Some members were also concerned about crowding so many lots in the development. The Board recommended the developer seek input from the Police and Fire Chiefs before drawing up plans.

HARDING STREET ANR PLAN

Present: Wayne Carlson and John Burgess

VOTED unanimously to sign an ANR plan dated March 1, 1993, drawn by Carlson Survey Company for John Burgess of Cranston RI showing two lots on Harding Street. Lot A has 66,200 s.f. and Lot B has 80,500 s.f.

OLD BUSINESS

Bridlemere Subdivision

White and Company has asked for an estimate for completion of subject subdivision. They are in the process of turning the actual work over to Sunpath Designs. No work has begun yet. Need to get estimate from the Water and Sewerage Commission for the water loop that will be necessary.

Miscellaneous

Secretary reported, based on several phone calls, that the Tannery Farm Road transformer actually appears to be in the public way.

Mr. Gagliani noted that Sam White Co appears to have paved more of their industrial site. Concern is for drainage. The Board will look into possible Bylaw revision.

Mr. MacCready will draw up a letter better defining the parking at 50 North Street.

NEW BUSINESS

Prentiss Place

A neighbor has questioned if the permit has expired. Since work is continuing on the project the permit remains active.

Tennis Courts & Satelite Dishes

At the request of the Building Inspector the Board briefly discussed subject with the intent to consider adding definitions to the Bylaw. Are they accessory structures?

Morse Drive

VOTED to release lot 50, 11 Morse Drive, from the covenant of 1965.

VOUCHERS

Vouchers were read and approved in the amount of $505.16.

Meeting adjourned at 10:30 P.M.

Respectfully submitted,

Paul B. Rhuda, Secretary

PLANNING BOARD
AUGUST 16, 1993
SPECIAL MEETING

OK

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Paul B. Rhuda, and David E. Sharff.

Also present: Attorney Stephen Kenney and Greg Coras

Meeting convened at 8:30 a.m.

The Board called this special meeting to discuss changes in circumstances relative to the issuance of a Release of Lots for Kettle Pond Estates.

The Board reviewed copies of a Grant of Easement to be signed by the developer affecting lots 20, 21, 24, and 25 of Land Court plan no. 28197E as well as a Grant of Easement signed by Mark H. Weston and Cherie M. Weston for a drainage easement on Lot 11 shown on Land Court Plan No. 28917C. At this time the Board also reviewed a "Corrected Memorandum" dated August 13, 1993 to the Board from Attorney Neil J. Roche attesting to the fact, "These grants of easement must be stanped by the Land Court prior to registration, which I will attend to."

These easements are necessary for drainage at Kettle Pond Estates subdivision.

Mr. Gagliani pointed out that the covenant for this subdivision has not been filed at the Registry of Deeds yet despite approval in February 1993.

Mr. Kenney explained that a plan to remove the cart path was submitted to the Land Court. The Court will not allow any further filings until that plan has cleared the court. He anticipated that he would beable to have these filed by Friday (August 20, 1993). He agreed the filing is a ministerial act.

VOTED unanimously that lot LC26 (formerly 25) be immediately released conditioned upon the developer's providing the Planning Board with proof of Land Court recordation at our regular meeting to be held on August 23, 1993. If said documentation is not produced at that time the Planning Board will consider what further action to take.

The Board will send a letter to the Building Inspector advising him of its vote and requesting that he issue a Building Permit for the one lot so that the developer can proceed with the understanding that the Building Inspector may be requested to rescind the permit depending upon the outcome of the Board's August 23, 1993 meeting.

Meeting was adjourned at 9:00 a.m.

Respectfully submitted,

Paul B. Rhuda, Secretary

OK as amended.

PLANNING BOARD
AUGUST 23, 1993

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Paul B. Rhuda, and David E. Sharff

MINUTES

Minutes were approved for meetings of June 28, July 12, July 26 and August 16, 1993.

BEECHWOOD ESTATES PRELIMINARY SUBDIVISION PLAN

Present: David MacCready, Craig Rafter, and residents of Causeway Street.

Mr. MacCready explained the preliminary plan as 14 lots off Causeway Street. Originally there were 15 ANR lots. With this plan there will be an additional 10 lots bringing to 25 the total number of new lots on Causeway Street. The roadway is proposed to be 1110 feet with a 7% grade. As previously agreed Causeway Street will be paved from Orchard Street to lot 15. There will be an easement added from the trustees land to Lot 16 which will be given to the Trustees of Reservations. They will be asking for two waivers: the length of dead end and the grade. They would move the detention basin away from the location shown on the plan and place it on the corner lots. The lots range from 40,000 sq. ft. to 60,000 sq. ft.

The Board then reviewed Whitman and Howard's report dated August 19, 1993 as follows:

1. A small corner of lot 23 is missing from the plan. With the exception of this very small corner, the lot lines are shown on the plan. They appear near the edge of the plan.

2. The drainage should take into consideration the Causeway Street drainage. The Board is concerned about what is going into the detention basin. Does this include drainage from Causeway Street? A sketch showing the whole concept of the development would be helpful. This is the last of the land in that area to be developed.

3. The plan has a 1140 foot dead-end street. There should be a plan showing all other property abutting this owned by the applicant, the Trustees of Reservations, Army Corp of Engineers, and Orchard Street. There was a discussion of areas of Causeway Street to be paved and how wide, the question of adequacy of the bridge over the Stop River, the nature of the winding dirt road.

4. The applicant has requested a waiver for maximum slope from 6% to 7%. Mr. MacCready had a plan on which he had sketched in red a 6% slope. There is a 9 foot cut with the 7% and an 8 foot cut with the 6% At the worst point in the roadway would require a 6 foot fill with the 7% and 11 foot fill with the 6% slope. The increased slope could result in a greater need for salt in the winter time which could by harmful to nearby wetlands. A 6% slope would be less of an impact at the street. They could consider allowing 3:1 slope for less impact. Some lots appear tight in meeting zoning requirements.

5. The intersection angle of the proposed road with Causeway Street will be demonstrated to be equal or greater than 60 degrees at the definitive plan stage.

6. The Board is concerned that a regular size school bus may not be able to turn in and out of the intersection without going into another lane of traffic because of the radii. Whitman and Howard suggested a 30 foot radius on the acute side and a 60 foot radius on the obtuse side. Mr. MacCready will have his engineer look at it.

7. The concern is for the site distance on Causeway street. Mr. MacCready feels they can make the site distance. The traffic study will show actual speeds. There needs to be space to pull off the road.

8. Whitman and Howard suggests that the traffic impact statement required for the definitive plan be provided now, so that mitigation measures for Causeway Street can be fully explored before development of the definitive plan. W&H was not aware of previous conversations with Superintendent Feeney regarding work to be done on this road. The Board would like to have the Police Chief, Fire Chief, and Superintendent Feeney attend the next meeting for comments regarding the entire Causeway Street situation and not just the subdivision. Mr. MacCready said that he intended to reconstruct Causeway Street this fall and have it paved by December. He acknowledged he did make an agreement. There is a need to take another look at the road again.

9. The developer will change the discharge area over to a wet area on Lot 8. This will necessitate topos and easements outside the subdivision on Lot 8.

10. Whitman and Howard commented that the detention basin appears small. The Board suggested the developer work out a plan with the Board of Health. It would not need to see the plan until they reached agreement with the Board of Health.

11. Whitman and Howard commented about the drain manholes. There are too many pipes located within a small angle and elevation. This will need to be addressed in the definitive plan. There will need to be a minimum six inch wall clearance between the precast pipe opening when the pipes are all directed through the center of the structure.

The Board members will walk the site Friday morning, September 10th at 8:30 a.m.

Some further concerns expressed by board members include the length of the subdivision road, crowded lots, catchbasins, drainage, will lot 24 meet requirements, bridge on Causeway, condition of the roadway.

George McLaughlin, 252 Causeway Street, voiced his opposition to the subdivision on the grounds that the initial plan was for only 17 (sic) houses on the street. The scenic strip is destroyed. It totally changes the neighborhood. He has concerns for safety and traffic. The developer has been cited repeatedly for failure to comply with regulations in the area. The developer has not followed through on his

promises to date. He questioned the validity of a traffic study on a road that has not been paved.

Thomas Merrell, 208 Causeway Street, inquired about when a traffic study would be done. He expressed concern for safety since there will be an increase of 100% density to the area.

Michael Garyantes, 231 Causeway Street, ~~a new resident to the area,~~ expressed concern that the new construction would tax the water supply. He was further concerned because he liked the narrow street, that the plans keep changing. He was concerned about growth in this area.

Paul Gignac, 250 Causeway Street, said he was one of few people who still have their own well and he wondered how the development would effect his well and his septic.

Tracy O'Donnell, 126 Causeway Street, was concerned about the consequences to the builder for not completing work.

The hearing is continued until the next Planning Board meeting on September 13, 1993 at 8:15 p.m.

COMMITTEE TO STUDY MEMORIALS

Present: Richard Desorgher and Paul Curran

Mr. Desorgher and Mr. Curran discussed the Committee's role in street naming with specific attention to the use of veterans' names. The Board is of the opinion such names would be better used for squares. The area as well as its history is considered in helping to name a street. Mr. Desorgher and Mr. Curran spoke of a need for a fee system to help finance the cost of memorials for streets and squares. The Board and Committee will meet again in October, possibly, to better discuss street names.

RIDGE ROAD

Present: Huna Rosenfeld

Mr. Rosenfeld discussed briefly possible changes to previously approved plans. He intends to bring in a modification/definitive plan soon.

THE MEADOWS

Present: Paul Borrelli

Mr. Borrelli has as-built plans completed and will bring in acceptance plans by Wednesday.

Concern was expressed for weeds in the center strip. Mr. Borrelli stated he has weeded. He also said he has landscaped around the pumping station which was originally to belong to the Association but will now be turned over to the town because of recent state requirements that towns own the pumping stations.

The Board reviewed work completed on the subdivision before releasing a portion of the surety.

VOTED unanimously to release all but $1000 surety for The Meadows subdivision contingent on acceptance plans being delivered.

MCMANUS CONSTRUCTION - SOUTHERN ACRES

Present: Harry Angevine

Mr. Angevine stated he has reviewed the Sub Rules and Bylaw regarding stump removal. He said DEP will allow no more than 200 yards to be buried on site before they must approve. They would start off with the 200 yards and then get DEP to approve further on site stump disposal.

The Board said it ~~could~~ would not grant a waiver. It will create stump holes because they will rot.

They are out clearing Southern Acres now. There will be many stumps coming out despite the fact that they are trying to leave it as wooded as possible. It is not cost-effective to chip on site or put all in one lot.

KETTLE POND ESTATES

Present: Greg Coras

The covenant has been file in the Norfolk Registry of Deeds and a copy given to the Planning Board. Easements still need to be recorded. The Board will need to see that the easements have been filed and a letter from the attorney for the homeowner of Lot 11 indicating an easement is being granted for drainage on the lot.

VOTED unanimously to release lots numbered L.C. 16 and 17 (originally 15 & 16) conditional upon immediate recording of easements and receipt of a letter indicating the easement to lot 11 is being granted as well as receipt of the mylars and 4 copies of plans.

VOUCHERS

VOTED unanimously to approve voucher in the amount of $291.92 to Zip Print for the reprinting of the Zoning Bylaw.

Meeting adjourned at 11:15 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary

PLANNING BOARD
SEPTEMBER 20, 1993

Present: John K. Gagliani, Mark G. Cerel, Paul B. Rhuda, Margaret E. Bancroft, and David E. Sharff.

EDWARD MUSTO – RENEAR PROPERTY OFF ERIK ROAD

Present: Edward Musto

Mr. Musto said he came to the Board to discuss a possible plan for subject property at the end of Erik Road. He had a discussion plan showing 7 lots, which he said met zoning. This would be a continuation of Erik Road. He stated Erik Road is too wet to put a road through. He stated that Erik Road had a 40-foot right of way. Current subdivision rules require a 50-foot right of way. He questioned if the Board would reduce the requirement to 40-foot.

The Board responded that they would prefer the 50-foot. They expressed concern about Conservation Commission matters and access to the road. They said he might need common driveways. They questioned the possibility of a vernal pool on the site and pointed out that he would need at least one wetland crossing. They advised him to talk with the Superintendent of Public Works about common driveways.

Mr. Musto said the average lot size would be ± one acre.

They discussed the possibility of a trail and noted that one goes through the property. There should be consideration to connect with trails in Colwell's property.

Mr. Musto said the property rises and levels off.

The Board questioned if it was his intent to connect through to Colwell's property.

Mr. Musto said he would prefer not to connect. He questioned the possibility of using 3:1 slopes for lesser disturbance to the area.

They discussed the possibly of an emergency access only for such vehicles.

The Board suggested that he get possible input from the Colwells concerning possible plans for cluster vs. conventional subdivision. They noted there would possibility be two crossings with a common driveway. They said sewer connection may dictate crossings.

Mr. Rhuda suggested that Mr. Musto consider fewer lots with minimal crossings.

This concluded the discussion

PLANNING BOARD
OCTOBER 25, 1993

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, Paul B. Rhuda, and David E. Sharff.

SCENIC ROAD HEARING - 18 ORCHARD STREET

Present: Edward Hinkley, Tree Warden

Chairman Gagliani convened the public hearing at 8:15 p.m. with a reading of the legal notice.

Mr. and Mrs. David Cope requested permission to remove a tree and a small portion of stone wall to correct flooding problems on their driveway and in their garage. The tree is located in a portion of their driveway. The need to remove approximately two feet of wall to alleviate the problem. Mr. Cope is out of town on business and Mrs. Cope is unable to attend the hearing because of a sick baby at home. She is available by telephone.

Mr. Hinkley explained property is the first house on the left after coming out of Causeway Street. The 18" white oak is in part of the driveway. It is not a healthy tree.

The Board read the letter of request into the record.

VOTED unanimously to allw the Cope's to remove one 18" white oak tree from their driveway and to remove up to 2 feet of stone wall for the purpose of correcting drainage problems in the driveway and garage under the conditions that Superintendent of Public Works Feeney inspect the site with the Tree Warden prior to and following the work. The stump is also to be removed.

The hearing was closed at 8:30 p.m.

ANR PLANS

Tubwreck Drive

Present: Paul Borrelli

VOTED unanimously to sign an ANR plan dated October 15, 1993 and revised to October 21, 1993 entitled "Plan of Land, Medfield, MA" drawn Cheney Engineering Co, Inc, Needham, MA showing five lots on Tubwreck Drive. Lot 18B will become part of lot 17 and lot 11B will become part of lot 12. Neither lot 18B or 11B are separate building lots.

Elm Street

Present: Pascal Levesque

VOTED unanimously to sign an ANR plan dated October 16, 1993 entitled "Plan of Land, Medfield, Mass." drawn by Cheney Engineering Co, Inc, Needham, MA showing four lots on the northeast corner of Elm and Philip Streets.

NEW BUSINESS

Permits

Alamo Building Corporation has a request before the Historical Committee for a demolition permit to take down a barn. The Board discussed the possibility of boards/committees not allowing permits for anything until they comply with the terms of the covenant and work is done.

The Board will request an update from Town Counsel regarding the resolution of matters at Pondview Estates Subdivision.

FY95 Budget

Kick-off meeting is to be held Tuesday, November 2nd, jointly with the Warrant Committee and the Board of Selectmen.

The Board will request $50,000 for a CADD system.

The Board will consider the possibility of requesting a line item for legal counsel since some of such expenses will be coming out of the Planning Board budget. This is an added expense that has not been practice in the past.

Mobile Excavating

VOTED unanimously to request the Building Inspector to check the site on West Mill Street since neith the paving or a detention pond have been completed as according to plan.

State Hospital Reuse Committee

Mr. Rhuda stated he will be calling another meeting in the middle of November. The committee is looking into the possibility of getting the state hospital property declared an historic district.

Long Rang Planning Committee

The Board will be meeting with the LRPC on November 8th. At that time they will be interested in establishing direction.

Democratic Town Committee

The Board read a letter from members of the Democratic Town Committee relevant to a meeting November 18th at 7:30 P.M. hosted by that Committee. Such meeting is set to provide a public forum to discuss development in Medfield. Mr. Gagliani and Mr. Cerel will participate as representatives of the Planning Board..

OLD BUSINESS

Dela Park Acres

Mr. Cerel excused himself from the meeting since he is involved with a law suit against Mr. Delapa on other matters.

PLANNING BOARD
OCTOBER 25, 1993

The Board considered plans presented the previous week by Mr. Delapa and expressed concerns regarding changes that have taken place at that development since the Board signed the plans.

VOTED unanimously to send a letter to Mr. Dela Delapa to inform him of the requirements of the Board with regard to Wampatuck (Dela Park Acres) Subdivision. The letter shall include the following:

Due to the poor quality of the Wampatuck Subdivision plans submitted to the Board, as well as changes made to the plans, the Board must require you to submit a new set of mylars and seven copies as required in the "Land Subdivision Rules and Regulations of the Planning Board of the TOWN OF MEDFIELD, MASSACHUSETTS", Section 4.2.1.a.

1. Such new submission should be labelled as a modification.

2. All information considered as required in the subdivision, i.e. sewer, shall be incorporated onto the proper sheets.

3. The modification plans shall contain signature blocks for both the Planning Board and the Water and Sewerage Commission.

4. These plans shall also have a current Registered Professional Engineers stamp on each of the appropriate pages.

5. Changes that were discussed at the Monday, October 18th, Planning Board meeting shall be added to this plan.

6. Other documentation which is required as discussed on that night shall be submitted to the Board for review.
Upon receipt of the mylars and copies the Board will submit them to Whitman and Howard, for review and then acceptability by the Board. The fee for this review will be $800. To expidite this review the Board must have the original signed mylars. sp

The Board will be pleased to meet with you during its regularly scheduled meetings to discuss this matter. Please call the Planning Board Administrator any Thursday before noon to obtain an appointment.

The above with be copied to the Water and Sewer Commission, Board of Health, Board of Selectmen, Conservation Commission and George Kretas of DEP.

The Board will also return Mr. Delapa's payment of $1400 for inspection for the purpose of setting surety.

The meeting was adjourned at 10:50 p.m.

Respectfully submitted

Paul B. Rhuda, Secretary

PLANNING BOARD
NOVEMBER 1, 1993

Present: Margaret E. Bancroft, Mark G. Cerel, John K. Gagliani, David E. Sharff. Absent: Paul B. Rhuda.

BRIDLEMERE SUBDIVISION

Present: Gary Werden, Sunpath Designs, Inc.

The Board reviewed the status of subject subdivision for the purpose of setting surety and releasing lots. It signed the covenant which Mr. Werden will file in the Norfolk Registry of Deeds November 2nd and return a stamped copy to the Board before the Release of Lots can be issued.

Mr. Werden submitted the covenant to the Board for signature.

VOTED three members in the affirmative and one abstention to sign the covenant for Bridlemere Subdivision. Mr. Sharff did not vote since he was not on the Board when the subdivision was reviewed.

Mr. Werden stated that he has planted trees around the cul-de-sac outside the easement. The trees are mostly maples with a few oak. The Board expressed concern that money be with held for trees in the event they do not survive. The developer noted the trees are guaranteed for one year. Mr. Durocher, 8 Haven Road, stated that with the new development the tree line does not run evenly. Mr. Werden replied he would plant a tree in front of that house to improve the line.

The Board discussed the sidewalk. Mr. Durocher stated that he lives in the last house before the development. Part of his property has a sidewalk in front and another 20 feet does not. He asked if the sidewalk could either be brought to his driveway or completely taken out so that it is consistent in front of his home. Mr. Werden stated he would bring the sidewalk to the Durocher's driveway.

Easements are needed for lots 4 and 5. These lots will not be released until such easements have been approved by the Board and properly recorded.

Mr. Werden stated he preferred to do as builts now, before the top pavement is in, because he can be sure it has been done properly while the contractor is available to correct any deficiencies. The permanent markers are not in place yet. The Board preferred as builts to be done later since they must also show the final grade.

After review of the construction card signed by Superintendent Feeney the Board agreed to set surety but will require an inspection be made by Whitman and Howard before surety will be reduced.

VOTED unanimously to set surety in the amount of $82,000 for the Bridlemere Subdivision.

VOTED unanimously to release lots 1, 2, 3, and 6 in the Bridlemere Subdivision subject to the receipt of a stamped copy of the covenant

filed in the Norfolk Registry of Deeds in Dedham.

FRANCES CAFE PARKING

Present: Moe Azargoon

Mr. Azargoon explained that the parking lot, as currently designed, is not working out. Cars are getting trapped. He asked to be allowed a third cut into the lot. The Board pointed out that was not consistent with the recommendations of the Police and Fire Chiefs. The Board stated the lot needed to be restriped including one way arrows to facilitate the flow of traffic, something that has not been done following approval of the plan. A friend of Mr. Azargoon stated he does parking lots and made suggetions for changes which he will do. Chairman Gagliani will review the site and sign off when the work is completed.

COPPERWOOD ROAD

Present: Osler L. Peterson

Mr. Peterson asked the status of Copperwood Road with respect to acceptance at Town Meeting.

Work still needs to be completed. The access road to the industrial land has been completed. The detention pond is more than adequate for Copperwood Road however the Board still needs to see a copy of the easement.

Mr. Peterson reported that there are cracks in the road that need to be filled and a curb cut that is unused should be closed.

VOTED unanimously, as a first step, to send a letter of inquiry to Mr. Basile regarding the status of work on Copperwood Road.

If there is no response to this letter the Board will consider calling in the bond.

OLD BUSINESS

Pine Street

The Board will include the new layout of Pine Street in its consideration of roads to be accepted at next town meeting.

Grist Mill Pond Estates

The Board will require an inspection by Whitman and Howard before surety will be reduced at subject subdivision.

PLANNING BOARD
NOVEMBER 1, 1993

Dela Park Acres Mr. Perel absented himself.

Mr. Gagliani reported that Mr. Delapa met with him in the Planning Board office to discuss the Boards letter. He will comply with the requests of the Board outlined in that letter dated October 27th.

The Board will retain a set of plans (pages 12 of 20 through 20 of 20) submitted by Mr. Delapa for signature. It will give him a set of copies of these same plans which the Board had made at its own expense.

NEW BUSINESS

The Board noted a letter dated October 18, 1993 which the Water & Sewer Commission sent to Neil McLaughlin regarding Great Pond Brook Acres water extension.

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Margaret E. Bancroft, Secretary Protem

PLANNING BOARD
JANUARY 31, 1994

Present: John K. Gagliani, Mark G. Cerel, Paul B. Rhuda, Margaret E. Bancroft, and David E. Sharff.

ERIK ROAD EXTENSION – PRELIMENARY PLAN

Present: Edward Musto, applicant; Peter Smith, engineer from Ernest W. Branch, Inc.

Mr. Smith presented an 8-lot preliminary subdivision plan with Erik Road extending 472 feet beyond its current end. This would be 629 feet from the intersection of Erik Road with Partridge Road. The plan shows wetland vegetation as well as Vine Brook. This is an RS zoning district with a minimum of 20,000 sq.ft. lots with 18,000 sq.ft. minimum contiguous upland. Most of the lots are greater than 20,000 sq.ft. They propose to fill in less than 5000 sq.ft. They propose common driveways with houses in the rear of the lots. There will be work in the Watershed Protection District which will require an application to the Zoning Board of Appeals. They will create extra runoff. They will be filling flood storage area around the wetland. They plan replication and compensation storage areas. They will create a couple of siltation basins to take care of the street runoff. The Watershed Protection District is shown as 25 feet off the wetland flags. The area drains a watershed area of about 154 acres. There are numerous ponds that run into the area. There is a 3X8' culvert that will handle the 100-year storm. They will be crossing a large area of wetland so it may be better to put in two culverts to spread out the water. They would extend the ROW, sewer, and water back to the Colwell property. The ROW is where the existing cart path is located.

Chairman Gagliani reviewed the Whitman & Howard report dated January 27, 1993 (sic). They are seeking a waiver for length of culdesac. They are aware that they must go to the Zoning Board of Appeals for work in the Watershed Protection District. The report expresses concern: "A major item of concern is the effect that the construction and future use of this subdivision will have on the wetlands and brook." The report suggested a joint meeting with the Planning Board and Conservation Commission. It also states: "The detention basins appear to be too small to handle the 100 year storm."

Mr. Smith said they met with the Conservation Commission in a preliminary meeting but did not have any definite answers.

Chairman Gagliani said he would like input from the Conservation Commission. He noted that there are three wetland crossings.

Mrs. Bancroft questioned how high the water table is.

Mr. Smith said he did not know at this time. He said the elevation of the proposed road where it crosses the wetland is 219.90. The brook is 1 ½ feet lower. There is only 6" maximum in the brook, "only a trickle." Mr. Smith said they could raise the road.

Chairman Gagliani said they would need to certify the water table for the definitive plan.

Mr. Smith said they have four foot walls along the roadway to cut down on slopes and to keep the disturbance of the wetland down. The common driveways run through the lots. The owners will have an easement to cross over the land. It is not possible to center the driveways on the lot line.

Chairman Gagliani expressed concern for adequate access over the frontage of lots.

Mr. Musto said there is adequate access. They are just trying to minimize crossings.

Mr. Cerel pointed out that both the front lot line definition and the street definition require "practical access."

Mr. Rhuda stated there are too many lots for this piece of land.

Mr. Cerel said they cannot use a right of way over another lot if the cannot provide it from frontage on a lot. This is a matter of definition and case law from appeals.

Mrs. Bancroft said they would have to be able to provide primary access from the front lot line.

Mr. Cerel said they need an alternate design.

Chairman Gagliani said the Board needed to sit down with the Conservation Commission. They will see if they can meet the Thursday of the following week. He continued stating he had a problem the way frontage is being defined. The primary access should be the front lot line. We will meet with Conservation Commission. Next Monday we will continue the meeting at 8:15 p.m.

Mr. Cerel expressed concern for the extent of development on this lot in light of the fairly significant wetland. Primarily wetland jurisdiction lies with the Conservation Commission, thus the Board needs to know from the Conservation Commission what portions of these lots would be deemed unbuildable and then go from there to see of what is remaining what makes sense, if anything. The construction would still involve the ZBA at some point.

An unidentified abutter noted that Mr. Smith said that water is running through the culvert 6" from the top of the culvert. All these issues should be handled way before another phase. Many builders have looked at this project and have walked away from it.

Chairman Gagliani explained this is a preliminary plan. If a definitive plan is filed, more information will be required. He stated it is not possible to connect through to route 109.

This concludes the discussion of Erik Road.

PLANNING BOARD
FEBRUARY 7, 1994

Present: John K. Gagliani, Mark G. Cerel, Paul B. Rhuda, Margaret E. Bancroft, and David E. Sharff.

ERIK ROAD EXTENSION – PRELIMENARY PLAN

Present: Edward Musto, applicant; Peter Smith, engineer from Ernest W. Branch, Inc.

Chairman Gagliani said we met with the Conservation Commission and came to the conclusion that there needed to be a reduction in the number of lots to 3, possibly 4 lots.

Mr. Smith showed a new 8-lot plan that would still require a waiver for length of culdesac. With this plan they can bend the road. He then showed a plan with the road layout with 500 feet extension (from Partridge Road) showing 7 lots.

Chairman Gagliani asked where the plan that they talked about with the Conservation Commission.

Mr. Smith said this is the new proposal.

Chairman Gagliani said we had an understanding at the Conservation Commission meeting that you would reduce the number of lots and the amount of impact on the wetland. This is still showing the same amount of lots. He stated he walked the area and saw the extensive wetland area there. We had an agreement that we would do the best we can not to impact those wetlands.

Mr. Cerel said we came out of the Conservation Commission meeting with an understanding of all parties that the consensus was that we were looking at 3-4 lots.

Mr. Musto disputed that statement.

Chairman Gagliani said we came out with no more than four lots. The reason for that was the extensive wetlands down there. Conservation and this Board has concerns about this from an environmental issue. This Board looks at the quality of the subdivision and the quality of the environment. There are many wetland crossings.

Mr. Musto said it is not appropriate to cut the number of lots in half. He said he had questions regarding Flint Locke extension, which is a 1500-foot road and within 400 feet of his proposed road in length. He said he did not feel the Board was going to waiver the 500-foot maximum length of a dead end road.

Mr. Cerel said this is not the plan that was even submitted as a preliminary plan. We should go back to that and consider that on its merits. He stated he would be prepared to deny that "on its face" tonight and then let the gentleman do whatever he wants to do. They are not legally entitled to anything at this point. You cannot be shooting in different proposals.

Mr. Musto said to put the original submittal back on the board.

Chairman Gagliani asked if we had a decision from the Board of Health yet.

Secretary Matczak said the forty-five days are not up yet.

Mr. Cerel said the Board could just close the hearing and wait for the BOH decision.

Mr. Musto said he just wanted to be treated fairly. He wanted what he is legally entitled to – not one lot more, not one lot less.

Mr. Cerel pointed out that right now he is not legally entitled to anything because the plans do not comply with our rules and regs.

Mr. Musto said he has an attorney who could not be here this evening but will make it to future hearings.

Chairman Gagliani said the Conservation Commission and the Planning Board both have serious concerns about the plan.

Mr. Musto said the plan will work. "Our impact on the wetlands will be minimal if any at all."

Mr. Cerel said if they want to file another preliminary plan or a definitive plan we would be obligated to review. Conservation has a problem with getting even four lots out of it.

Mr. Musto said he felt they could make seven lots work. "All I want is what I am due and nothing more." He said that there would be some negotiating, some waivers granted. "I am not interested in waivers." He talked with his attorney and they comply with the rules and regs. He asked the Board to vote.

Chairman Gagliani said he would not vote until he received a letter from the Board of Health. Such a letter is due by the 24th.

Mr. Cerel said this is not an informal concept, this is a preliminary plan, which is what is before the Board for consideration.

Chairman Gagliani said the Board is here to work with the applicant and the abutters but we thought we had an agreement about changes but we see a turn around with your thoughts of this plan. The offset on the culdesac needs to go the other way. He is reluctant to grant waivers because of the impact on the wetland.

Mr. Musto questioned drainage from other subdivisions.

Chairman Gagliani told Mr. Musto the Board is not here to discuss other subdivisions but to discuss his subdivision. The Board looks at waivers specific to the subdivision before it. The preliminary process allows the Board and the developer to look at the plan and make recommendations. He will accept the modified plan to review.

Mr. Musto said they are proposing 7 lots with a culdesac, which from the intersection of Partridge Road in is not more than 500 feet. All the lots meet the frontage requirements and perfect square requirements. The construction of the roadway will comply with the Medfield rules and regulations and it is opinion that this plan will satisfy the preliminary process.

Mr. Cerel pointed out that three of the lots do not meet the practical frontage requirements.

Chairman Gagliani asked how he planned on satisfying that part of the frontage requirement regarding access.

Mr. Musto said all seven lots would have their access from the frontage on the road.

Mr. Smith said they will require permission from the Conservation Commission.

Chairman Gagliani pointed out they possibly need five crossings from the Conservation Commission.

Mr. Musto said he could possibly reduce that to three crossings.

Mr. Smith said they will replicate. Some of the disturbance would be cut down by the retaining wall. They can reduce the slope and maintain the 5,000 sq.ft. replication. They are trying to avoid driveways on the side closest to the abutter. He said he had not done the calculation for the drain and was not sure he could.

Chairman Gagliani said the amount of water put into a system cannot leave the site.

Mr. Smith said they needed to put in a culvert.

Chairman Gagliani expressed concern that DEP is not receptive to controlled structures in streams. He further questioned that the detention/retention system must be outside the wetland. The BOH requires that the first flush must be held on site. He questioned that the wetland line came up to the lot line of w lots on the plan.

Mr. Musto said the wetland line was already flagged. It just can't be seen because of the snow.

Chairman Gagliani said they need to get the botanist and the Conservation Commission to agree on a wetland line.

Mr. Cerel said there is a question of a vernal pool on the site. Also, the fact that they need Conservation Commission approval to cross a wetland to get to individual lots is not deemed acceptable.

Mr. Musto argued that it was.

Mr. Cerel and Mrs. Bancroft said there is case law that says it is not acceptable.

Chairman Gagliani said he is reluctant to make a decision at this time because there is inadequate information. They cannot use this plan for drainage. He questions the detention system.

Mr. Smith said they would have to raise the road.

Chairman Gagliani advised them to talk with the Conservation Commission before the definitive process to see what they will allow.

Mr. Cerel advised that they talk with the Board of Health as well.

Mr. Smith said they must also go to the Zoning Board of Appeals.

Mr. Musto said that, in terms of the Watershed Protection District, they can satisfy. If it doesn't work for seven lots, then they will revise.

Abutters expressed concern for flow of water downstream to Hinkley Pond.

Chairman Gagliani said that the water quality control is a concern of the Conservation Commission as well as the Board of Health. He said they could ask to withdraw without prejudice.

Mr. Cerel advised that the statute is silent about withdrawal. If the Board wanted to stick to the statute, it should either approve or deny the plan.

There was discussion about an emergency access easement. Chairman Gagliani said it would not be a right of way but a grassed over easement to allow emergency vehicles to pass over. He said they would discuss it further when they come in with a definitive plan.

This concluded the discussion of Erik Road.

PLANNING BOARD
FEBRUARY 14, 1994

Present: John K. Gagliani, Mark G. Cerel, Paul B. Rhuda, Margaret E. Bancroft, and David E. Sharff

ERIK ROAD EXTENSION – PRELIMINARY PLAN

Present: Edward Musto; Peter Smith, engineer from Ernest W. Branch, Inc.

Mr. Smith said he has a four-lot subdivision. He tried a five-lot plan but the calculations did not work. He stated that this is the plan for the Board to act on. The five-lot would require coming across the dam and the drainage did not work. They shortened the road so it does not cross the brook. They are showing a 50-foot right of way. The lots have 96 feet of frontage with 120 feet of width at setback. The perfect square will fit in all the lots. There is a 30-foot wide ROW/utility easement between lots 3 and 4 to allow for emergency access. He showed the approximate location of the houses. There will be 19.6 feet to span the wetland with culvert. They will do compensatory storage. The plan shows common drive with 12 feet on each side of the lot line. They are proposing a partially paved gravel drive for better drainage. There will be a hydrant within 500 feet of the houses. They do not want to come over the existing pipe. They would like a waiver for the slope to 3:1 on lot 2 as shown on the plan.

Mr. Rhuda questioned if they were planting the center of the circle drive.

Chairman Gagliani said they should check with the Fire Chief to see if he can get a ladder truck around such an island.

Mr. Smith said they would bring water and sewer through the 30-foot right of way. The area in front of lot 4 would be for drainage but would not satisfy the 100 year storm. There are other smaller areas for drainage. The houses will be on the higher areas of the lots.

Chairman Gagliani questioned paved driveways saying that gravel ones would be less impervious area to the site.

Mr. Musto said that would not be a problem.

Mr. Smith said the common drive and the ROW share the same area.

Mr. Cerel stated that they would need a wide enough easement for emergency vehicles.

Chairman Gagliani expressed concern for the size of the driveways given the topography and wetland.

Mr. Cerel questioned how we would proceed now given the need for Board of Health to see the new plan.

Mr. Smith said they need to submit the plan to the Board of Health.

Mr. Cerel said they could request to extend the time in which the Board has to make a decision and waive the right to a decision within 45 days

VOTED unanimously to allow an extension of time in which to make a decision on the Erik Road preliminary plan.

Mary Gately, 31 Partridge Road, questioned the length of culdesac.

Mr. Smith said it is 215 feet with a 1% elevation. They need to do tests for a siltation basin.

Mr. Tascione, 27 Partridge Road, questioned the detention/retention basin.

Mr. Smith said the water would run into the brook. The basin would be 2-2 ½ feet deep.

Chairman Gagliani said the Planning Board requirements are no deeper than 2 ½ feet. They will review it with the engineer and it will drain. A detention/retention system does retain water several hours but then the water does drain out.

Mr. Smith said there will be a pipe and outlet structure that will work.

Mr. Rhuda noted that the bottom of the basin is at elevation 216.

Mr. Gately expressed concern that there would be increased water coming onto his property.

Chairman Gagliani said that at the definitive level they are required to show greater drainage runoff, including if there were any onto his property.

Mr. Smith said they still need to borings. He expected the sewer would go 10 feet down.

Mr. Garrity, 19 Partridge Road, questioned the drainage easements in the back of the property because there is already water there. He was concerned how may increase with development and the effect that it would have on the swim pond.

Chairman Gagliani said the Board of Health does not allow additional runoff.

Mr. Musto said it could be possible to use gallies to collect off the houses and absorb on site.

Mr. Smith asked for clarification of what the town wanted on the path going to Colwell's property.

Chairman Gagliani said they were looking for an easement that would allow emergency vehicle access only, not a paved way. This would also allow for the water to loop and a

pedestrian access. It cannot be turned into a roadway. It would strictly be emergency access over private property.

The hearing will be continued to February 28, 1994.

Mr. Musto said he would like to have the project done within a year. He would like to get the infrastructure done by winter. He estimated the houses would sell in the $400,000 range. They would be large homes.

Rosalee Kelleher, 19 Erik Road, questioned how much blasting would be necessary.

Mr. Musto said he did not know yet.

Mr. Smith said they may have to blast for the houses.

This concludes the Erik Road portion of the meeting.

PLANNING BOARD
FEBRUARY 28, 1994

Present: John K. Gagliani, Mark G. Cerel, Paul B. Rhuda, Margaret E. Bancroft, and David E. Sharff

ERIK ROAD EXTENSION – PRELIMINARY PLAN

Present: Edward Musto; Peter Smith, engineer from Ernest W. Branch, Inc.

Mr. Smith questioned how the 30-foot ROW easement should be done.

Chairman Gagliani said it needs 12" of gravel with 4" of grass on top. He told him to show that on a separate sheet for the definitive plan.

Mr. Smith showed simple profiles of the detention basin. He stated it would be a wet bottom otherwise the flush would be too fast.

Chairman Gagliani said the bottom of the pond should be dry at the end of a storm as is required for mosquito control and safety.

Mr. Smith said they are handling water by creating ponding areas on the high land that are necessary to maintain runoff. He showed an area of compensatory storage to make up where they will need to fill.

Chairman Gagliani questioned the need for a deed restriction so that a new owner would not change. He also questioned the reserve capacity in Erik Road.

Mr. Smith said he doubted if there would be much for the 100 year storm. He stated there would be oil and grease traps in catch basins. He questioned the idea of the island (15ft.) in the center of the road. He said they would need deed restrictions to keep ponds from being filled. They could put in drains in the ground to handle roof drains. Even with the detention pond there will still be some back up into the pipe.

Donna Cleary, 123 Green Street, questioned the ponding.

Mr. Smith said that when it rains, the ponds will collect wter and reduce the rate of runoff. The ponds may get as much as 3" deep and runoff for 6-8 hours.

Mrs. Cleary questioned lateral infiltration.

Mr. Smith said water would go sideways into the wetlands.

Mrs. Cleary questioned the need for the emergency access.

Chairman Gagliani explained that it was to answer concerns for safety and would be for emergency use only.

Mr. Musto asked what if there is 3 feet of snow.

Mr. Rhuda said it would only be used when passable and then only if there were no other way.

Mr. Musto asked what are the legal ramifications over the easement.

Chairman Gagliani said he would need to deal with his lawyer over that question.

Mr. Smith said they would ask for 3:1 slopes a long the detention pond also.

Mrs. Tascione questioned the safety factor of the detention basin.

Mr. Smith said the water level is at elevation 216. The brook is running at elevation 215. Erik Road is at elevation 219.7 at the end of the pavement. This would be rising at a 1% grade.

Mr. Tascione questioned keeping the 30" pipe and putting a road across it.

Mr. Smith said it would support a fire truck. He also said they would cross under the culvert with water and sewer pipes.

Mr. Tascione questioned if the pond where the kids skate is the same pond.

Chairman Gagliani said that pond is way back.

Mrs. Cleary questioned the emergency access easement and Chairman Gagliani explained again.

Chairman Gagliani questioned if they are meeting the minimum frontage. He also questioned bringing the pavement back and leave the layout where it is. He said they could bring the sidewalk to the first driveway. He thought they should try to decrease the amount of impervious surfaces.

Mr. Musto said they could use gravel for the culdesac.

Mr. Rhuda said that would not work. It must meet town specs.

Mr. Musto asked if the road could remain private.

Chairman Gagliani said they could keep it as a private road. The owner(s) would have to maintain it but they must still build to the town's specifications.

Mr. Tascione expressed concern about what would be left after the development. He said he is concerned for the "mess back there."

Chairman Gagliani explained.

Mr. Musto said he wanted to be consistent with the housing in the area.

Mr. Smith said the water and sewer would be brought into the driveway.

Chairman Gagliani asked if they had talked with the Water and Sewer Board.

Mr. Musto said the disposition was pending input from the Board of Health. He questioned if this concept would be acceptable to the Board of Health.

Chairman Gagliani said it would be unfair to make an opinion before the Board of Health. He thanked Mr. Musto for reducing the number of lots.

This concludes the Erik Road portion of the meeting.

PLANNING BOARD
MARCH 7, 1994

Present: John K. Gagliani, Mark G. Cerel, Paul B. Rhuda, Margaret E. Bancroft, and David E. Sharff.

OLD BUSINESS

Erik Road

VOTED unanimously to allow the applicant's request for extension of time in which the Board has to make a decision on the Erik Road Extension subdivision to April 23, 1994.

PLANNING BOARD
APRIL 11, 1994

Present: John K. Gagliani, Mark G. Cerel, Paul B. Rhuda, David E. Sharff, and David A. Franchi

OLD BUSINESS

Erik Road

VOTED unanimously to allow the applicant's request for extension of time in which the Board has to make a decision on the Erik Road Extension subdivision to May 13, 1994.

Green Acres Minutes

July 11, 1994

Present: John K. Gagliani, Paul Rhuda, David Franchi, David Sharff, and Stephen J. Browne

Also present: Ronald Kerr, Applicant, and Robert Salvetti, Engineer

Chairman Gagliani convened the public hearing with a reading of the legal notice and an explanation of the procedure for conducting the hearing.

Mr. Kerr explained that he would develop the property into 6 lots, one of which would be the existing house. Two of the new homes would be for members of the Economos' family that is the owner of the property. The houses would be around 2200 square feet in size. The road would be 450 feet long and paved to 26 feet with a sidewalk on one side. They need to take deep hole observation pits. The drainage would go back toward the detention pond in the back and toward wetlands. Sight distance is greater than 400 feet in the area. The proposed road would be gently rolling. There will not be any increase in runoff. The street will be close to the natural grade, thus maintaining the natural contour as much as possible.

Mr. Salvetti continued the presentation stating that the size of the lots are all within the required area for the location. The two lots at the end of the proposed street are large because they have wetland in the rear. Lot 4 has 20,784 square feet of dry land and Lot 3 has 37,120 square feet of dry land. There is an existing drain easement on the rear of lots 4, 5, and 6. The detention basin/pond is designed for a 25 year storm with an average depth of 1.5 feet. The deepest point is 2 feet. The wetland elevation for the site is 177.6.

Chairman Gagliani reviewed the Whitman and Howard report from the Board's engineer dated July 7, 1994 as follows.

1. The applicant will file with the Conservation Commission.
2. The applicant will do a Traffic Impact Statement.
3. The applicant will do an Environmental Impact Statement.
4. The engineer will add abutters names to the plan on the west side of Green Street.
5. The outline of the proposed ROW for the new street will be added to the locus plan.
6. Signature blocks for the other boards will be added to sheet 1 to include Conservation Commission, Board of Health and Water and Sewer in addition to the Planning Board.
7. They will show Vine Brook on the plan. It goes near the rear of the property. They will need a special permit from the Zoning Board of Appeals for the proposed detention basin and outfall pipe construction.
8. The street numbering is in accordance with the Town's street numbering.
9. The engineer will add the width of lot and perfect square to the lots.
10. They will add monuments at the two points where the intersection radii connect with the existing Green Street ROW.
11. The centerline grade profile will be darkened on sheet 3.

12. They will include the water line on sheet 2. It will be 6" unless the Water & Sewer department wants the 8". There is a 6" line on Green Street.
13. They will do observation holes every 100 feet to determine the depth of normal high groundwater within the street layout.
14. They will show that the topo on the plans is from an NGVD datum.
15. They will show the drain outfall pipe to the detention basin in the profile on sheet 3.
16. They will show the Bituminous Pavement detail on sheet 6 with the required 4 inches of Crushed Bank Gravel and number sheet 6.
17. They will provide a construction detail for the detention basin overflow weir.
18. They will provide soil borings at 100-foot intervals along the center line of the road.
19. Green Street does have a bituminous berm and they will show.
20. They will show the driveway openings on the plans per the report and place a note on the plan that states the driveway openings can not be changed without approval by the Board.
21. They will place a handicap ramp across from the driveway on Green Street. The sidewalk within the subdivision ends at the driveway on lot 3.
22. They have shown trees forty feet apart on the plan. However, trees cannot be within 20 feet of a driveway or hydrant. They will comply with the regulation.
23. They will add a catch basin on Green Street at the upstream side of the intersection radius.
24. They will review their calculations.
25. They will provide the computer input information to verify the detention basin calculations.

The Board took a 10 minute break to allow those present in the audience to view the plans.

Mr. Gagliani noted that the proposal for the roadway is 26 feet of pavement and since there are less than 10 houses they would be allowed to do 24 feet wide of pavement.

Mr. Salvetti said they are showing 24 feet of pavement.

There was a discussion regarding trees in the subdivision. Mr. Salvetti responded that the trees were listed on page 4 of the plans.

Mr. Gagliani noted the detention basin would be included in an easement and is from 20 feet from the street layout back.

Mr. Kerr asked, since there were only two electrical poles on such a short road Boston Edision would prefer to put the electrical service in overhead.

Chairman Gagliani responded "No" They need to underground.

Regarding the name for the street, Mr. Kerr said he would contact Mr. DeSorgher of the Committee to Study Memorials to seek a recommendation.

The Board has not received notice of approval from the Board of Health at this time.

There were no further questions from the Board. No other town boards were present to be heard. There were no questions from the public.

The Board will keep the hearing open for a couple of weeks.

The Board will make a site visit Saturday July 16th at 9:30 a.m.

The hearing was continued to August 22, 1994 at 8:00 p.m.

The meeting August 22, 1994 was cancelled and rescheduled to August 29th.

August 29, 1994

Present: John K. Gagliani, Paul Rhuda, David Franchi, and David Sharff
Absent: Stephen J. Browne

Also present: Ronald Kerr, Applicant, and Robert Salvetti, Engineer

Chairman Gagliani opened the continued hearing at approximately 8:00 p.m.

The Traffic Study was submitted.

Mr. Salvetti proposed the idea of an underground drainage system.

Mr. Gagliani explained that it was the decision of the Board two years prior not to ge along with underground drainage.

M. Kerr said the ground perk was 10 seconds. They thought the underground system would be maintenance free.

Mr. Gagliani said with underground systems problems are not recognized until too late.

Mr. Salvetti said he needs to do permeability tests in the middle of the detention pond. He did do the deep hole tests every 100 feet on the road and found water at 16 feet down. He will add necessary elevations to the plan. The Environmental Impact Statement is half done. He needs a little more information. The brook is at least 300 feet away.

Mr. Gagliani recommended Mr. Salvetti show the brook on the plans to be ready for the Conservation Commission.

Mr. Salvetti explained that the outfall pipes are better defined on the plan. He needs to work out the construction detail on the detention pond. He will carry the curb around. He has addressed the handicap ramp. The drainage is still left to work out. He asked the Board to continue the hearing until he could get the permeability tests.

Mr. Kerr said they need to know what it is that the Planning Board needs.

Chairman Gagliani added that we need to send the drainage calculations to our engineer.

The Board reviewed the Traffic Study of Rizzo Associates noting that the sight distance to the north is 455 feet and 555 feet to the south.

Chairman Gagliani said they need to know the point at which the distances were taken.

Mr. Kerr said he would find out how far back the car was when taking the readings.

The Traffic Study along with other changes made will be sent to Whitman & Howard.

Mr. Gagliani read the letter from Richard DeSorgher regarding street names and noted that the Board had determined before that it would keep veterans names for squares. He said he would call Mr. DeSorgher.

The hearing was continued to October 17th at 8:00 P.M.

There were a series of continued meetings without discussion as follows:

October 17, 1994

October 24, 1994

November 7, 1994

December 19, 1994

January 23, 1995

April 10, 1995

May 15, 1995

May 15, 1995

Present: Paul Rhuda, David Franchi, David Sharff, Stephen J. Browne, and George N. Lester

Also present: Ronald Kerr, Applicant, and Robert Salvetti, Engineer

Mr. Browne recused himself as an abutter, and Mr. Lester recused himself as he was not a member of the Board during the earlier discussions.

Mr. Kerr stated they now have Board of Health approval and do not need any waivers.

Mr. Salvetti added that they have satisfied the concerns of Whitman & Howard.

Chairman Rhuda reviewed the Whitman & Howard report.

Mr. Salvetti said the borings show water at least 15 feet deep. He added that the invert pipe of the detention basin is at elevation 178.9 and the outflow at 176. He said they have not added any runoff. The have added a compensatory area. Each lot has at least 20,000 square feet of dry land. The lot is heavily wooded and they will save as many trees as possible. There is very little grading required. They will leave existing trees in the ROW if they ar not in the way of the road.

The hearing was closed and the Board voted unanimously to approve the Green Acres Subdivision plan dated June 6, 1994 and last revised to March 17, 1995 drawn by Salvetti, Surveying and Engineering Assoc., Franklin, MA with no waivers requested and thus no waivers granted, that the name of the road, Earle Kerr Road, be placed on the plans, and that the conditions of all other town board's be met. All three members participating voting yes. (Messers Paul B. Rhuda, David E. Sharff, and David A. Franchi) Messers. Browne and Lester did not participate in the deliberation or vote.

PLANNING BOARD
MARCH 20, 1995

Present: John K. Gagliani, Paul B. Rhuda, David E. Sharff, David A. Franchi, and Stephen J. Browne

ERIK ROAD – DISCUSSION

Present: Edward Musto

Chairman Gagliani said the Board could not discuss his land outside the public hearing process.

This is the end of the discussion of Erik Road.

approved

PLANNING BOARD
APRIL 3, 1995

Present: David E. Sharff, David A. Franchi, Stephen J. Browne, George N. Lester; Town Counsel Mark G. Cerel

Absent: Paul B. Rhuda

REORGANIZATION

Mr. Browne moved and Mr. Lester seconded to reorganize the Board

VOTED to reorganize the Board with Paul B. Rhuda, Chairman; David E. Sharff, Vice-Chairman; David A. Franchi, Secretary; Stephen J. Browne and George N. Lester, members.

WOODRIDGE ESTATES PRELIMINARY SUBDIVISION

VOTED to grant an extension to May 26, 1995 for subject subdivision and reschedule the public meeting to May 8, 1995 as per a letter dated March 30, 1995 from the applicant.

STREETS FOR ACCEPTANCE AT TOWN MEETING

Planning Board Administrator Norma Cronin reported that Superintendent Feeney stated he did not have any structural problems with any of up for acceptance at Town Meeting.

Town Counsel Cerel reported that there was no legal reason not to accept Hickory Drive, Pondview Avenue, Stuart Street, and Plantation Road. He needs confirmatory deeds and easements for Tubwreck Drive to be ready. Appropriate acceptance plans were not provided for Powderhouse Road and thus not able to be accepted.

VOTED to recommend acceptance at Town Meeting of Hickory Drive, Pondview Avenue, Stuart Street, and Plantation Road. (Mr. Lester abstained from Plantation Road since he was not familiar with the road.)

VOTED to recommend acceptance at Town Meeting of Tubwreck Drive if confirmatory deeds and easements acceptable to Town Counsel are submitted by Tuesday, April 10, 1995 to the Selectmen's office.

VOTED to recommend dismissal of Powderhouse Road at Town Meeting since the appropriate plans were not submitted.

PLANNING BOARD
APRIL 3, 1995

ARTICLES FOR TOWN MEETING

The Board will review said articles at the meeting next week and make recommendations at that time.

STREET SIGNS AT KETTLE POND AND COLE DRIVE

Planning Board Administrator Norma Cronin reported she received a complaint from a resident of Kettle Pond Way concerned about safety since these signs are missing.

VOTED unanimously to send a letter to the developer (certified mail return receipt requested) that the street signs must be up by 12 noon on Friday, April 7, 1995.

ANNUAL REGIONAL PLANNING BOARD MEETING

All members will be attending subject meeting in Stoughton on May 4, 1995.

VOUCHERS

VOTED unanimously to pay vouchers in the amount of $223.92.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

David A. Franchi
Secretary

Approved

PLANNING BOARD
APRIL 10, 1995

Present: Paul B. Rhuda, David E. Sharff, David A. Franchi, and Stephen J. Browne
Also present: Town Counsel Cerel

Absent from the Board: George N. Lester was in attendance at the meeting but did not sit as a member of the Board. Mr. Lester was not a member when the public hearing on the Woodcliff Hills Subdivision began.

Meeting convened at approximately 7:35 p.m. by Chairman Paul B. Rhuda.

STREET ACCEPTANCE PLANS

In accord with the Board's vote of April 3, 1995 to recommend acceptance at Town Meeting, the Board signed the following street acceptance plans:

Hickory Drive from Station 13+48.98 to 20+36.63
Plantation Road from Station 0+00 to 5+00
Pondview Avenue from Station 0+00 to 15.09.83
Stuart Street from Station 0+00 to 25+23.72

Tubwreck Drive from Station 0+00 to 13+16.94 was not available for signing. The Board previously recommended acceptance upon receipt of deeds and easements in a form acceptable to Town Counsel. Members will sign at the office.

151 MAIN STREET - RELEASE OF LOT

Scott Colwell explained that the lot at 151 Main Street previously showed on Land Court Plan #17337-N as lot 78. The lot was then broken out as an ANR lot but does need to be released from covenant to satisfy the Land Court.

VOTED to release said lot.

VOUCHERS

VOTED to pay vouchers in the amount of $969.08

EXTENSIONS

VOTED to grant an extension for time in which to make a decision on Green Acres Definitive Subdivision to May 26, 1995.

VOTED to grant an extension for time in which to make a decision on Highland Noll Definitive Subdivision to May 26, 1995.

ARTICLES FOR TOWN MEETING

Members were assigned the following articles for discussion at town meeting:

Paul Rhuda - Article 28 - Frontage; Article 30 - Lot Line, Front; Article 34 - wetland/slope

David Sharff - Article 31 - Use, Accessory; Article 33 - setbacks

David Franchi - Article 32 - Maximum Lot Coverage; Article 35 - Definitions

Stephen Browne - Article 29 - Lot Depth

CHAIRMAN'S ORGANIZATION OF RESPONSIBILITIES

David Franchi will review Bylaws and Subrules for revision of construction details.

David Sharff will review design criteria for pumping stations as well as criteria for landscape plans for subdivisions.

Stephen Browne will review ideas on changes for subdivision control and zoning change.

WOODCLIFF HILLS DEFINITIVE SUBDIVISION HEARING (cont.)

Chairman Rhuda explained that the school department requires that we must be out of the building by 10:30 p.m. thus the hearing will end approximately 10:15 p.m. He set forth policy for the hearing. He also advised that Chief Hurley had taken aerial slides of the town which included this development .

Mr. Rhuda, speaking for himself, stated that since he came on the Board three years ago it has not been his wish to have a road connection through this subdivision to route 109 and he would tend to keep that promise.

The Chairman stated that Mr. Browne has an indication of conflict of interest and has asked the State Ethics Commission for a decision. Mr. Browne has not heard from the Commission. Mr. Browne's dilemma is to decide if he should excuse himself or delay the meeting.

Chairman Rhuda indicated that his preference move forward with the meeting. He stated that he believes three members can sit and move forward. All three would need to vote to approval for the plan. He recommended that the Board go forward and asked for input from the Board.

Mr. Browne stated he wanted to go forward. However, he explained he had heard that there is a claim against him with the State Ethics Commission but has not been able to confirm that. He has asked for a Pro Spective. He expressed concern that, if the Board went forward and he stepped

out of the meeting, he would not be able to step back in if the Ethics Commission later found that he did not have a conflict.

George Lester, as a private citizen, was concerned that, if Mr. Browne participated, it could create an appealable situation and, if he takes himself out of the hearing, he cannot participate even if the Ethics Commission finds he does not have a conflict.

David Sharff shared the same concern as Mr. Lester and felt the situation could potentially "muddle" the hearing.

David Franchi asked Mr. Browne if the problem is because he is a direct abutter.

Mr. Browne responded that he is not a direct abutter. He does not know what the conflict is but presumably that is what is the issue.

Richard Gallogly, attorney for the applicant, stated he did not have a problem with Mr. Browne sitting. However, he could not say what the result would be.

In response to a question from the chair as to whether or not the whole process would be tainted if Mr. Browne sat and then later removed himself, Town Counsel responded that the conflict of interest is not related to subdivision control.

Mr. Browne stated that the advice he was given by his lawyer and the State Ethics Commission is to excuse himself if the hearing is not continued (to another date).

Mr. Gallogly questioned if Mr. Browne was stating that the State Ethics Commission advised him to have the hearing continued.

Mr. Browne stated there advice would be not to participate in the hearing until they gave the proseptive and advisory opinion. He said they would give that in about two weeks.

Town Counsel advised that the liability of Mr. Browne's sitting is strictly his own and not the Board's. If there is a violation, it would be of the Conflict of Interest Law and not any planning laws.

Chairman Rhuda asked for the Board's opinion. He restated his desire to go forward.

David Franchi expressed his desire to go forward. It would be up to Mr. Browne to use his own good sense and step down.

David Sharff questioned if there was a way to limit the hearing to information gathering.

Town Counsel responded that the liability problem that would exist would be Mr. Browne's alone. With respect to a member missing a meeting due to sickness, Mr. Cerel stated he was not familiar with any decision beyond a single night and it is not clear where the member would stand.

Chairman Rhuda asked, if Mr. Browne stepped down but was in attendance at the meeting, and if the State Ethics Commission found he did not have a conflict, could he step back on the Board.

Mr. Gallogly responded that he would not be able to return.

David Sharff was concerned that it would make the deliberation process more difficult and put added pressure on the three remaining members.

In response to a question from the audience as to what would happen were the Board to get down to two members, Mr. Gallogly responded there would not be a quorum.

David Sharff did not want to risk Mr. Browne's position and preferred to delay the hearing.

The hearing will be continued to Thursday, May 11, 1995 at 8:00 p.m. in the same place and with microphones. This is subject to approval of the School Department since the Planning Board must request the use of the room from them.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

David A. Franchi
Secretary

Approved

PLANNING BOARD
APRIL 27, 1995

Present: Paul B. Rhuda, David E. Sharff, David A. Franchi, Stephen J. Browne, and George N. Lester

NYE SUBDIVISION

Present: William J. Piersiak

Mr. Piersiak has a purchase and sale agreement to develop the Nye Subdivision. The existing farmhouse must be moved in order to comply with zoning. The barn also needs to be torn down. He would like to keep Main Street as is. It would be necessary to move the proposed sidewalk or possibly consider a common driveway where the drive currently is in order to do this.

The Board would consider a modification of the plan in keeping with the character of the area. The changes could reduce the impervious surface, possibly allow a 30 foot ROW and return the farmhouse to a single family status. The Chairman will discuss with Town Counsel.

WILLOW BEND ESTATES

Present: Joseph D. Giovinazzo, engineer from GCG Associates; Richard J. Gallogly, attorney from Rackemann, Sawyer, and Brewster; Scott Cimeno, developer.

Mr. Giovinazzo presented the subdivision and stated that the property is located adjacent to the Southern Acres Subdivision connected through Monks Way.

- The 12.5 acres are divided into 6 lots with the existing house on lot 1.
- The roadway within the subdivision is 330 feet with a 50 ft. ROW and 24 feet of pavement. From Loeffler Lane, Monks Way is 543.49 feet.
- The maximum elevation is 208 feet and the minimum elevation is 180 feet. However the elevation at South Street is given as 172 feet.
- Water is provided by an 8 inch main which dead ends at the culdesac.
- The sewer is 1100 feet of 8 inch gravity out to South Street. It is not possible to do gravity sewer over Monks Way.
- The majority of the site flows backward. They did create a small elevation of the centerline so drainage would go back. The drainage system consists of 4 catch basins, 2 at the start of the road and 2 at the end of the culdesac. There is a drain line to the detention pond which then drains another 50 feet to the adjacent Homestead Brook. They attempted to follow the existing drainage patterns.
- Haybales and silt fencing will remain in place so long as the wetland is effected. The wetland lines were surveyed by his office but not with the Conservation Commission.
- In the back of the property is a Shell Oil easement.
- They would be requesting a waiver for the length of culdesac (excess 43.5 feet). They do not have control over the initial 210 feet of Monks Way. The Planning Board does hold a bond from Carruth Capital Corporation for Monks Way. This is not a public way and there is some question as to whether the town can force Carruth to develop the road. The developers of Willow Bend do not have any agreement with Carruth.

Attorney Gallogly expressed the opinion that the developer (Carruth) was required to build to the property line.

The slope off the end of the culdesac is approximately 3:1. which they will make 4:1 to comply with requirements.

A roadway shortened to 500 feet would mean one less lot.

Mr. Browne asked that they show a no-waiver plan and explain why it would be in the best interest of the public to grant waivers. Mr. Giovinazzo said he would take a closer look at the public interest.

The detention pond is approximately 50 x 70 feet and 3-4 feet deep and could be made to look like it blends into the surroundings. It will be loamed and seeded. Water would be retained only during a significant storm. It may be possible to pull back the detention basin.

The developer expects to clear as little as possible. Since sewer is proposed, it will not be necessary to clear for septic systems.

Mr. Cimeno stated he would make the road 500 feet with the proper offset. While they cannot drain into Southern Acres without an easement from Carruth Capital Corporation, it doesn't look as if it is do able. They need to maintain the existing flow.

Mr. Richard McCullough, 9 Granite Street, expressed three concerns: the location of the detention pond; filters for the street drains because of the oil; the size of the detention area.

Chairman Rhuda explained that previous boards had not allowed oil separators. The Superintendent of Public Works did not like the maintenance. The Board will look into possible changes. The detention pond is not allowed to be greater than 2 1/2 feet deep.

Alicia Lahey, 11 Granite Street, expressed her concern since the detention basin on Southern Acres does have water in it for a couple of days. Chris Egan from Southern Acres explained they are working on it and it will be as designed. This was part of temporary measures required by the Conservation Commission. She further expressed her worry about children in the area.

The Board asked that the developer talk with the Conservation Agent soon to establish wetland line.

Mrs. Meehan, 13 Granite Street, stated her concerns were the same as those previously expressed. In addition, she is concerned about the possibility of her property value being reduced by the presenct of the detention basin in her backyard. She also questioned the need to perk the land to determine the water table. She then noted that the developer's engineer described the boundary of the property as including Granite Street.

Chairman Rhuda stated they would be required to do the tests to satisfy the Board of Health.

Mr. Giovinazzo explained he was only trying to locate the property for people. They do not have any plan to connect through to Granite Street.

Mr. Gallogly said they will take another look at possibly moving the road over more to get houses further away from the buffer zone and wetland.

Mr. Giovinazzo said they would look at the possibility of a 100 foot buffer along the back property line at the final design.

Mrs. Meehan asked about using dry wells instead of the detention ponds.

Chairman Rhuda responded that they get clogged and become a maintenance problem. Mr. Franchi added that this is a clay site and they would not work.

The possibility of reducing the size of the roadway was discussed. It could reduce the runoff. There could be a green area in the middle with a possible detention pond there to lessen size. The sidewalk could also be removed to reduce runoff. The developer will look into ways of reducing the runoff.

VOTED unanimously to grant an extension of the time in which the Board has to make a decision upon receipt of such letter of request to the date specified in that letter.

VOUCHERS

VOTED to pay vouchers in the amount of $969.08

OLD BUSINESS

Woodcliff Estates - Phase I

The Board reviewed the request to reduce surety for Woodcliff Estates, phase I - Pederzini Drive and Boyden Road. The developer's engineering reports indicated the structures were all right. Some berm needs to be removed and replaced. The sidewalk aprons need to be brought up to shim level.

Surety Requirement

VOTED unanimously to require as built plans and narratives explaining any differences from the approved plan for all subdivisions seeking either setting of or reduction of surety.

Southern Acres

The Board questioned whether the stonewall constructed was really a minor modification or not. It also is concerned about the improper size curbing that was used.

Miscellaneous

Chairman Rhuda asked Mr. Lester to review the Conservation Commission article which was defeated at town meeting with the intend of incorporating applicable portions in the Sub Rules.

Meeting adjourned at 10:45 p.m.

Respectfully submitted,

David A. Franchi
Secretary

PLANNING BOARD
MAY 22, 1995

Present: Paul B. Rhuda, David E. Sharff, David A. Franchi, Stephen J. Browne, and George N. Lester

ERIK ROAD – PRELIMINARY PLAN

Present: Edward Musto; Fred Pfischner, engineer from Pfischner Engineering

Mr. Musto started by stating that he had a parcel of land at the end of Erik Road and then introduced his engineer, Mr. Pfischner.

Mr. Pfischner said he has a preliminary plan showing 9 lots between Erik Road and Woodcliff Hills. The total area is 9.3 acres, one acre of which is labeled parcel A which is deeded to Mr. Musto from Mr. Colwell. The primary zoning district is RS with a minimum lot size of 20,000 sq.ft.

Mr. Musto added that parcel A is under agreement and said he does not have to show that tonight.

Chairman Rhuda said that if he has ownership of the property, he has a right to bring the plan. A purchase and sale agreement is not sufficient. The person selling the property must also sign on the application. The question was asked at previous hearings about agreement with Mr. Colwell and both the developer and his lawyer said there was no agreement.

Mr. Musto said he had his agreement with Mr. Colwell. He was assuming this would come before the Board before Town Meeting.

Mr. Browne said that if it was not in place before Town Meeting then it was not valid and thus not protected from zoning change.

Mr. Musto said it is part of a total package.

Chairman Rhuda said all parties must be shown on the plan.

Mr. Lester said the definition of applicant is as in the Sub Rules. This is an incomplete filing.

Chairman Rhuda said Mr. Musto cannot sign for the other portion unless Mr. Colwell also signed.

Mr. Musto said he has a zoning issue to comply.

Mr. Browne said the grandfather issue depends on proper filing.

Chairman Rhuda said he will go with Town Counsel Cerel's decision that requires we see documentation.

Mr. Musto said he does not have documentation here this evening and asked if we could continue with the meeting.

Mr. Lester said it is Mr. Musto's responsibility to comply.

Mr. Browne said if there is something in another subdivision, then Mr. Musto needs to make a change.

Mr. Musto said he can change the line.

Chairman Rhuda said it comes down to the proper filing of the application. He told Mr. Musto that it is filed under Mr. Musto's name, that you are only a portion of the land. He stated that he does not see anything that gives him the right to represent the other owner. He said the Board would not get into a discussion since he does not have control over all the property. The Board needs verification that the application is filled out properly.

Mr. Musto said he has a request for extension with him.

Mr. Lester said there must be a public agreement.

Mr. Musto said he has an agreement that is to be deeded off including easements.

Mr. Franchi moved that the Board extend discussion.

Mr. Musto said he filed soil test information with the Board of Health and the Conservation Commission. There are questions of test pits and borings.

Chairman Rhuda said the test pits would tell.

VOTED unanimously to extend the time in which the Board has to make a decision to June 30th. Said vote is without prejudice.

The meeting will be continued to June 26th at 8:45 p.m.

This concludes discussion of Erik Road.

PLANNING BOARD
JANUARY 29, 1996

Present: Paul B. Rhuda, David E. Sharff, and David A. Franchi
Absent: Stephen J. Browne and George N. Lester

HIGHLAND KNOLL

Present: David MacCready and Craig Rafter

The Board signed a previously voted Certificate of Release of Lots for lots 1 and 2 in subject subdivision.

TOWN PLANNER

Present: Members of the League of Women Voters

Erin Pastuszenski, principle speaker for the League, gave a brief history of the League's study leading to the consensus that a Town Planner would be beneficial to the Town. They came to the Board to see if it would sponsor an article for Town Meeting Warrant for a Town Planner. The League is "..ready, willing, and able," to work toward creating the position. They volunteered to hold informational meetings.

Chairman Rhuda expresssed concern for trying to get both the GIS system and a Town Planner passed at this year's Town Meeting.

Sandra Frigon stated the GIS will not be ready for this year.

David Sharff felt it would be helpful to have the Town Planner have input chosing the GIS.

The Board and the League discussed who the Town Planner should report to with the general consensus being the Planning Board and the Town Administrator. They agreed it is impossible to work for all of the boards and get much done. The Planner would provide the ability for clear, organized, professional understanding. The League has drawn up a composite job description based on those from other towns. It is the consensus of the Board that this should be a full time position.

TOWN MEETING ARTICLES

VOTED to place articles for the following on the Town Meeting Warrant:

- Town Planner
- Aquifer Bylaw to include the needs of proposed Well #6
- Change in area regulations, Section 6.2, to better address depth
- Recreational structures
- Earth Removal penalty for each offense - $100 per offense - each cubic yard is an offense

PLANNING BOARD
JANUARY 29, 1996

HAWTHORNE VILLAGE

The Board read a letter from Town Counsel to Neil J. Roche, attorney for the developer, requesting easements over the roadways.

The meeting was adjourned at 9:45 p.m.

Very truly yours,

David A. Franchi, Secretary
MEDFIELD PLANNING BOAR

PLANNING BOARD
JUNE 17, 1996

Present: David E. Sharff, David A. Franchi, George N. Lester, Paul B. Rhuda, and Stephen J. Browne

Meeting convened at 8 P.M. by Chairman Sharff.

KAYMARK DRIVE ANR PLAN

Plan submitted by Gregory J. Coras, Trustee, to correct frontage shown on previously approved subdivision plan of Harding Farms.

VOTED unanimously to endorse an Approval Not Required under Subdivision Control Law plan entitled "Plan of Land in Medfield, MA" drawn by Merrikin Engineering Co., dated June 3, 1996 showing lot 4A (194,173 s.f.) and lot 5A (80,259 s.f.) at the end of Kaymark Drive.

ANR PLAN - EDWARD MUSTO

Present: Edward Musto and David Hern, attorney.

Stephen Browne recused himself from this portion of the meeting as he is an abutter.

Attorney David Hern spoke on behalf of his client, Edward Musto, regarding a plan submitted June 4, 1996 for endorsement under Chpt. 41, section 81L showing nine lots on what is designated on the plan as "Old Town Road." The plan is drawn by Paul N. Robinson Associates, Inc., dated November 10, 1994 and revised April 30, 1996.

Mr. Hern stated they were before the Board with a plan which they believed qualified for endorsement under approval not required under subdivision control law. He represented that a public way went through the property. He added that the town, in recent litigation, has taken the position that it is a public way and therefore it qualifies under the statute, section 81L. He did say that it does not appear on the Town Clerk's list of streets maintained and used by the town. He added that some years ago there was an ANR approved for the same property which relied upon another roadway for frontage. There basis for frontage this time is that it is a town road similar to that road. He stated the width of the roadway is shown as 30 feet but added that the existing is much smaller than that.

Mr. Musto stated that the existing is 8 - 10 feet.

Mr. Rhuda questioned if this plan is similar to a plan submitted twice before.

Mr. Musto answered that it is similar to those plans. However, they have additional information this time to support the application. Specifically, he considered that Selectman Harney's statement under oath supported the application. He added that there may or may not be deficiencies. The roadway as it exists has been sufficient for the uses made. He said that it has an established use and does qualify as a road on basis of usage.

Chairman Sharff stated that the town, in the person of Selectman Harney, made the statements for a cart path and not vehicular roadway.

Mr. Hern said that the town has claimed prescriptive rights. He continued, stating that the Town has not kept the road up to what is suitable. He maintained that it has been used as public access, though the usage has varied. He continued to argue that Selectman Harney's statement refers to the way under discussion.

Mr. Rhuda said he has a couple of concerns 1) that obviously Mr. Colwell disagreed and 2) that only one Selectman signed the statement.

Mr. Hern maintained that was not the entry of Mr. Harney but the entry of the Town of Medfield.

Mr. Rhuda said that he disagreed.

Mr. Musto questioned if Mr. Rhuda was going to dispute Mr. Harney, how could he dispute Electra Trish, "the Town historian who is on record saying this road has been used for 300 years." He continued that these roads were on the ground in 1723 and 1737. (For the record: Electra Trish is not the Town historian.)

Mr. Hern continued that there are Land Court cases which have decided similar roads are public roads that predate the subdivision control law and are entitled to ANR endorsement. They can take an ANR endorsement and upgrade to a 30 foot width. The Board cannot deny endorsement because deficiencies exist. There is access which can be upgraded. He continued that Mr. Harney's statement is binding on the Town.

Mr. Rhuda said he has trouble accepting that any cart path can be considered for ANR endorsement.

Mr. Hern responded that the road exists on a map. They showed a 1919 assessors map. He pointed out "Rocky Woods Road" and "Old Town Road." He said he is not talking about any other cart path in the town and not suggesting that any other cart path can become a town road. He is just talking about "Old Town Road" which he considered has a different status.

Mr. Musto stated that "Rocky Woods Road" shows on a perimeter plan signed by the Planning Board in 1964 as an ANR plan. (Note: It contains one signature of a Planning Board representative authorized to sign ANR plans at that particular time.) The property was owned by the Allen family and the Renears bought the land from them. He said they used "Rocky Woods Road" as frontage for this plan. He added that this plan was only done for conveyances purposes. He said that there are two hash marks which show that there is another road going through the property which he considered to be "Old Town Road."

Chairman Sharff stated that the issue is the developer is making the road something else. The Town has said that it is used as a cart path.

Mr. Musto insisted that the Town certified that it is maintained and used as a public way.

Chairman Sharff said he did not see any documentation to that effect.

Mr. Musto said that the law specifies a public way or a way maintained by the town. He added that it was a way that existed prior to the subdivision control law.

Chairman Sharff restated that he does not see any documentation that it has been certified by the town as maintained and used as a public way. He added that it does not have suitable grades or sufficient width of access for vehicular traffic.

Mr. Hern responded that it has been used for a couple hundred years now. He discussed that it could fall under subsection "c" because of questionable grades or widths. He pointed out that in the Ross case the judge decided that the parties were allowed to upgrade and come back. Mr. Hern continued that the roadway has been there for 200 years. He insisted that the documentation they gave the Board was the answer of the Town of Medfield and not one person's opinion and thus binds the Town. He showed photographs which he said showed the roadway.

Mr. Rhuda said it is not a roadway. It is a cart path. It existed as logging roads to get to wood lots.

Discussion continued in the same fashion with nothing new added. Mr. Lester and Mr. Hern exchanged discussion on case law.

Mr. Browne, speaking as a private citizen, said (relative to the Woodcliff Hills court case) that the people in the litigation are not referring to this piece of road.

Mr. Hern answered that this is the same roadway.

Chairman Sharff questioned if Mr. Musto's deed gave him ownership of the road.

Mr. Hern responded that it does not exclude it. He continued that the Town claims prescriptive rights which are not rights of record but it doesn't mean those rights exist any less. They exist and the Town is seeking to protect those rights. He is saying that he recognizes the existence of that roadway and they recognize the public way. He said the Colwell case refers to the same roadway and the Town is bound by its statements whether they are on his side of the roadway or Mr. Colwell's side of the boundary. He asked that if the Board looks at it and thinks that it does not rise to the level of exemption under a, b, or c., it is incumbent upon the Board to tell them why. Mr. Hern feels that it goes under "c" and if not the Board should say what would put it under "c".

Mr. Rhuda said it is going to be a legal matter.

Mr. Musto said this is a public board and he is here for help and he wants to know what will put the road under the jurisdiction of condition "c".

Mr. Lester questioned what would happen if the judge in the Colwell case rejects the Town and abutters claim that this is a public cart path/trail.

Mr. Hern answered they are not bound by the decision in the Colwell case because they were not made parties to that case but the town is bound by that case.

Mr. Rhuda said that he does not feel that the road they are talking about is the correct road. This is a private piece of property. He does not agree that the Town has a right to it.

Mr. Musto asked if that is because it is not paved.

Mr. Rhuda responded that he does not think that it complies with 81L.

Mr. Musto said there are three parts to 81L.

Mr. Rhuda said it does not comply and it is not the intention for this to comply.

Mr. Musto restated the information he has presented, reiterating Mr. Harney's statement.

Chairman Sharff stated Mr. Harney has spoken in the context of a different issue.

Mr. Lester reviewed 81L as well as 81P including that to use 81Lc the road needed to be in a condition to the satisfaction of the Board.

Mr. Hern said the Board needs to say what will satisfy the Board. What width, grades, etc. would be satisfactory?

Chairman Sharff stated the town's statement is that it has prescriptive rights in the present condition.

Mr. Hern said they would not be interfer with the access to Rocky Woods.

Mr. Rhuda questioned if then the people would be walking down a paved street.

Mr. Hern again asked for a directive as to what is needed to satisfy the Board.

Mr. Rhuda said the Board does not have to be more specific.

Mr. Lester said the prescriptive rights are for hiking.

Mr. Musto continued to maintain that it existed as a road prior to Subdivision Control Law and also said this "road" connected with roads in Dover and Dedham.

VOTED not to endorse an ANR plan entitled "Plan of Land in Medfield, Mass." dated November 10, 1994, with a revision date of April 30, 1996, submitted by Edward Musto June 4, 1996 because it does not satisfy the requirements of M.G.L. Chpt. 41, Section 81L. The Board further notes that said plan is essentially the same plan it denied twice before on December 20, 1994 and again January 24, 1995. The vote was 4 to deny to 1 abstention by Mr. Browne who is an abutter.

OLD BUSINESS

VOTED to sign a Confirmatory Release of Lots for all lots released to date at Southern Acres since the book and page on previous releases was incorrect.

NEW BUSINESS

The following liaisons to other town boards were established:

Conservation Commission - George Lester
Open Space Committee - Stephen Browne
Board of Health - Paul Rhuda
Water and Sewer Commission - David Franchi
Board of Selectmen - David Sharff

VOUCHERS

VOTED to authorize payment for vouchers in the amount of $681.07.

INFORMATIONAL

The Board has been notified of the appeals brought by the applicants of Winder Estates and Erik Road Extension.

Notice of the Board of Health's reorganization.

Board of Appeals decision to grant a variance for frontage to Mr. DiGiacomo.

Meeting adjourned at 9:40 p.m.

Respectfully submitted,

George N. Lester, Secretary

PLANNING BOARD – August 12, 1996 OK

Present: David E. Sharff, David A. Franchi, George N. Lester, Paul B. Rhuda, and Stephen J. Browne

KETTLE POND ESTATES

Mr. Greg Coras sought to have surety reduced at subject subdivision. He will seek to have the roads accepted by the Town at the next town meeting. The Board is currently holding $148,000.

Mr. Rhuda noted that the subdivision looked good. He recommended holding $10,000 until the town accepts the streets.

VOTED unanimously to reduce surety to $10,000 for Kettle Pond Estates with the note that the developer will seek acceptance of the streets at next town meeting.

OLD BUSINESS

Green Acres Subdivision

VOTED to sign the covenant for Green Acres subdivision.

VOTED to release lots 1-5 of Green Acres subdivision surety having already been posted.

Fox Hunt Subdivision

Town Counsel is reviewing the easements for subject subdivision.

Dela Park Acres

VOTED to send a letter to Attorney Lemelman with a list of work to be completed at subject subdivision. Said list to include but not be limited to work to be done on Phase 1.

Erik Road Subdivision

The Board reviewed Town Counsel's letter to Attorney Hern. Said letter advised that the Board could not accept revised plans from Mr. Musto as an amended plan but rather as a new subdivision submittal, upon payment of the required fee therefor.

NEW BUSINESS

VOTED to release lot 13, known as 136 South Street, form the covenant dated August 27, 1963.

Respectfully submitted,

George N. Lester, Secretary
MEDFIELD PLANNING BOARD

PLANNING BOARD
SEPTEMBER 9, 1996

Present: David A. Franchi, George N. Lester, Paul B. Rhuda, and Stephen J. Browne
Absent: David E. Sharff

The meeting was convened at 8:00 p.m. by Vice-Chairman Franchi.

There were no appointments.

OLD BUSINESS

Rocky Acres

The Board has received complaints from Mr. Daly and Mrs. Majkuit regarding incomplete work at the development.

Mr. Rhuda reported that, following his letter of direction for completing the wall at the Majkuit's property, the wall is finished though it does not go as far as he had designated. It stops at the gas main.

Mr. Rhuda further noted that he had also sent a letter to Mr. DiGiacomo requesting that the development be cleaned up.

The Board read Mr. Daly's letter, which is in the permanent record, but will not send a reply.

VOTED to send a letter to Mr. DiGiacomo requiring him to clean up the subdivision and bring it up to the standards of the Board. If the clean up is not completed by September 30th, the Board will consider rescinding approval of the subdivision at its regularly scheduled meeting that night.

Dela Park Acres

The Board reviewed the "as-built" plan of the detention basin at the end of Birch Road and does not accept the plans. The detention area does not appear to be constructed according to plan. One example is that the elevation lines do not appear to be correct.

The "as-built" plan of Birch Road is also not acceptable.

Another area of concern is the access to the sewer pumping station which requires a 12 to 14 foot paved area with turn-around.

Hawthorne Village

David Sharff will meet on site with representatives of the bank and the neighborhood next Monday, September 16th, at 7:30 a.m. to review the progress relative to easements and concerns of the neighbors.

PLANNING BOARD
SEPTEMBER 9, 1996

NEW BUSINESS

VOTED to appoint Paul Rhuda to the Radio Tower Study Committee.

VOUCHERS

VOTED to pay Zip Print bills totaling $406.36 for printing the Subdivision Rules and Regulations and the Zoning Bylaw.

These bills will be turned over to the Tax Collector to aid in payment of delinquent taxes.

INFORMATIONAL

The Board reviewed the Tax Collector's list of delinquent payers and supports the Collector's effort. They will discuss with the Selectmen the value of obtaining the support of other boards in an effort to collect these taxes. The Board notes there are four developers names on the current list. The Planning Board is not able under Chapter 40 to deny approval of subdivisions for tax reasons.

A talk on "The Rivers Protection Act" is scheduled for Norwood Town Hall, September 18th from 5 - 6 P.M. Attorney Matthew Watsky will be the featured speaker.

MAPC Newsletter for September 1996

Southern Acres surety for phase 3 will be reviewed at next meeting.

Mr. Rhuda ~~questioned~~ stated the necessity of requiring catch basins to be level with the binder coat. A change in the Subdivision Rules and Regulations is required. To do so a public hearing must be held following advertisement in the newspaper.

Respectfully submitted,

George N. Lester, Secretary
MEDFIELD PLANNING BOARD

PB Mtg 11/4/96

Present: David E. Sharff, David A. Franchi, Stephen J. Browne, Paul B. Rhuda, and George N. Lester

BENJAMIN FRANKLIN SAVINGS BANK – NORTH STREET LOCATION

Present: R. Edward Beard, Attorney and other representatives for the bank

Mr. Sharff recused himself from the hearing, as he is an abutter.

Vice-Chairman Franchi convened the public hearing with a reading of the Legal Notice.

Mr. Beard spoke on behalf of his client. He stated they are seeking a Special Permit for Site Plan Approval for construction of a bank on North Street between Mitchell and Cottage Streets. There are two lots that would be combined as one. Presently there is a dentist office building on one lot and a residence on the second lot. The Bank has discussed with town officials and the town has appropriated funds to relocate the Horgan house. The Bank would contribute funds toward the relocation of the building. The proposed plan shows a new building and 16 parking spaces. The district is zoned for business. The plan shows three drive-up windows. They also included a landscape plan. There is a dumpster on site as well as snow storage area. There would be a change of traffic patterns per vote of the Board of Selectmen; Cottage Street would be one way (west) in and Mitchell Street would be one way (east) out. This traffic pattern would reduce existing traffic flow. It would appear to improve the flow in the morning but not in the afternoon. The traffic for the bank would flow: in Cottage Street, into the bank parking lot, out Mitchell Street to North Street. There are other businesses in the surrounding area.

Jeffrey J. Maxtutis from Rizzo Associates, Inc. explained that they did traffic studies plus there were traffic studies done by the Norfolk County Engineers. The peak hours were from 5 – 6 P.M. on Friday and 11 – 12 noon on Saturday. For the purpose of the study, they did assume a one way traffic pattern. With the projected intersections, they would operate at the same levels. There would be an increase on North Street.

Mr. Rhuda questioned the design of the entrance and exit from the bank. He said he would like to see them designed so that cars could not make other turns.

The architect said they oriented the curb cuts to force the direction of traffic. They also raised the curbs to dictate the direction of traffic.

Mr. Browne stated that the purpose of moving would be to increase business thus how about an increased business study. He asked if the bank is saying it will not do more business in the new site.

Representatives from the bank estimated there would not be an increase.

Mr. Beard stated the primary goal is not to be a tenant but to be an owner. There may be a slight increase.

There are two drive up tellers today and they are seeking a third. There are six teller stations inside the bank.

Mr. Rhuda expressed concern for increased traffic on North Street as well as route 109 and North Street.

The traffic engineer stated that he did an accident research and found that there were 35 reported accidents in the last three years. He said that if route 109 were improved it would encourage people to use it instead of cutting through the neighborhoods. This would allow it to work at acceptable conditions.

Mr. Rhuda asked if the town was looking to upgrade the road.

Selectman Clarence Purvis said route 109 is scheduled for an upgrade next year. (1997-1998)

The traffic engineer said that would bring the level of service up to "D".

Selectman John Harney said nothing is definite because the project depends on funding by the state. The state is doing the traffic lights. He considered that money should be available in April for Millis, Medway, and Medfield. He further said that something would happen but the time frame is questionable.

Mr. Rhuda said that if the intersection is in failure now and the project will add more vehicles, the Board can ask that the intersection be brought up to grade.

Mr. Beard said he would disagree. The improvement is an off-site improvement. He said he would investigate.

Mr. Rhuda said the traffic study was an extensive one but he did still have some questions.

Mr. Lester expressed concern for route 109.

The traffic engineer said attempts were made to look at critical intersections.

Mr. Franchi stated the biggest problem will be traffic.

Scott R. Towne, project architect, explained that the current lease is up and the Bank would like to have a permanent base. He reviewed the plan. The drive-up is facing toward the back. They want to work with the town. This is a one-story building with 2400 sq. ft. of space. There will be two entrances: one off North Street and one from the parking lot. The exterior would be Greek Revival with wood clapboard, pilaster columns

and a canopy to the back. There would be decorative screen lighting. There would also be onsite drainage.

Carol Thompson, landscape architect, said that, along the western perimeter, there would be an evergreen screen and a six-foot high wooden fence. They will maintain as many trees as possible. Along Cottage Street they would use existing trees and stone wall for screening. The North Street side will have a sidewalk entrance and heavy landscape planting.

Mr. Rhuda referred to the Planning Board engineer's report regarding the footcandle value detail. He also said he wanted to see it more difficult for cars to make turns out the entrance and onto Cottage Street as well as out the exit and back to Mitchell Street. He wanted them to force the cars exiting to take a left by design.

Mr. Beard said they would make both changes in the plan. In reference to #4 on the engineer's report regarding the aisle between the parking stalls. With some engineering, it will be increased to 24 feet.

Mr. Rhuda noted #5 on the report regarding the sidewalks and curbing. He stated they may want to make sure the sidewalk has curbing to separate from the cars for pedestrian safety.

Mr. Beard said the Board of Selectmen would need to vote to move the telephone poll back and to widen the flare out at Cottage Street.

Mr. Lester asked them to orient the pedestrian flow to the front of the building at an angle to facilitate pedestrians walking up North Street from the new Post Office.

Mr. Beard said they could look at the vehicle vs. pedestrian flow and Carol Thompson look at that.

Mr. Franchi asked if Mitchell and Cottage Streets are to be one-way regardless of the project.

Selectman Ann Thompson stated that was the unanimous vote of the Board of Selectmen.

Selectman Clarence Purvis expressed concern for a better shield along Cottage Street so abutters would not have to look into a parking lot. He also said that the left side looks like a side entrance and not a main entrance. He wanted to make it appealing to walk-up.

Carol Thompson said they could add bushes.

Town Administrator Sullivan questioned plantings at the corner of North and Cottage Streets. He also questioned the type of signage and hoped the Board would take the signage into consideration.

Carol Thompson said they would look to more of a visual screen.

Mr. Towne said they would take all measures to make the signs attractive.

Mr. Rhuda said the Post Office has agreed to put wooden signs between concrete pillars.

Mr. William Pope, 4 Crane Place, noted that Crane Place was not shown on the plans. There are three houses on the street. Section 8.3.2.e regarding intersecting streets would apply. The entrance and exists clearly are within in 150 feet.

PB mtg 1/6/97

Present: David E. Sharff, David A. Franchi, George N. Lester, Paul B. Rhuda, Stephen J. Browne

ANR PLAN - COLWELL/MUSTO

Present: Richard Gallogly, Attorney for Mr. Colwell.

Mr. Browne recused himself as he is an abutter.

Mr. Gallogly presented an ANR plan showing parcel "C" as a 50 foot wide parcel to be cut out of land belonging to Mr. Colwell. This 50 foot wide parcel connects to property owned by Mr. Musto off Erik Road. He said the property would not be transfered to Mr. Musto until Mr. Colwell was assured of his rights.

Mr. Rhuda observed that the parcel looked like a connection from the one property through to the other, especially since the 50 foot width is the same width required for a right of way under town subdivision rules and regulations.

Mr. Gallogly stated his client was just complying with an agreement he had with Mr. Musto. He said it would not have been necessary if the Planning Board had approved Mr. Musto's plan.

VOTED three in favor and one abstention, Mr. Rhuda, to endorse a plan entitled "Plan of Land in Medfield, Mass." dated October 16, 1996 drawn by Landmark Engineering of New England, Norfolk, MA showing Parcel "C" with 12,735± s.f. of land labelled "Not a Building Lot" and "To be conveyed to Edward J. & Bonnie J. Musto." Mr. Browne did not vote since he recused himself.

BEN FRANKLIN SAVINGS BANK

David Sharff recused himself and the hearing was conducted by Acting Chairman Daivd Franchi .

Present: David E. Sharff, David A. Franchi, George N. Lester, Paul B. Rhuda, Stephen J. Browne

3/24/97

Present: David E. Sharff, David A. Franchi, George N. Lester, Paul B. Rhuda, and Stephen J. Browne

ZONING HEARINGS

Chairman Sharff read the legal notice as it appeared in the Suburban Press on March 6 and 13, 1997.

The hearings continued as follows on the zoning articles:

Article 25: Roofs, canopies, or similar coverings are not permitted in connection with the fuel dispensers.

There were no comments on this article.

VOTED unanimously to recommend approval as set out in the warrant.

Article 26: Flood Plain District and Watershed Protection District

There were no comments on this article.

VOTED unanimously to recommend approval as set out in the warrant.

Article 27: Adult Entertainment District

Chairman Sharff explained that the Board held two public hearings relative to the adoption of this Zoning Bylaw section, one to determine that deleterious effects existed and the second to determine a location for such a district.

VOTED unanimously to recommend approval as set out in the warrant.

Article 28: Personal Wireless Communications Facilities

Evan Wilmarth, Chairman of the Board of Health, presented a letter from the Board of Health taking a conservative stand on the article and suggesting that siting of such antenna be placed away from any vulnerable population, such as children and the elderly.

A lengthy discussion ensued on the article among those present (Mr. Wilmarth from the BOH; Town Counsel Cerel; Attorney Jane Thomassen from the law firm of Brown, Rudnick, Freed, & Gesmer - Boston; and the Board members). Ms. Thomassen presented the Board with a brief of comments on specific wording in the article and discussed some of these concerns.

The major portion of the discussion centered around whether all of the IE Zoning District should be included for locations of such towers. Members of the Board are concerned that the present wording would leave open the opportunity for many such towers along route 27 in the IE district.

VOTED unanimously to recommend approval except to reduce the extent of the IE district to an area to be determined at Town Meeting.

The public hearing was closed at approximately 9:45 p.m.

PLANNING BOARD
MARCH 3, 1997

OK as amended

Present: David E. Sharff, David A. Franchi, George N. Lester, Paul B. Rhuda
Absent: Stephen J. Browne

Meeting convened by Chairman Sharff at 8:10 P.M.

WOODCLIFF HILLS SUBDIVISION

Present: Scott Colwell

The Board reviewed a minor modification to detention basin #6 at subject subdivision. Mr. Colwell proposed the modification to reduce the amount of clearing and thus save many trees in the area. At it's meeting February 12, 1997, the Board of Health approved this same modification.

VOTED unanimously to allow a minor modification to change detention basin #6 on a subdivision plan entitled "Woodcliff Hills" dated 10 November 1994 and revised to 24 October 1995, approved 5 October 1995 and endorsed 22 April 1996 to allow basin #6 to be moved to lot 5 as shown on a plan entitled "Subdivision Plans of 'Woodcliff Hills' Revised Location of Detention Basin #6" dated 8 January 1997, both plans drawn by Landmark Engineering of New England, Norfolk, MA. and as approved by the Board of Health February 12, 1997.

FOUNDRY STREET ANR

VOTED three to one abstention to endorse an ANR plan dated January 30, 1997, drawn by Cheney Eng. Co., Inc., Needham showing two lots on Foundry Street. Lot 1 shows 146,979 sq. ft. (3.3742 acres) and Lot 2 shows 171,476 sq. ft. (3.9365 acres). Owners of record: Robert B., Jr. and Deborah C. Holinger. David Franchi abstained.

OTHER BUSINESS

Board reviewed a copy of a letter dated 26 February 1997 from the Board of Health agent, Mr. Domey, to residents at Hawthorne Village regarding detention basins.

Mr. Rhuda reported on the Tower Study Committee. He said the committee, at this year's town meeting, will recommend two locations for cell towers . These locations are the Mt. Nebo water tower and Medfield State Hospital water tower at a location 150 feet to the rear of the "R" building. He added that the Board of Health has expressed concerns about cell towers.

Meeting adjourned at 9:00 p.m.

Respectfully submitted,

George N. Lester, Secretary
MEDFIELD PLANNING BOARD

as amended

PLANNING BOARD
MARCH 10, 1997

Present: David E. Sharff, David A. Franchi, George N. Lester, Paul B. Rhuda, Stephen J. Browne

Meeting convened by Chairman Sharff at approximately 8:07 p.m.

LONG RANGE PLANNING COMMITTEE

Present: Tim Sullivan, Chairman

Mr. Sullivan was before the Board with an update of LRPC activities. He said they were working on the goals and plans for the updated Town Master Plan. The entire process will take approximately two years. The time will depend on the availability of volunteers.

The Committee has hired Whiteman and Taintor as consultants to aid with this stage of the process. They have proven good, professional that have prepared a draft for the town wide forum planned for April 6, 1997, from 9 a.m. to 12 noon in the Lecture Hall of the High School. The consultants have finished interviewing town administration and board members. A final draft should be ready by May. The state would like a final review.

Mr. Sullivan then explained that there had been a leak of information by him to the Suburban Press. They had called him on a story they were interested in and he gave them information on the study. Ultimately the maximum reasonable build out, that most likely would be between 9,000 .lots and 5,800.

Chairman Sharff questioned if Whiteman and Taintor would suggest ways of mitigating build out.

Mr. Sullivan said they would give the build out but not the tools. If we have a document to use, then energize people to rewrite bylaws and regulations.

Mr. Rhuda asked where the numbers in the Suburban Press article came from. He was concerned because as far as affordable housing goes, the town can only be forced to build up to 10%. The 1700 figure in the article very high for that.

Mr. Sullivan said he didn't know. He had just reviewed the draft. He does recall that some of the discussion was that the agriculture zone at the state hospital could be changed.

Mr. Lester was concerned about how the figures were reached since the result would only be as good as the process.

Mr. Sullivan stated that the build out figures were important to the Master Plan. He will be certain that the final build out figures will be justified. He expects that they will do a couple more articles in the press and send notices home with students to continue to publicize the project as they go along - as well as the April forum.

He concluded noting that the committee was short two members and asked the board to consider appointing new members. He gave the Board a letter and resume from Scott Pitz. Secretary Cronin advised that she also had a letter of interest in her office. The Board took the matter under advisement.

The Board and Committee will meet again next month.

NEWPORT LANE (FOX HUNT SUBDIVISION)

Present: John Averill, 19 Newport Lane; Michael Constantine, 12 Newport Lane; Anne-Marie Woodhouse, 23 Newport Lane; Stephen Baron, 21 Newport Lane.

Mr. Averill explained that he requested an appointment with the Board because he had converted a deck into a 4 season playroom. He then received a notice of violation from the Building Inspector. He stated that Medfield Properties, the real estate company that sold him and his wife the house, represented that there were no covenants with the property; that Attorney Copeland (attorney for the developer) said there were no covenants with the property; another attorney said the same; and Attorney Ed Beard said all the covenants had been released. The Building Inspector sent them a letter because they had violated a condition of the Planning Board approval that the houses be restricted to 2800 sq.ft. and also because they did not obtain a building permit for the work. He added that he (and his neighbors) has received a letter from Attorney Copeland dated February 28, 1997, regarding the issue. He explained that they had gotten four separate estimates for the job before starting it. He stated he was before the Board this evening to obtain a variance to make the room legal.

Chairman Sharff attempted to clarify the Board's position by stating the intent of the Board was to limit the size of the homes. This was a condition of approval of the subdivision. The Board had no process in place and had no reason to believe that this condition of approval was omitted from the deeds.

Mr. Rhuda added that the developer was looking for a waiver to put the subdivision in and the Board did not want huge houses on half-acre lots. He stated that Mr. Copeland had stated to him that he neglected to file the plan. That is why when the letter went out it said it was the "intent" that there would be restrictions. They were suppose to go with the front page of the plans and filed and put in the deed. It was left to Mr. Copeland as the attorney for the developer to file the paperwork in the courts. No one said anything when the homes were being built. Some of them were at 2850 sq. ft. others at 3000 sq. ft. The intent was there to minimize the build out. There was a cutback on the number of lots in the subdivision after the Board had denied the first plan. This limit was part of the solution worked out with the developer. Now we found out that the conditions were not put on record. It appears that now we do not have a legal right to tell you what to do, one way or the other.

Chairman Sharff stated that we sent out the letters because we felt obligated to notify you of the conditions on which we approved that subdivision. Any differences that you may have with that

probably you will have to address with Medfield Enterprises. There is nothing that we can do at this point.

Michael Constantine, 12 Newport Lane, said that the restrictions were made on Medfield Enterprises. When the Building Inspector came around he certified by giving occupancy permits that they conformed. By law, as he saw it, once the property is sold the restriction is null and void.

Mr. Rhuda added "if it didn't get into the deed."

Mr. Constantine continued with a concern about what the Building Inspector would do now that there does not appear to be any restriction filed in the courts. Would he not allow future work?

Mr. Rhuda responded that he did not think it could work that way, Since it is not on record. The Board's intentions were there but they did not get to record to back it up. Don't see how the Building Inspector could say "No, you can't do it." He questioned why the Building Inspector issued the Averill's the permit and then came back in and stopped it.

Mr. Averill explained that his builder had told him that he obtained a building permit when in reality his state license had expired two months prior and he did not obtain the permit. He said that it is his intention after this meeting to go back to the Building Inspector and do it the right way. This is the first step.

Mr. Rhuda stated the problem is Mr. O'Toole's now. If he feels that he has to check out some of the construction, you may want to put your contractor on notice. You may have to open up something up. There was no electrical inspection done. There are several inspectors that will need to inspect.

Anne-Marie Woodhouse, 23 Newport Lane, said she was getting a little bit of a mixed message. She is hearing that for all practical purposes that, if she were to put some sort of extension on the house, they could go right ahead and do that.

Mr. Rhuda responded that as one member of the Board that is his opinion.

Abutters asked if the Board was still holding a bond on the subdivision.

The answer is yes.

Mr. Rhuda said he would not want to state what we intend to do. Want to make sure what the grounds are before doing it.

Chairman Sharff stated he didn't know if there were some compromise that we could reach that allows people to add onto their houses once. We feel that we were serious when we asked for the restriction. We do not want to have you suffer. The abutters are all innocent. We feel obligated to the town to look out for development. We feel we had a good solution for developing that

piece of land. We are trying to put some pressure for the developer to come up with some type of solution.

Mr. Browne stated the developer clearly knew what the restriction was. He clearly offered the restriction and said it was in the public interest to do this; in order to get the waiver to build the homes to do this otherwise he would have been stuck with a 500 foot culdesac and fewer homes. It was inappropriate for him not to inform you.

Mr. Rhuda continued that the neighborhood around has not been overly satisfied with the developer because he was suppose to leave a buffer of trees. The first thing he did was remove them. We made him replace them but of course they are not the same size tree that he cut down. There has been contention all along."To our detriment we relied on his counsel who happened to be the town moderator."

Mr. Lester added that, though the Board has not discussed the issue for a unanimous decision, the town ~~has~~ waives no legal right of action. The issue is one of misrepresentation to the Planning Board to obtain a waiver and misrepresentation to all of the people who purchased the property. He would like to see a compromise from the developer and that he be accountable to the Board; that he be made to do something that would benefit the town.

Mrs. Woodhouse said her concern is a practical one because any condition put on the homeowner now effectively reduces the value of their home.

Mr. Baron, 21 Newport Lane, said he did not want to see a restriction on the deed.

The issue remains for the Building Inspector to decide about a permit. Since there is nothing on file with the courts, it appears that he would grant permits that would otherwise be granted.

DON GRAVES SIGNS

Present: Tom Vost and Don Graves

Mr. Graves showed the Board plans entitled "Site Plan of Land in Medfield, Mass." dated February 12, 1997, drawn by Salvetti, Surveying & Engineering Associates showing the site at the north corner of West Street and route 27. He stated they would be improving the structure but not changing the footprint. They will be adding two parking spaces, bringing the total to 18 (16 are required). They will be changing the entrance so that it will be the full 150 feet from the intersection. Parking on the east side of the building will be over gravel. They will be blocking the front doors and the loading dock on the building and creating a new entrance. There is a small area of asphalt added on the east side of the building in front to extend the existing asphalt. Currently there is a garage door on the side where they will add a platform. The hollow area in the front of the building will be filled. The entire front area will be reconstructed with a glass entrance way. There will not be any storage outside the building. They will add a dumpster. He said he spoke with the fire chief who is satisfied with the plans. Mr. Graves has been in business for 19 years in Millis.

PLANNING BOARD
MARCH 10, 1997

VOTED unanimously to approve a minor modification of an existing site plan as shown on a plan entitled, "Site Plan of Land in Medfield, Mass." dated February 12, 1997, drawn by Salvetti, Surveying & Engineering Associates showing the site at the north corner of West Street and route 27.

VOUCHERS

VOTED unanimously to pay vouchers totaling $446.29 for Zoning Bylaws, advertizing, and Assessors' map.

Meeting adjourned approximately 9:30 p.m.

Very truly yours,

George N. Lester, Secretary
MEDFIELD PLANNING BOARD

PLANNING BOARD
APRIL 14, 1997

Present: Paul B. Rhuda, George N. Lester, and David A. Franchi
Absent: Stephen J. Browne and David E. Sharff

LONG RANGE PLANNING COMMITTEE

Present: Tim Sullivan, Chairman

Mr. Sullivan reported that the Committee held a forum to take in information and ideas to be included in revision of the town's master plan. They wanted to establish parameters regarding a build out of the town. They looked at what could happen if various areas were sewered. They also considered wetland areas and the possibility of adjustments regarding the rivers act.

Mr. Rhuda stated that there would be some changes needed for zoning to decrease denisty.

SUMMER STREET

Present: Lawrence F. Peters, attorney for Spencer-Livingston Associates Limited Partnership; Henry Levin, attorney; Paul Ricciardi, developer.

Mr. Lawrence F. Peters, attorney for Spencer Livingston Associates, explained that they had previously sought low income housing for 20 Summer Street and now are looking to single family homes. They brought plans to the Board for an informal discussion.

Mr. Ricciardi stated they were looking for a 500-foot private road with seven houses. The property is zoned RU in front and RS in the back. They would need a variance from the ZBA.

Mr. Lester pointed out that it appears they could get three lots by right.

Mr. Ricciardi said he is asking the town to compromise. They are seeking the towns "blessing". Three houses do not work. He stated they could ask for a waiver to allow only a driveway. The houses would be 2200 sq. ft.

Attorney Levin indicated they wanted to get a view of the best scenario of possibly five lots.

Mr. Rhuda questioned if they could even do three lots if there was no full build-out.

Mr. Levin responded it would be possible with a variance.

Mr. Rhuda explained it would be very difficult to grant a variance. They would have to meet the requirements and then the board would consider waiving construction of the right-of-way. He asked where the break point was in the price range. He added that Medfield could use single family affordable homes.

ANR – NOON HILL STREET

Present: Steve Poole, engineer from Consolidated Design Group

VOTED to endorse a plan entitled "Plan of Land in Medfield, Mass" dated April 10, 1997 drawn by Consolidated Design Group, Hudson, MA showing four lots: Lot 1A – 72,814 s.f.; lot 1B – 89,329 s.f.; lot 2A – 82,764 s.f.; lot 2B – 61,284 s.f.

OLD BUSINESS

Bridlemere Subdivision

VOTED to endorse a plan entitled "Lot No. 5 Bridlemere Subdivision, Medfield, MA" dated July 12, 1996 drawn by Ribelin Land Surveyors, Inc., West Bridgewater, MA showing a new drainage easement.

Street Acceptance Plans

Newport Lane

Mr. Rhuda reported there were four or five new dead pine trees on the street. There is a large amount of water in the street up from the catch basin. He noticed that the catch basin was marked to be fixed. He recommended acceptance upon the condition that this was finished.

Mr. Rhuda further noted that the detention basin at the neighboring subdivision, Carle Kerr Road was holding 2 ½ feet of water. The outlet pipe is 2 ½ feet above the bottom of the basin. The Board will look at the plan at a special meeting Thursday evening.

Wild Holly Lane

VOTED to recommend acceptance of Wild Holly Lane at town meeting.

Overfield Estates

Mr. Rhuda did not participate in this discussion as he has a conflict of interest.

Mr. Franchi noted that the berm in several places appeared to be in "tough shape."

No action was taken at this time. The Board will review a special meeting Thursday.

Powderhouse Road

VOTED to recommend acceptance of Powderhouse Road at town meeting.

Other Old Business

Personal Wireless Communication Facilities

The Board recommended that subject facilities be in the IE district east of route 27.

Willow Circle letter

The Board is in receipt of a copy of a letter dated and faxed April 14, 1997 to Ralph DiGiacomo and John DiGiacomo from Olya J. Majiut. The Board will not take any action at this time.

Approved

PLANNING BOARD
MAY 5, 1997

Present: David A. Franchi, George N. Lester, Stephen J. Browne, David E. Sharff, Paul B. Rhuda

Meeting convened at approximately 8:05 p.m.

The first order of business was reorganization of the Board as follows:

David A. Franchi - Chairman
George N. Lester - Vice Chairman
Stephen J. Browne - Secretary
David E. Sharff and Paul B. Rhuda - members

DELA PARK ACRES

Present: Dennis Etzkorn

Mr. Etzkorn explained that the detention basin at subject subdivision is completed to grade. He showed pictures. He said the plan calls for a concrete structure. He is asking to change it to a spillway. He has discussed this with Mr. Delapa.

Chairman Franchi expressed concern explaining that as the weir structure fills up it releases water.

Mr. Etzkorn asked if an engineer says it will work would it be all right then.

Chairman Franchi told him to bring calculations and design. He has no problem going to the engineer. He wants to get the basic concept

Mr. Browne stated maybe the berm has to be higher.

Board members asked if the detention basin was finally built right and reminded Mr. Etzkorn that he would have to bring in as-built plans. The basin must be functional.

Mr. Etzkorn said it is not a problem. He will do what the engineer says. He added that the Board was right. The detention basin was not built correctly. They will build up the berm.

Chairman Franchi reminded him that the basin must be functional. The Board will also be looking to see if the slopes are correct. The Board will review the plan, after it is received, and render a decision.

120 NORTH MEADOWS ROAD - POTPOURRI LOT

Present: Larry Rothchild

Mr. Rothchild explained that his company owns the lot that Potpourri is on and they are thinking of subdividing out a one and one-half acre area that fronts on West Street.

Board members advised that he needs to see how this would be done and still satisfy current zoning requirements. After checking these requirements, he will be better able to determine if an ANR plan would be the way to accomplish what they want to do.

Mr. Rothchild added that the area would be for a day-care facility and needed the additional play area and parking space.

HUNT MEADOW FARM SUBDIVISION (continued hearing)

Present: Neil MacKenzie, applicant/owner; Dan Merrikin, engineer

Dan Merrikin presented the Board with 2 sets of revised plans answering the concerns of our engineer at Earth Tech and dealing with zoning issues. He reviewed that this is an 8 acre parcel being divided into 2 lots, on small one acre lot and one large 6 acre lot, with the larger piece being the applicant's. With respect to concerns for grade of the road and slope, they have lowered the road to the existing elevation to comply with Board of Health issues. They no longer have the detention basin. They propose a gravel drive, thus not impervious. They have put a swale system in which will provide storage with 2" runoff. They will place Conservation restrictions in the deed. They would consider an additional conservation restriction on the whole area so as not to allow road construction.

Mr. Rhuda said he would not want to restrict the later possibility of asphalting the road but he would want the conservation restriction to state it would not allow the construction of any road through the property, no further subdivision.

Chairman Franchi asked how that affects the lot which they have no control over.

The only open space would be the Raduano property.

Neil MacKenzie stated they have been working with the Conservation Commission and may have to pave the gravel road anyway because of the fines which wash out of the gravel.

Mr. Merrikin explained the the swale is effectively a long, thin, detention basin with 2 inch runoff. There is adequate capacity in the swale to handle the runoff.

Mr. Rhuda asked if Mr. Domey was receptive to no detention basin.

Mr. Merrikin responded he thought he was.

Mr. MacKenzie said they have given him the plans.

Mr. Merrikin said the BOH meets May 14, 1997. He requested to be put on the Planning Board agenda for May 19, 1997.

With respect to a utility easement, Mr. Merrikin said they would be running a stub for sewer out to lot one and then someone could tie in if they wanted.

Neil MacKenzie responded to Mr. Browne's question about a trail by stating they would run an easement up through the two properties.

Mr. Merrikin stated there is an issue with regard to the wetlands line and they expect a determination of that at the Conservation Commission meeting Thursday. They will let the Board know if they are not able to make the 19th and a new date will be announced at that meeting as well as putting a short article in the newspaper.

John Harney, 17 Maplewood Road and speaking as a private citizen, asked if they were going to be running sewer through the easement by Raduano on Pine Street.

Mr. MacKenzie said they plan to run a low pressure line through the easement creating another easement on the Spruce Way end to allow others to hook into the system. They are just waiting for BOH approval.

Mr. Harney said that several residents on Maplewood Road are interested in extending the sewer down Maplewood.

Mr. Rhuda added that it is a pressure main which would require individual pumps in each house.

Mr. MacKenzie stated he planned on using the same pump which SEA (Water & Sewer Board engineers) has approved for Juniper Lane for his house.

Mr. Cedorchuck, 16 Maplewood Road, asked how many horses Mr. MacKenzie planned.

Mr. MacKenzie responded that the number is regulated by the BOH. He expected 3 - 4.

Mr. Harney looked at the possibility of running sewer through the Scott Road stub. Nothing conclusive was determined.

Mr. MacKenzie said they need to check the depth of the sewer in Pine Street. They may possibly encounter ledge. He also stated they could use insulated pipe.

The hearing is continued to May 19, 1997 at 8:15 p.m. with the understanding the applicant would notify the Board if they will not make that meeting.

OLD BUSINESS

Ben Franklin Savings Bank - North Street application:

VOTED four to one abstention to allow the Ben Franklin Savings Bank to withdraw its site plan application before the Board. Said withdrawal to be "without prejudice". David Sharff abstained since he is an abutter.

Brastow Drive and Richard Road (North Meadows Estates Subdivision)

Complaints have been received from the area regarding safety and esthetics concerns for work that has not been cleaned up at the ends of temporary culdesacs leading to the North Meadows Estates Subdivision.

Chairman Franchi will make a site visit and send a letter to Mr. Rosenfeld.

Willow Circle (Rocky Acres Subdivision)

Complaints have been received from the Majukits at 1 Willow Circle that the developer has not completed loaming and seeding their lot and replacing dead trees.

Mr. Rhuda will make a site visit to determine what action is necessary.

NEW BUSINESS

Summer Schedule

VOTED unanimously to accept the following summer schedule:

May 19; June 2 - 16 - 30; July 14 & 28; August 11 & 25

Annual Massachusetts Federation of Planning Boards Meeting in Stoughton

Mr. Rhuda reported that the speaker reviewed several court cases as well as possible changes in subdivision rules and regulations or conditions of approval to assure work is done in a timely fashion.

David Franchi said the Board could add to the Sub Rules that a percentage of the completion cost could be held until work is finished.

Subdivision Rules and Regulations

Concern had been expressed to some of the Board members that the present 3500 feet requirement for connecting into sewer is encouraging sewer construction.

Mr. Franchi and Mr. Rhuda explained that developers will extend the sewer if it is economically more feasible e.g. large subdivision. If a subdivision is small (e.g. 10 lots), they may be less likely to extend the sewer.

The real way to handle the situation is to increase zoning requirements. There is a need to educate the people regarding this and the meaning of nonconformity.

The meeting was adjourned at 10 p.m.

Respectfully submitted,

Stephen J. Browne, Secretary

Approved

PLANNING BOARD
JUNE 2, 1997

Present: David A. Franchi, George N. Lester, Stephen J. Browne, David E. Sharff, and Paul B. Rhuda

Chairman Franchi convened the meeting at approximately 8:05 p.m.

DAVID MACCREADY

Post Office and 66 North Street

Mr. MacCready suggested a traffic pattern which he felt would better serve both the new post office and his abutting property. This proposal would be safer for vehicles entering and leaving each facility. He said that the police chief approved of the plan and he would be taking it to the Selectmen for their approval. He asked for the Planning Board input.

Mr. Rhuda noted that Mr. MacCready would need to give an easement for access.

He agreed and said he will also be giving an easement for the trucks to use his property at 50 North Street.

The Board agreed the proposal is an improvement and Mr. MacCready will check easements.

Dale Street Property

Mr. MacCready stated the current plan as he is working with the Affordable Housing Committee would have 18 market rate lots and 6 affordable lots all with a 55 year old and older restriction. They would seek a Comprehensive Permit for the project.

HUNT MEADOW FARM SUBDIVISION

Present: Daniel Merrikin and Neil MacKenzie

Mr. Merrikin stated the applicant has received approval from the Board of Health and the Conservation Commission. They will place a deed restriction on the property that will not allow further subdivision of the property, not allow extension of the roadway, not allow construction of the culdesac. They added pedestrian easement between the two lots as well as over the utility easement being granted from Spruce Way. They reflagged the wetlands line which the Conservation Commission then approved. They have moved the barn area and the driveway as far out of the wetlands as possible. They are also trying to respect the 50 foot no build zone.

To satisfy the Board of Health they have added a 4 foot and 5 foot wide swale along the road with a field stone check dam.

Mr. Franchi questioned the use of such an elaborate swale and runoff into the wetland area.

Mr. Merrikin said that this will let the water flow easier. The swale is 18" deep and will hold a 2" run off. The check dams will slow the flow and allow it to perk through. Mr. Merrikin also noted that the property is located in an Aquifer Protection District, Zone II. He has reviewed the Bylaw and the only concern that he sees is the storage of manure. He is seeking further information and will comply with the requirements. They will also need to comply with the Board of Health regulations regarding horses. When reviewing the gravel roadway, Mr. Merrikin pointed out that an area of the roadway would be an 8% grade.

Mr. Rhuda reminded him that he would need a waiver for the 8% grade, that the waiver as requested needed to be more specific to indicate that. He then discussed the Conservation Easement/Restriction expressing that it be very specific that there be no connecting through roadways or further development. He also noted that each time he sees a plan for this property that in his opinion the wetland area gets bigger and bigger.

Mr. Merrikin said they would work on the easement.

Mr. Lester questioned if they planned to actually construct the pedestrian easement in a passable form.

Mr. MacKenzie said they would put markers for the easement which he is thinking he would like to name for Mr. Allan in whose name the property had been for many years. He also added that he submitted a copy of the easement with the Landfield's allowing him to put sewer in the easement as on the plan.

Mr. Merrikin added that the Landfields and the Allans owned half of the easement. The sewer line would be coming up that half of the easement from Pine Street. A utility easement continues out to Pine Street.

John Harney, 17 Maplewood Road, speaking as a private citizen, questioned the accessibility of sewer and concern for the wetlands. He said that the Cedorchuks at 16 Maplewood Road have problems with water in their basement. He added that Maplewood Road, Cedar Lane and Winter Street were not included when the town put sewer in Pine Street. He asked what the cost would be to run the sewer down Maplewood Road and added that at least 15 people in the neighborhood would support it coming down Maplewood. He asked who has responsibility if there is a break.

Mr. MacKenzie said it would be common ownership. He is putting a pump in each of the houses in his subdivision.

Mr. Harney questioned if gravity flow would be easier.

Mr. Rhuda explained that is a different kind of pipe and sewer system.

Mr. Harney expressed his concern of behalf of abutters.

Mr. MacKenzie explained that gravity sewer is much more expensive. He was also concerned about being able to get agreement from all the people involved to use Maplewood Road. He needs to have his own house built by November. To put in gravity sewer would hold him up for another year.

Mr. Rhuda pointed out that the applicant would be running sewer for a longer distance. He added that the people on Spruce and Maplewood could all get together and run the sewer out to Pine Street themselves and not need the developer.

Mr. Harney felt that Mr. MacKenzie would be paying into the system which would offset the bill and get a better sewer in the long run.

Mr. Franchi explained that the applicant would still have to put in pumps in his houses because there is a low spot on Maplewood Road which would require forced main. He further added that forced main is cheaper and easier to do.

Mr. Rhuda said that if all were forced main in might be easier.

Mr. Merrikin added that gravity sewer is more expensive. It must be put deeper in the ground, and it would require more manholes.

Mr. Franchi said it would need to be a joint agreement. One of the conditions of the approval would be that there is access to the sewer for the public.

Mr. MacKenzie said he has provided an easement. Those who want to hook up would have to enter into an agreement.

Mr. Merrikin said they would size the pipe for several families.

Mr. MacKenzie added that DEP becomes involved beyond a certain number of gallons. The size pipe he plans, a 2" line, can take up to 33 four bedroom homes. He offered to work up a price - not to do it though - working with Mr. Harney and others from the neighborhood to run a gravity line from Spruce all the way down to Pine and the people can consider that cost with the cost of hooking up to the pressure line. It probably would be alright for Spruce and Maplewood down to Scott. Beyond that it may not work.

Mr. Rhuda added that a portion of Spruce would need to be under pressure to pump up. For those living in that area it will probably be easier to go out through Mr. MacKenzie's property. For those further down and near Scott Road gravity to Pine Street will probably be easiest.

Mr. MacKenzie said it will not solve the problem for the whole neighborhood. He added that he is bringing an extra line right up to Spruce so people can hook up. Thus, he will run two forced mains, one for his development and one for others who are interested in hooking up.

David Sharff asked what would happen if someone in the neighborhood does not tie in initially.

Mr. MacKenzie noted that people would be able to hook up later. He said the line would need to be administered by a homeowner agreement. The homeowner would own the pump.

Mr. Harney said there are numerous questions about who pays for what. He asked if there was an agreement that the work could be done.

Mr. MacKenzie said he has agreed to give an easement. The rest is not relevant to this evenings discussion and can be worked out later.

Mr. Peckham, One Spruce Way, asked if the proposed house next to him would require a grade change.

Mr. Merrikin said there would be some change.

Mr. Peckham questioned the design of the proposed house between his house and Mr. MacKenzie.

Mr. MacKenzie stated he has circulated the design of his home to the two people who shown interest in the lot.

Mr. Peckham questioned the close proximity of the roadway being right off the corner of his property. He also questioned maintenance of the way.

Mr. MacKenzie said that maintenance would be private.

VOTED to close the public hearing for Hunt Meadow Farm.

Mr. Merrikin questioned what the numbering on the new lots would be and what type of bond does the Board usually look for when setting surety.

The two lots would be numbered 2 and 6. Surety is usually in the form of a passbook.

Mr. Rhuda suggested that the Board wait until the next meeting to vote so as to better organize its concerns and conditions.

OLD BUSINESS

Minutes

VOTED to approve the minutes of May 5, 1997, as written.

VOTED to approve the minutes of May 19, 1997, as amended.

7 Newport Lane

Mr. Rhuda explained that he made several site visits. With the crown in the road and the granite curbing water cannot run off the site into the street. When the house was "rehabed", the construction company created a depression in the front yard. They need a retaining wall and a couple inches of sloping to take the water down back. Changing the curbing will not help. The house is not part of the new development but does abut the new roadway.

Bridlemere Subdivision

VOTED to send a letter certified mail and filed with the town clerk that the Board will not release surety at Bridlemere Subdivision until concerns about easements and plans are satisfactory. At that time the Board will reconsider surety.

Meeting adjourned at approximately 9:45 p.m.

Respectfully submitted,

Stephen J. Browne, Secretary
MEDFIELD PLANNING BOARD

Examined

PLANNING BOARD
JUNE 16, 1997

Present: David A. Franchi, George N. Lester, David E. Sharff, Paul B. Rhuda
Absent: Stephen J. Browne

Meeting convened at approximately 8:05 p.m. by Chairman Franchi.

FOUNDRY STREET ANR - MR. BANCROFT

VOTED unanimously to endorse a plan entitled "Plan of Land in Medfield, Mass." dated May 19, 1997 and revised June 16, 1997 drawn by Cheney Engineering Co., Inc., Needham, MA showing lots A^1, A^2, B, C and D with lots A^1 and B to be combined, and lots A^2, B and D not to be used as separate building lots. Property owners are Jean T. Swaim, William Bancroft and Peter Swaim.

OLD BUSINESS

Hunt Meadow Farm Definitive Subdivision

Dan Merrikin stated he submitted easements for Town Counsel's approval. He is concerned about wording of the easement that is to the public for connection to sewer since there does not appear to be such an entity.

Mr. Rhuda suggested they could create an entity for the time being and then accept people into it.

Mr. Sharff asked to have the language of the easements clear so that people would know the difference between the utility rights and the pedestrian rights thus eliminating people from just walking across front yards.

Mr. Lester asked to be put on record that the purpose of the 500 foot maximum roadway length as required in the Subdivision Rules and Regulations is to protect public safety of the area. Since this subdivision only has two lots, he does not see that there are same magnitude of safety issues and thus is in favor of granting the waiver.

VOTED approve a definitive subdivision plan entitled: "HUNT MEADOW FARM," a two lot subdivision in Medfield, MA., dated March 6, 1997, and last revised to June 4, 1997, drawn by Merrikin Engineering Company, Consulting Engineers, 46 East Street, East Walpole, MA 02032 and submitted by Neil MacKenzie, 5 Marsh Drive, Medfield, Massachusetts, with the following grant of waivers:

Section 5.2.1.3	To allow construction to be limited to a 16' gravel drive with reduced "K" values
Section 5.2.1.3	To allow a maximum gravel drive grade of 8%
Section 5.2.1.4	To allow a non-through street exceeding 500', which will be constructed without a cul-de-sac
Section 5.2.1.5	To allow no curbing
Section 5.2.1.7	To allow no handicap ramps

Section 5.2.1.8	To allow natural areas in lieu of planting strips
Section 5.2.1.9	To allow side slopes as shown on the plan
Section 5.2.1.11	To waive tree planting
Section 5.2.3	To allow limited drainage as shown on the plan

In consideration for waivers granted the applicant has agreed to the following:

1. That there be a Deed Restriction on lots 1 and 2 and a Conservation Restriction around the wetland as described on the plan.
2. That there be no further subdivision of the property.
3. That there be no extension of the roadways through the property and no extension of roadways into the property.
4. That the gravel roadway remain forever a private way maintained by those it serves.
5. That there will be a sewer easement available for public access.
6. That a pedestrian easement between lots 1 and 2 be extended in an easterly direction along the rear property line and extending 10 feet beyond the end of the "Way".

and including the following conditions:

7. That all easements, deed restrictions, and the conservation restriction be in language acceptable to Town Counsel and granted prior to the release of the lots from the covenant.

8. That the applicant obtain approval of all other appropriate Town Boards and Commissions.

9. That this approval be recorded with the plan and evidence thereof submitted prior to release of lots from covenant.

Following the vote Francis McCromack, 10 Maplewood Road, asked to address the Board. He apologized for a misunderstanding on his part of the public hearing process. He expressed concern for drainage on his property, which he indicated has been a problem for him since the development of Pine Needle Park. He was concerned about the impact of this development on the town.

The Board made no further comment.

Trees at Hawthorne Village

The Board received a letter from Jeffrey J. Melvin, Hawthorne Village Estates Trustee (elected), concerning the size and species of trees at Hawthorne Village Subdivision. A report from David M. Gingrich, a Massachusetts Certified Arborist, working for Davey Tree Expert Company accompanied the letter. The report enumerated the trees and concluded that 41 trees do not meet the

plan specifications and nine trees were never planted. Mr. Gingrich estimated it would cost $14,625.00 to bring the 50 trees to plan specification.

VOTED unanimously to send a letter to the developer, W. Kenneth Weidman of Atlantic Bank & Trust Co., expressing the Board's concern for the condition of the trees as well as the Board's expectation that the proper caliper and species of trees, as required by their definitive subdivision approval, be planted

Southern Acres Tri-Party Agreement

VOTED unanimously to sign said agreement upon the applicant's attorney, Joseph Jenkins, correcting page two to read that the notice would be given to the "Town of Medfield Planning Board by certified mail, return receipt requested."

(Note: Such correction was made.)

Press Release

In accordance with the Board's request a news article was placed in the *Medfield Suburban Press* seeking volunteers for the Long Range Planning Committee, Sign Bylaw Committee, and Associated Planning Board member for Site Plan Review.

Minutes

The minutes of the June 2, 1997 meeting were approved as amended.

NEW BUSINESS

ANR Plan - Orchard Street

VOTED unanimously to endorse a plan entitled, "Plan of Land in Medfield, Mass." dated June 9, 1997 drawn by Cheney Engineering Co., Inc., Needham, MA, showing two lots off Orchard Street owned by Walter Sellenberg and Dudley H. Willis, Trustees. Said lots created are lot 3^A with an area of 8.005 acres and lot 3^B with 5.694 acres.

Chairs, Tables and Telephones at the Town Hall

The Town Hall Renovation Committee requested assistance in paying the above expenses for the Planning Board Office and Chenery Hall (Selectmen's Meeting Room) of the Town Hall.

Following discussion and expressed concern by several board members that the expenses should have come from the renovation budget, the Board reluctantly -

VOTED unanimously to approve payment for one large and one small table and two telephones for the Planning Board office, as well as three tables, one telephone, and the refinishing of 10 Gov. Carver chairs for Chenery Hall.

Planning Board Office Computer

VOTED unanimously to approve new computer equipment for the office not to exceed $3,000 and to appoint board member Paul Rhuda to assist with the purchase.

MISCELLANEOUS

Mr. Lester reported on his MAPC meeting. The discussion at the meeting was rapid transit in the future for Massachusetts.

The meeting adjourned at approximately 9:30 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary Pro Tem
MEDFIELD PLANNING BOARD

PLANNING BOARD
JULY 14, 1997

Present: David A. Franchi, David E. Sharff, and Paul B. Rhuda
Absent: Stephen J. Browne and George N. Lester

Meeting convened at 8:00 p.m. by Chairman Franchi.

LONG RANGE PLANNING COMMITTEE

Present: Tim Sullivan

Mr. Sullivan came to the Board to report the progress of his committee and to discuss the direction of the committee's work for the following year.

He stated the committee has received the report from Whiteman and Taintor with the "Goals and Policies Statement" which he considered to be the roots for updating the town Master Plan. Copies of the report will be made for each board member.

Mr. Sullivan said the committee could look to revising the *Zoning Bylaw* and *Subdivision Rules and Regulations* over the next six to twelve months.

Mr. Rhuda said he would like to see the *Bylaws* "cleaned up" whether it is done professionally or otherwise. Sections of the *Bylaws* have been rewritten over the years, sometimes without checking the impact the change of one section might have on another section. He further considered there might be a need in the near future to create an overlay district for the Medfield State Hospital. He also noted the need for educating the public when zoning changes are proposed so they might better understand the reasoning behind the changes as well as what the real impact is on their property.

Mr. Sullivan said the committee would need Planning Board input. They would also need to be looking for professional help soon in order to have the final draft stage ready toward the end of the year. He considered that the majority of the committee's budget could be pledged to this project. He will contact the absent Planning Board members to update them. He will return next month with a progress report.

ERIK ROAD DISCUSSION

Present: Edward Musto, Bonnie Musto, and Attorney David Hern
Town Counsel Mark Cerel

Attorneys Cerel and Hern requested this meeting as a conceptual discussion between the Planning Board and Mr. Musto.

Mr. David Hern, attorney for Mr. & Mrs. Musto, explained they met with the Conservation Commission a couple of weeks ago. He said they generally agreed on 7 lots with only two near the wetland. He added that this would limit the number of lots in the project and be a reduction from what he considered could be developed. He said his clients are interested in moving forward. They consider this meeting a discussion to

explore possibilities. They know what is acceptable to the Conservation Commission. He said they have "Old Town Road" coming in from Erik Road with five lots on the upland side and the remaining two lots on the opposite side. He said they are proposing a plan that less than meets the standards. As such this plan would impact the wetlands less.

Chairman Franchi asked if they were getting into a discussion that dealt with matters currently under litigation.

Town Counsel Cerel explained that this is an informal discussion and nothing is binding. He added that it is generally understood that we would not rehash those areas that are in litigation.

Chairman Franchi said the plan Mr. Hern is showing appears to be for seven lots on an ANR plan that is in litigation.

Mr. Cerel said at this meeting that the Board is not being asked to comment if there is a right to build or if there is a subdivision.

Mr. Hern said that they see this meeting as a discussion meeting and that what is discussed at this meeting is not binding on either party.

Mr. Rhuda stated that originally a preliminary plan was presented and approved which showed a road only 500 feet long.

Mr. Franchi pointed out that at the informal meeting with the Conservation Commission, which he and Mr. Lester attended, Mr. Lester asked Mr. Musto to show what could be built as a matter of right.

Mr. Hern said they had a no waiver plan that the Board turned down. He said they would like to find a common agreement. He stated that he thought that "Old Town Road" and "Rocky Woods Road" could stand up in court as legal roads. He said they would do seven lots, not 12 that he considered they had a right to do and not nine. This plan would be less injurious to the environment. He continued that the Conservation Commission would not want full-scale development. He added that he thought the road could qualify for an ANR approval.

Mr. Rhuda asked if Mr. Musto was saying that the Conservation Commission said if he could get the Planning Board to agree to a specific number of lots that they would also agree.

Mr. Musto said the Conservation Commission would agree to the five lots on one side of the road and two lots on the other.

Mr. Rhuda recalled that in earlier discussions when the Preliminary Plan was submitted the Conservation Commission said maybe three lots and the Planning Board agreed to four lots. This was on a 500-foot culdesac.

Mr. Cerel advised that to waive the length for this subdivision would not be consistent with the rationale of the *Subdivision Rules and Regulations*.

Mr. Hern stated that the courts have found that roads 8 – 14 feet wide paved or chip sealed have been held to be consistent and town roads.

Chairman Franchi said he thought we should get a decision from the courts as to whether there is a road there or not.

Mr. Cerel said he could go forward in the court. He continued that this discussion is not productive, that what could be productive is an agreement of an access road with how many lots.

Mr. Rhuda noted that he has watched the case in Beverly and that in that case the courts have determined that the wood roads would not pass as roads.

Mr. Hern said that he can distinguish this road is different. He continued that they are willing to cut back to a 7-lot plan. They would be looking for waivers for methods of construction as well as length. He stated it would be in the public interest if they did not connect to another subdivision.

Mr. Sharff asked how it could be in the public interest to create a gravel road that is 1000 feet.

Mr. Musto stated that the Planning Board just approved a gravel road for two lots.

Chairman Franchi asked what is in the public interest.

Mr. Hern said that they would be providing access to Rocky Woods; they would be limiting development; and there would not be a through connection.

Chairman Franchi expressed concern about reaching a conclusion before the legal issues are settled.

Mr. Rhuda stated he thought seven was still too many lots.

Chairman Franchi asked Mr. Musto to show what he could do with a 500-foot road.

Mr. Musto expressed concern about how he could expand on the left side. He said he must have real access to the buildable portion of lots. He would need to file for a crossing. He stated he could legally connect to the Colwell subdivision because he owns a strip of land that connects to the Colwell property.

Mr. Rhuda pointed out that Mr. Colwell signed an agreement with the Board.

Mr. Musto said that Mr. Colwell cannot connect but he can.

Mr. Cerel questioned how many lots they could get if the road is only 500 feet.

Mr. Musto answered 3 – 4 lots.

Mr. Cerel then stated that the idea of 3 – 4 lots is the starting point.

Mr. Hern stated that if the road could be longer, then they would avoid more of the wetlands.

Mr. Rhuda pointed out that they were able to get four lots before.

Mr. Musto said that that plan put the culdesac in the middle of the wetlands. He added that initially the wetlands were flagged wrong.

Mr. Rhuda said there was also less land then.

Chairman Franchi questioned what could be done with the lot.

Mr. Hern stated that they think they can do nine lots after the definitive case is heard. They think they can win the definitive case. He also stated that the Rivers Act does not apply.

Mr. Sharff asked what could they get if the Board allowed them to start the 500 feet off the stub.

Mr. Musto said the "circumference" of the end is closer to the wetland and it uses more resource area. He again stated he wants seven lots.

Chairman Franchi stated that the Board is not giving seven lots. They might prefer five lots.

Mr. Rhuda said that with a small number of lots the Board might be willing to waive building the road and it could be a private way. They would still need to satisfy the Board of Health.

Mr. Musto said if he had to satisfy the BOH he would consider the road to be a private road.

Mr. Rhuda said the road would still have to have a width and something would need to be built

Mr. Musto stated that there are roads in Lakeville that are ten feet wide paved.

Chairman Franchi said the Fire Chief would not allow that.

Mr. Hern responded that courts have agreed.

Chairman Franchi told Mr. Musto that if he thinks he has a road there, then go pull building permits. He further stated he would end the discussion if it is going to keep going back to the same discussion.

Mr. Cerel pointed out that there are abutters who are in opposition to the development and that they are organized with counsel.

Mr. Hern asked why seven is such a bad number.

Chairman Franchi said if they want seven, then they should have to build out the road.

Mr. Rhuda questioned why there needed to be a house on lot 6, right behind another house.

Mr. Musto said because the land is upland.

Mr. Rhuda stated the subdivision would be cleaner without the first lot. It would not be necessary to cross the brook to it. It would also be more amicable with the neighbors.

Mr. Hern questioned the objection to the first lot.

Mr. Sharff said it would give more of a buffer to the neighborhood.

Mr. Hern questioned why there needed to be a buffer. In his opinion the Board must allow people to build.

Mr. Rhuda responded that that was on lots that met the regulations.

Mr. Hern said that they need to satisfy the subdivision control law.

Mr. Rhuda pointed out that Mr. Musto brought in a seven lot plan and the board does not like it and questioned if Mr. Musto was looking for a compromise.

Mr. Cerel said he heard six lots mentioned.

Mr. Musto questioned what the Board would be looking for in terms of a road.

Mr. Rhuda said the Board would probably be looking for a 50-foot right of way; consider waiving construction; a private road a certain width, gravel or asphalt.

There was a discussion of what the BOH might require.

Mr. Rhuda suggested getting rid of the detention basin and putting in a swale.

Mr. Colwell explained that he needs to do some blasting to achieve side slopes as well as foundations for three houses. He would like to do this all at one time. He asked Mr. Cerel if he could blast for houses without getting a building permit.

Mr. Cerel said he could excavate without a permit.

Mr. Colwell stated that the area that is really steep ranges from 14 to 20 feet. He can build a wall like entrance, which would look better and be safer.

Chairman Franchi reminded Mr. Colwell that he would need an engineer's certification that the wall is structurally safe.

Mr. Colwell then turned to the bridge across Vine Brook. He said that it would be a clear span with concrete on either end.

Chairman Franchi advised Mr. Colwell to speak with Superintendent Feeney.

Mr. Colwell said the bridge would span sixty feet. It would be either trestle or basic planks.

Mr. Rhuda suggested keeping the bridge low profile.

Mr. Colwell said the plans for the next footbridge are wood with wood rail. That bridge will be strong enough to support horses.

OLD BUSINESS

North Meadows Estates

The McCrossen easement must be in place before any lots can be released.

Meeting adjourned at approximately 10:30 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary Pro-tem

Approved 8/11/97

PLANNING BOARD
JULY 28, 1997

Present: David A. Franchi, George N. Lester, David E. Sharff, and Paul B. Rhuda.
Absent: Stephen J. Browne

Chairman Franchi convened the meeting at approximately 8:00 p.m.

HUNT MEADOW FARM

Present: Neil MacKenzie, R. Edward Beard, and Daniel Merrikin.

Attorney Beard explained that all the documents (easements and covenants) have been approved by Town Counsel and signed by all necessary parties, including the Board of Selectmen. Mr. MacKenzie is before the Board this evening to have the covenant accepted and the plans endorsed.

Secretary Cronin stated that Town Counsel Cerel advised her that he had reviewed all documents and they are in a form satisfactory to him.

VOTED unanimously to sign the covenant for Hunt Meadow Farm Subdivision.

The Board then signed the mylars for the subdivision.

The parties then turned to the task of setting surety for the subdivision. Attorney Beard explained that Mr. MacKenzie has a buyer for lot one and they need to close on that lot soon.

The Board and the developer reviewed the report of Earth Tech, Inc. engineer Dale MacKinnon dated today. Mr. MacKenzie showed cost estimates prepared by his own company that arrived at $56,000 compared to the $126,972 of Mr. MacKinnon.

Following discussion including the scope of the project and the amount of the proposed surety, the Board set surety at $75,000.

VOTED unanimously to set surety for Hunt Meadow Farm subdivision at $75,000.

The Board discussed the procedure for releasing the lots and arrived at the following conclusion. Lots will be released upon receipt of documentation that the applicant or his representative has recorded the necessary paper work and plans in the Norfolk Registry of Deeds. The secretary will give Mr. MacKenzie the release for lot one for his closing in early August. The applicant will then provide the Board with the $75,000 surety obtained at the closing. Upon receipt of said surety, the secretary will then give Mr. MacKenzie the release for lot two. This procedure is subject to approval of Town Counsel Cerel.

VOTED unanimously to release lots one and two of Hunt Meadow Farm as stated above.

MISCELLANEOUS

David Sharff stated he reviewed the report of the Long Range Planning Committee. He recalled that the Board agreed to $55,000 last year and noted that the report now stated $65,000. He considered that the study of the Master Plan might better be done with a town meeting article. This would possibly eliminate some duplication of work that may occur from a piece meal approach of smaller appropriations.

The Board voiced a general agreement with the idea.

The meeting was adjourned at approximately 9:30 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary Pro Tem
MEDFIELD PLANNING BOARD

PLANNING BOARD
AUGUST 11, 1997

Present: David A. Franchi, George N. Lester, Stephen J. Browne, and Paul B. Rhuda
Absent: David E. Sharff

Also present: Town Counsel Mark Cerel

20 SUMMER STREET – VALRE REALTY TRUST

Present: Paul Ricciardi and John Glossa

Mr. Ricciardi explained they are before to discuss possible plans for subdividing the property at 20 Summer Street, perhaps by use of a private driveway with an association.

Mr. Glossa, Glossa Engineering, said the sewer was extended and is now in front of the driveway. The parcel is an odd shaped lot with 1.84 acres. In order to satisfy the zoning requirements of the district, especially the 125-foot depth requirement, he had to show the proposed ROW as 20-25 feet wide. He proposed the ROW would remain private with a 16-foot paved drive. This would require waivers for construction. He showed two plans. The first plan showed a culdesac with three lots surrounding it. The second plan showed three lots on the north side and a fourth open space lot on the south side.

Chairman Franchi asked what they could do with the lot as a matter of right.

Mr. Glossa said they could tear the house down and build a larger house.

Mr. Rhuda questioned that possibility.

Chairman Franchi asked what they were seeking tonight.

Mr. Glossa said they need a consensus that the Board would go with a plan.

Mr. Lester questioned if the situation was one that the lots meet the regulations but the road is squeezed.

Mr. Glossa answered that the lots meet zoning but the roadway would need waivers for the width, radius of turn around, plus the roundings.

Mr. Lester responded that the Board usually grants waivers when an applicant can meet the regulations but it is in the public interest to waive the regulation.

Town Counsel Cerel explained the history of the parcel. In 1988 the owner applied for a special permit from the Zoning Board of Appeals for a day care center. This was denied. The owner then applied for a Comprehensive Permit for low to moderate income rental units. This was turned down by the Zoning Board of Appeals but over turned by the Housing Appeals Committee, as was a request for extension of the permit. A second request for extension was likewise turned down by the Zoning Board of Appeals and

ultimately denied by the Housing Appeals Committee. On April 14th Mr. Ricciardi came to the Planning Board for discussion of five to seven lots. The consensus of the Board at that time was that was too many lots.

Mr. Ricciardi said he came into the picture 60 days before the permit for the affordable housing expired and did not have sufficient time to act. In April he proposed various scenarios and the Board said "no." Now he is back.

Town Counsel Cerel said he has spoken with some abutters who indicated they would be receptive to three houses.

Chairman Franchi asked if the Comprehensive Permit could be revived.

Mr. Rhuda said they would need to start the process over again. They need some type of low interest rate to make the project work.

Following further discussion, Mr. Lester reminded the engineer that the Board cannot approve a plan with nonconforming lots.

Mr. Glossa said they would like to go forward with substandard ROW seeking certain waivers for the layout and construction. They would keep the roadway private and grant those easements that are necessary. They prefer to pave the driveway. The only drainage on Summer Street is a small catch basin near the end of the driveway.

Mr. Lester asked if they put a 50-foot ROW with culdesac, what could they get.

Mr. Glossa responded only two lots.

Mr. Rhuda said he would like to see the location of the existing houses of the abutting lots.

Mr. Browne asked what would be in the public interest to grant the waivers. He said he needed time to think about the proposal. He expressed concern for setting a precedent.

Mr. Rhuda said he would like time to talk with neighbors; to also get ideas. He said he is not opposed to the project. He just wants some time. He felt that funding for affordable housing would not be available in the next seven years.

The consensus of the Board was that they would like a couple of weeks the think it over.

Mr. Lester expressed concern about granting waivers.

ERIK ROAD DISCUSSION

Present: Edward Musto

Chairman Franchi convened this portion of the meeting at approximately 8:55 p.m.

Mr. Browne recused himself as a board member due to conflict of interest as an abutter.

Mr. Musto presented the Board and Town Counsel Cerel with a letter from his attorney, David Hern, Jr., dated August 11, 1997. The Board reviewed the letter and placed it in the file.

Town Counsel Cerel stated that it is wholly inappropriate for Mr. Hern to send such a letter. He also stated that Mr. Hern has omitted cases that uphold the Board's position. (e.g. Daddario case). He added that, based on the conclusion of the meeting with Mr. Musto on July 14th, he thought tonight's meeting Mr. Musto was to submit a six-lot plan for the Board to view. He said he could continue with the court case and file for Summary Judgement.

Chairman Franchi said he was under the impression from the last meeting that Mr. Musto would bring in a plan that would show what he could do as a matter of right.

Mr. Musto stated that he could connect to the Colwell subdivision. He firmly stated he wants seven lots.

Mr. Rhuda asked Town Counsel for clarification of the decision regarding the Colwell subdivision. He also clarified with Mr. Musto just what property is under discussion; specifically that property which is owned by Mr. Musto, plus land that he added on the right side of the plan and a 50-foot wide and 400-foot long piece of land which directly connects to a proposed roadway in the Colwell subdivision.

Mr. Musto acknowledged that the 50-foot wide piece of land takes his land to the termination of a proposed roadway in the Colwell subdivision.

Mr. Rhuda said that if that is the case then Mr. Colwell has gone against the conditions of the approval of his subdivision.

Chairman Franchi observed that the Board could rescind approval of that subdivision.

Town Counsel Cerel stated that the condition of approval of the Colwell subdivision states, "There shall be no connection ..." He further noted that the time to appeal that decision has passed and neither Mr. Colwell nor Mr. Musto appealed the decision.

Mr. Musto asserted that the Board approved his preliminary plan.

A discussion of the preliminary plan followed with emphasis made that approval of a preliminary plan in no way obligates the Board to approve a definitive plan.

Mr. Rhuda stated he was trying to determine if Mr. Musto has the right to make a through connection.

Town Counsel restated the fact that the Planning Board issued a decision and neither Mr. Colwell nor Mr. Musto appealed that decision. He continued that on July 14th the Board indicated that it would be receptive to looking at a six-lot plan and that that is what he expected to see.

Mr. Musto stated he was asserting his rights.

Chairman Franchi stated he would end the meeting if Mr. Musto would not discuss six or five lots.

Mr. Musto stated he is not interested in five or six lots.

Mr. Lester stated the Board was holding this meeting to come to a settlement, which Mr. Musto did not seem to be attempting.

Chairman Franchi polled the Board members to ask if they were interested in looking at seven lots. They indicated that they did not want to discuss seven lots.

Mr. Musto asked why not.

Town Counsel Cerel suggested the Board table further discussion. He will prepare a motion for Summary Judgement and let the Land Court judge decide the case.

Mr. Lester stated this appears to be a settlement demand from Mr. Musto premised on a seven lot plan.

Town Counsel Cerel said that at the last meeting the Board agreed in principle to consider six lots. The Board asked to see a configuration of such a plan.

Chairman Franchi asked Mr. Musto if he had such a plan.

Mr. Musto said, "No," and stated he has a seven-lot plan. He continued that he relied on the Planning Board's approval of his nine-lot preliminary plan. He expressed that he considered the actions of the Board "outrageous." He stated that he has rights, that it has cost him a lot of money for plans and lawyer fees, that he is not a wealthy man, that he is a Vietnam Veteran, and that he is just trying to build. He accused the Board of "bending over backwards" to help the previous appointment.

Chairman Franchi ended the meeting with Mr. Musto at approximately 9:10 P.M..

Mr. Musto was then asked to leave several times. He continued to make accusations of the Board and finally, after repeatedly being told to leave, left calling Chairman Franchi "an arrogant S.O.B." and the remainder of the Board members "spineless."

OLD BUSINESS

Rocky Acres

John DiGiacomo notified the office that he will plant trees in subject subdivision in September.

Green Street Extension

Scott Colwell submitted a letter requesting he be able to bond the side slopes on subject subdivision. He suggested $25,000.

The Board considered that $25,000 would not be adequate.

VOTED unanimously to set surety for stabilizing the side slopes at $50,000.

Hunt Meadow Farm

The Board signed separate lot releases for subject subdivision.

NEW BUSINESS

Minutes

VOTED to approve the minutes of July 28, 1997 as written

VOUCHERS

VOTED unanimously to pay Earth Tech, Inc. $479.73 for setting surety for Green Street Extension.

INFORMATIONAL

The Board of Appeals will hold two public hearings Wednesday, August 13, 1997. One hearing will be for a special permit for a gas station at 270 Main Street. The second hearing will be for a special permit for a deli at 258 Main Street.

Respectfully submitted,

Stephen J. Browne, Secretary

approved

PLANNING BOARD
AUGUST 25, 1997

Present: Stephen J. Browne, David E. Sharff, and Paul B. Rhuda
Absent: George N. Lester

Meeting convened at 8:00 p.m.

The administrator acknowledged receipt of a letter of resignation from member David A. Franchi. Mr. Franchi is moving from Medfield. She sent notification to the Board of Selectmen, which will schedule a joint meeting with the Planning Board to appoint a member to fill the vacancy until elections in March 1998.

GREEN ACRES SUBDIVISION

Present: Ronald E. Kerr

The Board reviewed a letter from Earth Tech, Inc. dated August 14, 1997. There is a stake nail in the first driveway on the right that was placed there to represent a monument. Mr. Kerr explained that an engineer could triangulate off other monuments. He did not want to tear-up the driveway to put in a concrete bound. Following discussion the Board agreed to accept a spike, such as a railroad spike, at the location.

Mr. Kerr stated he was having difficulty locating gas traps. He will talk with Superintendent of Public Works Kenneth P. Feeney.

The Board noted that the cost of as-built and acceptance plans was not included in the engineer's recommendation for surety. They will add a sum to include that cost.

VOTED unanimously to reduce surety at subject subdivision to $10,000.

HINCKLEY ESTATES

Present: Jonathan Fryer and Mark Howe

Attorney Fryer represented the applicants, Mr. and Mrs. Vincent Palumbo. He presented the Board with a covenant for Hinckley Estates, which was signed by Mr. and Mrs. Palumbo.

VOTED unanimously to sign said covenant dated August 15, 1997

The Board then discussed a name for the street at Hinckley Estates and settled on Carriage Lane.

OLD BUSINESS

Southern Acres

VOTED unanimously to endorse an easement plan dated March 19, 1997 drawn by Thompson-Liston Associates, Inc, Boylston, MA showing slope easements at Southern Acres Subdivision.

OK

PLANNING MEETING
SEPTEMBER 8. 1997

Present: Stephen J. Browne, Paul B. Rhuda, and David E. Sharff
Absent: George N. Lester

(The Board is short one member due to the resignation of David Franchi.)

HINCKLEY ESTATES SUBDIVISION

VOTED to set surety for subject subdivision at $110,000.

OLD BUSINESS

Dela Park Acres

Mr. Etzkorn requested the Board members look at the detention basin at subject subdivision.

It is the consensus on Board members that they must have a certified as-built plan of the detention basin, as requested before.

Ridge Road/Oxbow Road

Following up on the previous meeting, Mr. Rhuda reported that he did go to subject development. He found that there was a post and rail fence, which a four-wheel drive vehicle could go around and drive through the area. The Board wants boulders strategically placed across both ends of the way to prevent access by vehicles.

NEW BUSINESS

Minutes

VOTED unanimously to approve the minutes of August 25, 1997 as written.

VOUCHERS

VOTED unanimously to approve payment to PC Connections $76.85 for supplies.

Respectfully submitted,

Stephen J. Browne, Secretary
MEDFIELD PLANNING BOARD

adjourned 8:30 P.M.

PLANNING BOARD
SEPTEMBER 22, 1997

Present: George N. Lester, Stephen N. Browne, Paul B. Rhuda, and David E. Sharff

Note: The Board is presently short one member.

WOODRIDGE ESTATES

Present: Michael Viano and Rob Truax

Mr. Viano explained that his work at subject subdivision was completed and he wanted his surety returned. He said the street sign is installed. The tire tracks and seed germination has been fixed. The trail markings are in place. The road has been cleaned by Healy Properties, which also resurfaced the parking lot. Healy Properties, the owners of lot 2, will continue to maintain the private road.

Rob Truax, GLM Engineering, explained the inlet and outlet pipes of the detention basin. The inlet pipe has been drilled out and covered with crushed stone to allow slow seepage from the basin. At the outlet end the invert is ½ foot lower and slid back. In spring there is a small amount of puddling at the outlet. They were required to do the detention basin by the Board of Health. It provides secondary treatment. If they dropped the pipe any lower, it would interfere with the wetlands. This is the system agreed to by Mr. Domey of the Board of Health. The basin does pick up some water from the church parking lot, which was taken into consideration at the design stage.

Mr. Rhuda said he did go to the site and everything looked "squared away."

VOTED unanimously to release the entire surety for Woodridge Estates.

HINCKLEY ESTATES

VOTED unanimously to release a two-foot strip of land along the right-of-way.

LONG RANGE PLANNING COMMITTEE

Present: Tim Sullivan, Chairman

Mr. Sullivan first explained for the *Medfield Press* reporter that the town is updating the Master Plan. The LRPC prepared a Community Action Statement to help get state aid. They did a town survey a year ago, which provided a statistical analysis. They received a grant from the sate to do Goals and Policies statement. He submitted a draft request for proposal (RFP) to the board prior to the meeting and wanted the members' input.

Mr. Rhuda stated that he looked over the draft. He is concerned that serious consideration needs to be given to an overlay district at the state hospital.

Mr. Sullivan explained that the immediate proposal is less intense. This proposal would look at the present zoning bylaw and test it against court cases as well as itself to improve it. This would involve a small budget over 4-5 months.

Discussion continued over the State Hospital property. Mr. Sullivan stated he saw it as a similar type of project that would require a different time frame, several hearings and consulting.

Mr. Browne added that it is an important issue that needed to be looked at.

Mr. Rhuda suggested talking with the consultant for in put on handling the town's concerns.

Mr. Sullivan said he saw the purpose of this review of the Zoning Bylaw as one that would clean up the present bylaw. He suggested that when this is 2/3 of the way done they could do another RFP for the further phase.

Mr. Sullivan summed up his discussion asking the Board to work with the LRPC; to be involved with the selection of the consultant and working with him/her. The LRPC would do the day-to-day work. He suggested talking with people in the field to determine a realistic budget for the project.

MINUTES

Voted unanimously to accept the minutes of July 14, August 11, and September 8, 1997 as written. (Only Mr. Sharff and Mr. Rhuda were eligible to vote the July 14th minutes as they and Mr. Franchi were the members present at that meeting.)

NEW MEMBER

The Board will meet in joint session with the Selectmen on Tuesday, September 30, 1997, at 7:30 p.m. to choose a new member to replace Mr. Franchi.

CHAIRMANSHIP

VOTED unanimously that Mr. Lester assumes the position of Chairman.

The meeting was adjourned at approximately 9:45 p.m.

Respectfully submitted,

Stephen J. Browne, Secretary
MEDFIELD PLANNING BOARD

PLANNING BOARD
OCTOBER 20, 1997

Present: George N. Lester, Stephen J. Browne, Paul B. Rhuda, Tidal B. Henry, and David E. Sharff

Chairman Lester convened the meeting at approximately 8:00 p.m.

Mr. Henry joined the Board as the fifth member to replace Mr. Franchi.

ANR – SPRUCE WAY

Present: Dan Merrikin

VOTED unanimously to endorse an ANR plan entitled, "Spruce Way Plan of Land in Medfield, MA" dated September 24, 1997 and drawn by Merrikin Engineering Co., East Walpole, MA showing lot 2B being transferred to lot 10.

ANR – SOUTH STREET

Present: Wayne Carlson

VOTED unanimously to endorse an ANR plan entitled, "Plan of Land in Medfield, Mass." Dated October 16, 1997 and drawn by Carlson Survey Company for Thomas J. & Diana Ward showing lot B-3 to be conveyed from Thomas J. & Dianna (sic) Ward to Richard E. Hooker and combined with the remaining of Mr. Hooker's land.

LONG RANGE PLANNING COMMITTEE

Present: Tim Sullivan and Andrea Costello

Mr. Sullivan explained that they sent out seven Request For Proposals (RFP) for reviewing the Zoning Bylaw and Sub Rules. Because of the short turn around time, he also called all seven to advise them that the RFP would be coming. They received two responses and one letter. Both responses are strong. We could benefit from either. He asked the Board members to grade each candidate. (The Board has received copies of the submissions.) He did call references on each candidate.

Mr. Rhuda expressed concern that Mr. Carlucci had done work for the Board in the past and he was not pleased with that work.

Mrs. Costello asked the Board to review the submissions based on how the candidates did in response to the RFP.

PLANNING BOARD
OCTOBER 27, 1997

Present: Paul B. Rhuda, David E. Sharff, and Tidal B. Henry
Absent: George N. Lester and Stephen J. Browne

Meeting convened at approximately 8:00 p.m.

RFP FOR RECODIFICATION OF THE ZONING BYLAW AND SUBDIVISION REGULATIONS

Planning Board Administrator, Norma Cronin, reported that Tim Sullivan, Long Range Planning Committee Chair, called to report that he had polled the members of his committee regarding the two respondents to the RFP. He stated the majority of his committee was in favor of Attorney Mark Bobrowski.

David Sharff stated he had some concerns that input from a planner would also be important.

Board members expressed their desire to work closely with the Long Range Planning Committee and Attorney Bobrowski on the project.

VOTED unanimously by all three present to award the contract for Recodification of the Zoning Bylaw and Subdivision Regulations as set forth in the RFP dated October 7, 1997 to Attorney Mark Bobrowski of Foxborough, MA.

WOODCLIFF HILLS BRIDGE – BOYDEN ROAD

VOTED unanimously to send a letter of approval to Scott Colwell regarding the Boyden Road bridge in accord with the review of Earth Tech, Inc. dated October 15, 1997 and plans entitled, "Woodcliff Hills Bridge," dated 9-18-97, prepared by Rotondo Precast Concrete Products and design calculations for Bridge Beam by James Woodman, P.E. for Woodcliff Hills Bridge, dated 8/4/97.

Meeting adjourned at approximately 8:45 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary Pro-Tem
MEDFIELD PLANNING BOARD

PLANNING BOARD
NOVEMBER 3, 1997

Present: George N. Lester, Stephen J. Browne, Paul B. Rhuda, and Tidal B. Henry
Absent: David E. Sharff

Meeting was convened at approximately 8:10 p.m.

OLD BUSINESS

Fox Hunt Estates

Present: Ralph C. Copeland

Mr. Copeland gave the Board drainage and sewer easements for subject subdivision. He then reviewed his letter of October 28, 1997. He stated that the subdivision is complete and, on behalf of his client, he requested that surety posted be returned. He further stated that Town Counsel Cerel has taken over obtaining the sewer easements. He said he considered that the easements were valid as stated in the deeds. To support his conclusion, he submitted a letter signed by John R. Curran, Esq., Technical Assistant of the Norfolk County Registry of Deeds. He submitted that under the subdivision control law there is no legal basis for the Board to continue to hold the surety.

Mr. Browne, speaking as an abutter, reminded the Board that there have been problems in the subdivision that, in turn, resulted in further problems.

Mr. Henry said he did not see a problem and that the money should be returned.

Mr. Lester said the Board usually keeps a minimum until the street is accepted.

Mr. Copeland maintained that the Board did not have a legal right to hold monies until a street is accepted. There is nothing that requires a street to be accepted.

Mr. Rhuda said there needs to be a bonafide reason for the Board to hold surety which he did not see the Board had.

Mr. Lester said he would like to talk with Town Counsel before releasing the surety.

VOTED to return the $5,000 surety now being held following Chairman Lester's conferring with Town Counsel to ascertain if there is any reason contrary to release. The vote was 3 yeas to 1 abstention. Mr. Browne recused himself, as he is an abutter.

NOTE: Surety was released to Mr. Copeland on November 12, 1997.

Hawthorne Village

Mr. Weidman questioned, via telephone conversation with the Administrator, work to be completed at subject subdivision. Specifically he did not understand the request for 6" of loam along the sidewalk and other areas where crushed rock were used.

Mr. Rhuda said Mr. Weidman must take out the stone and put in 6" of loam where that requirement has not been met.

Mr. Rhuda also suggested having the president of the association in to discuss work at the subdivision. He will be invited to attend the next meeting.

NEW BUSINESS

Zoning Bylaw/Subdivision Rule changes

Chairman Lester asked Board members to bring in any suggestions to the November 17th meeting when Mark Bobrowski will be present to discuss review of the same.

Town Counsel Memo

Chairman Lester stated that what the memo basically states is that members need to be cautious about what opinions they may express outside a meeting as well as during one.

Water and Sewer Policy

The Board asked Neil MacKenzie, Chairman of the Water and Sewer Board, to attend the next meeting of the Board to explain the policy so that Board members may better understand it for the public hearing scheduled for November 19th.

Trustees of Reservation letter re: Orchard Street

The Board will acknowledge receipt of the letter.

A copy of the letter has been forwarded to the Board of Health.

VOUCHERS

VOTED to approve payment of Earth Tech invoice of $479.74 for review of Hinckley Estates.

INFORMATIONAL

The Zoning Enforcing Officer issued a "Cease and Desist" at Tilden Village for work that violated a Zoning Board of Appeals decision regarding additional parking.

The Board received a copy of a letter to Anthony F. DeLapa dated 10/12/97 by Marshall and Amy Posner questioning what they perceived as violations of an agreement he held with the homeowners at Dela Park Acres. The Board requested the Administrator check with the Building Department regarding the status of the foundation at the site.

PLANNING BOARD
NOVEMBER 3, 1997

The meeting was adjourned at approximately 9:45 p.m.

Respectfully submitted,

Stephen J. Browne, Secretary

Paul B. Rhuda, Secretary Pro-temp for the Hawthorne Village segment.
MEDIFELD PLANNING BOARD

PLANNING BOARD
NOVEMBER 17, 1997

Present: George N. Lester, Stephen J. Browne, Paul B. Rhuda, and Tidal B. Henry.
Absent: David E. Sharff

Chairman Lester convened the meeting at approximately 8:00 p.m.

MONKS WAY EXTENSION

Present: Christopher Egan, Carruth Capital Corporation president, and Joseph Jenkins, Attorney.

Mr. Egan explained that Carruth Capital Corporation has a purchase and sale agreement with owners of property abutting Monks Way, a street in the Southern Acres subdivision. He would like to extend Monks Way between 500 feet and 600 feet into this property creating a culdesac with four or five new lots. He would need at least a waiver for a street greater than 500 feet.

Mr. Browne stated the Board usually wants to see a "no-waiver" plan before granting waivers. He also reminded Mr. Egan that waivers, if they are granted, needed to be in the public interest.

Board members noted that the Board had previously denied a preliminary subdivision plan for the same property, which was submitted by a different developer.

Mr. Egan said they did not purchase that plan. They will develop their own plan.

Chairman Lester noted that one of the concerns of the previous plan was the location of the detention basin and a second concern was the percentage of slope and wetland of the property.

Mr. Egan questioned the use of a common driveway.

Mr. Rhuda explained that they could seek to have a private roadway with a waiver from full construction.

Chairman Lester questioned use of an "odd" parcel on Granite Street, to the rear of the property. He stated the Board would probably want to condition subdivision approval with the notation that there be no further subdivision of the property.

Mr. Egan added that, while there is wetland in that area, there is no longer a brook there. He stated that his botanist made this determination.

Mr. Rhuda advised that he should submit plans to the Board, including reasons that waivers would be in the public interest.

Mr. Egan stated that he preferred to cut the trees during winter. He added that he would show the trees to be cut on the definitive subdivision plan. He noted that they want to maintain a buffer of trees.

Mr. Henry told Mr. Egan that he did not want to see a flood again. (a reference to flooding that took place on Southern Acres)

Mr. Jenkins said they would come back one more time prior to submitting the definitive subdivision plan.

HAWTHORNE VILLAGE ASSOCIATION

Present: Jeff Melvin and Tom Cahill, Trustees

Mr. Browne recused himself.

Chairman Lester explained that the Board wanted to hear from the trustees about progress toward completion of the subdivision.

Mr. Melvin stated that Mr. Weidman of Atlantic Bank made several improvements but there are problems that still exist. There are still some trees missing which Mr. Weidman is aware of. Also, the area with grass over crushed rock needs to be brought to standard.

Mr. Cahill noted that Mr. Weidman removed the rock that was in Alcott Way. There are still barren areas.

Norma Cronin, Planning Board Administrator, explained that Mr. Weidman, through his engineer, Mr. Hanlon of ESP associates, submitted calculations for detention basins for review by Earth Tech and the Board of Health.

Mr. Melvin said that there are not any grates over pipes.

Mr. Melvin expressed concern about the future of the subdivision because of the dumping of rocks within the subdivision during development; the dirt in detention basins causing them to clog; the grates lacking over pipes.

ZONING BYLAW AND SUBDIVISION REVIEW

Present: Attorney Mark Bobrowski, consultant; Tim Sullivan, Chairman of LRPC

Attorney Bobrowski asked for clarification of the term "Implementation of Revisions" as stated in the Request for Proposal.

Mr. Sullivan answered that the revisions be in a form to bring to town meeting.

Attorney Bobrowski and the Planning Board signed the contract for services.

Planning Board Administrator Norma Cronin asked, at the request of Town Counsel, that Attorney Bobrowski review the uses of the IE district.

Attorney Bobrowski went over his initial review of the *Zoning Bylaw*, which was previously faxed to the members. He questioned uses in the Agricultural District.

Mr. Rhuda pointed out that none of the Agricultural District is private land. It is all owned by the state.

Attorney Bobrowski pointed out the Site Plan Review process needs major revision. He also felt a narrower definition of street would be an improvement. He suggested uses such as common driveways and residential compounds.

Town Counsel Cerel stated the Board needed to establish priorities for town meeting.

Mr. Rhuda asked if it has to be ready for this town meeting. He would prefer to spend appropriate time to "get it right."

Attorney Bobrowski looked at the Open Space bylaw and suggested that the Board needed to look at alternative forms of development. He suggested the use of a landscape architect. He stated that Sterling has a good system that works quite effectively.

Town Counsel Cerel stated that the zoning in the downtown area has rendered most parcels pre-existing, non-conforming. We need to encourage growth and vitality in this area.

Attorney Bobrowski said he needed to talk town officials to get their input to help him.

WATER AND SEWERAGE COMMISSION

Present: Neil MacKenzie, Chairman, and Gary Lehmann

At the request of the Planning Board, members of the Water and Sewerage Commission attended the meeting to explain their proposed private sewer policy, which will be the subject of their public hearing on Wednesday, November 19th.

Mr. Rhuda questioned the capacity of the sewer pumping station.

Mr. MacKenzie explained that, while the capacity is listed as 1.5 million gallons, this can be exceeded during storms, thus a reference to processing 3 million gallons.

Mr. Rhuda questioned how this effected sewer in subdivisions.

Mr. MacKenzie stated this policy is not meant for new subdivisions. It is intended to cover those homes with failing septic systems that "fall through the cracks" between new subdivisions and the WS phase one sewer plan. He added that the treatment plant has never reached the 1.5 million gallons. WS felt that reserved capacity should be for existing development first and then concern about new development.

Mr. Rhuda questioned how they could require new development to repair infiltration problems and not require private citizens to do the same.

Mr. Lehmann said the idea is to give priority to those in town.

Mr. Rhuda suggested that it may need to be reworded or there may be a basis for a lawsuit.

Chairman Lester suggested they consider wording that would give the discretion to the WS commission. He suggested that the general philosophy should be that a developer does not have the right to extend sewer. He also suggested that the Planning Board revisit its requirements.

Town Counsel Cerel said, whatever the policy, it needs to be consistent.

Mr. Browne asked how many households could the treatment plant accommodate.

Mr. MacKenzie stated that is determined by DEP, which would reserve capacity for existing houses.

Mr. Rhuda suggested the W&S commission pick bonding companies or state that they must be on a list of approved bonding companies for Massachusetts.

OLD BUSINESS

Bridlemere

VOTED to reduce surety at Bridlemere Subdivision to $5,000 at the recommendation of Town Counsel Cerel. The $5,000 is being held for the submission of As-built and Acceptance plans.

Ridge Road

VOTED to return the remaining $5,000 surety being held for the Ridge Road Modification subdivision.

NEW BUSINESS

ANR – Grist Mill Road

VOTED unanimously to endorse an approval not required under subdivision control law plan dated July 11, 1997 and submitted November 6, 1997, showing parcel A to be combined with Lot 2 on Grist Mill Road on a plan drawn by Guerriere & Halnon, Inc., Franklin, MA.

1998 Meeting Schedule

The schedule for the first six months will be as follows:

January 5 and 26; February 9 and 23; March 9 and 23; April 6 and 13; May 4 and 18; June 1, 15, and 29.

All meetings will be at the Dale Street School – Room 3.

Budget for FY99

Due to lack of time at this meeting, the budget will be discussed at the December 1st meeting.

Meeting adjourned at approximately 10:30 p.m.

Respectfully submitted,

Stephen J. Browne, Secretary
MEDFIELD PLANNING BOARD

Paul B. Rhuda, Secretary Pro-tem for Hawthorne Village

PLANNING BOARD
DECEMBER 1, 1997

Present: George N. Lester, Stephen J. Browne, Paul B. Rhuda, and Tidal B. Henry.
Absent: David E. Sharff

MONKS WAY EXTENSION

Present: Christopher Egan, Carruth Capital Corporation President; Joseph Jenkins, Attorney; Stephen J. Pflug, Land Surveyor with Thompson – Liston Associates.

Mr. Egan stated they were before the Board for discussion of property adjacent to Monks Way in the Southern Acres Subdivision.

Mr. Pflug reviewed discussion plans. He stated that the Turbayne family owns the property. The sewer line would connect to sewer in Loeffler Lane. The plan showed the 5O foot undisturb buffer area required by the Conservation Commission and the 100 foot wetland line. The lots all have a minimum 40,000 sq.ft. of upland. The road is 499.98 ft measured from the side line as required by the Subdivision Rules and Regulations. He extended the sidewalk from the Southern Acres Subdivision, keeping it on the same side of the roadway. The paved way is 28 feet wide. The water is shown on the opposite side as required because "it works better."

Mr. Browne asked if the subdivision could be done without a waiver.

Mr. Egan said he thought he was suppose to come in with a plan that did not require any waivers. He also stated he has concern about the marketability of a country road.

Mr. Henry said he wanted the road the width it should be designed.

Mr. Egan added that the road would be a private road.

Mr. Pflug said he also drew an 18 foot road with a hammer-head turn; a plan which he showed the Board.

Mr. Lester observed that an 18 foot paved road would reduce tree cutting and run-off.

Mr. Pflug showed where there would be a drainage pipe to the detention on the rear of the property. He added that sometimes you could use a drainage pipe as part of the storage area. This would be a large pipe that would allow water to gradually pipe out. He said they could not use the detention basin at Southern Acres because they would have to force the drainage uphill. He also added that a lesser road width did not necessarily mean less grading.

Mr. Rhuda stated he would prefer the area be left in more of a natural state.

Mr. Pflug noted that the Subdivision Rules and Regulations required a traffic study. He questioned if that requirement could be waived.

Mr. Henry said he did not think that a full traffic study would be necessary given the small size of the subdivision.

Mr. Rhuda advised them to bring in the subdivision plans and then work out the waivers.

In response to a question, Mr. Pflug explained that the sewer goes around as shown on the plan because of the grade.

NEW BUSINESS

FY 1999 Budget

The Board will seek the return of $3,000 to the "consultant" account for use toward additional forms of consulting by either the Board or the Long Range Planning Committee. An additional $1,000 will be sought for the "outside services" account for incidental expenses of the LRPC as well as printing of Zoning Bylaw and Subdivision Rules and Regulations.

Hawthorne Village Sewer

The Board reviewed photographs of a sewer main break on Alcott Way in subject subdivision. The DPW repaired the break on an emergency basis. W. Kenneth Weidman, president of Atlantic Bank, had already been notified of the break and is working with the DPW. He has been advised that the Town reserved the right to reimbursement for expenses incurred. The Board is concerned about the size of boulders placed on the sewer main as well as the depth of the main. Subdivision plans show the sewer at this point to be no greater than 8 feet. Certified as-built plans show the sewer no deeper than 10 feet. Actual depth appeared to be 15-18 feet.

Erik Road Extension

The Board reviewed photographs of work done by Mr. Musto on said property. This work was in violation of Conservation Commission regulations. The Conservation Commission Agent, Leslee Willitts, issued an Enforcement Order. The pictures showed work on the cart path, including widening and fill. The Board also reviewed the Enforcement Order. This property is still in litigation with the Planning Board. The judge reviewing the case will be walking the site on Thursday, December 4th.

LRPC Membership

VOTED three to one (Mr. Lester) not to appoint Debra Baros to the LRPC.

VOUCHERS

VOTED unanimously to pay vouchers for $623.67 (North Meadows Road) and $328.48 (Woodcliff Hills bridge) to Earth Tech, Inc.

PLANNING BOARD
DECEMBER 15, 1997

Present: George N. Lester, Paul B. Rhuda, David E. Sharff, and Tidal B. Henry.
Absent: Stephen J. Browne

Meeting convened at approximately 7:30 p.m.

By roll call vote, VOTED to go into executive session for the purpose of discussing pending litigation with the expressed intent to return to open session;

Mr. Lester: yes Mr. Rhuda: yes Mr. Henry: yes Mr. Sharff arrived late and was not present for the vote.

At approximately 8:15 p.m., the Board returned to open session with the following business.

HUNT MEADOW FARM

Present: Neil MacKenzie, developer

The Board reviewed the Earth Tech, Inc. report dated December 15, 1997.

VOTED to reduce surety to $15,000 in accord with the recommendation of Earth Tech report.

ZONING AND REGULATIONS REVIEW – MARK BOBROWSKI

Present: Mark Bobrowski, Consultant; Mark Cerel, Town Counsel

Mr. Bobrowski reported that he had contacted most of the people he needed to speak to regarding the *Zoning Bylaw* and *Subdivision Rules and Regulations*. He added that Selectman Thompson stated that she would not discuss this because of possible conflict of interest. She is a realtor.

PLANNING BOARD
JANUARY 5, 1998

Present: George N. Lester, Stephen J. Browne, David E. Sharff, Paul B. Rhuda, and Tidal B. Henry.

SCENIC ROAD HEARING – 3 NOON HILL ROAD

Present: Superintendent of Public Works Kenneth P. Feeney and Tree Warden Edward Hinkley

Chairman Lester convened the public hearing at 8:00 p.m. with a reading of the Legal Notice that appeared in the *Medfield Press* on December 18 and 24, 1997. Noon Hill Road is designated as a scenic road.

Superintendent Feeney explained that there are four trees in front of 3 Noon Hill Road that are in the way of the South Street Reconstruction project. He re-measured today and the edge of the road will go through three trees and the routes of the fourth would be destroyed. Mr. Quinn, the homeowner at 3 Noon Hill Road, supports removal of the trees because they are a threat to his house.

Chairman Lester questioned if there is a new right-of-way for South Street and does it extend into Noon Hill Road.

Superintendent Feeney explained that part of the roadway tapered into Noon Hill Road. He continued to explain that the stone wall needs to be relocated to the property line, approximately four feet. The highway department will relocate the stone walls before clearing and grubbing. A stone mason will move and rebuild the walls according to state specification. He added that the plan is reviewed by the town's engineers as well as the state engineers.

Tree Warden Hinkley said the trees are three old oaks and one white ash. He added that the trees are in bad shape and would cost too much to try and save them by transplanting them elsewhere. He recommended that the trees come down.

Mr. Sharff asked if they plan to replant trees.

Superintendent Feeney said he changed the state specs to meet the Planning Board specs. They will replant trees under the supervision of the Tree Warden. In response to questions, Mr. Feeney stated that they have plans, which shows that South Street meanders. The road is being improved to the absolute minimum width of the state. The trees in question are not on South Street but on Noon Hill Road.

Irene Grandine, 173 Granite Street, expressed concern for erosion problems, siting the problems with Southern Acres. She stated that stacking and bioengineering were essential. She said she talked with the Tree Warden at Walden Pond. She asked that the Board call in the state environmental people right then. She said they could be here in 30 minutes. She was concerned that the trees are big trees and should not be taken down;

that they need the infrastructure. She continued, expressing concern about pollution and the clear water act.

Superintendent Feeney pointed out that these trees are not in the wetland and the town has all the approvals, including DEP.

She asked that the town get engineering in to stabilize.

Mr. Rhuda reminded that we have had the state in over the past several years.

In reply to questions from the Chairman, Mr. Hinkley said they would replant trees in the area if the abutter will allow them.

Mr. Hinkley said he spoke with the abutters and no one voiced opposition.

Mrs. Schroeder, 7 Noon Hill Road, said she understood that they could not save all the trees but she did not believe that the trees are a danger to Mr. Quinn's property. She said red oaks live long and rarely fall. She has not seen any problems. These trees live to 100 years old. She expressed concern for a large intersection going into a small side street. She questioned if it were necessary to widen South Street so much and wished that the plan be modified.

Mrs. Grandine said removal of the trees would result in an increase in the cancer rate in the area.

Mr. Quinn, 3 Noon Hill Road, said one tree has already struck his house and caused $1000 in damages. Large 6-7 foot long branches have fallen on his house and in his yard.

Mrs. Grandine interrupted to ask that the trucks of the trees remain and expressed concern that bioengineering be applied. She expressed concern for pollutants and keeping bigger masses of trees. She advised that the town get large caliper trees to hold Southern Acres down.

Mr. Rhuda asked how wide Noon Hill Road was.

Superintendent Feeney explained that the opening at Noon Hill Road is necessary for proper sight distance. The road then tapers in front of Mr. Quinn's house.

David Czelusniah, 5 Noon Hill Road, asked where he could see a copy of the plan and how much of the front lawn would be lost.

Superintendent Feeney stated the plan is available in his office. He explained that the road tapers down the road. It will require the telephone pole to be moved.

Mr. Czelusniah added that the stone wall keeps silt from coming down the road.

Superintendent Feeney said the drainage system in the road will be picking up some of the runoff. He reviewed the water problem with Mr. Quinn and even if a couple of catch basins are necessary, he will add them. He added that the stone wall will be relocated back to the property line.

PLANNING BOARD
FEBRUARY 23, 1998

Present: George N. Lester, Paul B. Rhuda, David E. Sharff, and Tidal B. Henry
Absent: Stephen J. Browne

Chairman Lester convened the meeting at approximately 8:00 p.m.

David E. Sharff recused himself for the meeting as he is an abutter to the proposed Benjamin Franklin Savings Bank.

ASSOCIATE PLANNING BOARD MEMBER

VOTED, with Messrs Lester, Rhuda, and Henry voting, 3-0 to appoint Timothy Sullivan Associate Planning Board Member for Site Plan Review.

Town Clerk Carol Mayer swore Mr. Sullivan in following his appointment.

BENJAMIN FRANKLIN SAVINGS BANK

Present: Neil Roche, attorney; various representatives of the bank.

Chairman Lester convened the hearing at approximately 8:15 p.m.

Neil Roche, attorney, gave a brief history of the site and stated there is a land court case scheduled for March 12, 1998 relative to the 150 foot rule for driveways. He noted that there are several changes on the plan. The bank building is slightly forward. There are two teller stations in the rear of the building. Traffic would enter from Cottage Street, go through the teller station and then exit on to Mitchell Street. There are 16 parking spaces within three structures, which is permitted under section 8.3.2. Section 8.3.2 was enacted in 1972 and not changed. He tried to find the rationale for this section but could not find any. In 1972 there was a major revision to the Bylaw. Under Section 8.3.2 they can house 16 parking spaces in structures. They seek Site Plan Approval under the Bylaw. The bank has no desire to construct the structures. The green area on the plan represents lawn. This plan complies with all the set back requirements. The plan also incorporates other issues from the past. He stated that they would have the extra details on drainage at the next meeting. He added that they did invite all the neighbors to a meeting at the Pfaff Center to express their concerns. The neighbors do recognize that they abut a business district. The bottom line with the neighbors group is 1) they want an extra curb cut off North Street, which is not a viable alternative with the Police Chief; 2) they want Cottage Street and Mitchell Street to be made dead-end, which is not acceptable to the Board of Selectmen. There was a plan approved by the Selectmen, which would allow Cottage Street to be one-way west and Mitchell Street to be one-way east. They would provide signage to control traffic through the bank. The hours of operation would be 8:30 A.M. to 3:30 P.M. except Thursday, which would be 8:30 A. M. to 7:30 P.M. and Saturday, which would be 8:30 A.M. to 12 Noon. He stated they have a right to develop and have satisfied the zoning bylaw. This is a prime commercial location. The bank has been looking for several years for a place. They can be good neighbors. He then expressed

concern for the ability of the town to require a special permit. However, he prepared the form as required. He said the board is only required to issue site plan review.

Chairman Lester sought clarification of the three changes from the past.

Neil Roche responded that they moved the tellers and the parking spaces. The plan shows a couple of trees that need to be removed. They can supply additional trees and landscaping as the Board determines necessary. If the Board has any reasonable conditions to impose or if the Board would like them to do something that will improve the situation, whether it is esthetically or a safety concern, like sidewalks or anything like that the Bank would be very interested in doing that.

Greg Rosen, NES Group, added that one other change that was made was that drive-up canopy was three lanes and they have reduced it to two lanes. They have abided by all of the changes which were requested. Some of those were sidewalks on Mitchell Street; sidewalk off the side of the building; accessibility of the ATM; lighting; parking spaces; drive-through down from 3 to 2; landscaping; buffer zones; curb cut radius. Everything that was suggested from the neighbors and the Board in the past meeting has been taken care of. The only others that are outstanding from the previous session with the Board is to deal with drainage. Curb cut radius have been included. They are now reevaluating the drainage and are prepared to come back with an acceptable plan. The building is pretty much in the same spot except for the structures that are covering the parking spaces.

Mr. Henry questioned what kind of a structure they are talking about for parking. He wanted to know what that would look like.

Scott R. Towne, DRL and Associates, Inc., Architects, explained that they have a designed the building three or four times. It is a clapboard building, Greek revival with a portico up front. They took some of the details that were used in the building and incorporate them into the parking facilities – clapboard with some lattice work and the same traditional columns. These would be open on the front side.

Mr. Henry expressed concern about the drainage and asked if they changed the drainage.

Arthur Borden, engineer, responded that originally all the drainage was going to be handled on site. Mr. Domey (BOH agent) raised questioned about ground water infiltration that they looked at. They discussed with the Department of Public Works and the Highway Superintendent to analysis the existing drainage structures on Mitchell Street and down North Street to see what, if anything, they could put in there. One of Mr. Domey's comments regarded emergency overflow, not just complete infiltration into the ground. They are in the process of discussing with the town what the capacity is of their existing system. They know what the existing site contributes to that system now. If the system adequately takes care of that and they can find a design that will attest to the increase in runoff from the site and allow for existing conditions to feed into the town drainage system then that would provide for the over flow factor that Mr. Domey is

looking for as well as the concerns of the Planning Board engineer, Mr. MacKinnon.. There may be a change for how the discharge happens but primarily there are a couple of catch basins on the site. He showed what areas would go into which catch basins. Everything drains to a location within the property. No water is being discharged onto anyone else's property.

Mr. Rhuda asked if a galley system is put on site, what is the separation between the bottom galley system and the high water table.

Mr. Borden answered that the consultants have asked for two feet. They have not done enough testing and will need to do more. It may have to be a different type of system. It may have to be shallower than the two feet.

Mr. Rhuda said it is suppose to be two to four feet according to Planning Board design.

Mr. Borden said they have done a couple of test holes on the property. They have a feel for what they think the ground water level is but they do need to do more testing.

Chairman Lester explained for those present that what they are discussing is the difference between the storm water on the site being drained through the town system in the street versus putting in underground galleys which then allows the water to percolate into the soil. There were questions raised before about the capacity of the systems and whether it should be one or the other or a combination of the two. It is a requirement under the Board's process that they satisfy the Board of Health. That was not a conflict before.

Mr. Borden reiterated that more testing needs to be done on site and some additional analysis, some information provided to both Mr. MacKinnon and Mr. Domey, before they come back. When they come back they fully expect to have an acceptable drainage plan. They will be seeking a letter from the Board of Health (BOH) to that effect.

Mr. Sulllivan asked that they explain what technology is planned to separate oil and solvents from water that will be leaking off.

Mr. Borden explained that both of the catch basins that are proposed will have deep sumps in them with a trap and separators (a storm water separator) which keeps them in the tank. This would require a maintenance plan so that they would be cleaned maybe once a year, maybe three times a year depending on the use. Before any water even went into the chambers for infiltration it would run through these catch basins and through the catch basins.

Mr. Sullivan asked if the bank had any experience in managing and maintaining these systems.

Mr. Borden said he would expect that their existing property is not anywhere near what this technology is. Storm water management calls for a maintenance plan which they provide in writing.

Mr. Rhuda asked what they are calling the closed in areas, other than a structure. "Structure" has a few definitions in the Bylaw, which he read.

Mr. Roche said he would guess "building" would come closest.

Chairman Lester sought to clarify by asking if it is completely open on one side, is it closed on the other three sides.

Mr. Towne said they should be open, with a depth of a parking space – 18 feet.

Mr. Rosen showed the elevations as on the plan.

Mr. Roche said the plan calls for some landscaping between the structures and the street to make more esthetically pleasing.

Mr. Rhuda read, for the benefit of the public, section 8.3.2 of the Zoning Bylaw, which requires all parking areas containing over five spaces must be contained within structures or subject to additional requirements among which is the requirement that the entrance between at least 150 feet from any adjacent street. The Board is still trying to work out what a structure is. He then asked what the width of the aisles between the parking – backing up from one to the other.

Mr. Rosen said they were at 20 feet but have been moved to 22 feet.

Mr. Rhuda said they should be a minimum of 24 feet. He was reviewing Dale MacKinnon's most recent letter.

Mr. Towne discussed the traffic flow as it related.

Mr. Rosen said some additional green space has been added but the traffic pattern is still the same as previously proposed.

Mr. Rhuda questioned the need for a tighter radius to force the direction of vehicles in and out of the site and prevent them from taking a different direction.

Mr. Borden felt that that was done on the last revision. He felt it is so drastic that vehicles would have to climb over the curb to go against the intended flow of traffic.

Mr. Rhuda noted that it did not appear sharp enough.

Mr. Borden said the street is not wide enough to allow the vehicles to go opposite to the intended flow.

Chairman Lester asked if there is anything further that can be done to force the vehicles into that traffic pattern.

Mr. Rosen said they could put up signs. Also, if the street were one way then they could not make the turn. He stated that the Selectmen have determined that they would be one way streets.

Chairman Lester asked if the Bank had agreed to pay for the signage, including off site signage.

Mr. Roche responded, Yes."

Mr. Rosen said the Bank has been very willing to cooperate.

Chairman Lester said he did remember the discussion of a whole new sidewalk on Mitchell Street.

Mr. Rosen responded that was so plus sidewalks in front of the Bank.

Mr. Sullivan questioned the construction materials at the site.

Mr. Towne said it would be clappboard with wood siding, architectural shingles with white trim. The finished color would be grayish-blue.

Mr. Rosen said the architect is trying to simulate the Greek Revival architecture. They are very sensitive to that.

Chairman Lester wished to review the architectural compatibility of the building. He asked if they were aware of any concern from neighbors or others in the town regarding architectural compatibility.

Mr. Towne said they have not changed much with regard to the architecture. He said they went through a design process at the last hearing.

Chairman Lester discussed the concept of pedestrian access in keeping with the town's desire to promote a central business district where people could park in one place and walk to several locations to do their errands.

Mr. Rosen said they have accommodated pedestrians by adding concrete sidewalk off North Street as well as having the entrance off of North Street. They analyzed several locations for where the building could go and this was the best location to allow the smooth transition of cars coming off Cottage Street through the drive through and out Mitchell Street. Employees would be parking to the rear and customers could come in and enter off the side.

They discussed a diagonal walk way along the front.

Chairman Lester asked if there was a traffic engineer's report.

Mr. Roche responded that they would want the traffic study previously done to be included as part of this submission. They did not believe that they needed to do another report.

Mr. Rhuda said it bothers him that the report said it would not present a public hazard. He noted the narrowness of both Cottage and Mitchell Streets.

Mr. Rosen said that within the structure of the site that they have and with the accommodations of the change to the one-way road, the traffic flows would be travelling off of North Street approximately 115 – 120 feet entering into the one entrance. Then parking or travelling through the drive through and then exiting to Mitchell Street and onto North Street. The question the neighbors brought up was the children. The traffic is not going back into the mainstay of the neighborhood.

Mr. Rhuda asked where they are showing the sidewalk on the Mitchell Street side.

Mr. Rosen responded that the sidewalk is shown on the Bank side.

Mr. Borden said they are doing a replication on North Street as well by adding granite curbing along with the sidewalk in front of the Bank. The curbing would be reset and there would be a smooth sidewalk.

Mr. Rhuda noted that the streets are so narrow that there is really no definition between the street and the sidewalks. He did not want the sidewalk going across the driveway.

Chairman Lester asked about lighting and buffer of vegetation. He recalled that the Board wanted to see that there was no extraneous light going off the site but rather that the lighting at the perimeter would all shine in, or you turn it all off, but you don't have anything that goes into the neighbors' windows.

Mr. Rosen responded that that is a common request that they work on relative to sheeting devices that will keep the lighting onto the parking lot. There is no question that that would be accommodated for. Relative to the landscaping they can have a registered landscape architect draw up a plan as well as meeting with neighbors individually to be sure that they are satisfied. That is not a problem.

Chairman Lester asked for a landscape plan and a lighting plan to be part of the record and part of what the Board votes on so there is no question later.

Mr. Roche read a memo from the Town Administrator dated November 7, 1996 outlining the concerns of the Board of Selectmen.

Chairman Lester stated that the Board did not want anything shining in the neighbors' windows.

Mr. Rosen said they could show the radius of the lighting as it goes off site. He added that they do have regulations for doing a financial institution around certain areas like the ATM for safety that there would be some candle-foot power extending to a certain degree.

Chairman Lester asked if the ATM would be in the front.

Mr. Roche responded that the ATM would be on the side of the building, not near the driveup windows.

Chairman Lester said he would expect that the light would be on but within reason.

Mr. Rosen said they would revise the plan to accommodate the recent changes.

Chairman Lester asked that the landscape plan include reasonable wished of abutters.

Mr. Rosen said they would have the landscape plan along with the drainage plan at the next meeting.

Chairman Lester asked for comments from the Board of Selectmen.

Selectman Ann Thompson said they do not have a comment at this time.

Burgess P. Standley, 75 Elm Street, (speaking as a private citizen) asked if there were regulations of minimum detail that is required with the submission of the application.

Chairman Lester responded that there are no regulations for this process analogues to those of the Subdivision Rules and Regulations.

Mr. Standley said the Planning Board should spell out what is required for a submission. He considered the application to be inadequate. He questioned the paved width of Mitchell Street.

Mr. Roche responded that they have complied with the rules and the presentation is adequate. He said that Mitchell Street is a public street, 25 feet in width.

Mr. Borden said that Cottage street is paved to a width of 20 feet and Mitchell Street to 17 feet.

Mr. Standley expressed concerns for two safety problems, one for the residents of the neighborhood

2/24/98

Present: Planning Board: Paul B. Rhuda, Stephen J. Browne and Tidal B. Henry
George N. Lester (later into the meeting)
Planning Board Consultant: Dale MacKinnon
Conservation Commission: Ralph Parmigiane, Mary McCarthy, Michael Perloff and Leslee Willitts (later into the meeting)
Board of Health: William R. Domey, Agent
Town Counsel: Mark Cerel

Absent: David E. Sharff

Also present: Edward Musto (Applicant), David Hern (Attorney), and Fred Pfischner (Engineer)

Mr. Sharff convened the meeting at approximately 8:08 P.M.

Mr. Rhuda explained the discussion that took place at the court house. One house lot would be along the north side on high ground and five house lots would be on the south side. There would be no further subdivision of the property. There would be a trail easement. The 50-foot connector was undecided. It would allow the sewer to go through from Mr. Musto's property to Mr. Colwell's property. The road would be private, 16-foot gravel with a place for emergency vehicles to turn around.

Mr. Musto stated the 50-foot strip of land was to demonstrate that he could satisfy all the subdivision requirements.

Mr. Pfischner explained the base plan was a one lot plan for the Conservation Commission and the Zoning Board of Appeals. It shows a 16 foot gravel roadway with a sewer line. The road crosses over an existing culvert with a 30" pipe. The second culvert is proposed to also include a 30" pipe. This plan was approved by the Conservation Commission and appealed to DEP, which approved it. They could change the 2" water line to a 6" line or whatever size the town would require. The plan shows a 40 foot ROW with the 16 foot gravel road. There are 5 houses on one side that he is confident will conform to zoning requirements. All 6 houses are outside the 50 foot buffer requirement of the Conservation Commission. The plan will need minor filling. The utility easement is for the Woodcliff Hills sewer. The trail easement showed on the Woodcliff Hills plan and would continue. Lot 2 goes around the end of the circle. The "road" continues on around the back of the plan. He proposed the addition of dry wells with catch basins to collect the runoff. Through a system of drains and swales the drainage would go into the wetland.

Mr. Cerel noted that the 30" culvert would over top the road in a 100 year storm.

Mr. Pfischner said the flow would be 6" maximum for a couple of hours. The Conservation commission would prefer to maintain the 30" pipe. They will replace the pipe with a new class 4 pipe when they run the sewer and water under the pipe. Currently there is a 1 – $1^{1/2}$ foot of cover over the culvert.

Mr. Rhuda questioned the road elevation and if a swale would stop water from going over the road.

Mr. Pfischner said this would be country drainage alongside of the road. It will hold the runoff so it can be separated into the ground. He moved lot lines to allow driveway construction beyond the wetlands and leave a small buffer. The area of green on the plan represents yard work to allow construction of the houses. All the area in white would be undisturbed.

Mr. Cerel asked if they could show envelopes of the disturbed area with the houses in the envelope on the plan.

Mr. Musto said they would need to consider the elevation on the back side of the house.

Mr. Hern said they are looking to prepare one plan that would be agreeable to everybody. He added that the Conservation Commission has approved a version of this plan. They will need the Board of Health approval.

Mr. Cerel asked Mr. Domey if he had any observations.

Mr. Domey said there are three criteria to meet. There must be no increase in runoff. There must be no increase in the amount of water. Best management practices must be used for a two year storm. He would need to see evidence and reasons for any waivers.

Mr. Pfischner said he did not do the drainage calculations because he wanted to see what the concerns at the meeting are. He proposed dry wells to handle roof runoff. The water could go into a water quality swale on the upstream side of the road.

Mr. Domey said this would need to be clear.

Mr. Rhuda expressed concern that the intent be to stay on the other side of the wetland.

Mr. Domey said they need to meet the regulations. He is not saying where the drainage must be but that it must work. He added that a gravel road is an impervious surface. He explained that it ultimately becomes impervious after vehicles go over it.

Mr. Pfischner asked it the 10 foot road that is there is impervious. It gets travel.

Mr. MacKinnon said there is a SCS value for roads.

Mr. Domey said he did not think they could say the road would never get paved because later it will need to be paved.

Mr. Musto said that if anyone paved the road they would need Conservation Commission approval.

Mr. Domey observed that the culvert at station 2+50 looked like a dip.

Mr. Musto said they could raise the grade.

Mr. Pfischner said that they could not do that because the water would back up.

Mr. MacKinnon suggested that they could soften it with a vertical curve.

Mr. Pfischner said no.

Mr. Browne questioned if the runoff would create a reduction of water in the stream.

Mr. Pfischner said that with the one lot plan it matched.

Mr. Browne said he is concerned about the amount of runoff.

Mr. Pfischner said they would capture it in a swale and dry wells. The calculations will show that. He said he needs a design figure.

Mr. MacKinnon asked Mr. Domey if he accepted runoff from roof leaching.

Mr. Domey said he needed to know the soil and the ground water in the area. He said he did not favor that approach. He added that they could improve the swale with check dams.

Mr. Pfischner said he does have soil testing and water quality which he will resubmit.

Mr. Domey asked for that in a comprehensive plan.

Mr. Pfischner said yes. He said that the Conservation Commission is concerned about diverting the water.

Mr. MacKinnon asked what year storm did he consider for the runoff.

Mr. Domey answered a 100 year storm.

Mr. MacKinnon said he did not think this would work. He said they have to provide some kind of detention basin with infiltration. He asked if they needed to do permeability tests.

Mr. Domey said he has waived permeability for a larger detention area.

Mr. Rhuda said he did not want to see something that would increase the water near existing homes.

PLANNING MEETING
MARCH 9, 1998
Present: Stephen J. Browne, Paul B. Rhuda, and David E. Sharff
Absent: George N. Lester and Tidal B. Henry

Acting-Chairman Browne convened the meeting at approximately 8:00 p.m.

SPRING STREET TEXACO

Present: Randy Eakin and John Molly

Mr. Eakin explained that he and Texaco would like to renovate the station. While they would like to ask for a canopy, he will not although he cannot be sure that Texaco will not ask for one. He would like to add a car wash and a bay for the new inspections, which the state will be requiring in the near future. He would like to get a sense from the Board if this would be acceptable. The car would be to the right side of the station thus allowing plenty of room for the cars to queue up. The service bay would be in the rear.

The general consensus of the Board is that the plan, without a canopy, seemed do able.

DELA PARK ACRES

Present: Dennis Etzkorn from Mr. Delapa's office; a couple of neighbors

Mr. Etzkorn said they are planning on finishing the subdivision this year and want to see about getting their surety back.

The Board told Mr. Etzkorn that they would get their money back assuming that the work is done and nothing else "crops up" but the Board would not reduce the surety item by item.

Mr. Rhuda asked if "as-built" plans were complete. He reminded Mr. Etzkorn that such plans should compare to the original plan and not be as is built. Such an example is the detention basin that does not appear to be built according to the approved plan.

Mr. Etzkorn said such plans are not done at this time. He said he would get his engineer to show that the detention basin, though not built to plan, will function the same.

The Board reiterated its intent to wait until the work is done before returning surety.

SUMMER MEADOWS

Present: John Glossa, Glossa Engineering; Paul Richardi, developer

Mr. Glossa said he recommended to the applicant submitting a preliminary plan instead of a definitive one because he considered there were issues to get out on the table before the applicant made a decision to do a definitive plan.

Acting- Chairman Browne explained for all present that the Board can approve or deny a preliminary plan but it is not binding and it does not allow the developer to go ahead and build.

Mr. Glossa continued by explaining the history of the site from the Comprehensive Permit process denied by the local Zoning Board of Appeals and subsequently approved to at the state level. Time and available financing ran out before the development could be started. Now Mr. Richardi is seeking to build 3 single family homes on the property. He came to Mr. Glossa because he was the previous engineer who had worked there. The property in the front of the lot is in the RU zoning district but the predominant part of the lot where the houses would be built is in the RS zoning district. The requirements for the RS district include a minimum lot size of 20,000 sq.ft. with 96 feet of frontage. Lot 1 has 22,000 sq.ft, lot 2 – 20,000+ sq.ft., and lot 3 – 25,000 sq.ft. The existing house shown on lot 2 will be torn down. The lots conform to zoning but the width of the layout does not satisfy the requirements of the Subdivision Rules and Regulations. It is only 25 feet and thus would need a waiver. The requirements are 50 foot layout. The length of the roadway is 390 feet to the back of the traveled way. Currently the driveway is 12 feet wide and gravel. They would move the gravel road over to be within the ROW and make it 16 feet wide. They do propose to keep it gravel. The soil is bony gravel that could create a firm road. There has always been a perception of a drainage problem there. The town drainage system is not in the area so they plan to keep pavement to a minimum. A low area will shed water off to the lots. The current house sits on a knoll. The drainage runs down from the house to the lowest part located between 50 and 75 feet back from the street. They propose that each driveway should be paved. Each house would have leeching galleys 4'x4'x4' to collect the roof run-off. They may need to do more permeability tests. They have done some that have been good. They propose a 6" waterline ending with a hydrant. They will connect to town sewer. On the front of lots 1 and 3 they could put an easement that would require landscaping but no building to allow for adequate sight distance. The first 30 feet of the road would be asphalted. Half way across they will install a stockade fence. They will match the drainage that is there. They are leaving gravel so as to keep as much in the same state as currently exists.

Mr. Rhuda pointed out the Board of Health agent, Mr. Domey, treats gravel as pavement when considering drainage.

Mr. Glossa said they are not really all that much different. Gravel just sounds more palatable.

Mr. Glossa continued that they would put restrictions in the deeds including that the street would remain private.

Mr. Rhuda said the applicant is required to show the ROW. The owners of the property would own to the center of the road. He asked if there was a way to pit the road so that the drainage would pocket before getting to the section that gets so wet.

Mr. Glossa said that would not be possible without tearing up a large area.
Mr. Sharff asked if the plan could be built without waivers.

Mr. Glossa said no.

Mr. Browne said the Board could grant waivers if it is in the public interest. Such restrictions as no further subdivision, no further streets, and no further density could be considered to be in the public interest.

Mr. Glossa said they could include such restrictions in the deeds. He also felt they could work out how much of the area can be nonpervious. He is confident that he can design a drainage system acceptable to the Board and the Board of Health. If they run roof top drainage through a system it is cleaner.

Mr. Sharff and Mr. Browne questioned why the culdesac went to the back of the property if they were not going to build out the road.

Mr. Glossa said it is because they need the area to satisfy the zoning requirements. When they do the definitive plan they will pull the road back to the least possible length that will still allow them to satisfy zoning. He also considered the need for an area for trucks such as oil trucks to turn around as well as an area to store snow.

Acting-Chairman Browne asked if there were any questions.

Ed Murray, 80 Green Street, noted that they area near the entrance floods and expressed concern that if they raise the road it would put water into the neighbors yard. He is also concerned about water washing down a gravel hill. He noted the Green Street side is a cliff. If the snow is piled up against the property line, he is concerned it will melt down onto Green Street properties. He asked about a privacy fence to prevent people from taking short cuts through the yards as they now do. He clarified the house on lot two would be torn down and a new house would be built. He questioned the location of that house. He also asked if they were proposing a detention basin.

Mr. Glossa said the house could be moved further from the property line. He further explained that the drainage would be either the same or less. They will be adding roof top and some pavement that will be captured and recharged back into the ground. They can figure how much area they need underground to take runoff. They would expect the system to be up on the knoll – not down low.

Mr. Murray asked the size of the houses and price range. He also expressed concern that the homes would be higher in elevation than the surrounding homes thus people could end up looking into other homes.

Mr. Richardi said he expected the homes to be in the $300,000 range. He added that he intends to try and meet the needs of the abutters where practicable. He considered that the people buying these homes also want privacy and will respect the privacy of others around them.
David Lifsitz. 7 Kenney Road, said he would like to keep an existing barrier of trees. He also questioned the location of the houses.

Mr. Glossa said they will pull the culdesac back as far as possible and still satisfy zoning and then put a driveway to the last house. If they can identify the trees they will try to save as many trees as possible.

Richard DeSorgher, 4 Carmen Circle, expressed concern for the water building up and washing into Summer Street. He also questioned if the lots would satisfy the zoning requirement for a perfect square. He then asked what the actual requirement for a road would be and if they could meet that requirement.

Mr. Rhuda explained what a perfect square was and that the road layout requirement is 50 feet that they have indicated they cannot do.

Mr. Desorgher questioned if they could do two lots without any waivers.

Mr. Glossa said they would still need waivers.

Mr. Rhuda said a nonwaiver plan would only be one house.

Mr. DeSorgher questioned putting more than the one house in the area. He also said the lot needed to be surveyed.

Mr. Glossa said the property has been surveyed.

Mr. DeSorgher said that the Town would have to take the residents to court if there was a flooding problem out onto Summer Street since the new road would be a private way.

Mr. Murray questioned who would be responsible if the planning board approved the plan and there was flooding later.

Mr. Browne explained that the Board cannot approve a plan unless there is no more runoff than exists today.

Mr. Rhuda added that an engineer must put his stamp on the plan.

Mr. Murray questioned what could be done if the builder fails to do the work he should.

Mr. Rhuda questioned the possibility of the developer putting a drain in Green Street.
He also wondered if there were a way to trap the runoff before it reached the street

Mr. Glossa said he would look to see if that is financially feasible. He will do some elevations. They want to shed off before gets down to the entrance.

Mr. Sharff asked what is causing the flooding.
Mr. Glossa said everything comes to the two low points. The road is slightly banked. Some comes off abutters' yards near the entrance.

Mr. Glossa continued that they would need deed restrictions for the trees. They can workout saving trees but he does need enough room to work.

Mr. Browne expressed concern that the area not be cleared as some developers have done in the past.

Mr. Glossa said the developer wants to make a trade. They want to give the planning Board more control over the lots in return for waivers to be granted..

An abutter questioned the developer's experience.

Mr. Richardi said he has developed mostly on the south shore including in Quincy across from the Adams mansion.

Another abutter questioned the lighting.

Mr. Richardi said there would be low lighting, if any. The house could take 120 days to build and the road work approximately three months. He was not sure if he would build a custom home but he will build.

Mr. Rhuda explained that the state law says the planning board cannot specify the size of the homes although the developer can volunteer that in return for waivers.

Karen MacNeill, 18 Summer Street, observed that the new roadway would be much closer to her property. She already has water in her basement as well as a foot deep in the back yard thus she is worried about drainage. She also asked the average lot size in Medfield. She also questioned that the layout does not conform.

Mr. Rhuda explained the lots sizes vary according to zoning district but 20,000 sq.ft. in this area would be a fair answer.

Mr. Glossa explained that the layout may be waived so it is not as wide. They will build what the Board says in lieu of a waiver of width. Second they agree that this would be a private way and the town would not have any responsibility for maintenance. However, he cannot take the water out of Mrs. MacNeill's basement. There is ground water that rises in the spring. They will not make matters any worse but they cannot make it any better either.

Mrs. MacNeill asked if they will change the topography.

Mr. Glossa explained it would change the surface characteristics. They will however provide for artificial recharge into the ground. They will not make the runoff worse.

Mrs. MacNeill questioned that the previous development of affordable housing included a detention basin.

Mr. Glossa said that proposal had a lot more impervious area and needed to store the runoff so that it could go off slower. This development has only a fraction of the amount of runoff.

Mr. Rhuda questioned if the other permit had expired.

Mr. Glossa said the owner has not given up the idea of affordable housing but that Mr. Richardi came along and wants to build single family homes. He again stated they can capture the runoff.
]
An abutter questioned if they could further subdivide.

Mr. Browne restated that the Board could put restrictions on the lots when granting approval. He then added that the Board has not heard from the Board of Health at this time, thus the Board needs to schedule another meeting.

VOTED unanimously to extend the time in which the Board has to make a decision on this preliminary plan until April 10, 1998.

Acting-Chairman Browne explained that he expected that the Board would have a letter from the Board of Health by the April 6th meeting. If the preliminary plan is approved, they will still have to submit a definitive plan.

The next meeting for Summer Meadows was scheduled for April 6, 1998 at 8:15 p.m.

OLD BUSINESS

Hawthorne Village Detention Basins

The Board reviewed the letter from Earth Tech, Inc. and concluded that the developer needs to meet the Subdivision Rules and Regulations of water no deeper than 3 feet.

NEW BUSINESS

There was no new business.

VOUCHERS

VOTED unanimously to approve vouchers in the amount of $592.94 for payment to Earth Tech and Personalized Envelope.

Meeting was adjourned at 10 P.M.

Respectfully submitted,

Paul B. Rhuda, Secretary Pro-tem

PLANNING BOARD
MARCH 23, 1998

Present: George N. Lester, Paul B. Rhuda, and Tidal B. Henry. Also: Timothy P. Sullivan, Associate Planning Board Member for Site Plan Review

Absent: Stephen J. Browne

Meeting convened at approximately 8:15 p.m. by Chairman Lester

BENJAMIN FRANKLIN SAVINGS BANK

Present: Neil Roche and Paul Murphy, Attorneys; Greg Rosen, Jeff Maxtutis, Arthur Borden, Kenneth Osborn.

Mr. Roche reviewed the revised plan stating that there are five major changes on the plan. **1)** There is no entrance and exit off Cottage Street. The driveway will be closed off. **2)** On Mitchell Street there would be a permanent barrier at the end of the bank property. An area for snow is also provided. Presently there is a 25 foot right-of-way with 15-16 feet of pavement and no sidewalk. They would improve the road to a full 25 feet – 20 feet of pavement and 5 feet of bituminous sidewalk on the bank side. **3)** The traffic pattern would be from North Street to Mitchell Street. There will be 16 parking spaces. **4)** The bank building has been moved slightly toward North Street with a sidewalk into the building. Mitchell Street would in effect become a private driveway into the bank. When the street is paved it will still include access for the Kinsmans. **5)** There are no provisions for structures. There should not be a need for structures if the Planning Board and Selectmen approve the plan.

Mr. Roche continued by stating that he spoke with Mr. Kinsman who was satisfied. He said he understood that Mr. Sharff had approved the plan. He added that Paul Murphy, his associate, spoke with Attorney Pembroke. He has not spoken with residents of Cottage Street since they are not making any changes to Cottage Street.

Mr. Borden explained that there would be four lights along the parking area and two along the driveway. These would have two-foot candle power. One-foot candle power is available. The lights can be shielded to prevent back light. There are also some lights on the drive-up canopy as well as on the building. He said he was not sure of the color of the lights. He added that the poles would be 12 foot.

Mr. Rhuda noted that there would be 6-foot fence with a 2-foot lattice work on top.

Greg Rosen discussed the landscaping. He stated that there are existing trees in the dumpster area. There will be a live fence of shrubs along the back. The fence would follow the property line. They propose 32 dark American arborvitae 5-6 feet tall. Other trees proposed are dogwoods and Kwanzan cherry. Carol Thompson is designing the landscape.

Chairman Lester referred them to trees next to Friendly's Restaurant.

Mr. Rhuda reminded them that the Board wants the dead-end landscaped. He wants to see something that four-wheel drive vehicles cannot drive over.

Mr. Rosen said they would do the modification.

Jeffrey Maxtutis, Rizzo Associates, addressed traffic. He said that though the traffic volumes are 18 months old they are still relevant. While the Post Office is shifting to another location, it is not another use in the area. He expected 90- 95 vehicles during the peak hour. The level of service would remain a C as before. Access and operations are still acceptable. Queuing will take place internally. The evaluation of the impact is still the same. In determining the 90 – 95 vehicles per hour (Total for in and out), he did not take credit for those vehicles that might have been passing by anyway and decided to stop. He said it would be a 10% increase in traffic at Mitchell Street at the peak hour. With regard to the intersection, he said the side streets have a low volume, North Street a moderately high volume. There is quite a bit of a delay for a left turn.

Mr. Rhuda asked when the traffic lights at route 109 would be worked on.

Chief Hurley said it is supposed to be this summer. This should work out fine.

Mr. Roche said they do not have the drainage finished.

Arthur Borden discussed some of the drainage. Drainage from the drive-through would go back to the parking lot into a catch basin. The main driveway would go into a catch basin in Mitchell Street and piped back to a manhole to pipes under ground and ultimately to the drain on North Street. These pipes are 4 feet in diameter. They will match the drainage on Mitchell Street. No water in the back will go on abutting property. It flows into the parking lot catch basin. There will not be any ground water infiltration. There will be long term storage with a slow time release.

Mr. Rhuda asked about the two snow storage areas.

Mr. Borden said they could slope the area so the snow drains into the parking lot catch basin. He will look at it. It can be either by surface or by drains. Some of the drainage now goes into the catch basin on Mitchell Street. This plan will allow a 100 year storm. The drainage is time released to be the same volume. It could take 24 hours for the drainage to flow out.

In the absences of comments from other town officials Chairman Lester opened the discussion up to the neighbors.

Frances Pericles, 9 Mitchell Street, questioned what the status of Mitchell Street would be.

Chairman Lester explained there is some concern about taking a public way and making it for private use.

Mr. Cerel added that it is not the authority of the Planning Board but rather the Selectmen and possibly town meeting.

PLANNING BOARD
APRIL 13, 1998

Present: George N. Lester, Stephen J. Browne, Paul B. Rhuda, Tidal B. Henry, and Christopher R. Summers; Associate Member – Timothy Sullivan P. Sullivan
Also: Town Counsel Mark Cerel

Meeting convened at 8:00 p.m.

ERIK ROAD EXTENSION PUBLIC HEARING (continued)

Present: Edward Musto, David Hern, and Fred Pfischner

Chairman Lester reconvened the public hearing at 8:15 p.m.

Mr. Cerel noted the change in the composition of the Board due to elections since prior meetings. Mr. Henry and Mr. Summers have replaced other members. He added that they could sit if they were brought current on the issues.

Mr. Hern agreed to Mr. Henry and Mr. Summers sitting on the hearing. He stated he realized they would not be concluding tonight. He said he would give a progress report.

Chairman Lester asked if he would stipulate that he had no objection to the two sitting and would not file a lawsuit based on that basis.

Mr. Hern asked how many would be needed for a vote.

Mr. Cerel responded three.

Mr. Musto answered that he did not have a problem with the members sitting.

Mr. Hern confirmed that he had no objection to the five members voting as seated tonight.

Chairman Lester asked for a letter to that effect.

Mr. Pfischner said he would respond to Dale MacKinnon's report, though he just received a copy. He continued that he met with Mr. MacKinnon and that Mr. MacKinnon would accept Mr. Domey's conclusions on the outlet structure. He added he could address the dry wells with a change. The biggest issue is the roof runoff. He will need to find an alternative solution and come up with a compromise between he, Mr. MacKinnon and Mr. Domey. He could use dry wells for some of the roofs and some kind of overflow system with a drainage swale a little bigger, possibly expand a detention basin. He stated he needed to talk with Mr. Domey but felt they were making progress.

Mr. Rhuda said he read Mr. Domey's report and that he felt that Mr. Domey would probably accept the plan as soon as he received some answers.

Mr. Pfischner said he could do more onsite testing but he is trying to analyze the data he has. He is wording on a detail design for the dry wells.

Mr. Musto questioned eliminating the dry wells and expanding the swale.

Mr. Pfischner said that would not satisfy the Board of Health.

Mr. Rhuda suggested Chairman Lester contact the Board of Health Chairman about the need to rap up this matter. He added that the Planning Board not hold another meeting unless there are answers.

Mr. Pfischner said the Conservation Commission did not want them doing more work in the field. He would prefer to make more use of the swale. He will run some preliminary calculations and talk with Mr. Domey. He will also see if he can provide the 4:1 slopes.

The hearing will continue to May 4, 1998 at 7:30 p.m.

BENJAMIN FRANKLIN SAVINGS BANK (continued)

Present: Neil Roche and Paul Murphy, Attorneys; Kenneth Osborn, Ben Franklin Bank

Chairman Lester reconvened the public hearing at 8:45 p.m. for the purpose of discussing landscaping and drainage.

Neil Roche reviewed the landscape plan prepared by the bank's landscape architect, Carol Thompson. He pointed out the six foot fence with 2 foot lattice top. The area next to the Pericles' property will have extensive vegetation. The existing stone wall will remain and be repaired to look attractive. He added that he has spoken with Mr. Kinsman and considered his request for a fence to be reasonable. This would require approximately 50 feet of fence across from the entrance and exit of the bank to provide the Kinsman's with privacy.

Mr. Roche turned to the issue of drainage. He said that he expected Mr. Domey and the Board of Health to act on the drainage at the BOH meeting April 23rd. He said he has only just reviewed the planning board engineer's response on drainage and would address the concerns at the next meeting.

Chairman Lester set the next meeting for May 4th at 7:45 p.m. He asked for comments from other town officials. There were none.

Mr. Rhuda said they might need two catch basins where the snow area is because the lot drops about 1.5 feet 10 feet from the fence. He said he wanted the land higher around the edge.

Mr. Roche said they would take care of that.

Carol McPhee, 8 Cottage Street, questioned if the construction fence was on her property as it is right next to her house.

Mr. Roche stated that the new fence will go on the property line.

Mrs. McPhee asked if they were saying the property line touches the house.

Mr. Rhuda said that that is not unusual in the older section of town.

Mr. Cerel said she could have a surveyor determine her property line.

Mr. Summers asked if there was a reason why the fence needed to be on the property line and if not could it be moved back.

Mrs. McPhee stated she did not want a fence.

Mr. Roche said they would take a look at it.

Mrs. McPhee said she will hold the bank up. She wants it settled that there would not be a fence out side of her living room window.

Mr. Roche said he would have the engineer take a look at the fence. He understood that everyone wanted a fence.

Ann Morgan, 5 Cottage Street asked what kind of shrubs and trees would be along the Cottage Street side. She was concerned how high they would grow.

Mr. Rhuda said the trees would be just over the line of cars. A discussion continued.

Chairman Lester noted that along the Mitchell Street side the end is all arborvitae.

Mr. Rhuda added that the landscape architect tightened up this spot.

Mr. Sullivan questioned cutting into the road.

Mr. Rhuda noted the snow would go in and back thus not pile up at the turn.

Mr. Pericles, 9 Mitchell Street, questioned the closing of Mitchell Street.

Chairman Lester said the selectmen have jurisdiction over the road.

Mr. Cerel said the selectmen have jurisdiction over closing the public way. It takes town meeting vote to abandon a public way.

Mr. Pericles said if it is a condition of the plan that the road remains closed, what would happen if someone tried to take that condition away.

Mr. Cerel said someone would have to go to court within 60 days. There is no guarantee if the planning board signs the plan that it will stay closed.

Mr. Pericles said the road needed to be closed.

Mr. Cerel said that if they wanted permanent action, it would require an article on the town meeting warrant next year.

Mr. Pericles said he wanted to be sure that it would not get open.

Mr. Rhuda considered that if the bank was no longer there, the street could be opened back up if it is not abandoned.

Mr. Pericles then expressed concern for the exhaust fumes from the cars only 10 feet from his property line. He asked if there was a way to keep the pollution down, such as moving the traffic back another 10 feet.

Mr. Rhuda observed that would make the enter island narrower.

Mr. Pericles asked if it had to be right next to his property. He is concerned about health and property values.

Mr. Sullivan said there is no line in queing, just cars passing.

Chairman Lester said he was not convinced that moving the driveway a few feet would change the situation.

Mr. Pericles questioned putting trees to help make a barrier. He suggested Canadian Hemlock.

Mr. Sullivan said that trees do not help much. Their impact would be negligible.

Mr. Pericles questioned the lighting next.

Mr. Rhuda said the lights would be on only when the bank is open and they are directed and shielded so as to shine into the bank space. Some lights will be necessary for security for example for the ATM.

Mr. Pericles then questioned the drainage onto his property.

Mr. Rhuda stated he was aware that there is drainage into his property now but the planning board would ask that there be a berm up so the drainage would remain on the bank property.

Mr. Pericles said the people who put up the fence damaged tree roots.

Mrs. McPhee asked what trees would stay.

Mr. Rhuda responded that all but one tree at the corner of the existing property would stay.

Lindsay O'Driscoll, 9 Cottage Street, asked about the demolition of the houses and the possibility of lead paint and asbestosis. She also asked what date was set to demolish the buildings.

Chairman Lester explained that is beyond the jurisdiction of the planning board. They cannot just demolish asbestosis. There are laws governing disposal.

Mr. Roche said the fire department would be there to wet down the buildings as they are demolished. They will inform the neighbors with a few days notice when they are ready to take down the buildings.

Mr. Rhuda said the building inspector would monitor the demolition.

Mr. Pericles noted that the town allotted money for the Horgan House and asked what would happen with that.

Chairman Lester said that is not the planning board's issue.

Mr. Cerel explained the issues.

Mrs. O'Driscoll asked if they were going to widen the "mouth" of Cottage Street at North Street.

Chairman Lester said that people would try to make the corner faster.

Mr. Rhuda added the same and said that a 90 degree turn forces people to stop.

Mrs. O'Driscoll asked if there would be a cross walk across to Green Street.

Mr. Rhuda told her to check with the Police Chief.

Chairman Lester suggested that she could also bring it up with the selectmen.

Mrs. McPhee said she wanted assurance from the bank regarding her request.

Mr. Roche said he would have the surveyor check.

Mrs. McPhee said she wanted the fence moved back.

Mr. Cerel said the planning board could make such a requirement.

PLANNING BOARD
MAY 4, 1998

Present: George N. Lester, Stephen J. Browne, Paul B. Rhuda, Tidal B. Henry, and Christopher R. Summers

Also present: Mark Cerel, Town Counsel; Timothy Sullivan, Associate Planning Board member.

Meeting was convened at approximately 7:35 p.m.

ERIK ROAD SUBDIVISION

Present: Edward Musto

Mr. Musto said permeability tests were done last Friday, May 1st, and he has a meeting with the Board of Health on May 13th.

The Board agreed to continue the public hearing until May 18th at 8:00 p.m.

Robert Leonard, 125 Green Street, explained that he was new to the neighborhood and asked about the driveway along the back property line to a garage and turn around. He said he is concerned about this becoming a storage area. It would be in his backyard.

Chairman Lester explained that the Planning Board can regulate the public ways and the division of lots but what happens on the lots is the building inspector's jurisdiction. That area is beyond the purview of this board.

Town Counsel Cerel said that evolved from a one lot plan for the Conservation Commission.

The hearing is continued to May 18th at 8:00 p.m.

BEN FRANKLIN SAVINGS BANK

Present: Neil Roche and Paul Murphy, attorneys for the bank

Mr. Roche stated that the engineers are working with the Planning Board engineer, Mr. MacKinnon, and the Board of Health agent, Mr. Domey. They did permeability studies this past week and are waiting for the results. They also met with Mrs. McPhee because her property line is so close to her house. She does not want a fence so the will help her landscape. There will be a fence on Cottage Street starting where the current fence is. Three trees near the exit will remain as will the hedge line.

Mr. Pericles, 9 Mitchell Street, said he also met with Mrs. McPhee. He said it is a matter of safety that there needs to be a fence to keep the kids out of the parking lot. He also proposed that the bank sell him and Mrs. McPhee a small portion of their lot. He is concern for "high flow" traffic. He suggested a shorter fence that would start in further. He said he wanted the fence to go completely around the parking lot.

Chairman Lester suggested he work a fence out between the common boundary line and allow Mrs. McPhee to work her's out.

Mr. Pericles asked again for the bank to sell him some property.

Mr. Roche said the bank is not in a position to sell land. He noted the landscape plan was approved before.

Chairman Lester observed that Mrs. McPhee stated before the board that she did not want a fence.

Mr. Rhuda suggested Mr. Pericles run a fence between his property and Mrs. McPhee.

Mr. Pericles said he would bring a letter back from Mrs. McPhee.

Mr. Rhuda said the board cannot ask the bank to sell him property or put up a fence.

Mr. Pericles questioned the lighting at the ATM.

Mr. Roche answered that it is not a 24 hour ATM.

Chairman Lester said the board could condition approval on following the lighting plan.

The hearing was continued to May 18th at 8:15 p.m.

ELIZABETH ESTATES AT SOUTHERN ACRES

Present: Joseph Jenkins, attorney, and Stephen Pflug, engineer

Chairman Lester explained this is an application by Carruth Capital Corporation for an extension of Monks Way. He asked to waive reading of the legal notice. No one present objected. He then explained the procedure for the hearing.

Mr. Jenkins spoke on behalf of the applicants. He stated this is a four lot subdivision adjacent to Southern Acres

5/18/98

Present: George N. Lester, Stephen J. Browne, Paul B. Rhuda, Tidal B. Henry, and Christopher R. Summers

Also present: Mark G. Cerel, Town Counsel; Timothy P. Sullivan, Associate Planning Board member

Chairman Lester convened the meeting at approximately 8:10 p.m.

ERIK ROAD SUBDIVISION (continuation)

Due to lack of decision by the Board of Health, the hearing was continued to June 1st at 8:00 p.m.

An abutter questioned what plan was before the Board.

Chairman Lester answered that a six lot plan is on remand from the court.

VINEBROOK ROAD AND BOYDEN ROAD

Present: Rick Merrikin engineer; and Paul Murphy, attorney.

Mr. Merrikin explained that Mr. DiGiacomo has a purchase and sale agreement with the owner of Woodcliff Hills Subdivision to purchase a lot. He would like to add land of his own to that purchased lot and divide the combined land into two lots with frontage on Boyden Road. Mr. Merrikin asked if the Board would be willing to sign such an ANR plan. He further explained that Mr. DiGiacomo is awaiting a decision by the court on an appeal of a Board of Appeals decision by one of the abutters.

Mr. Browne questioned the ability to change lot lines in the Woodcliff Hills subdivision since the approval of that subdivision did not allow for any subdivision of the land.

Mr. Rhuda said the Board should look at it following the court's rendering of its decision on the appeal.

Chairman Lester questioned if the Board is required to notice a public hearing.

The Board took the matter under advisement and will consult with Town Counsel Cerel.

HAWTHORNE VILLAGE

Present: W. Kenneth Weidman, president of Atlantic Bank; Joe Hanlon, ESP Engineering; John Tsimortis, Bella Construction; and Neil Roche, attorney.

Mr. Weidman stated that there are a few issues remaining with the subdivision. The sewer pipe has been resolved. The landscaping was redone. A small land area along side of Lot 11 needs to be finished and the trails need to be marked. They will do these areas

finished appearance. He does not like 6 ½' of water and wants it to drain out faster so change the pipe from 2" to 4".

Mr. Summers expressed concern for the increased speed into the wetland.

Messers Rhuda and Lester suggested the Board could check with its engineer to see if it will work.

Chairman Lester reminded Mr. Weidman that the trail easements need to be marked.

Mr. Rhuda suggested they lay in sod so the seed does not was away.

Chairman Lester told them to get the Board a reconfiguration of the detention basin (#2) to send to our engineer.

BENJAMIN FRANKLIN SAVINGS BANK (continued)

Present: Neil Roche and Paul Murphy, attorneys; Arthur Borden, engineer

Mr. Roche explained that the Board of Health met last Wednesday and considered the plan. Mr. Domey is reviewing it now. The drainage is similar to that of the Post Office.

Mr. Borden reviewed Earth Tech's letter. He said that item #1 could be included into the approval with shop drawings being forwarded to Dale MacKinnon for review. Item #2, they will add Dale's recommendations to the Operation and Maintenance plan. Item #3, they will show the proposed perforated pipe on sheet 4. He added that they have done permeability studies. The drainage will allow the first 2" to remain in the system and slowly infiltrate into the ground. He noted that there is no side travel of water.

Chairman Lester asked if Mr. Domey of the Board of Health was reviewing the same plan that Mr. MacKinnon just reviewed.

Mr. Roche said they do not have Mr. Domey's comments yet. The drainage is to be kept away from the properties. The snow will go into catch basins. The drainage will be carried away into the town's drainage system.

Mr. Borden said they have added a catch basin and the lot is pitched into the parking lot.

PLANNING BOARD
JUNE 16, 1998

PRESENT:

Planning Board: George N. Lester, Paul B. Rhuda, and Tidal B. Henry
Board of Health: Evan Wilmarth, Chairman; William R. Domey, agent; Sheri Sacchetine, Administrative Secretary
Conservation Commission: Ralph Parmigiane, Chairman
Town Counsel: Mark Cerel

Also: Edward Musto, applicant and Fred Pfischner, engineer, Erik Road Subdivision

Secretary Rhuda began the meeting at approximately 8:00 p.m. with an explanation that the intent of the meeting is to resolve a court order. He added that the Planning Board has met with Mr. Musto and is trying to figure out:

1. Where the process stands
2. Where the hang-ups are
3. What the Board of Health is looking for
4. What the BOH is not receiving
5. Is there a need for additional information once the facts are obtained

Mr. Domey said they sent a letter May 18th to Mr. Musto that set out a list of items to be done.

Mr. Rhuda asked if he has received an answer.

Ms. Sacchetine responded that they have not received revised plans.

Mr. Rhuda questioned Mr. Musto that he had told the Planning Board that the items that Mr. Domey was looking for he had given to the Conservation Commission. The Planning Board felt that if it were given to the Conservation Commission why couldn't it be given to the BOH.

Ms. Sacchetine said the Mr. Pfischner called the office and stated the calculations were in one of the calculation booklets that they had accumulated. She stated that Mr. Domey looked the calculations up and they were not what he was looking for. She believed it had something to do with the depth of the holes because there were things that had actually been done for the Conservation Commission originally.

Mr. Domey said that they had listed what was needed in the May 18th letter. He apologized if it was not clear and stated it was the BOH fault for not making it clear. He said he would clarify it tonight. They asked for documentation as to the permeability of the soil and the high ground water elevation at <u>all</u> of the proposed infiltration sites. There was a soil conductivity test conducted at one of the sites. That did determine what the flow of conductivity was at that particular site. However, there are a number of spots where they are going to do infiltrating and not just this one spot. They did not feel that it was necessary to require the applicant to do expense sieve permeability tests every where he was going to infiltrate. They alternately said that they would accept if Mr. Pfischner

could provide the BOH with information about the soils at the different locations but showed them that it was similar soil to what he had at the particular site where he did the conductivity test.

Mr. Rhuda questioned if those locations are where the house lots would go.

Mr. Domey answered that these are on the house lots. Mr. Pfischner had proposed that there would be underground infiltration pits, one on each lot.

Mr. Rhuda questioned if this was for the drainage coming off the roofs.

Mr. Domey responded that it was for drainage coming off the roof and for whatever.

Mr. Musto also said yes.

Mr. Domey said they were asking was verification that everywhere that they were going to put one of these things that the soil was at least reasonably similar to the soil where he actually did tests. They suggested that rather than do expense sieve tests they could go out with a small backhoe, dig a hole, take a sample of the soil, and determine by grain size analysis at least whether or not the soils textures were similar in all cases. If they were that would certainly verify that the technical formulations that he was using in respect to the actual permeability test that was conducted would indeed then be valid at all sites. The comparison of the grain size analysis would give the BOH specific data as to whether or not the soils at both locations are indeed similar to the soil where the hydraulic conductivity test was performed. Obviously it is necessary to include in the analysis the grain size distribution of the soil in which the hydraulic conductivity test was conducted. I know Mr. Pfischner has the equipment to perform a grain size analysis. The BOH thought this would be a cost effective way to establish the similarity of soil.

Mr. Rhuda asked of the one area that they gave if there was there a problem with that area.

Mr. Domey responded in the negative.

Mr. Rhuda asked Mr. Musto if he is having a problem giving the other sites.

Mr. Musto said they have given them the ones for the road. They have already done tests out there over the past couple of years. There is a log of the soil samples. The system has been tested and tested and tested. They have taken the one soil sample from where they conducted conductivity test, or the permeability test, and they know what the soils are there and they know that they are consistent with the other tests which we have dug the past couple of years. "Why is it necessary to go out there again to dig more test pits?"

Mr. Rhuda asked that if they have done the tests why can't they give that information to the BOH.

Mr. Musto said they have.

Mr. Domey said this type of testing has never been done. It is his understanding that holes were dug. Mr. Pfischner examined the soil physically by eye and made a descriptive judgement as to what it was. Basically for this type of analysis that is not good enough.

Mr. Rhuda asked that what Mr. Musto has done on the other areas, other than the one that you (Mr. Domey) have looked at and come back with a report. "You are saying, 'I want more information that what you are telling me."

Mr. Domey responded that the BOH needs a more technical type of description of the soil in order to be able to evaluate the similarities. "With all do respect to Mr. Pfischner's ability to describe soils, there are not too many of us that really can do it just by eyeball and therefore a sieve analysis is one way that we can put it onto a scientific basis so that we can yes the stuff reasonability matches that. It's like comparing a bullet is a murder case."

Mr. Rhuda asked Mr. Pfischner if he had a problem with giving that type of information.

Mr. Musto said no, "It just seems to go beyond what has normally been required."

Mr. Rhuda asked again if it is a problem to give the information.

Mr. Pfischner said that it means digging more tests, doing more analysis.

Mr. Rhuda responded that if they have already done the work, what additional work do you have to do.

Mr. Pfischner said he would have to redig the holes in more specific locations, collect a sample and do a sieve analysis on the materials.

Mr. Cerel asked if that is the last major thing that remains to be done or are there other items.

Mr. Domey said the letter basically lays out what needs to be done. The other thing that the BOH wanted was to make sure that they were very clear and accurate on the position of where the high ground water was on these particular pits. That is always very important when you are doing infiltration. If you are too close to the ground water then infiltration does not follow certain formulas and you have to do it different ways. Mr. Pfischner's analysis was performed with the assumption that the ground water was way below the bottom of the pit, which it maybe or may not be. Mr. Pfischner's testing was done at a fairly dry time of the year. Certainly if he were to go out there some time tomorrow we really would know where the high groundwater is. (It had been raining heavily for days.)

Mr. Rhuda stated that was not a fair test because the groundwater is definitely high now. He asked if there were ways when they dig down and look at the soil, even if it is a dry period of time, you would know where the groundwater is at that time. Then you can equate it out.

Mr. Musto asked what happens if they go out there now and take the elevation of the groundwater and do not take into consideration the time of year – whether it be a wet season or a dry season – and arbitrarily come up with an elevation of groundwater. Then they go out there and plant those pits at those elevations. He asked what happens if they miscalculate that elevation. There has to be a practical approach to what they are doing. If they go out there and find they are going to put the pits at elevation 100 but they find water at elevation 100 then maybe they will need to raise the bottom of the pits three feet or whatever the conditions will allow for. He said he just hates to go out there and do the mandatory tests to satisfy the BOH. This might not give the results they are look for. He said that he and his engineer did go out there and dig several of them out there and, in his opinion, the results were consistent from hole to hole.

Mr. Pfischner said they dug eleven pits. They had ----- lime or heavily maudline --- in five pits and that was used as the high water level for design in those pits. The ma---ing of the pits throughout the site indicated the groundwater gradient, which is consistent with what he would expect there. The soils were generally all consistent throughout the site. He considers that the data is good, valid as he has had to provide on most other subdivisions.

Mr. Domey responded that is not clearly so either. There is a unique drainage system at this location. They are not putting in the conventional infiltration area in one spot or the detention area in one spot. There is something scattered throughout the site, which is a little different. Therefore they have to get the data a little differently.

Mr. Rhuda explained that the Planning Board was trying to keep the drainage on the other side of the brook. The Board did not want to see a detention pond on the entrance side of the brook.

Mr. Domey said that is fine. That is not the issue. The issue is that they are trying to accommodate this other system that is a system that is going to be taking place at a lot of places on site and not just one spot. It is not a matter of just doing a couple of spots in one area, a couple of tests in one area. The BOH wants to make sure that it has technical data that can clearly support the assumptions of the design. We are dealing with a very variable material of New England soil. Sometimes it looks like what is in one area but when you test it, it is different. He has a lot of experience with "that stuff". What he wants is some definitive testing

PLANNING BOARD
OCTOBER 19, 1998

Present: Paul B. Rhuda, Christopher R. Summers, and Tidal B. Henry
Absent: George N. Lester and Stephen J. Browne

Secretary Rhuda convened the meeting at 8:00 p.m.

BUNKER ROAD – SOUTHERN ACRES

Present: Stephen Pflug, engineer Thompson – Liston Associates

VOTED unanimously to endorse an Approval Not Required under subdivision control law plan dated October 16, 1998 entitled "Plan of Land in Medfield Massachusetts" drawn by Thompson – Liston Associates, Inc. for Carruth Capital Corporation that created lot 16-B (a non-buildable lot) and an access easement on lot 17.

VOTED to allow a minor modification of Bunker Road to permit a hammerhead turnaround.

OLD BUSINESS

VOTED unanimously to reduce surety at Green Street Extension Subdivision to $10,000.

NEW BUSINESS

VOTED unanimously to sign a confirmatory release of lot for 36 Oriole Road.

VOUCHERS

VOTED unanimously to approve vouchers totaling $65.71.

Respectfully submitted,

Christopher R. Summers, Secretary Pro-tem
MEDFIELD PLANNING BOARD

Downtown Business

The secretary reported receiving questions and complaints about parking requirements for the downtown business area when a new business wants to come into an existing building. Owners, as well as prospective tenants, are concerned about the amount of time involved before being able to open. Owners have particularly expressed concern that it could take repeated applications and much time before they are able to least the area.

Mr. Cerel pointed out that before last year's change in zoning new uses would not have been allowed. The change allows them with a special permit from the Zoning Board of Appeals.

TABLE OF USE REGULATIONS (POSSIBLE ZONING BYLAW CHANGES)

Chairman Lester explained that the goal of this review is to thoroughly modernize the use table. By looking at the Table of Use Regulations now the Board will be able to hold meetings with public input prior to the article going to warrant and a public hearing.

Initial discussion said the Board would stay with the existing eight zoning districts and recognized the Adult Entertainment and Telecommunications Districts as overlay districts. Later Mr. Lester suggested creating a research and office district.

The Board reviewed the uses for the purpose of checking off those uses that the members felt needed further discussion. Only sections 5.4.1.9 Trailers and 5.4.2.1 Churches were not considered for further discussion.

Brief discussions dealt with:

- keeping the business area business only verses mixed use to include dwellings
- separating out some of those uses that include more than one use
- listing the everyday uses in "plain English"
- potential uses for the Corning area

Members decided to take a look at use tables of other towns, including Westwood, Needham, Weston, and Wellesley. The members suggested calling Don Schmidt, the Principal Planner, Department of Housing and Communities Development, for recommendations of other towns that may have use tables the Board would be interested in reviewing.

The Board will continue discussion at the next meeting.

Meeting adjourned at 10:15 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary
Medfield Planning Board

PLANNING BOARD
FEBRUARY 8, 1999

Present: George N. Lester, Stephen J. Browne, Paul B. Rhuda, and Tidal B. Henry
Absent: Christopher B. Summers

Chairman Lester convened the meeting at approximately 8:10 p.m.

BENJAMIN FRANKLIN SAVINGS BANK

The Board received via fax an Application to Modify Site Plan Approval dated February 8, 1999 and set the date of the hearing for March 8, 1999 at 8:15 p.m.

VOTED unanimously to send a letter to the bank requesting they turn the parking lot lights off at least one hour following the close of business.

SOUTHERN ACRES SUBDIVISION

Present: Kenneth P. Feeney, Superintendent of Public Works; Joseph Jenkins, attorney; Andrew Liston, engineer; John Hakansson, Carruth Capital site person.

Chairman Lester explained the purpose of the meeting was to discuss the recent flooding problems at Southern Acres.

Kenneth P. Feeney, Superintendent of Public Works, said his department is called out every time it rains. Water breaks out and the situation needs to get fixed. He said it is time to get flow calculations. The area takes quite a bit of flooding. It is time to have the engineer take a look at the circumstances.

Mr. Rhuda said the board could send its engineer out.

Mr. Feeney showed recent pictures taken by his Assistant Foreman Robert Kennedy Jr. The pictures showed erosion to the extent of underground sprinkler systems were exposed. They also showed water that could not get to the basins that it was suppose to drain into.

Mr. Rhuda said the Board should send its engineer, Dale MacKinnon, out with plans to review what is happening. He noted that the times he has been on the site it has been more often over by the Oxford property. There he was discussing the way the catch basins were operating. The catch basin is flush to the ground and does not drain properly. Water is coming off the hill in two different directions. He met with Chris Egan, Joe Jenkins, and Harry Angevine on site to discuss ways to correct that problem. At that time he requested that Carruth Capital have its site man contact Mr. Feeney before making any changes to the drainage system so that he could be on site to approve the work.

Mr. Feeney stated that he has not been called when new temporary catch basins were recently installed.

John Hakansson responded that the swale had been addressed. There was no standing water there after the storm. He was discussing the Oxford swale. He said the new grates would take

about 6 – 8 weeks so he put temporary grates on in the interim. The new permanent ones will come from Putnam Pipe in Hopkinton. He did not remember the name of the man from whom he ordered the grates.

James Whalen, 260 South Street, asked who would permanently maintain the swale because the sediment builds up. He also asked if the current proposals are acceptable.

Chairman Lester answered that it becomes the Town's problem and it is not acceptable to the Town at this time. We are here to review proposals to find ways that will work.

Mr. Rhuda suggested the Board send its engineer out with Mr. Feeney to see how to handle the situation. He questioned the possibility of a cement swale.

Mr. Lopez, 276 South Street, explained that about 9:30 P.M. on the night of February 2, 1999, he noticed the water directly behind the swale and coming around the silt fence and down the side. On the 3rd he and his neighbor, Mr. Tobiasson, spent time out in the swale to locate the drain and clear it. They were getting a cascading effect – across the yard to the house and out to South Street between the two houses. It was coming diagonally down the swale. The whole swale was full of water. When they unclogged the grate, it drained well. They estimated 40 gallons per minute. The water comes at a high velocity with no time for it to be absorbed. He would like to see different types of grates, perhaps even a pipe with an opening.

Mr. Tobiasson, 280 South Street, said that even back in 1983 when plans for this subdivision were first submitted there were issues of drainage. The contours are not as on the approved definitive plan. The driveways are not according to plan. One-third of the water is coming down from Planting Field Road, especially #32. All the roof runoff is adding to the problem. The swales were never built according to plan. A raised berm would in essence create a detention pond. They have tried to mitigate with filter and hay bales that do not allow water to flow to the catch basins. He has watched representatives from Carruth Capital using leaves to build up areas. Now it will take more than what the definitive plan says to correct the situation. The problem is raising the ground water level of his property from heavy rain storms – not even the 50 or 100 year storms. This is also causing septic system problems for him. He considered that as vegetation grows that it will help but it is not able to take care of the build up. He said he asked Ken Feeney to leave the catch basin at the end of the driveway when working on South Street. He added that during a small rain/snow fall the upper 30 feet was solid ice.

Mr. Oxford said his lot was made a detention pond back in 1996 and that there were suppose to be trees planted. Many of the trees died and have never been replaced. The rock riprap was suppose to be a grass swale. Carruth added more dirt in the wrong area. The problem was down near the drain. The winter season and rain make the situation worse. The rock wall also makes the situation worse. Since Carruth has built a house up at the top of the hill, the problems have been worse. In 1998 they broke the PVC pipe on his property and he asked for it to be fixed. They need trees for erosion control and esthetics. There was never suppose to be rocks there. They have made some good faith efforts but he wants it all fixed for the sake of his property and the town.

Mr. Rhuda stated that if the drain is flush with the ground it will clog and become cumbersome to maintain. He also felt that with a concrete swale the water is flowing. The drain is not working as it currently exists. He asked Mr. Feeney's suggestion.

Mr. Feeney was concerned that concrete will make the velocity too fast. He suggested stone riprap with basins in the swale.

Chairman Lester questioned if the enormous amount of drainage that the area is experiencing would be allowed under today's regulations, recognizing that this subdivision was finally approved ten years ago.

Mr. Rhuda said it would be pitching down more.

Mr. Feeney suggested they may need to add catch basins on the streets above.

Mr. Jenkins said they have sold the lots but do have some access.

Mr. Feeney expressed concern that we are able to get in there now before fences go up.

Mrs. Lopez said she is concerned that the problems doe not usually arise during 9 – 5 when there is someone working on the site. Thus it is difficult to locate anyone to correct the problems before they get worse.

Mr. Henry asked the developer for a list of people to call in an emergency. He expressed concern that the Board should have its engineer out to inspect and make recommendations to correct the problem. He made a motion to that effect but then withdrew it for the time being.

Mr. Whalen said the Board should take a more comprehensive look at the rock wall behind Oxford's house. He questioned it as a liability for the town and expressed concern for the safety of children. He said he would "raise a stink" if a child was injured as a result of the wall being there.

Andrew Wise, 259 South Street, also expressed concern for the wall and stated that when they purchased their house they knew there would be trees planted there as well as around the pumping station. He added he would be a "strong advocate" for the working being completed properly before the streets are accepted by the town.

Mr. Rhuda stated the Board has addressed the wall on several occasions and has waited for the developer to come in seeking a modification to the approved subdivision plans.

Andrew Liston, an engineer working with Carruth, said that a number of the things that were said have been corrected and a number of the things are in progress. Referring to Mr. Tobiasson's letter, he stated that the drainage needed to be set up as a throated drop inlet with either a 3 flange grate or 2 side opening for the water to get into the basin. He noted that Mr. Lopez stated that once the leaves were removed the area did drain, which shows a maintenance problem. When the subdivision was approved, the grading only showed for the roadway and did not

include the houses. There was no grading to show the swale would back up. At that time they discussed the problem of the swale with the Planning Board. The aggravation is because development is on going on this side at the present time. He did not look at where the catch basin by 32 Planting Field Road was before coming to the meeting. He said pipes do convey the water except where the silt fence is and it bypasses.

Mr. Tobiasson interjected that it comes over land and brings silt.

Mr. Liston said they need to "beef up" the end and regrade the swale. There will always be leaves but a cascade grate will take the flow. It needs the extra opening. He said that two lots become the fail-safe overflow. They need to direct the water better. He also stated that the catch basin at the top of the drain easement is not sufficient.

Mr. Henry questioned if Mr. Liston has a solution to the problems.

Mr. Liston said part of the solution depends on finishing the work there. The swale needs to be relooked. The grates need to be changed. The problem is more a question of getting the water into the collectors.

Chairman Lester noted that the back yards of some of the lots on Planting Field Road and that area look bad.

Mr. Liston said one of the owners regraded the lot to put up a swing set and that increased the problem.

Mr. Feeney questioned if the swing set intruded on the easement. (no answer)

Mr. Liston said the lawns in that area are not finished at this time.

Mr. Browne questioned what kind of a time table do they see for getting the problems corrected. Would they be done by spring?

Mr. Liston responded, "Yes," but they need to get to the homeowners.

Mr. Jenkins said they know it is their responsibility.

Mr. Liston said they need to order new grates.

Mr. Henry asked, "What is spring time?"
Mr. Liston responded 50 degree weather, by June.

Mr. Hakansson said he has redone the lawns several time.

Mr. Liston said that some of the lawns get washed away.

Mrs. Whalen asked if grass would stop the problem. She also asked what would prevent the homeowners from regrading and causing the problems all over again.

Mr. Liston answered that normal rooted grass and thatched grass would handle the flow of water but it must be stable and established. There obviously is a problem with getting the water to the grate.

Mr. Browne questioned adding more inlets.

Mr. Liston said it is possible up above but he would be concerned about bringing equipment down the hill.

Chairman Lester asked if the development complied with the approved subdivision.

Mr. Liston said it would comply with the approved subdivision and the revisions but it is not finished yet.

Mr. Tobiasson said he did not think all this discussion will solve the problem. The swale was not graded.

Mr. Liston suggested that it all be planted because gravel is erosive.

Mr. Jenkins added that the Conservation Commission has issues with the development.

Mr. Liston said they need to keep the area from eroding.

Mr. Tobiasson suggested someone talk with the original engineer, Rick Merrikin since they changed the overland flow.

Mr. Liston responded that they did do revised drainage plans.

Mr. Tobiasson asked if they had plans that show #32 Planting Field Road.

They did not have plans with them.

Mr. Liston said the driveway may have moved.

There was a discussion of plans changing since the approved subdivision plans. Mr. Liston was concerned that the Planning Board's engineer has a copy of the latest approved plans.

Chairman Lester observed that the rock wall did not look like it would handle the run off.

Mr. Liston said he could give a response after the evaluation of what is necessary. He noted that he did understand the frustration.

Mr. Browne noted that it appears that some of the parts may be able to get done soon.

Mr. Hakansson stated that upside of Planting Field Road is all raw dirt at the present. They have haybales, silt fence, and dirt there now.

Mr. Browne said that the water goes around the haybales.

Mr. Hakansson asked how the swale by Mr. Oxford's held with the fabric in the last storm.

Mr. Oxford said it was not as full. It did hold up, but it is still a wet spot.

Tidal Henry moved to have the Planning Board engineer, Dale MacKinnon, make an assessment of the problems as well as a recommendation of how to remedy the problems.

Mr. Browne seconded the motion.

So VOTED.

The Board gave Mr. Liston permission to talk with Dale MacKinnon.

OTHER BUSINESS

Dela Park

Mr. Rhuda will meet with Dale MacKinnon, Joe Hanlon (ESP Assoc.), and Mr. Joseph Delapa on site to review work to be completed.

Long Range Planning Committee

There are currently five members of a nine member committee. The Board has received one application for a position on the committee.

Mr. Lester asked that the Board invite the members to a Planning Board meeting to discuss membership and direction.

The meeting adjourned at approximately 10:10 p.m.

Respectfully submitted,

Paul B. Rhuda, Secretary
MEDFIELD PLANNING BOARD

PLANNING BOARD
JUNE 14, 1999

Present: Christopher R. Summers, Tidal B. Henry, George N. Lester, and Timothy P. Sullivan.

Vice Chairman Summers convened the meeting at approximately 8:00 p.m.

ANR – GROVELAWN FARM (39 PLAIN STREET)

VOTED unanimously to endorse an ANR plan entitled "Grovelawn Farm" 39 Plan (sic) Street – Medfield dated June 1, 1999 drawn by Carlson Survey Company.

Meeting adjourned at approximately 8:10 p.m.

Respectfully submitted,

Tidal B. Henry, Secretary
MEDFIELD PLANNING BOARD

PLANNING BOARD
JUNE 28, 1999

Present: Stephen J. Browne, Christopher R. Summers, Tidal B. Henry, George N. Lester, and Timothy P. Sullivan.

Chairman Browne convened the meeting at approximately 8:05 p.m.

36 JANES AVENUE – PHOTOGRAPHY STUDIO

Constance Thomson and Marshall Zidel appeared before the Board to discuss the possibility of having a photography studio on Janes Avenue in the building behind the Town Hall. Chairman Browne told them they would need to go to the Board of Appeals for a special permit because of the parking regulations. Mr. Lester explained that prior to the change in the Zoning Bylaw to allow businesses without off-street parking to operate by special permit from the Board of Appeals, businesses could not take over vacated space unless it was the exact kind of business as the one that left.

SOUTHERN ACRES

The Board listened to concerns expressed by residents of subject development as well as residents of houses abutting the development. Craig Luhrmann, 26 Loeffler Lane, submitted a petition on behalf of the residents. He stated that there are additional petitions that are being signed and will be brought to the office as soon as they are complete. There were approximately 25 neighbors present at the meeting.

Concerns expressed both in the petition and at the meeting include:

1. Sidewalks are not complete and in some areas not properly installed – some need regarding.
2. Sprinkler lines were cut – some during the installation of the sidewalks – and have not been repaired.
3. The entranceways are not properly maintained and the sprinkler lines have been cut.
4. Tree lines are not in and many trees that were planted were not properly planted – root balls and bags were not cut and the ground was not properly prepared for the tree. Some of the trees are dying.
5. Drainage issues along the entranceway of Loeffler Lane – underground drain system not functioning causing water to run out of the wall creating ice on the sidewalk and road in the winter
6. Drainage issues behind the homes on South Street have not been remedied despite the onsite visit by members of the Planning Board, the Planning Board engineer, Carruth's engineer, etc.on February 8th – catch basins have not been changed, the drop-inlet behind the Lopez house has not been changed. Drains are clogged.
7. Street drains are clogged and preventing water from getting into them, plus the direction of flow in some instances does not allow water to get to the drain.

8. The Homeowner Association has no been established for maintenance of the common area.
9. The rock riprap wall appears to be a safety issue. The Planning Board never approved this wall.
10. The condition of the roadway is not safe – e.g. manholes above grade – causing adults and children injury.
11. Grass was not properly planted.
12. A recent survey of lot lines indicated that the lines are not correct

The Board advised residents that problems that are entirely on their lot are between them and the developer and should be addressed accordingly. However, matters concerning the Board will be addressed at the meeting on July 26th.

Planning Board Administrator Norma Cronin explained that the Board's engineer was waiting for reports from Thompson – Liston Associates, engineers for Carruth Capital, and received them only today. This did not give him adequate time to appropriately review and prepare a report for the evening meeting. She also stated that she spoke with Attorney Jenkins who said that, in the absence of the report, he would not be present at the meeting this evening.

MATTHEW MCCORMACK

Mr. McCormack appeared before the Board to volunteer to be a member of the Sign Advisory Board, which the Board appoints.

VOTED to appoint Matthew McCormack to the Sign Advisory Board for a period of three years.

OLD BUSINESS

Dela Park Acres

VOTED to send a brief letter to Attorney Lemelman regarding subject subdivision stating that when the items on the engineer's list are completed and the Board is satisfied that the subdivision has otherwise been built according to the approved definitive plan, the Board will consider the request for reduction in surety.

Camden Place

The Board reviewed the Board of Health decision for subject site plan, which was signed by the BOH agent with no board members' signatures, and requested a letter signed by the BOH itself.

NEW BUSINESS

26 Garry Drive

VOTE to reconfirm the release of lot for 26 Garry Drive.

MAPC letter to Board of Selectmen concerning Finance Reform

The Board reviewed the letter without comment.

ANR plan – Elm Street property of Cary Watchmaker

VOTED to sign an ANR plan entitled "Plan of Land in Medfield, Mass. Property of: Cary Watchmaker" dated February 19, 1999 drawn by Guerriere & Halnon, Inc. Milford, Mass.

The Board further requested a letter from Town Counsel stating he has reviewed the plan. This is to be standard policy when ANR plans are submitted.

VOUCHERS

VOTED to approve invoices from Earth Tech, Inc. totaling $780.67.

INFORMATIONAL

VOTED to send letters to Representatives Harkins and Rogers and Senator Sprague to support house No. 3941, An Act Establishing Open Space, Park and Recreation Funds in the Cities and Towns of Norfolk County.

The meeting adjourned at approximately 10:05 p.m.

Respectfully submitted,

Tidal B. Henry, Secretary
MEDFIELD PLANNING BOARD

PLANNING BOARD
OCTOBER 25, 1999

Present: Stephen J. Browne, Tidal B. Henry, George N. Lester, Timothy P. Sullivan, and Christopher R. Summers.