

NORTH ATTLEBOROUGH PLANNING BOARD  
REGULAR MONTHLY MEETING  
THURSDAY, DECEMBER 6, 2007

The North Attleboro Planning Board held its Regular Monthly Meeting on Thursday, December 6, 2007 at 6:30 P.M. in the Planning Board Office located at 43 South Washington Street, North Attleborough, Massachusetts. Board members Joan Marchitto, Richard Thimot, Richard Houle, Christopher Sweet and Mary Burgess-town planner.

Planning Board Business:

1) Approval of Minutes;

Mr. Houle, Make motion to approve minutes 10/18/07, seconded by Christopher Sweet.

All in favor 4 to 0.

Mr. Houle, Make motion to approve minutes 11/1/07, seconded by Christopher Sweet.

All in favor 4 to 0.

2) Review Final Action Deadlines;

Ms. Burgess, The two coming up Mount Hope Farm Estates and Cobblestone taking them up tonight. Next two are Amerada Hess and Cushman both going to be heard on 1/3/08.

Mrs. Marchitto, I have 12/10 for Blackinton.

Ms. Burgess, We already voted on that it shouldn't be there everything else should be all set.

3) Review Bond Expiration Dates;

Ms. Burgess, Only bond expiration coming up is Sheldonville Preserve and he is asking for that release tonight. Do you want to take that up or do you want to wait for New Business #5 Request of Raymond Loughlin to release L.O.C. for Sheldonville Preserve Subdivision.

Mrs. Marchitto, Bally Heather has expiration date 12/31/07.

Mr. Thimot, Bally Heather I have to get up from table.

Ms. Burgess, Have been putting in the sub-drains all last week, moving right along. We have inspection reports for sub-drains going in. The dry stream has been taken care of he did pay the landscaper \$5000 to install it now it is up to landscaper and Kings to deal with that issue.

Mrs. Marchitto, Has he come in with engineer plans for sub-drains?

Ms. Burgess, Yes John has signed off on everything.

Mrs. Marchitto, We're going to need an extension we're going to have to notify him and take a vote to extend it.

Ms. Burgess, We can extend it to next meeting and have him come in 1/3/08.

Mrs. Marchitto, Make notation in minutes that Dick Thimot is not part of the conversation.

Mr. Houle, Make motion we extend Bally Heather until 1/31/08, seconded by Chris Sweet.

Mrs. Marchitto, Have him come in.

Ms. Burgess, I'll have him come in for 1/3/08.

All in favor 3 to 0.

Mrs. Marchitto, Richard Thimot is back into conversation of the board.

New Business:

5) Request of Raymond Loughlin to release L.O.C. for Sheldonville Preserve Subdivision;

Raymond Loughlin, I would like to get my two \$2500 bonds released. There is one on Henry B. Riordan, which has been accepted by the town last town meeting. Thomas B. Doolin was not accepted by the town but my understanding was that after town meeting they both were going to be released regardless of the outcome of the meeting.

Mr. Sweet and Mr. Houle that is what was said.

Ms. Burgess, Regarding the issue of how to deal with this on DPW level of not endorsing these roads because they have no houses. I did speak briefly with town council today regarding this subject and he doesn't know of any legal way or anything that is Planning Board's involvement regarding this. If the roads are done to our satisfactory then we can release the bonds and it becomes the developer's problem if there is any damage before it comes for acceptance. So as far for future acceptances with no houses on them he doesn't know how to get around that but as far as releasing the bond there is no reason in his opinion for us to hold it. Don wanted to see if there was anything we could do for future to protect the roads so that we could get roads accepted. Planning Board pushes to get roads done whether there are any houses on them. He wanted to see if there was anything we could do hold Certificate of Occupancy or something DPW could do a bond saying when you go for curb cut permit but there are already curb cuts.

Mr. Loughlin, I think DPW can do that because it is done especially in cities they do that all time hold substantial bond.

Ms. Burgess, DPW can actually sue it's like crashing your car.

Mr. Loughlin, Whether it is existing street or new street.

Mrs. Marchitto, I know building dept. put letter into Ferris and that was response?

Ms. Burgess, We haven't got a formal he's been in court last two weeks. I did discuss it with him.

Mr. Sweet, Make motion we release the bonds for these two streets, seconded by Richard Thimot.

Mrs. Marchitto, For discussion was Doolin accepted?

Ms. Burgess, No because it had no houses on it. However that was their view and if you recall there were other roads that were accepted with vacant lots on them.

Mr. Houle, I think that was Don's exception the other night too. He felt that there were no houses and it could get damaged but I think you're telling us there are means for DPW to come back.

Mrs. Marchitto, There are subdivisions where there are lots and houses aren't built.

Mr. Loughlin, Some of the ones they accepted.

Mrs. Marchitto, All in favor 4 to 0 to release two bonds for \$2500 each on Riordan and Doolin.

Planning Board Business:

4) Endorsement of Vouchers;

Mary travel expense for October, November and December in amount of \$254.10. Linda has receipts for parking and tolls, etc.

Whalen copied some maps we needed in order to move forward with the zoning map. They reproduced some of the maps in amount of \$10.00

Earth Works Engineering in amount of \$24,328.65. We are almost up to date we're waiting for November.

Tax purposes;

Look over your name make sure social, address, etc. is correct.

Other Business:

Cushman Village;

Mrs. Marchitto, Have we set up a site visit?

Ms. Burgess, We didn't they had called and wanted to set up site visit for Wednesday before Thanksgiving that wasn't possible because they wanted to do it at like 6:30 A.M. We're going to set up something else when we know I will let you know.

Keenan Place;

Mr. Thimot, Where I live is at end of Keenan Rd. and there is one area there that is defined as Keenan Place condo that I live in. Few nights ago girl next door needed to call 911 for an emergency fireman didn't know where it was.

Ms. Burgess, I believe that has been taken care of I heard about this and I believe the assessors dealt with that location it did come through here though.

Mr. Thimot, It should be part of the agenda for this office in naming of those streets. Make sure we get sign or something there. We don't have a sign for Keenan Place. Some of them go by Keenan Rd. some go by Keenan Place but is actually Keenan Place and on assessor's map it's listed as Keenan Place.

New Business:

1) Form A: Ryan Costa, Mt. Hope Street (Risser Engineering Company) Note: Final Action Due 12/10/07;

Ms. Burgess reading in application location of property Mt. Hope St./Buttonwood Circle plat 24 lot 240. This was application we saw before where the house was in middle. They have successfully moved the house and it now conforms.

John Risser, I think they have to do new wiring and new plumbing to bring it up to code.

Mr. Sweet, Lot 8A where is the driveway to come in from.

Mr. Risser, We're not sure that house hasn't been designed yet.

Ms. Burgess, Deeded access is off Mt. Hope St. the actual address is off Mt. Hope 296. I already looked in everything regarding ANR's and frontage on two areas they are just required to have frontage period on a public way.

Mr. Risser, We didn't change that frontage on Buttonwood that was an existing approved lot.

Ms. Burgess, In zoning by-laws the only thing that is said about corner lots is that the front yard he'll have to meet front setback on both.

Mr. Risser, Setback has to be meant on both those streets the placement of the house, the 40ft.

Ms. Burgess, 40ft. has to be met on side and front of that lot. It is R15.

Mrs. Marchitto, On Schedule districts R15 lot frontage 120 maybe reduced to 90 subject to Planning Board approval width must be attained 60ft. back from street line further this reduction shall be limited to maximum 3 lots turn around.

Ms. Burgess, It can be 90ft. on cul-de-sac.

Mrs. Marchitto, As long as the board understands that it is usually 120 don't have it on width.

Ms. Burgess, Because it being an ANR it doesn't have to comply to zoning just as long as it has frontage minimum lot requirement and frontage on public way. I just find out reviewing our subdivision rules and regulations it does state that by Planning Board signing it is not endorsement of being buildable lot nor complying with zoning. It says it in our subdivision rules and regulations.

Mr. Sweet, Make motion we accept as presented, seconded by Richard Thimot.

All in favor 4 to 0.

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PUBLIC HEARING  
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Mrs. Marchitto, Do we have any more information?

Ms. Burgess, Haven't received anything from applicant since last meeting.

7:00 P.M. Public Hearing for the application of Linda & George Weston for the Definitive Subdivision to be entitled Mount Hope Farm Estates. Note: Final Action Due 12/15/07; Christopher Sweet left table at 7:00 P.M.

Ms. Burgess, Application has already been read it this is our second hearing.

Ed Casey-attorney, Represent the Weston's and Linda Weston would like to make a brief statement before Scott goes into the details of some of the comments.

Mrs. Marchitto, I should make disclosure that Don Cerrone is not here tonight.

Linda Weston, Speaking on behalf of myself and my husband and I would like to say the town has been good to us and I believe we have been good and responsible residents of the town.

We just wanted to point out to the current board that in early 90's when we sold the 6.5 acres across the street from the farm Mr. Payson who was then of DPW asked us to give the town 7ft. of land on that, which would be the westerly side of Mt. Hope St. We did grant the town the 7ft. of land and in all 5 deeds it is deeded to Town of North Attleborough for almost 800ft. It is recorded and town has never used this gift although it is there for them to use at any time. When we first proposed this subdivision the town asked us to give them 5ft. of land on easterly side, which kind of crimped our lots a little bit but we did grant that. We just wanted the board to know we have given 12ft. of land for almost 800ft. for benefit of Mt. Hope St. for whichever way the town wanted to use it. We've been kind of stewards of this land for over 50 years the time as come to sell and we're trying to do it in responsible way for both the town and our neighbors. If we could keep it green forever we would but we can't.

Scott Rolffe-Angle Tree Consulting and Engineering, Package I've just given is in response to the comments that we received at last public hearing I would like to go through each of the components of it. I'm going to read my responses back for each comment to you. First page there is copy of USGS Map from 1894 circled the area that covers the locust farm and then some a little bit. I wanted to point out on bend of road Mt. Hope St. over near edge circle there is house location. There is point in contours that indicates that is swale, which drains the land toward the north. The swale is heading in direction of Woodland Park water is running in direction away from our site that is from 1894 USGS Map. Have a 1943 Map, which John did have at last meeting. I circled the area again and what I want to point out to you that this has more detail I want to point out the wetlands that are located in same area that swale is in previous map and how they drain again to the north down through the land what is now Woodland Park. In between Woodland Park and us is Lakewood and Young Ave. Purpose of giving you these and trying to make these points is that I believe the ponding area on our site is the result of the construction of subdivision just to our north and perhaps even Woodland Park without any regard to allowing the natural drainage of the land an escape a way out. It is channel cut there to relieve some of the water again I don't believe that the grading that was put in for the roadway directly adjacent to us allowed for natural escape of water. There is no indication the pond was dug there is no spoils it just doesn't have configuration of a dug pond. First response letter is regarding the comments that were given to us by Mary Burgess ( Insert). What I've done on each of the four responses that I have is rewritten the comment with my response under it. Preliminary plan was approved in 10/5/2006 no response required reading Mary Burgess comments. Easements are shown on grading and drainage plans without the meets and bounds because it would be too much. Indirect access permit to Mass. Highway this permit is required because we do abut Rte. 295 we have no access to it and won't have access just because we're abutting it we have to file that permit. They cannot prepare that actual paperwork until I have presented this information to you and they will go forward on that

application tomorrow. The postmaster has been replaced new postmaster is Michael Anderson I have attached his letter. Waiver for maximum street length of 900ft. to 1071.91ft. as shown on the plans. When the preliminary subdivision plans were presented to the Planning Board there was an apparent dissatisfaction with the proposed used of boulevard entrance. Don Johnson was the planner then and I had called him prior to putting boulevard entrance on and I had asked if Planning Board had accepted any projects with such a configuration he said they had not allowed any that he could recall on any project. Frontage waiver from both cul-de-sacs for lots 3,4, 10, 11 and 12. We submitted the definitive plans originally we asked for waiver from this there is no waiver request required it is not a waiver. Zoning By-Laws clearly state that the lot frontage maybe reduced to 90ft. subject to Planning Board approval but full width must be obtained at 60ft. back from the street line. Further this reduction shall be limited to maximum of 3 lots fronting on a turn around lots 3,4,10,11 and 12 meet lot width requirement 60ft. back as stated above and proposed lot frontage reductions do not exceed 3 lots fronting on turn around. Waiver request for reducing lot frontage will be removed from the plans. We still need to ask the Planning Board to grant us or allow us to have that reduction of frontage on 3 lots on each cul-de-sac. No landscaping plan submitted for double cul-de-sac. No landscaping plan is required by subdivision control law. Existing structures subdivide lots meet all zoning requirements with the exception of the 5 lots seeking frontage relief no response required. DPW, Conservation have submitted letters addressing this plan with respect to their expertise. I have responses to their letters. John Lavin Planning Board's inspection service is completing review. That concludes my response to letter from Mary Burgess. Response to Bill McDowall representing Public Works ( Insert). General comments there are extensive deep in excess of 7ft. fills proposed for much of the property including areas proposed for detention basins. Are detention basins constructed entirely fill are not ideal. Response detention basins can be and constructed with fill without problems. Proper design and construction will preclude operational issues with the basins. Topographic plan sheets 3 and 4 that qualified geotechnical engineer shall be retained by the owner to provide specifications and recommendations for all cuts and fills, etc. Response; geotechnical engineer is required during construction to ensure compliance with the plans specifications and to ensure adherence to proper construction means and methods regarding placement of fill. We're basically saying we don't believe that the geotech should be on board now should be on board during construction as he will probably be one of the people responsible to sign off on that subdivision was built appropriately. Drainage design. Response; drainage design does propose to outlet towards an existing wetland area/seasonal pond however the drainage design decreases both peak rate and volume of runoff to this area. There is slight encroachment on the horizontal limits of flooding in 100-year storm event it is insignificant will not exacerbate downstream conditions. Groundwater is less than 2ft. below surface according to 6 test pits noted on the plan. Combination of excessive fill and high groundwater is not ideal for result in soil stability. Response; underline soils primarily is sandy material is very stable therefore we do not anticipate any issues with soil stability. Proposed fills are not excessive rather they represent typical fill depths on projects in this area with uneven ground surfaces. I'll also add the groundwater is less than 2ft. below the surface in the area of our test pits we took all of our test pits at lowest portions of the site where our drainage basins were going. They don't represent a cross section of full site we took them in lowest points. Overburden pressure is caused by extensive fills can alter the groundwater table and effect how groundwater travels through the soil layers this may cause problems on abutting lots and is not easily modeled or predicted. Response; filled area is sufficient distance from abutting lots to prevent alteration of groundwater at property lines. Filled depths are relatively shallow and will not create unusual soil pressures. I did speak with a geotechnical engineer regarding that

comment and he asked how much we were filling on site. I said deepest fills we have on site is 11ft. and that is in area of large cul-de-sac. In his opinion the 11ft. could absolutely not create a situation as suggested. I don't have anything in writing. Under lotting #1 the owner proposed to deed parcel A to the town it is not clear what the purpose of the parcel is the donation of parcel will cause the width of Mt. Hope St. to be more variable. Mr. McDowell wasn't here when the Planning Board asked for the 5ft. of land. Response; this donation of 5ft. strip of land expands entire frontage of subdivision and remaining lands owned by the applicant is being offered at request of Planning Board. We've already cut out Form A plan we've given the 5ft. to the town that lot was southern most portion of applicant's property on Mt. Hope St. We have the existing farm, farmhouse they live in now and also have potential for two more Form A lots on the northern most portion the land they have that fronts Mt. Hope St. These plans depict a 5ft. strip cutting across the whole remaining frontage. Oversized cul-de-sac leaves 14,000 plus or minus square foot parcel of land in center maintenance of this parcel of land will be problem in the future. We're proposing an association of lot owners #10, 11, 12, 13 and 14 will be formed for purposes of maintenance of island area within the cul-de-sac center. Definitive subdivision plans have been revised to reflect landscape maintenance easement that encompasses the island. What is purpose of width change in layout of G. Donald Weston Sr. Drive is it necessary. This is regarding bump in road around station 2 this area has been created to facilitate a central mailbox location as requested by the postmaster. It will off the ability of the residence of the subdivision an opportunity to stop and pick up their mail without impeding the flow of traffic in or out of proposed development. This area can also function as an area for school children to be picked up and dropped off by school bus off the traveled way. Given configuration on proposed cuts and fills there are little usable lots based on lots 2,3, 8,9, 14, 15,16 and 17. Enhancement to the detention basins have been made that will afford more usable space to mentioned lots. We had originally had detention basins that had 4 to 1 slopes within fenced area we've changed those to 3 to 1 slope. We've been able to reduce size of basin itself actually increase capacity of basin all of our basins on this property are fenced with chain link fence so there is no access to it whether it is 3 to 1 or 4 to 1.

John Lavin, Do we have current plans?

Mr. Rolffe, No I will tell you why we had two workshops with Conservation and they asked to us to include decks on back of the houses. We made modifications to the plans and added substantial area to these lots to have usable backyards, etc. Grading and drainage construction of roadway will require large amounts of fill development of individual lots will require even more extensive fills. Truck traffic in this area will have an adverse impact on Mt. Hope St. My response is Mt. Hope St. is a public way and such traffic is allowed the conditions of operations will be imposed upon issues of earth removal permit. They will be limited to amount of vehicle trips per day, hours of operation, etc. with issuance of permit. Cuts and fills require stabilization and mechanical compaction. Many of the proposed houses some proposed underground piped utilities are proposed to be built directly on fill. Future settlement of sewer utility can adversely effect the performance of the utility. Future settlement of the water utility could result in water main break and loss of road bed this is not an ideal construction methodology. Response; underground utilities and buildings are constructed and fill on regular basis. Given proper compaction and construction control for water and sewer pipes should remain true to grade over their entire useful life. With proper material and proper compactions, proper supervision there is nothing here that is rocket scientist this is typical construction. Erosion control plans and phasing of construction will be especially important in preventing adverse soil erosion impact on wetlands and surroundings properties. Response is erosion control plan will be prepared as part of NOI. No phasing of construction is proposed. Detention basins created

entirely of fill and placed directly abutting wetland resource areas is not conservatively designed nor does it conform to natural topography in order to preserve natural features. Response; detention basins have been placed in most logical places the discharge is to the wetland areas mentioned to create a basin excavated area or an embankment must be created in case. Outlet control structures proposed for detention basin use V Notch Ware design widest portion of V Notch Ware at top of outlet control structure is approximately 8 ½" wide these outlets clog easily with leaves and twigs and become constant maintenance problem. Either some form of grate protection or alternate form of outlet should be designed for these basins. Based upon this comment discussion with Mr. McDowall at DPW in October 25<sup>th</sup>. 2007 the outlet control structures will be modified to address this concern by adding protective grates. Grading in cul-de-sac of which case Stevens Dr. as shown on profile sheet indicates 1% slope if this overall slope is carried around the gutter line it results in less than 0.5% slope, which will not properly drain the street. Response; both cul-de-sacs have been designed with 1% minimum grade on gutter roadway edge to properly drain stormwater. We realize if you had centerline grade of 1% with cul-de-sac running around outside edge would be less. We made sure we designed the grade around the outside edge at 1%. This is all done on original plans you have now. It appears that catch basin proposed for the southerly side of Donald Weston Dr./Mt. Hope St. intersection is in conflict with existing hydrant and water main. Is recommended that location of basin be changed and graded of catch basin be designed to ensure proper roadway drainage at intersection. I just comment will ensure that there will be no conflict of pipes or structures as well as maintaining proper grading of roadway surfaces for collection of stormwater. Some times some of these problems look worse than they are we show catch basins that are probably 8 to 10 times actual size on the plans just as symbolic depiction they are actually smaller. We will make sure there is no conflict there. Majority of drain piping is 12" RCP at low slope .004ft. per foot. Drainage calculations were not provided to dept. for the review however it does not appear that these pipes will convey the 25-year storm. Stormwater calculations were presented to this board but apparently they never made it to Mr. McDowall. Response; appendices of stormwater management report contains analysis of stormwater collection system all of the storm drainpipes are designed to convey the 25-year storm. Size and type of drain water and sewer pipes should be ...(inaudible) in plan views on the grading and plan profile sheets. Request of pipe information will be added to the plans. Catch basin outlet pipes require gas/oil separation hoods. They will be added to the plans. Free gas catch basins and drain manholes seam shall be sealed with watertight sealant. Response watertight sealant will be added to appropriate details. Water design of roadways require another hydrant to be installed near T intersection of two roadways. Response; hydrant has been added to the plans. Many of these things that I say will be added to the plans have been added to the plans. Hydrant southerly cul-de-sac of Richard K. Stevens Dr. is shown as being installed in fill. Thrust blocks are required to be installed in contact with undisturbed soil material a detail for construction of this thrust block should be included in the plans. Response thrust block detail will be shown on the plans. Thrust blocks are appropriate for use in properly placed and compacted fill. Most of times you see thrust block details quite often deal with properties if you don't have fill situations but if they are properly compacted and place a thrust block will function just as well as it will in natural soil. When you reach certain compaction of that material of the fill the thrust blocks are still stable. There are no water utility details, thrust block details, service connection details or curb stop details included with these design plans. These will be added to the plans. Sewer service itself does not connect with useful system there is currently no municipal sewer at proposed intersection with Mt. Hope St. Sewer system as designed cannot be evaluated without understanding the relationship between the proposed sewer service for the subdivision and the

existing sewer terminance of John Rezza Dr. Applicant will be required to extend municipal sewer service westerly along Mt. Hope St. This subdivision plan should include plans and profiles for the sewer extension. They are in the package I gave you. It is recommended that the applicant begin the process of requesting sewer extension through Board of Public Works. It does not appear the soil conditions on site would support septic systems. There are no details shown for individual sewer service trenches to the lots. 100ft. long portion of sewer on Richard K. Stevens Dr. is to be installed in approximately 2ft. of fill. Probability of differential settlement in this line adversely effect sewer flow that adversely effecting sewer flow is very high. Public Works Dept. has several concerns regarding subdivision as proposed existing topography of the lot consist of ledge outcropping, flowing hills indicative of underline bedrock and high groundwater. Developer proposes to import large quantities of common fill to be spread over majority of land area on site. Control of this fill will be difficult to exercise and may lead to large areas of differential settlements causing problems for roadways, foundations and utility pipes. Yes it could if it was done incorrectly. Response in order to ensure control of fill following notes have been included on the plans. Qualified geotechnical engineer shall be retained by the owner to provide specifications and recommendations for all cuts and fills. Structural requirements relative geotechnical work including but not limited to any walls, foundations, filled slopes, road bases, light pole bases, pond embankments and other soil stabilization issues. Geotechnical engineer is to provide owner with all specifications for selection and placement well engineered and work or deep greater than 3ft. fill requirements or for cuts greater than 4ft. Propose design of the three separate detention basins result in small deep basins, which not readily evaporate. High groundwater will prevent runoff below the invert of the outlet for percolating surrounding soil, which can be problematic for maintenance purposes. Detention basins are located on multiple lots, which means that individual homeowners cannot/will not be responsible for maintenance of detention basin outlets or basin conditions. This type of design is not in keeping with low maintenance low impact design. Response; basins have maximum water depth of 3ft. or less and are not considered deep basins. Bottom of basins are 2ft. above the seasonal high water table to facilitate complete drainage of the basins. Type of drainage collection and conveyance are dictated by Town of North Attleborough Subdivision regulations. Low impact design such as system with swales and shallow ponds is problematic in this area during winter months. Subdivision proposed does not relate the sewer utility to existing municipal system and cannot be evaluated in present format as to whether or not sewer connection is possible. Response; separate plans for the extension of sewer system from John Rezza Dr. have been prepared and will be submitted with sewer extension request to the DPW for approval. They were not included in subdivision plan as Planning Board has no jurisdiction over the sewer extension. ATC has fully evaluated proposed sewer line in Mt. Hope St. this line is feasible. Also had multiple meetings with Dept. of Public Works with their engineer looking at all the grades that we have to get from where we are to where the sewer is going and we have designed sewer connection probably around 14 to 1500ft. worth of new sewer in Mt. Hope St. We've done that at their direction at their slopes they dictated. Subdivision as proposed does not include soil and erosion control design to be evaluated by all boards and staff who may have interest in erosion control. Drain system details are not consistent with Mass. Stormwater guidelines for removal of total suspended solids in the collection system. Response; soil and sediment control plan will be prepared as part of NOI to be filed with Conservation. Three stormceptor units are proposed to remove suspended solids and floatable gas and oils from stormwater prior to discharge to the detention basins. These three water quality structures are on existing plans you have. See appendices of stormwater management report in full conformance with applicable DEP regulations and guidelines. To meet DEP standards we're

required to remove 80% of total suspended solids structures that we're proposing do that by themselves without the benefit of deep sumps or hooded catch basins. In addition site is over 1 acre in area stormwater pollution prevention plan will be prepared and implemented in accordance with National Polluted Discharge Elimination System regulations of federal EPA requirements. Response to John Lavin Earth Works Engineering (Insert). Waivers applicant requesting following waivers for maximum street length of 900 to 1,071.91ft. as shown on plans. Request from Planning Board allowance reduction of lot frontage from 120 to 90ft. Recommend applicant prepare and submit a subdivision plan that meets all the requirements. Response; definitive subdivision plan as submitted is result of request made by the Planning Board response to a preliminary plan submitted to the board and approved on 10/5/06. Only one waiver is requested that is for road length. At preliminary stage a boulevard style entrance was proposed and rejected by Planning Board. Request for 90ft. of frontage is not a waiver request zoning by-law clearly states that lot frontage maybe reduced to 90ft. subject to Planning Board approval but full width must be obtained 60ft. back from street line further this reduction shall be limited to maximum 3 lots fronting on a turn around. Lots 3,4,10,11 and 12 meet lot width requirement 60ft. back as stated above proposed lot frontage reductions does not exceed 3 lots fronting on a turn around. Waiver request for reducing lot frontage will be removed from the plans. Recommend the board inquire as to why it would be in the best interest of town for board to grant waivers requested by the applicant. Response; waiver request provides for full use of the property increasing revenue to the town and allowing an orderly well planned and attractive project. It is not inconsistent with subdivision control law. Preliminary subdivision request from Planning Board. Preliminary subdivision meeting with Planning Board was held on 9/14/06 and 10/5/06 the board approved the preliminary concept plans subject to several issues being addressed on the subdivision of the definitive subdivision plan, which include easements. Applicant was requested to address the utilizing existing easement to install, sewer to Young Ave., Lakewood Dr. and John Rezzler Dr. if easement runs from Lakewood Dr. to Circle. Response; engineer met with the staff at DPW and permission to discuss alternative sewer designs. Routes as we presented to DPW to Lakewood Dr. and Angelina Dr. require easements cross existing house lots in order to either reach Lakewood Dr. and easement from Lakewood Dr. to Angelina Dr. or Angelina Dr. directly. Engineer met with DPW on 2/27/07 at which time we were directed to extend the sewer John Rizzer Dr. southerly along Mt. Hope St. to entrance to proposed subdivision. We presented three scenarios to DPW they had their own engineer evaluate what piping would have to be modified in Woodland Park subdivision to accommodate us sewer coming from south to our subdivision coming through our subdivision and out the back via three different scenarios. The Dept. of Public Works determined that there was too much infrastructure that would have to be replaced in Woodland Park and therefore told us they didn't want us to seek that route to discharge our sewer. They wanted us to bring sewer down Mt. Hope St. to John Rezzler Dr. in from Mt. Hope St. We're tying into a manhole about 150ft. from Mt. Hope St. down John Rezzler. They absolutely forbade us to any other way but that way. Sewer review installing sewer on Young Ave. and Lakewood Dr., which would connect to John Rezzler Dr. or Mt. Hope Rd. Existing homes located on these roads currently have on site disposal systems. Response not possible to reach Young Ave. without crossing extensive wetlands and private property. Any sewer connection for Young Ave. or Lakewood Dr. would have to be provided by Town of NA not this developer also see the above response. Mailboxes applicant requested to research with Postmaster if they would require individual mailboxes or multiple boxes at one location. ATC met with Postmaster of NA to discuss requirement of postal service in regard to on site delivery to proposed development. This meeting was held shortly after the approval of preliminary subdivision plans. Since that

meeting the Postmaster has been replaced new Postmaster is Michael Anderson Have attached his letter to this response. The first Postmaster told me that they would not allow any new development to be built with premise of having mail delivered door to door. They are requiring all developments to put in cluster box units. Applicant has not indicated that mailbox issues have been addressed with Postmaster. Location where applicant indicates an expansion of the roadway to 50ft. right of way would be an appropriate location to install mailboxes. Recommend that a detail of roadway expansion and location of mailbox be submitted, which indicates dimensions of roadway and location of mailbox kiosk. Response Postmaster has requested central mailbox location. The expanded roadway was intended to allow for safe mail pick up area that will not impede flow of traffic into or out of proposed development. This area can also serve as school bus stop. An appropriate detail will be provided that depicts the placement of cluster mailbox units. Line of sight; applicant was requested to review line of sight and traffic issues. Proposed definitive plan did not address line of sight or potential traffic issues in proposed definitive subdivision plans. Response; while sight distance appears adequate and traffic impacts are expected to be minimal from this amount of size of subdivision. Applicant hasn't responded to this comment retain the services of Greenwood-Peterson Inc. traffic engineers to perform the following services; visit the site and surrounding road network to identify site access issues/constraints, conduct speed study along Mt. Hope St. adjacent to the site, perform sight distance analysis at proposed site roadway location. Estimate traffic generated by proposed 19 lot definitive subdivision prepare a report for submission to the Planning Board for review. Greenwood-Peterson Inc. will also prepare indirect access permit application for submission to Mass. Highway Dept. as the proposed project abuts state highway 1295. Please see the attached traffic and safety assessment as prepared by Greenwood-Peterson Inc. dated 12/4/07. Design and construction standards; Dead end streets maximum length 900ft. applicant is proposing roadway length of 1,087ft. Minimum cul-de-sac radius is 50ft. applicant proposes 100ft. layout radius. Quoting section F permitted dead end streets or extension of street or system of streets connected to other streets from single point shall not be greater than 900ft. in length. As an alternative the board may require a special double roadway or parkway street. Applicant proposes expansion of the layout on southerly portion of Weston Dr. to 50ft. from approximately station 1 to station 1+75. As discussed previously the proposed expansion design to provide central mailbox location as requested by the Postmaster. Postmaster has requested a central mail location he did not request that we put a bump in street to do it that was done on our part. If applicant chooses to request to board parkway or double street we recommend that board request that the applicant design and install double roadway or parkway throughout the entire subdivision prior to granting a waiver. This would address potential public safety issues for the proposed subdivision. Response; when the preliminary subdivision plans were presented to the Planning Board there was an apparent dissatisfaction with boulevard entrance design provided by the applicant to address maximum roadway length of 900ft. Waiver request was discussed by the board as an alternative to divided entry design. There was also some discussion that the roadway end should be considered at throat of cul-de-sac not tip of the ball. Applicant has chosen to request a waiver from required 900ft. to 1071.91ft. as most responsible alternative to access rear portion of site as there is no other means of access. As proposed the dead end length will be only 19% longer than specified in the regulations. As single family project is likely this minor increase in length will result in operation of safety issues. 5.1.2 Cross-sections type 1 subdivision minor street; right of way width 40ft. applicant is proposing to expand portion of the roadway to 50ft. layout. As discussed previously the proposed expansion design provide central mailbox location as requested by Postmaster. 40ft. width required by the regulations is minimum width. Sight

distance; 275ft. sight distance was not indicated on plan recommend applicant provide sight distance and traffic study for new intersection created for proposed subdivision. Applicant has retained services of Greenwood-Peterson Inc. traffic engineer to perform the following services; visit site surround road network to identify site access issues/constraints. Speed study along Mt. Hope St. adjacent to site, perform sight distance analysis at proposed site roadway location. Estimate traffic generated by the proposed 14 lot definitive subdivision, prepare a report to Planning Board for review. Please see attached traffic and safety assessment, which they took the calculated sight distance to the north is 500+ and 300ft. to the south both exceed minimum requirement 275ft. Indicate location of and finished elevation of all driveways at edge of roadway layout 4.2.2P location of and finished elevations of all driveways at edge of roadway layout will be shown in accordance with that section. Recommend applicant provide detail/cross section of intersection of Weston Dr. and Stevens Dr. Response; plan and profile sheet 7 & 8 provide sufficient detail to construct the subject intersection. We don't feel that there is any additional details of cross sections necessary we did discuss this at meeting with Public Works as well. 5.1.4 earth works the applicant has placed the following statements on definitive subdivision plan qualified geotechnical engineer shall be retained by the owner provide specifications of recommendations for all cuts and fill structure. Requirement relative to geotechnical work included but not limited to retaining walls, foundations, fills bases, pond embankments and other soil stabilization issues. Geotechnical engineers provide owner with all specifications for selection and placement of all engineered and/or deep greater than 3ft. fill and requirements cuts greater than 4ft.

Mr. Casey, Recommend to the board that all required engineering, specifications, structural requirements, etc. for proposed subdivision is completed prior to the approval of the proposed subdivision. Response; we have included sufficient specifications and records to NA Planning Board Rules and Regulations on sheets 9, 10 & 11 to ensure the subdivision is constructed properly. Above statements were included to ensure that those specifications are followed. Recommend to the board that prior to start of construction the applicant perform deep test pits or borings where required to determine soil, type and seasonal high groundwater at the centerline of proposed roadway every 200ft. or as stipulated by the board. Soil investigation within the roadway layout is required to ensure that the sub-surface groundwater will not impact, saturate the sub-base material and bituminous concrete. Recommend roadway crown be located 4ft. above high seasonal groundwater. Applicant should notify the board prior to testing to allow representative to be present for the testing. Applicant should submit soil logs and recommendations of findings that is removal of unsuitable soils, installation of sub-drains, etc. to board for their review. Recommend that report and soil investigation be prepared by a licensed Mass. professional engineer or professional geologist. Response; section 5.1.4 does not require any of the above items however section 5.1.4E does require in cut areas all unsuitable materials such as peat and highly organic silt or clay or any other material that in the opinion of the highway supt. is considered to be detrimental to the sub-grade shall be removed and replaced with ordinary burrow. It is the obvious intent of the regulations determination of unsuitable materials is to be made at time of construction and at use of full material is contemplated. Due to proposed elevation of fill the clients build proposed roadways as shown on the plans we recommend that a condition of approval be that geotechnical engineer be on site at all times when filling is taking place and recording compaction tests results for each 6" lift of material placed and compacted. All materials utilized within roadway layout shall meet the Mass. Highway ordinary burrow specifications. Applicant shall provide sieve analysis for all materials utilized within the roadway layout. Response; it was intent of statements quoted above that geotechnical engineer be retained to supervise the construction of roadway. Section

5.1.4E requires that the ordinary burrow be compacted in 12" lifts, which is consistent with standard industry and good engineering practice. Section 5.1.4E also specifies that 12" lifts not 6" lifts be used. The duties of geotechnical engineer should include compaction testing and sieve analysis of the material used. 5.4 sidewalks; applicant has proposed sidewalks on both sides of roadway. Applicant shows in detail of cement sidewalk sheet 8, which states that cement concrete sidewalks will be installed as shown on the plan. Request applicant indicate where on plan they propose to install cement sidewalk. Response; cement concrete sidewalk was meant to be an alternate to the petuminous concrete sidewalk. Detail will be removed from the plan to avoid confusion. What we had done on detail sheet we had shown one detail with petuminous concrete sidewalk, we had shown a detail right next to it with concrete sidewalk just to give the option we removed the concrete sidewalk detail. 5.4.3.1 wheelchair ramps shall be provided in all appropriate locations and shall conform to the architectural access board requirements 5 to 1 CMR and American Disability Act. Applicant proposed to locate the handicap ramps at circle intersections, which are proposed to be located on the radius of intersection. Recommend applicant provide handicap ramps perpendicular to the curb at the start and/or end of curb radius. In addition recommend applicant provide handicap ramp detail on proposed subdivision plans. Response; handicap ramps have been located perpendicular to the curb at the start and/or end of curb radius. Handicap ramp detail has been provided on appropriate detail sheet of proposed subdivision plans. All ramps will conform to applicable regulations and standards as indicated in construction detail provided. 5.5 grass strips deleted by vote of Planning Board on 3/25/99. Although this section of regulations has been previously deleted the board should consider if the grass strip will provide a smoother transition for the driveways with respect to granite curb. In addition mailbox locations should be also consider in discussing grass strip area. Response; as stated the grass strips have been deleted by the board. It does not appear the reinstating them will provide smoother transition. In fact grass strips will only complicate at that transition. As previously discussed mailboxes will be placed in central mailbox location at entrance of the subdivision. 5.6 side slopes; we recommend applicant review the side slopes in roadway layout to verify that they meet the standards of 4 horizontal to 1 vertical adjacent to retention basin. Recommend board review the areas where sidewalks are adjacent to side slope areas at detention basins the safety issues. Response; all side slopes are 4 to 1 or greater. Detention basin #2 is the only basin adjacent to a sidewalk basin has 4 to 1 side slopes and is surrounded by 6ft. high chain link fence. 5.7 street name signs; proposed street names shall be approved by the board. Recommend that board inquire if applicant met with NA Veteran's Agent for proposed street names. Response; representative of ATC met with James McCann director of veteran services. He has provided letter to the Planning Board stating proposed street names are acceptable letter is attached to this package. Recommend applicant specify location of street signs on definitive plan. Response; location of street signs will be shown on definitive plans. 5.1.0 street lighting; recommend applicant provide an approved utility location design plan from NA Electric prior to board's approval of proposed subdivision plan. Applicant shall provide the board with approved plan from NA Electric, which will become part of approved subdivision plan. Response; Section D of NA Electric Dept. installation requirement states NAED must receive final town approved development plans on scale not less than 1"=40ft. as well as electronic file of subdivision prior to engineering URD construction plans. Therefore we cannot provide the board with an approved utility location design plan from NA Electric prior to board's approval of proposed subdivision plan nor can they become part of the approved subdivision plans. NA Electric will not take any plans from us until they are finally approved.

Mr. Lavin, Prior to endorsement you can approve the plan.

Mr. Rolffe, Must receive final town approved plans on scale such and such as well as electronic file subdivision prior to engineering URD Construction Plans. They won't do their work until they have final approved plans.

Mrs. Marchitto, There could be delay between approval and endorsed plans okay if that is the way it's going to be.

5.11 utility installation; All electrical telephone, cable TV and similar services shall be installed underground. Standards for underground conduit and duct banks shall be subject to the approval of NA Electric and/or the appropriate private utility in cooperation with NA Electric.

Recommend applicant provide NA Electric approved utility plans prior to approval of proposed subdivision. Response; basically same response as above NA Electric won't take the plans until they are approved.

5.12.2 drainage; wetland located on northern area of proposed subdivision discharges directly into backyards of the properties located on Lakewood and Young Rd.

Recommend applicant review existing discharge from wetland and propose to the board a plan to mitigate the stormwater discharge to abutting properties from the applicant's property. In addition recommend applicant pursue an easement with abutting parcel to gain access to Young Ave. if required. Response; revised drainage calculations show that there is net decrease in the rate and volume of runoff to both wetland area and to abutting properties. It is not responsibility of this applicant to solve problems created when the abutting subdivision were constructed without regard to properly conveying existing runoff. Recommend applicant provide bottom elevations for the wetland area located on northern portion of the property. These elevations will provide the board with information to determine if the bottom of subject wetland is located below existing groundwater elevation. Response; test holes immediately adjacent to wetland confirm that the bottom of the pond is below groundwater elevation as surface water elevation. At time of testing was equal to groundwater elevations. All analysis of the impact of stormwater discharges to the pond was based upon seasonal high water elevation of pond.

Additional elevations of pond bottom will not provide any useful date. From what I understand some of the members of the Planning Board did do site visit. I think you actually saw where water of pond was it is very shallow pond. At time we did soil testing the pond had water in it. I believe time you did site visit there was no water in it but you can see it is very shallow.

Recommend board inquire as to design of roadway grading at station 5+00 at Weston Dr.

Response; grading of roadway in this area is simply result of vertical curb joining positive and negative slopes of adjacent sections of roadway. It is intent of design that the crown of the road remains as specified in regulations, which is 1/4" per foot. Recommend retention basin sidewall slope not to be greater than 4 to 1. This will aid the owner of retention ponds in maintaining the basins. Response; best management practices as specified minimum slope of 3 to 1, which has been provided additionally all basins are proposed to be fenced. Several retention ponds on earth and berms built above existing grades, which will be required to retain stormwater at various levels depending on storm frequency. We recommend that geotechnical engineer design retention pond berms to withstand the applied lateral force applied by the water and to ensure exfiltration does not occur through sidewalls of retention basin/berm. After design is completed the applicant should submit the design to the board for review and approval prior to approval of proposed subdivision plan. Response; it is the intent of the statements referred under 5.1.4 earth work that this occur prior to construction of the ponds due to variability of available on site materials. It should be further noted that the detention basins have maximum of 3ft. of water at peak of 100-year storm, which is very brief. Basins are not designed to hold water for extended periods of time. Recommend board discuss the ownership of retention ponds and responsibility of maintenance. Response; it is applicants intent that detention ponds be located on easements given to the town. It would be town's

responsibility to maintain the ponds. If board decides that the owner of property will be required to maintain the basins it is recommended that a condition be placed in board's subdivision approval letter that the proposed owner shall be notified in writing prior to real estate closing that they are responsible for the maintenance and proper operation and maintenance of retention basin located on their private property. In addition retention pond operation and maintenance plan developed by the applicant shall also be given to them at real estate closing. Request that the town be notified in writing by applicant or current owner of building lot at time of the real estate transfer as notified the proposed home buyer of their responsibility to maintain the retention basin and that maintenance and operation plan was given to them.

Mrs. Marchitto, It is 8:00 P.M. have to open public hearing for subdivision Cobblestone.

8:00 P.M.- Public Hearing for the application of Spinnaker Group, Inc. for the Definitive Subdivision to be entitled Cobblestone Note: Final Action Due 12/31/07;

David Manoogian, We have only two members tonight.

Ms. Burgess, I informed Mr. Manoogian we do not have enough members and continuance would be in order.

Mrs. Marchitto, Recess Mount Hope Farms for 5-minutes. Mr. Manoogian we do not have a quorum Mr. Houle and myself.

Mr. Manoogian, We'd love to give you an update on meeting we had with DPW I don't think would be appropriate shouldn't take any evidence with just two members. We would ask you to continue it to first meeting in January the 3<sup>rd</sup>. and we will give an extension of time to act until 2/10/08.

Mrs. Marchitto, For residence here for Cobblestone we do not have quorum tonight we only have two members out of the three that can vote so we're going to continue it to 1/3/08 at 8:00 P.M. They have given us an extension until 2/10/08 to act.

Ms. Burgess, We're up to date money wise for Cobblestone.

Mr. Houle, Make motion we continue Cobblestone to 1/3/08 at 8:00 P.M., seconded by Joan Marchitto. All in favor 2 to 0.

Mr. Houle, Make motion we extend final action until 2/10/08, seconded by Joan Marchitto. All in favor 2 to 0.

8:05 P.M. Reopen Public Hearing for Mount Hope Farms Estates;

Mr. Rolffe, Mr. Casey had just read comment regarding maintenance of the basins. Response; past experience has indicated the requiring of individual property owners to maintain facilities located on multiple lots result in no maintenance being done. If town does not wish to accept the basins for maintenance then a Homeowner's Association should be established to ensure proper maintenance of the basins. 5.12.2.1 erosion control during construction; EPA and NPDES construction permit is required for land over 1 acre. We recommend that all conditions of general permitting including in site plans. In addition we recommend applicant provide copy of permit issued by EPA and required stormwater pollution prevention plan at pre-construction meeting. If dewatering is required to install subgrade utilities, structures, pipes, etc. applicant shall obtain an EPA NPDES construction dewatering permit prior to discharging water.

Response; applicant is aware of the responsibility to the EPA and EPA and NPDES construction permit will be obtained and SWPPT stormwater pollution prevention plan will be presented to the town at pre-construction conference. EPA/NPDES construction dewatering permit will be obtained if necessary prior to discharging water. 5.12.3 water; water mains including service connections shall be installed in conformity with specifications of NA Water Dept. Response; note indicating that water mains including service connections shall be installed in conformity with the specifications of NA Water Dept. will be added to the plan. Recommend applicant

indicate on the definitive plans the proposed water services to each house. Response; proposed water services to each house will be shown on the plans. Applicant has proposed a dead end the proposed water main at the cul-de-sacs. Recommend applicant pursue a design of the water system to loop water mains for the proposed subdivision by either installing water main on private property and in turn creating easements of said private property. Another alternative would be for board to consider is to loop water line loop from main road to end of cul-de-sac this would prevent the requirement of easements over proposed roads. Response; at a meeting 10/30/07 with William McDowall PE of NA DPW it was determined that looping waterline was not required. Hydrants shall be located at each street intersection of not more than 500ft. apart. Recommend applicant review hydrant spacing proposed on subdivision plans. Response; hydrant spacing has been reviewed and additional hydrant has been added at intersection of Weston Dr. and Stevens Rd. Recommend applicant provide detail for connection of proposed water main to existing water main. Response; notation on the plans calls for a tapping sleeve and valve at connection of water main in Mt. Hope St. Recommend water supply modeling shall be performed according to DPW's specifications to determine that there will be an adequate water supply for domestic purposes and fire fighting. Response; at meeting on 10/30/07 with William McDowall PE of NA DPW he stated that there was adequate supply of water at this location and that no further testing was required. 5.12.4 sewer; recommend applicant pursue the installation of sewer to Lakewood Dr. and Young Ave. Response; as previously discussed engineer met with staff of DPW and DPW Commission to discuss alternative sewer designs. Two routes presented to DPW to Lakewood Dr. and Angelina Dr. require easements across existing house lots in order to reach either Lakewood Dr. and easement from Lakewood Dr. to Angelina Dr. or Angelina Dr. directly. The engineer met with DPW Commission on 2/27/07 at which time we were directed to extend sewer from John Rezzar Dr. in Mt. Hope St. to entrance of proposed subdivision. It is not possible to reach Young Ave. without crossing extensive wetlands and private properties. Any sewer connections to Young Ave. or Lakewood Dr. would have to be provided by town of NA not this developer. Applicant shall apply for a sewer extension permit from DEP prior to installing public sewer. Recommend applicant confer with NA DPW as to status of sewer extension moratorium. Response; applicant intends to apply for sewer extension permit prior to installing the sewer. Moratorium is presently in force however the master plan is near acceptance by DEP at which time moratorium will be lifted. Recommend applicant provide sewer design calculations for sizing sewer pipe and velocity of flow. Response; sewer design calculations will be presented. 5.13 easements; easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary and shall be 15ft. wide for electricity and telephone and 20ft. wide for drainage, sewer and water. Board may increase width requirement as deemed appropriate. Response; all required easements are shown on the plans and are of the appropriate width. Recommend that all easements shown on proposed subdivision plans be labeled utility easement. Response; all proposed easements have been labeled utility easement on subdivision plans. Recommend applicant provide documentation for proposed utility easements to board prior to approval of subdivision. Response; applicant requested that this request be made a condition of approval due to possible additional changes to plans. Recommend that all easements be constructed to handle heavy equipment. Recommend applicant provide detail cross section of proposed materials to be utilized to support heavy equipment in easement area. Response; this detail will be added to the plans. Easement provided minimum of 10ft. in order to access all sides of detention pond for maintenance purposes. Recommend applicant review easement access to retention pond located south of Weston Dr. Response; this particular easement is totally accessible from Weston Dr. having 4 to 1 side slopes. Recommend the board review the proposed easement for

the detention basin located east side of Steven Dr. proposed house lots 8 and 9 and proposed easements located 1ft. to 2ft. from rear of the house. Proposed homeowner will not be allowed to build permanent structure that is deck, etc. in rear of house. Response; detention basin #3 behind homes on lot 8 and 9 has been modified to allow more of use of backyards. Decks have been added to all proposed homes within the development. I can also tell you area that was added for backyard use is significant compared to what was originally shown on the plans. Traffic analysis; traffic analysis was not submitted by the applicant for new intersection that will be created with construction of proposed subdivision Mt. Hope Rd. and Weston Dr. Response; applicant has retained the services of Greenwood-Peterson traffic information is attached to these comments and we will go through that. Recommend applicant provide location of stop sign at intersection of Mt. Hope and Weston. Response; stop sign locations will be added to the plans. General 1; recommend that applicant provide a separate existing condition plan, which shows the existing structures and topography. Response; two plans have been added to the drawing set that depicts this request. These plans also have the proper proposed street and lot line as shown as reference to existing topography. What I'm saying is we made existing condition plans but what we did is left the layout of the roadway and lot lines on just for referencing because without them it is kind of hard to see where you are on site. #2 recommend that stop signs as shown on definitive plans. Response; stop sign locations have been added to definitive plans. #3 recommend additional detail be provided on plans which shall include but not limited to fence detail, riprap at flared ends, emergency overflow. Response; these details will be added to the definitive plans. #4 revise statements on detail sheets that will not meet requirements of town of NA Subdivision Rules and Regulations and DPW Regulations that is catch basins, sewer manholes, alternate top slab of steel, pipes other than PVC. Response; these statements have been revised. #5 filter fabric shall be installed under all areas as specified to have riprap placed. Response; all details depicting riprap will be modified to include the addition of filter fabric beneath the riprap. #6 insert additional details as required to construct that is water trench details, size of outlet structures, etc. Response; these details will be added to the plans.

Mr. Rolffe, Lastly one here is response to comments from Shannon Doyle Conservation Agent (Insert). Project is proposing to import extensive amounts of fill for lot development and for detention basins, which will drastically change the natural landscaping. Altering drainage patterns in area that is known to flood. Response; there is no requirements limiting the amounts of fill that can be imported for construction of definitive subdivision nor are there any regulations or guidelines that constitute drastic change with natural landscape other than ones opinion. Drainage patterns that have been altered by proposed development are in harmony with any other proposed development that alters drainage patterns by addition of roadways and proposed dwellings. Given the conditions of the site including groundwater, sewer design guidelines as furnished by NA Dept. of Public Works and mitigation of stormwater for increase of impervious areas this site reflects the responsible design that will allow gravity sewer flow into municipal sewer system. Proper stormwater attenuation and treatment and road surface elevations that correspond with the requirements of surface flow in relationship to sub-surface utilities. This site has no depiction of any hazardous flood areas as shown on the National Flood Insurance Program Flood Insurance Rate Maps. Natural flooding characteristics of existing pond that occurs on lots 13, 14 and 18 have been carefully appropriated into stormwater management calculations and have resulted in a reduction of flow other than existing pond during 2, 10, 25 and 100-year storm frequencies. This design reduces the stormwater flow into existing pond and off site. The pond referring to is the large pond that runs off toward Lakewood Dr. Proposed grading and limitive work provides essentially no off set to wetland

resources on site. Although town does not have wetland by-law requiring mandatory setbacks a buffer is recommended to prevent indirect impacts to the wetlands. Additionally in some areas immediately adjacent to wetlands steep slopes with 7 to 10ft. rise are proposed. Steep slopes like these are difficult to stabilize with vegetated cover in order to prevent erosion and sedimentation into the wetlands. Response; this comment is correct to the effect that there is no wetland by-law in place in town of NA therefore there is no setback requirement. ATC did meet with Conservation on 9/11/07 to take part in a constructive workshop to discuss the impacts of design regarding definitive subdivision application proposal. The plans as presented were clearly marked with setbacks from proposed limits of work to wetland boundary. Areas sloping towards the wetlands were also labeled with their specific slope ratios. Retaining walls were also discussed as terminance for some of side slopes. At direction of Conservation ATC were urged to create a 10ft. separation from the limits of work to bordering vegetated wetlands. It was also urged that detention pond area that occurred on rear of lots 8 and 9 to create a more desirable condition with relation to the proposed dwellings and proximity to bordering vegetated wetlands. ATC believes that it has achieved these requests with revised set of definitive subdivision plans that incorporate a minimum 10ft. of separation from the proposed work to the wetlands a series of no maintenance modular retaining walls that will install quickly with no disturbance closer to wetland resource than the face of the wall. I put in please recall the presentation of the retaining wall system at second workshop held with Commission on 10/30/07. Detention area behind lots 8 and 9 have been modified to occupy smaller footprint yet provide slightly more stormwater storage. This basin modification has allowed a more desirable relationship with the proposed dwellings and the proximity of level spreader being outlet structure to the adjacent wetland boundary. Propose slopes toward wetland boundary did not exceed 3 to 1. That is important because 3 to 1 is a slope that you can maintain with a mowed grass surface. Detention basins are shown to discharge directly into wetlands. Alternative design for the outlets is recommended. Response; definitive subdivision plans have been changed to include two 30ft. long level spreaders one is located on lot 9 and other straddles property line between lots 14 and 17. These outlet devices will gently dissipate flow of stormwater towards the wetland boundary. Detention basin that resides on lots 1 & 2 deliver the flow of water to the wetland via grass swale. Oversized cul-de-sac is to be constructed on large amount of fill with steep slopes abutting the wetlands. Cul-de-sac will also result in significant amount of impervious surface. Response; slopes abutting wetland will be at least 3 to 1 and more often 4 to 1 in area of cul-de-sac. Retaining wall will be constructed 10ft. off wetland on lot 14 as requested. Toe of slope on lot 13 is 28ft. from wetland edge at its closest point. Retaining wall will be constructed on lots 9 and 10 to provide 10ft. separation requested. Slopes are such that they can be readily mowed and maintained. Due to proposed grading and proximity to wetlands the lots have little usable space for backyard and accessory structures. Response; this comment is reflective of personal opinion has nothing to do with the enforcement of Wetland Protection Act however detention basins 1 & 3 have both been modified to provide more usable yard space. Potential impact to water quality and water quantity as result of stormwater runoff from the project will need to be addressed. Response; these concerns will be addressed as result of filing NOI with Conservation Commission as they are on all projects. Please not that drainage systems for this proposed development have been designed in accordance with best management practice standards that directly deals with water quality. Water quality devices are depicted on the drawings at each of the inlets to individual drainage basins. The drainage calculations directly address the issue of water quantity. Discharge of water from this development has been fully mitigated so as not to have adverse impacts on downstream properties.

Ms. Burgess, I don't think its necessary to read traffic.

Mr. Rolffe, I just wanted to show what I have here. I have Greenwood-Peterson report the process they used to determine sight distances, etc. They have traffic counts and recommendations on sign placement existing sign being changed on Mt. Hope St. Letter from the Dept. of Veteran's Services to chairman Donald Cerrone ( Insert) have no objection to naming two new streets as D. Donald Weston Sr. Dr. and Richard K. Stevens Dr. as both of these men are local veterans. Letter to me from Mike Anderson Postmaster of NA ( Insert) dated 12/3/07. I will require that central area be designated for delivery of mail. Have reviewed proposed drawings and depict widening in roadway layout for purposes of affording an area set aside for the delivery and pick up of mail at series of cluster box units. This configuration should be safe both for mail carries and residents as to access to CBU's will be out of way of traffic within roadway. Last two page are reduced copy of plans we had prepared back in August showing sewer design from mouth of our new roadway to the sewer manhole in John Rezzar Dr.

Ms. Burgess, You have no plans for us tonight?

Mr. Rolffe, I don't and I'll tell you why in a second.

Mrs. Marchitto, There was a workshop between engineers I had hoped that little bit more it seems like we still have lot of work to do. I was hoping it would be lot more condensed into a form we would kind of start making decision here and narrow it down. Sounds like there is still lot of work to be done as concrete answers.

John Lavin, At workshop earlier it really was just discussion there was no real solutions there was some with DPW. Comments back and forth.

Mrs. Marchitto, I think in the future when I talk to the chairman I'd like to get this information before a hearing. I have lot of questions even with reading this I feel as though we have long way to go so now I have even more questions on the engineering side of it. We have good debate for the residence I think a lot of this is technical so if we can narrow it down to four or five technical engineer issues that we do have it provides lot more information for the residence. I hope that you are able to work with our engineer and resolve some of the questions he has that the board has. I have concerns on Mt. Hope Rd. have concerns with sights. When I look at this subdivision not technical side I'll say Mt. Hope side a lot of this reminds me of Chauncey Village. One of the things on Chauncey Village was the sight distance was speed on Freeman and curvages from north and south. I believe going north it is clear it's short and straight you can see anything. When I traverse it north I have real some concerns of what sight visual is.

Ms. Burgess, It is difficult when you're taking a left out to see down.

Mrs. Marchitto, Asking what would be 300ft. sight distance.

Mr. Lavin, Doesn't it go across private property?

Mrs. Marchitto, Curve is much more than I anticipated. My concern coming north there are private property a berm and pine trees that is not your concern private property. When you're approaching it on the curve when cars go in the curve they are lost you can't see them. Have concern of cars coming around curvage of site and seeing them. I really think that is something that we really have to look into.

Mrs. Weston, Town has 7ft. that we deeded on that side.

Mrs. Marchitto, I will say that subdivision control at the intersection has adequate access and sight visual.

Mrs. Weston, The road is quite bit north of where that dirt road is. Coming out of that dirt road it wouldn't be maybe 300ft.

Mrs. Marchitto, That is why I was asking what 275 and what 300ft. I would like to have that looked at laid out.

Mr. Lavin, Did you do cross section as far as traffic? Do you have 85 percentile of speed here?

Mr. Rolffe, I have nothing more than this paper he said they did in accordance ASHTO standards, Executive Office Engineering, Environmental Affairs.

Ms. Burgess, Take what we have and review it we don't even have any plans.

Mr. Rolffe, I will have to ask him for more details.

Mr. Houle, Why don't we have a set of plans?

Mr. Rolffe, When we met with Public Works Dept. Bill McDowall, Mary Burgess and John Lavin at Public Works office. There was a comment made by Mary Burgess stating that she wondering why if this subdivision should even be built.

Mr. Lavin, Not like that. I guess we'll have to record the meetings.

Ms. Burgess, I think we might have too. I believe that I requested that it be laid out the way the rules say and I believe I wasn't the only one who stated that. I take no offense to that I did not say it should not be built I said it should be built correctly within subdivision rules that was 10/30/07.

Mr. Rolffe, Being responsible for the development of these plans for my client when someone makes comment to that effect that is how it was taken. With concerns that with that type of feeling or opinion project could be in jeopardy. After that meeting I called Mr. McDowell back and told him I was concerned that because of the four people that commented issues raised about the gravel, which we don't feel is as much of an issue as being covered. He made a suggestion at that meeting asked if we'd considered dropping grade of roadways and putting in environment one pumps for individual house lots to reduce amount of fill.

Ms. Burgess, I remember him asking why we don't reduce amount of fill.

Mr. Lavin, Would be acceptable to DPW if presented, which I believe you already talked to DPW about it.

Mr. Rolffe, What I asked him if he would talk to Board of Public Works at his suggestion that we do that. I explained the reason we didn't do that was because regulations call for gravity sewer, certain relationship between top of road surface and top of sewer pipe that there is proper cover, etc. Having designed it by the regulations to come in and ask for the ability to create the development with sewer pumps for individual house lots and dropping road grades. I would need to come back before the Planning Board with something other than just a question. I would need to come back with something saying that Board of Public Works would support such an endeavor. Mr. McDowall brought that question to the board and the board wrote letter to me and he said he copied to Mary.

Ms. Burgess, I don't have it.

Mr. Lavin, I talked to Mr. McDowall today and he mentioned to me about low-pressure injection or the E1.

Sandra Copley, Representing Bill and Rita Copley on Lakewood Dr. direct abutter. I think in numerous places where these things have been revised on the plan, etc. We've been here for and hour and forty minutes and it seems like everybody is upset that there aren't any plans. I'm wondering why we're here.

Mr. Rolffe, I received a letter from Mr. McDowall and it says dept. review of reference subdivision noted that there was large amount of fill proposed for the design condition of roadway. You have stated that this design was proposed to accommodate gravity sewer to all proposed residences in subdivision. It was noted during subsequent conversations that there were alternatives to gravity systems. Dept. always favors gravity systems over mechanically induced flow and strongly recommends that all properties be designed with gravity sewer

connection. A gravity sewer connection is more efficient and requires no addition of external power to induce flow. In order to reduce the fill requirements the Board of Public Works would consider the installation of environment 1 sewerage pipe only for the properties that cannot be drained by gravity. Board notes that environment 1 pumps have been approved as town standard only on a case by case basis for town controlled projects. Applicant is required to provide detail sewer connection plans and adequate specifications for the proposed design in order that the plans may be fully evaluated. If a low-pressure sewer system is proposed for any portion of the proposed subdivision the applicant must obtain written approval from the Board of Public Works. It is the engineers and contractors responsibility to obtain all necessary permits prior to any utility installation. Reason I didn't give you plans was if we come to the board and Mr. McDowall's suggestion and asked that we reduce the grades on the roadways and go to force main type sewer from within the subdivision out to gravity sewer in Mt. Hope St. it is going to require a tremendous redo of the plans themselves. My detention basins will be different shapes, slightly different location, road grades will be different if we pursue that avenue. It didn't make sense to give you plans and go through all the effort to give you all the comments that we've addressed, things that we said we would put on the plans they are minor street signs, moving handicap ramps lot of those things I've already done. It didn't make sense to give you ten reams of paper for something that I haven't got a waiver granted for my roadway length I would certainly need additional waiver for reduction in sewer pipe size from 8" to something that would accommodate force main before we could continue.

Ms. Copley, Why did you take up an hour and forty five minutes of our time and read all this stuff that we're not going to remember 30 days from now.

Mrs. Marchitto, I was wondering the same thing too if you weren't ready you could ask for a continuation.

Mr. Rolffe, I am ready to revise the plans to those comments just the way they are.

Mr. Houle, I'm little taken back that we did sit here for this amount of time I'm really not sure what we accomplished.

Mr. Rolffe, What it accomplished is I can address all the comments with the development just the way we have it.

Mr. Houle, I've been on this board for about year and half now this is an in-depth subdivision that you're proposing and there are lot of questions about it. I'm thankful that I have a PE at my disposal because some of these questions I really need his expertise to talk about. I think some of the things that we're talking about here tonight even if you had given one or two sets of plans we could have looked at them and look at what we see as a problem even the DPW may have been able to look at them. Look at calculations on everything and they may have given you some better insight than we have now.

Mr. Rolffe, The comments that I address that were given by the four people are minimalistic type things they're adding street signs, adding details or adding stop signs, adding notes to details. There is nothing in there that changes the subdivision from what it is as far as grades or drainage system or anything. There are clarifications, comments that were made, some of the people that made comments didn't have the benefit of having copies of stormwater study that was done.

Mr. Thimot, I've sat on few of these site plan reviews and this is essentially what we're having right now is site plan review as part of definitive subdivision approval correct?

Mr. Rolffe, Yes.

Mr. Thimot, Where is the layout?

Mr. Rolffe, I submitted the layout to you for last hearing. I received comments at that hearing I prepared responses to those comments based on plans that I gave you. I did not modify the

plans at this point because I don't have certain things that I need proceed. One is I have letter that I received that suggests that I may take a different route. Even if I take this different route most of these comments still apply. There is nothing in here that changes the subdivision substantially from what I have already given you. I didn't understand why I should have to give you again reams of paper for something...(inaudible).

Mr. Thimot, I'm not disputing that I understand that you have to accumulate more information but this is supposed to be a definitive subdivision it is not a preliminary.

Mr. Rolffe, You have definitive subdivision plans already. Everything is very detailed, you have lotting plans with meets and bounds, easements with meets and bounds, grading plans, have plan and profile sheets you have everything that is on these plans.

Mr. Lavin, We should discuss the plan that is not going to be approved. Also if you lower the whole thing are you going to be about 2ft. above groundwater with your foundations?

Mr. Rolffe, Yes.

Mr. Lavin, Other thing just to clarify Mr. McDowell you said Mary said that. He said it was totally unacceptable irresponsible subdivision the way it was designed and that is when we starting talking about E1. You said you can't say that and he said I can say that.

Mr. Rolffe, I said subdivision was designed in accordance with the rules and regulations governing the subdivision of land in NA. I have one waiver request for length of the street I have no others. Everything else is designed exactly in accordance with the regulations.

Ms. Copley, Even cul-de-sac that is 100ft. in radius that is allowed?

Mr. Rolffe, It is most certainly radius for cul-de-sac is given in table is minimum radius there is nothing that says I can't put a larger radius cul-de-sac there.

Mrs. Marchitto, Does not mean that the Planning Board needs to approve it, it may. I would like to get substantial reason not subjective what is best interest of the town to have these.

Mr. Rolffe, Radius of cul-de-sac is not...(inaudible) my asking for reduction of frontage on the cul-de-sacs is at your discretion. It says I need 45ft. pavement 50 for the layout.

Mrs. Marchitto, You're correct you've taken our subdivision control regulations and read them and done fine. I recall someone recently saying to me it is minimum we can also require best managed practice.

Mr. Rolffe, Which we offer.

Mrs. Marchitto, Rightfully so you've stated in your comments according to preliminary plan. As board member when preliminary plans come in and residence come it's conceptual it is not mandated for preliminary plan input from Planning Board and more important import from the residence. When it's approved you do have grandfathered rights for 7 years for conceptual preliminary plan it is not in great detail. I want to make that comment and I do want to ask Mary pull the preliminary plans so I can read them. Definitive is a different story these are the construction plans, plans that the board will approve and approve with conditions that constructor/manager whoever buys the land and develops has to take those plans nothing conceptual about a definitive plan that is approved. I may have taken it wrong but it's almost like the board said in preliminary plans they wanted this. We approved a concept and concept was 19 lot.

Mr. Rolffe, Doesn't mean I can hold you to it I totally understand that. What I did do was presented the plans in a preliminary to this Planning Board.

Mrs. Marchitto, There were a lot other things that were said about this preliminary plan that is not in your comments.

Mr. Rolffe, My point is you approved the concept of my preliminary plan as I had presented it to this board. I have no other direction to go in other than trying to mimic with my definitive plan what you approved in concept as a preliminary plan.

Mrs. Marchitto, Concept is subdivision with 19 lots with two cul-de-sacs and much discussion about boulevard or not one and you did come back without the boulevard, which was fine.

Mr. Rolffe, Because the board quite obviously did not care for it. I substantially mimicked the preliminary definitive subdivision concept that was approved by this board. I thought if I changed any of this I would not be doing something in accordance with what you had approved as a concept.

Norm Lacasse-Lakewood Dr., The sewer line that runs from John Rezzaer to the new development is that big enough for expansion?

Mrs. Marchitto, It should be.

Mr. Rolffe, You can't bring gravity sewer from Young Ave. or Lakewood up to Mt. Hope St. When the sewer is installed it will be public there will be stubs installed for each roadway that passes and stubs installed for each house public works demands that. There will be stub to each street that it passes each roadway that it passes.

Mr. Lacasse, What about residence that are on Mt. Hope St.?

Mr. Rolffe, I believe this is how it works once the sewer is accepted by Public Works Dept. I think it is fair game for anybody to tie into.

Mr. Weston, There is no betterment charge it is private person brings sewer down.

Mrs. Marchitto, I was thinking connection fee to tie in.

Mr. Rolffe, There would be approximately 1500ft. of sewer put in that other people would have access too.

Mr. Lacasse, Answer about Lakewood Dr. is it wouldn't work as gravity flow down Lakewood towards Mt. Hope.

Mrs. Weston, It could be pumped.

Mrs. Marchitto, They wouldn't be required to put sewer line on Lakewood.

Mr. Lacasse, I just thought if the neighbors got together at some point and wanted to put sewer in Lakewood.

Mr. Sweet, Residence would have to petition DPW.

Mr. Houle, Some of your question and answers you referred to DPW. Do we have anything from DPW attesting to any of this I'm just wondering?

Mr. Rolffe, You just have comments from Mr. McDowall.

Ms. Burgess, Just the initial comments.

Mr. Rolffe, Board of Health as we're required to but if they didn't comment to you I can't make them. I never received anything from them. I think typically where it's proposed to be sewer they don't respond.

Ms. Burgess, When do you propose to have all information from DPW to change the plans?

Mr. Rolffe, It is not up to DPW for me to change the plans it is up to me to speak with the Planning Board to gain direction on where we go from here. That is why I didn't give you plans. I have responded to comments pertaining to this development as it is proposed in accordance with the plans you have. I received letter from Mr. McDowall saying that DPW would in fact support us if we were to drop road grades and put in a pump system E1. Unit would be on each individual house lot responsible for homeowner to maintain not the town.

Mr. Houle, Problem is we don't have any of those letters. I've never seen one as board member.

Mr. Rolffe, I have e-mail in my office I'll print it out he sent it to me.

Ms. Burgess, If it's e-mail it may not happen if it's sign document.

Mr. Rolffe, Between letter from Mr. McDowall and fact that we need a waiver we have waiver request. It doesn't make sense for me to go much further without finalizing some of these concerns. If you say I can't have the extra roadway length.

Ms. Burgess, Vote on waivers on reduction.

Mrs. Marchitto, You want to do it without Don?

Mr. Rolffe, My point is I can't go further without having answers to these questions.

Ms. Copley, Can I ask one question about road length before you decide to vote or whatever?

My understanding it would be waiver to go from 900ft. to little bit over 1000 is that correct? (

Yes.). Scott I'm just wondering the extension in road length what do you gain by adding the road length over 900ft.? Do you gain one/two or three more lots?

Mr. Rolffe, I never calculated how many lots I gain from it. Perhaps it wouldn't be wise to vote tonight with such few members on the board.

Mrs. Marchitto, I could vote very easily it is board's wishes.

Ms. Burgess, If we're not going to have plans for next time we meet.

Mr. Rolffe, You can have plans for next time.

Mr. Houle, You're asking us to vote on waivers tonight?

Mr. Rolffe, Can't finalize things without them. If Planning Board would like to see me go in this direction there is so many comments about the fill on the site.

Mrs. Marchitto, We could vote on the waivers. My concern is we have five board member have one person who has reclused from voting and one member that is not there tonight that can miss one so you have three so going forward you might have quorum issue. You don't need super majority, which is okay.

Mr. Rolffe, But I need all three.

Mrs. Marchitto, I think it is wise for you to wait for fullest members that you can have.

Mr. Casey, We've given you a lot of information and Scott said the purpose in doing that was to make clear that he had analyzed all of the comments. In retrospect would have perhaps been better if we had submitted a package and said we addressed everything. Let's focus on true issue tonight, which is whether you are prepared to consider granting the waiver as to length of roadway and secondly whether you would be amenable to the notion of reducing amount of fill if we were to utilize pressurized lines. If DPW is support of the concept then Scott would go back once those waivers have been approved come back with new set of plans with same lot layout but as he indicated different detention basin configuration. Many of the objections and criticism of this plan that may have been trying to use the rules and regulations almost to a too great degree would be resolved. Those objections would disappear once the elevation of the roadway was reduced. If DPW says we don't have objection to pressurized sewer lines if you would grant the waiver for that and grant waiver for roadway length then next time we would be back in with plans. I don't think we ought to do that tonight I'd rather wait give you an opportunity to digest what we've given you, give thought to what direction we're trying to go in. Either to proceed with this plan or come back with same layout but a markedly different elevation.

Mrs. Marchitto, We need that information from DPW before our next meeting.

Mr. Lavin, I talked to Mr. McDowall before today and I know what happen with the letter as far as conversations between him as far as submitting it to the board. I don't know how you can make a decision you just got handed something.

Mrs. Marchitto, That is what I was thinking too I don't think it is our decision.

Mr. Lavin, It's thrown at you the pressure is put on you where is the information.

Mr. Thimot, We a conducting a hearing right now process of taking information when we get through taking information or testimony then we close the hearing and decide what our next step is going to be. Whether we're going to vote on it or not close it. My suggestion right now is that we don't close hearing tonight.

Mrs. Marchitto, No we're not closing it.

Mr. Rolffe, I don't expect it to be closed tonight.

Mr. Houle, I don't feel comfortable voting on anything tonight. You just gave us a thick package and I have some questions for our engineer. I am not going to vote on it tonight even on waivers I have questions and would like to go over that with our engineer, with no prejudice to you in any form, shape or manner.

Mr. Lavin, One question I think is legitimate is if was 900ft. roadway how many lots and how much open space would there be?

Mr. Copley, My question was why do you want the extra road length and no one has answered me yet.

Mr. Rolffe, It is same thing I presented at preliminary stage was that when we designed the subdivision we were limited to have single access to Mt. Hope St. We have wetland that runs off the property that blocks us from having second means of access to Mt. Hope St. to do loop type roadway. What we did was brought a road in and then created another street with proper relationship to back line for purpose of creating lots. We wanted to maintain the area around existing farm building because at time applicants wanted to save that for themselves at least temporarily. We created lots around roadway network and when we came up we had large mass property that we could not bring another roadway into. What we did was exercised what we believe is our right to increase minimum radius of cul-de-sac made it happen and we created lots fronting on that cul-de-sac in effort to reasonably use the property that we have available to us.

Ms. Copley, If you had brought that cul-de-sac 100ft. down more to the south would you lose any of those lots in back property?

Mr. Rolffe, I would literally lose 200ft. of frontage I would probably lose two lots.

Ms. Copley, For argument sake two lots, water and sewer NA \$200,000 piece, so you're looking at \$400,000 am I in ballpark?

Mr. Rolffe, I don't know what relevance that has to subdivision.

Ms. Copley, I'm getting there, in order to get waiver to get two more lots it is going to get applicant another \$400,000. I believe Mr. Rolffe had indicated before that one of his goals for his client or one of benefits to the town of having more lots to look for this waiver or whatever was revenue to the town. Well I happen to know these houses are probably going to be \$500,000 or so taxes maybe \$4800 a year, which may mean another \$67,000 a year to the town. But it is also \$400,000 to his applicant and probably \$4800 a year on four bedroom house is going to go mostly for road maintenance and sewer maintenance, schools and everything else. I don't see how the town is going to make money whatever money they make is going to be saved the only one who is going to make money is the applicant and that is why they want road to be longer.

Mr. Houle, With all due respect he has every right to do what he is doing right now and to come to us to do this as you do and you have the right to say your opinion. However they are opinions and everybody has one so why don't we just stop that right where it is. Let's keep it professional and not get personal with this let's just keep this thing going in a positive motion. We will discuss that as a board the way we should with our engineer and it will go forward from there but I don't think we need to do that.

Ms. Copley, I'm not trying to be personal it is a money thing.

Mr. Houle, With all due respect to you it's a money thing to them it is something else and they are landowners and it is their land. I understand what you're saying but let's do that at a different time once we have little bit more information I think that we can digest.

Mr. Thimot, For record I don't recall us ever granting waivers to run a road over 1,000ft. without some sort of breakup of road.

Mrs. Marchitto, I agree.

Mr. Thimot, There is little bit of research to be done to make sure that this is something that is feasible it is not something that is desirable or undesirable it has to be determined whether it is feasible.

Mr. Rolffe, Means of requesting the waiver there nothing should say that I have to go and research every project that you ever worked on as Planning Board or any Planning Board that has preceded you.

Mr. Thimot, I didn't mention it was your job to determine whether it was feasible or not I think it is up to us to decide whether it is feasible or not.

Mrs. Marchitto, It is the board's responsibility to see if it is feasible and it's the board's responsibility to research the 900 and I agree with Mr. Thimot that my recollection is that no road beyond 900ft. has been granted.

Mr. Thimot, I don't ever recall it being done this is my tenth year on board couple years in between with ZBA.

Sara Caruso-15 Lakewood Dr., The only reason why I did come tonight is because I know the Cooper go through the same thing. I'm sick of emptying out my basement and water. Mr. and Mrs. Weston I appreciate what you're trying to do but if you built something up high, which you are planning to do doesn't water run down? I see enough that the land is flat and it's flooding our yards and you're going to build something up higher isn't that water going to continue running into our land.

Mr. Thimot, I've know Weston's for number of years also what I'm trying to say if they cause water to go into your property that wasn't there before shame on them. If it was already there and nothing else is being done then that is something else that is the way the law works.

Mrs. Caruso, They can build whatever they want to build is fine because it is already our water?

Mr. Thimot, No they can't build whatever they want they have to build within the law.

Mrs. Marchitto, They cannot put any water on your property.

Mr. Houle, Any additional.

Mrs. Marchitto, They can't increase or add water to your property. I have some issues and concerns and talking to our engineer is making sure that all water stays on the subdivision.

Mr. Thimot, I have some people get mad at me over the years because I cautioned them about letting water going onto someone else's property and they didn't see why any of it was any of their problem. The problem is if they create it it's their problem it is not problem of person that gets the water.

Mrs. Weston, We didn't create anything it's been there for probably 300 years it's dry right now.

Kevin MacDonnell-59 Lakewood Dr., I've been there about 28/29 years when I moved in water that comes out there wasn't there at that time. Charlie Legg who is RTM member told me he knew what caused it by some building in back they did something and diverted water I guess it was going in Ten Mile River. When I moved there wasn't any water. I don't know who did it but something happen in back where they were digging or something and they hit something and they diverted water that was going underground to Ten Mile River and now all of a sudden it isn't.

Mrs. Weston, When John Rezzar was built that is when the water was cut off from flowing down to Ten Mile River used to be a pond over there that is gone.

Mr. Rolffe, We have no means of adding water to that they did nothing on site to add water.

Mr. Casey, Before we come back in middle of January to talk about this subdivision and ask whether Scott would be ready to go forward. I had thought in the dialogue that had developed

at the end that you were going to digest the information that was given to you tonight and we were perhaps going to have discussion with DPW to confirm that DPW was prepared to entertain the notion of the pressurized sewer system. Certainly we can prepare more copies of this plan but for us to come in with a complete new alternative set of definitive subdivision plans without knowing whether you would consider the pressurized sewer system is extraordinary undertaking that we wouldn't be able to accomplish by middle of January. I had thought we would come back in then be a discussion about DPW's point of view and whether the board would be inclined to consider the pressurized sewer line and waiver for roadway length. That we could speak to that issue and then depending upon your action we either then have Scott redraw the plans showing pressurized line or we go forward with modifications to this plan.

Mrs. Marchitto, Our engineer needs to respond to these we have to respond to what we do have and I believe it is the developer's responsibility to decide how they want to develop their subdivision.

Mrs. Weston, What DPW is suggesting is against Planning Board rules so we're behind a rock and hard place.

Ms. Burgess, You said there was waiver request into DPW?

Mr. Rolffe, If we were to drop road elevations layout, lot lines everything stays the same but if we drop elevations down by putting in pressure sewer we would need waiver request your section governing subdivision sewer line 8" we would need that reduced to something that would accommodate the amount of houses maybe 1 1/2" and 3" force main.

Ms. Burgess, Letter I just copied says DPW will entertain the pressure that is what you're saying?

Mr. Rolffe, They would consider installation of environmental and sewer pumps only for the properties that are not drained by gravity.

Ms. Burgess, Verses DPW's comments you're saying take that into consideration and if we change the plans. You need the waivers from us but if you get to use pressurized you're going to do all different plans but if you don't get the 90ft. you're going to all different plans, if you don't get frontage you're going to do all different plans. Are you waiting for trifector using everything or? It is three so I said trifector it is just terminology.

Mr. Rolffe, I'm asking for waiver on length of roadway and if I drop the grades I have to ask for additional waiver on size of sewer main that is only two I believe I need.

Ms. Burgess, I'm just trying to understand at what point we need to drop sewer line to use pressurized systems is that what you're saying?

Mr. Rolffe, For us to entertain dropping the elevations on site trying to make a lot of these comments go away. I need waiver for size of sewer line and then before I would give final drawings I'll need direction.

Mrs. Marchitto, When you come back if you go that direction hypothetically you will have that in writing to us?

Mr. Rolffe, You mean waiver request?

Mr. Houle, Yes that too do we even have anything as far as the waivers in writing as to what you want?

Mrs. Marchitto, In writing what you wish to do.

Mr. Lavin, You don't have anything on the sewer do you?

Ms. Burgess and Mrs. Marchitto, No.

Mr. Lavin, Nothing in writing for sewer you have it on roadway extension but not sewer.

Ms. Burgess, We need an extension it expires on 12/15/07. I would say at least to end of January.

Mr. Houle, Make motion to continue hearing until 1/17/08 at 7:00 P.M., seconded by Richard Thimot.

All in favor 3 to 0.

Mr. Houle, Make motion to extend Mount Hope Farm Estates until 2/29/08 final action, seconded by Richard Thimot.

All in favor 3 to 0.

Mr. Rolffe, I will give you copies of plans I've added existing condition sheets and made most of changes I said I would change I've already done.

Mrs. Weston, It is huge expense to redo the plans thousands and thousands of dollars in engineering fees. It is against Planning Board's regulations to do that so we would like some direction whether you would entertain what DPW is asking before we spent \$30 or \$40 thousand dollars.

Mr. Houle, I think we'd be in better position to answer that after we talk to our engineer.

Mrs. Weston, We don't want to go against your rules and regulations.

Mr. Thimot, Basically what happens is we have to follow our regulations it is not all cut and dry.

Respectfully Submitted,

NORTH ATTLEBOROUGH PLANNING BOARD  
REGULAR MONTHLY MEETING  
THURSDAY, DECEMBER 6, 2007

Board back in session at 9:45 P.M. Christopher Sweet has returned to the table.

New Business:

2) Form A: Fred C. Bottomley/Maplewood, LLC, West Street ( Bay Colony Group) Note: Final Action Due 12/14/07;

Raymond Loughlin, Representing Maplewood LLC. it is 209 West St. near the Plainville line.

Ms. Burgess, Reading in application. Divide 209 West St. into Lots 1 & 2 with proper area and frontage.

Mr. Loughlin, There is railroad bed Northville was put in probably 20 years ago subdivision. Went to Conservation we have to get NOI for Lot 2 but we got consensus on how we were going to do it so we could come before you with Form A plan that they would be in agreement with. Entrance for Lot 2 in rear it is at right of existing drive lot line is right next to existing driveway. One of my goals going before Conservation was to show we were doing least even though even work in 100% within buffer for our new driveway that least amount of work would be maintain the existing driveway just way it was and have another driveway not try to shift them around. I wanted consensus from them before I came before you so I can do an NOI and not battling with them. They have no issue with the house and it is being sold off this month if we can get Form A signed and then we'll have to file NOI for Lot 2.

Mr. Sweet, You have two driveways side by side?

Mr. Loughlin, Yes no common driveway no separation to keep away from wetland on right hand side as you come in as much as possible. There is existing bituminous for the existing house. Trying to keep new driveway away from wetland as much as we possible could that was only way to do it. Barn stays we have both of these properties under agreement house will get

sold this month the lot we have to wait until we get NOI before we do that so I don't know what their plans are. Showing proposed house leaving the barn.

Mr. Sweet, Do we need anymore information from Conservation or anything?

Ms. Burgess, Not in our purview.

Mr. Houle, It has frontage has the rear.

Mr. Sweet, Make motion we approve plan as submitted, seconded by Dick Houle.

All in favor 4 to 0.

3) Site Plan: Cumberland Farms, Inc. ( P.M.P Associates, LLP) Note: Final Action Due 12/27/07;

Memo from John Lavin dated 11/6/07 ( Insert).

Ms. Burgess reading in application.

Manny Paiva-plant and property manager, Have with Ernie Broder is our operations engineer Mike Perrault was unable to attend tonight but he is available by cell phone if I need to get him. Existing conditions plan that was approved in 99. Reason we're here in front of you is based on that condition of approval #10 any modification of approved plan come before the board. Rear of store is four downspouts that puddle onto curbing and in winter water ices up and in summer it turns into mold situation. There is walk that is used by patrons along the back. All runoff from 2969sq.ft. of roof area and all pavement area currently drains to trench grate westerly to a sediment chamber and out to city system we're adding no additional flow. We're proposing to capture all roof drains remove liters to one continuous downspout that will come into grate put second trench grate along back corner that will capture any runoff so essentially we'll be cleaning up water area running it down minimum disturbance just go off edge and remove some soil and plantings and put them right back, which is basically just grass and tap into sediment chamber. Chamber based on approved plans it was condition that sediment be removed May and November of each year by maintenance dept. That was last cleaned October 1<sup>st</sup>. so it's due for next cleaning in May. Initially we filed these plans and they were not accepted because they weren't stamped by an engineer we consulted with Mike Perrault, which is P.M.P. Associates who was engineer of record in 99. It is health and safety issue we're looking to fix I went by site this evening and there is ice back there now.

Mr. Lavin, Very simple I guess the only reason he really is here because it says if you have any changes. It's same amount of water, which is probably the key for design of sedimentation for vortex unit or whatever you have. It is really just gathering the water and collecting it and conveying it as opposed to over the ground under the ground and putting it into same location. They discharge into municipal system. I have no problem with it.

Mr. Houle, Make motion we accept modification to existing site plan for Cumberland Farms.

Mr. Thimot, Second it should be noted Cumberland Farms on Commonwealth Ave. in North Attleboro.

All in favor 4 to 0.

4) Request of Donald Corliss to establish bond amount for Corliss Landing Definitive Subdivision;

Richard Thimot left table at 10:03 P.M.

Dan Campbell-Level Design, Mr. Corliss has asked us to approach the board to retain Mr. Lavin's services to set bond for when the roadway is finally signed so that a bond can be put for construction of roadway. He just wants to make sure that the bond gets set sometime soon in interim we'll be working on the plans to get endorsement set ready.

Mrs. Marchitto, We don't have revised plans or the endorsed plans.

Mr. Campbell, Nothing has been submitted. He's hoping to have dollar amount set for the bond but no acceptance of the posting of the bond until after the endorsement set for obvious

reasons. He just wants to know what bond amount is. He's pre-deposited I believe \$1500 in an account for Mr. Lavin review and I believe he's finally paid off the last invoice of Mr. Lavin. Ms. Burgess, He's paid up on our part. I did get your message regarding the other thing. Assessor contacted me regarding \$4000 bill.

Mr. Campbell, For construction services? He wants to know what bond amount will be he wants Mr. Lavin to review the plans in accordance with the approval set what bond would be and then obviously the board would have to endorse plans and set the bond at that point. All we're here for is to ask the board to have Mr. Lavin review the plans and then determine what bond should be.

Ms. Burgess, He's looking for ballpark because this can't be a definite number.

Mrs. Marchitto, He's asking for bond number on plans we don't have yet that are revised on conditions and not endorsed.

Mr. Lavin, Usually do the bond off the approve plans I refer to that plan at that date and that's it. Right now I'd be doing them obviously whatever is going on they have to submit like no waivers were submitted so sidewalks have to be on there and stuff like that. I'd be taking it off on the plans that were given to the board but the waiver stuff isn't put on there.

Mrs. Marchitto, I think we can have the discussion when we get revised plans in that is fair enough statement to say.

Mr. Campbell, I can tell you I know approximately what the road would cost but that doesn't help you set a bond.

Mrs. Marchitto, Procedure is setting the bond when we have the plans and they are endorsed and the builder goes to build. I never set a bond before we had the plans and plans have been approved with conditions and approved to come back with a hearing on modification on drainage that is going underneath the road that will be a public road but private right now owned.

Mr. Campbell, I understand that and Mary and I have had this discussion before you got a letter. The letter is a request specifically of the owner he has asked me to request this.

Mrs. Marchitto, Practice of this board is not to establish a bond until we have the subdivision plans endorsed and signed. We don't even have the revised plan from the approval. Rightfully so the developer wanted us to do approval on it. You're starting a real precedent I think it is difficult for board going forward. Anyone can come in and ask for a bond. Sticking a number on something that doesn't exist.

Mr. Campbell, There is no official vote yet you have to vote of some sort because we made the request. What I'm hearing is that everything has to be approved and endorsed.

Mrs. Marchitto, We don't have to make a vote on request you requested it and we're denying it.

Mr. Sweet, We're tabling the request until we have more information.

Mrs. Marchitto, Table until endorsed and public hearing on site plan modification.

Mr. Houle, Table it until site plan and endorsement.

Mrs. Marchitto, For consideration.

Ms. Burgess, His employee asked him to do this so he had to ask for it.

Richard Thimot returned at 10:12 P.M.

Old Business:

1) Updated on progress of Bally Heather Subdivision;

Ms. Burgess, Last week they moved forward with installing the sidewalks and has been inspected.

2) Update on progress of Hickory Woods Subdivision;

Richard Thimot abstaining from conversation on Hickory Woods.

Ms. Burgess, There has been no movement at the site I try to contact owner unsuccessfully. Letter is going to be composed regarding catch basins in current state of subdivision. John and I were out there on Tuesday and realized that catch basins weren't open after the pavement. I think there are two catch basins at Bishop that had but none of the other ones were opened so that has to be addressed or the water won't go anywhere.

Hickory Woods II;

Mrs. Marchitto, Richard Thimot is also abstaining from Hickory Woods II.

Ms. Burgess, Pinsonnault and Beaupre Kevin Joyce is not returned several phone calls. Letter is to be composed instructing the owner to remove all the debris that is on roadway. There is mound of pavement/granite is a dumpster and if you go to end of cul-de-sac there is huge mound of dirt. It is public safety and they have to remove it.

Richard Thimot back with board.

Other Business:

Irene O'Malley Trust Gold Rush Estates;

Ms. Burgess, There is a 60 lot subdivision going in at Cumberland and it is going to come through Montclair onto Mendon. They're going to utilize couple of our roads. I have contacted Cumberland town planner he is sending over plans and also contacted DPW and we're going to review those and possibly attend the 12/17/07 hearing to just view for off site improvements, etc. Three of the lots are in North Attleboro but they are land locked so they are part of the subdivision but land locked. I think two or three years Bob McGhee said there had been something. I have couple questions from neighbors and that is what the letter in packet is. We're going to get together and figure out where to move on that. The three lots have no access they are land locked he is going to use Montclair he's going to connect to Montclair.

Mr. Sweet, So what is a dead end street in North Attleboro will now become a through street into Cumberland.

Ms. Burgess, So we're going to look into the off site improvements that could be applied to this project. It is more under DPW's preview but as an abutter. I was going to attend after we get the plans. We as a board can't really do anything about it but DPW can.

Zoning Applications;

Modification of existing decision for Omni Point Communications;

Ms. Burgess, That is cell tower that is going in the steeple. One of the conditions of the decision was to repaint part of the steeple and they found out that it is lead paint. It would turn out to be \$200,000 paint job they would have to disassemble the steeple and then take out all the lead paint and all other precautions you have to do and then paint it. They're trying to not have that as a condition to the decision.

Use Various by Carlier Auto Sales and Towing;

Ms. Burgess, He wants to be able to operate he got letter from building inspector.

Mrs. Marchitto, Zoning we approved at town meeting doesn't cover him.

Ms. Burgess, It won't cover him.

Mr. Houle, I thought what we approved at town meeting took care of all of those.

Mr. Sweet, It took care of the specific he's not in that zone.

Ms. Burgess, He's at 245 East Washington St. Letter from Building Dept. ( Insert). I think what happen is they never got certificate of occupancy so now they're going for it and can't get one so they're going for use variance. I don't think it warrants a letter from us.

Mr. Thimot, I think it should go to town meeting.

Mrs. Marchitto, Zoning didn't cover that area?

Ray Payson, It is beyond car sales Class II.

Ms. Burgess, It is auto sales and towing so it's service as well.

Mr. Thimot, I think our recommendation should be it should go to RTM for zoning change.

Mr. Houle, If he was to move on something like this they are all going to come here.

Ms. Burgess, I think this is building inspector and zoning boards fight on their own.

British Auto Works;

Ms. Burgess, Also doing the same thing but they only need special permit. They are in C60 1567 South Washington St. They only need special permit to do auto sales and auto repairs.

Mr. Houle, He's behind Babe's Restaurant.

Dimensional variance lot with no frontage;

Ms. Burgess, Have lot that has no frontage and it is right next to Mt. Hope Cemetery. It is 240 Towne St. creation of one additional single family residential lot. They're trying to get dimensional variance to create it.

Mrs. Marchitto, Didn't these people come to us before?

Ray Payson, There was frontage variance to put house and it was denied probably 10 times and all of sudden big house got there. There was no frontage they took it away from that.

Mrs. Marchitto, They came to our board couple years ago and we denied them. Person stated that he had bought this old house and he was financial disadvantage because he can't revamp it.

Ms. Burgess, He's saying it is dilapidated.

Mrs. Marchitto, We should send letter to zoning board regarding this pull the file.

Mr. Payson, There is another one down there like that.

Mrs. Marchitto, One board member had stated if you were in financial difficult sell it to St. Mary's.

Jill Marie Estates;

Ms. Burgess, Sue Santos came in she said she had figured out all the conditions and how to move forward to get endorsement. When she came in she hadn't done anything yet so she is trying to get those conditions done.

Dept, Head Meeting on 11/26/07;

Ms. Burgess, It was basically just about budget. I had our budget meeting yesterday. There was conversation regarding town engineer. I said a town engineer funded by subdivision same way we do it now. I said the only way we could do that is charge \$25,000 application fee. The other thing is because of Mass. General Laws it's the Planning Board's right to hire an outside consultant and no use town engineer period. I said the only way it might possibly is if the Planning Board was allowed to hire a town engineer and it was not the town's engineer it was the Planning Board's engineer that could also be used by Conservation and other depts. I said there has just been some bad blood with having town engineer proposed. Bill McDowell is hired by water and sewer he is not a town engineer.

Mrs. Marchitto, When he makes comments he makes highway comments.

Ms. Burgess, He is project manager for Dept. of Public Works so that is why he comments on drainage, water, sewer and all of that.

Mrs. Marchitto, If we have a town engineer why would DPW use a town engineer if they have one.

Ms. Burgess, Exactly and why would use DPW's town engineer? They want to fund it through subdivision. I said we charge them on average can run away from \$25 to \$50,000 a year the size of subdivision if it has six phases. Christina is going through money like it's going out of style. Mark Fisher is going to look into that he wants to get rid of us using John.

Mrs. Marchitto, That does not cost or expense at all to taxpayers, which nobody understands.

Ms. Burgess, He kept saying we pay him I said we do not pay him the developer pays him.

Mrs. Marchitto, Taxpayer is not paying for the engineer services for the Planning Board it is a contract service that the developers are paying.

Ms. Burgess, He was saying however the checks come from town of NA.

Mrs. Marchitto, Developer puts it in their own revolving account to pay the bill of engineer services taxpayers are not paying for it. If the town wishes to hire town engineer it will be at a salary and additional salary to the budget. We get into subdivisions like Christina Estates then the town will want to hire inspectors under the engineer and that will be more salaries that the taxpayers are going to be paying for.

Ms. Burgess, I said we're coming upon some bad years here it's not going to pay for itself.

Mrs. Marchitto, It is not cost effective at time for town to have town engineer.

Ms. Burgess, I also told him Planning Board does not have to use town engineer. Mark Fisher was just asking opinion and throwing it out there because on the budget I asked for \$9600 in engineering and consultant fees. He said instead of funding this why don't we get town engineer.

Mrs. Marchitto, Engineer services that we're asking for \$9600 is not for inspections it is to as a consultant for subdivision control. If you're hiring a town engineer Planning Board or Zoning would not necessarily use town engineer as a consultant for land use for planning for construction, for subdivision control.

Mr. Thimot, It is all about the consolidation of planning, conservation and everything else into one dept. that can be overseen and far as Board of Selectmen they can appoint everybody that is in it. They want to get rid of these elected depts.

Mrs. Marchitto, We were also discussing land use attorney to maybe utilize with Conservation because they have land use and times when we need services of specific.

Ms. Burgess, We've been meeting with Mark, Michelle, Al, Shannon and myself. I've created an RFP an example RFP and we're waiting to send letters to the Selectmen from our boards saying why we need a land use attorney. What we're hoping to do is retain a land use attorney as town council for us and not excluding Roger Ferris. In our budget I put in request for \$21,000 for land use attorney in case we don't get one. I requested \$2000 for new table.

Mr. Thimot, Did you buy Nancy a new recorder?

Mr. Sweet, Next three meetings scheduled are 1/3, 1/17 and 2/7? ( Correct).

Ms. Burgess, First and third we're going to stick to that schedule from what I can see and we're not having one on the 20<sup>th</sup>. so everyone can enjoy their Christmas break.

Christina Estates;

Ms. Burgess, John and I went out there were some issues with conditions of approval and there were some issues with frozen ground and issues with burrow.

Mr. Lavin, I'm still requesting some testing from them what they put in roadway. There was an issue on ordinary burrow there were three different avenues I had to go through. One is in there, which is ordinary burrow spec., one is on the plan it is kind of ASHTO spec. and then also on conditional approval letter went to ASHTO. I used ASHTO because it was literally in the condition letter and it was fresh. It says the same thing just give sieve analysis where the other one don't really they gave you perimeters of just a few sieves it is acceptable under ASHTO, which is accepted standards for highways. Actually Mass. Highway refers to it also. That book had a sieve I don't know where they got sieve percentages though that kind of got resolved. We were out there said they were going to pave tomorrow. What they trying to do now he wrote me a letter they want to pull out all the frost they have to put material back and he said it was going to be good. I wrote back and looked through week and half worth of weather it is going to low of 21 and high 35. I said you can pave if board approves it because you're outside the season of Mass. Highway.

Mrs. Marchitto, We never paved after December.

Mr. Lavin, They have to get permission you have drop dead and you have conditional. Asphalt plants are closing this week it has to be 40 and rising typically it is really when you're paving it's for temperature once temperature goes down to 150 you won't get compaction not matter what you run over it. There is still under impression that they're paving. Another thing is they don't have some of the crossing on Lizotte if they want to pave go ahead it's good practice but it's not going to be accepted.

Ms. Burgess, DEP is going out there on 13<sup>th</sup>. for the wetland crossing.

Mr. Lavin, From NOI through ConCom it has to get reviewed by DEP.

Ms. Burgess, If you go out there right now it's paved then it stops there's a wetland then you go up the hill and there is going to be more paving there.

Mr. Lavin, First road going in Monast was paved, which was three weeks ago it was fine nothing was frozen it was 40 degrees and rising. Now they're on back portion and it's not going to happen. We did pits when we went out there. There was requirement of digging pits wherever required to see where high groundwater is. They're also supposed to do retention ponds and they haven't done that yet. It is part of approval.

Mrs. Marchitto, Retention ponds before road is constructed.

Ms. Burgess, Glenn said they did those while ago.

Mr. Lavin, You have to do it again when I'm there. Retention ponds are 12ft. above level because they have to blast down into retention pond. It is detention pond so water has to go into the rock. If you can't blast it was supposed to be excavated or borings because key is you're looking for 2ft. above high seasonal groundwater and you're supposed to be above bedrock and then I have to review the stormwater to see. It only has an outlet at 100 year storm it is usually an emergency if that is only thing you have that means water is going underground because it's detention I have to look at that. I would recommend and I will recommend in writing if they don't do retention ponds you don't release lots. They're doing retention because there is nowhere for water to go. I kept on saying you have to raise everything you might have to raise the road, raise system everything and they aren't doing it. It is in review letter I did couple weeks ago.

Mr. Thimot, You're job is not to tell them what to do you're just is to tell us and then we tell him whether we like it or we don't like it.

Mr. Lavin, I ask just for scheduling when are you going to get to retention ponds. I'll tell him not to pave and then I'll recommend to you and you can tell him. All I do is follow the book. I'll never stop him it just won't get accepted.

Mr. Thimot, Next thing you're going to do is start looking for some grant money.

Ms. Burgess, Yes as soon as they let me sign off on grant money I don't have to get Selectmen to sign for grant money.

Mr. Sweet, No you are CIP it's voted every time part 4 CIP all above boards and officers and committees can sign off for grants, etc.

Ms. Burgess, On all grant applications it says that town administrator or selectmen has too.

Mrs. Marchitto, Economic development they do have to go through administrative or community development.

Ms. Burgess, Basically anything that I would be going for.  
Cushman Village;

Ms. Burgess, Met with them today to discuss the water.

Mr. Lavin, They're missing a bunch of information. Plan should be independent doesn't show how water is getting where and I said show me the analysis for point of discharge they didn't have that. Basic concept too Bill McDowall was here probably upgrading going underneath road

if acceptable. He mentioned one thing to me these are Form A being built and on sub-drains if you have lousy soils. He said my septic systems have been just installed and I won't be able to put sub-drains along entrance of road. Groundwater is 1ft. below and they would be into groundwater in a sense. Draft response letter to the comments I made he will present it to the board.

Ms. Burgess, Yes he's going to do a final and present it to the board.

Mr. Lavin, Board of Health denied them.

Administrative Work for New Year;

Mrs. Marchitto, I want to talk to Don Cerrone about it. Like tonight at one point we use to get engineer reports in our package. I just felt with Mt. Hope and it doesn't seem like we have great dialogue during these public hearings.

Mr. Thimot, I never saw a dog and pony show put on quite like this tonight.

Mrs. Marchitto, I think the subdivision hearings are going long and lot of times it's because we don't have the full information. They're not coming back to us in a timely fashion with the information. I think they know we'll accept this paper work that Thursday night and then John needs to look at for another two weeks it's getting dragged out. Before they knew we wouldn't take hearing we'd continue it if we didn't have that information in our package. I would like the board to think about having it go back to have it in our package on Monday night so that we are educated on Thursday night so that we can make a decision not necessarily that night but have dialogue have residents ask the questions, we have questions. Let the engineers work out what they need to work out.

Mr. Sweet, Selectmen won't read anything if it's been received after Wednesday at their Thursday meeting because they haven't had chance to digest it. Do we put that kind of time limit on people?

Mrs. Marchitto, We used too.

Ms. Burgess, Tonight I was just assuming that the board would just take what he gave us and we'll see in three weeks.

Ray Payson, Bigger issue here is about granting extension. I think it's been fabricated by some of the attorneys and fabricated even now developers. They know they can come here and it drags on. They either have to come in reasonable amount of time with all of the facts you either approve it or deny it no more extensions.

Ms. Burgess, I agree.

Mr. Payson, What's happen is and we are all guilty of it is allow this to happen where they go on for years. They need to get their act together to give you what book says and then you tell them no more extensions.

Hickory Woods;

Mr. Lavin, Last time they were there was 11/15 I haven't written letter yet but they have a pile of everything. It is public safety issue, it is plowing issue. They were supposed to come back they're not going to pave anymore.

Mrs. Marchitto, Arthur was supposed to clean that up.

Mr. Lavin, It is one way street it is public safety and then they will have to plow soon.

Ms. Burgess, I left that message on Kevin Joyce and Fred Bottomley's phone. Building inspector construction debris.

Mr. Sweet, Utilize our zoning enforcement officer.

Mr. Lavin, I will write a letter. There's dumpster, pile, sand and none of catch basins have been open all way down there are only two that are open. I would recommend call DPW and tell them no plowing on those roads let developer plow his own roads. Once binder goes down they plow private roads.

Bally Heather;

Mr. Lavin, Submitted another plan got conditional approval and they're almost finished with the drainage and actually doing pretty good job obviously not going to pave.

Queens Grant;

Mr. Lavin, No action except for the pole has been moved.

Mrs. Marchitto, There is no bulbs.

Ms. Burgess, I contacted Jay and asked him if he had request to turn lights on and he said no.  
Lyman St.;

Mr. Lavin, Shawn Jorde was out there he did water main tap, ran water line and installed catch basin pretty much ran into wetlands.

Mr. Thimot, Make motion to adjourn, seconded by Chris Sweet.

Mrs. Marchitto, Second for discussion Waterson I'll call Mary tomorrow.

All in favor 4 to 0 adjourn at 11:03 P.M.

Respectfully Submitted,

Attach Agenda to Minutes.