

**NORTH ATTLEBOROUGH PLANNING BOARD
REGULAR MONTHLY MEETING
THURSDAY, APRIL 9, 2009**

The North Attleboro Planning Board held its Regular Monthly Meeting on Thursday, April 9, 2009 at 6:30 P.M. in the Planning Board Office located at 43 South Washington Street, North Attleborough, Massachusetts. Board members Richard Thimot, Richard Houle, Donald Cerrone, new member Richard Peterson and Mary Burgess-town planner. Christopher Sweet arrived at 6:48 P.M.

Planning Board Business:

Re-organization of Planning Board;

Chairman;

Mr. Thimot, Nominate Dick Houle as chairman, seconded by Don Cerrone

All in favor 3 to 0.

Vice-chairman;

Mr. Thimot, Nominate Don Cerrone as vice chairman, seconded by Richard Peterson

All in favor 3 to 0.

Secretary;

Mr. Thimot, Nominate Richard Peterson as secretary, seconded by Don Cerrone.

SRPEDD Representative;

Mr. Thimot, Motion to appoint Richard Houle as representative.

Mr. Houle, Doing this, having my own business on side and working full time I also have a family and they come first. I'm not going to have the time I appreciate what you are asking I won't have extra time to go to SRPEDD meetings.

Mr. Cerrone, SRPEDD doesn't end until May we have plenty of time it expires May 31. Wait until we get full board.

Ms. Burgess, Our current representative would like to do it for another year they don't have to be planning board member to represent us.

Mr. Cerrone, We'll make decision at next meeting on 4/23/09.

Mr. Cerrone, Mary I would like to have Nancy on your side and you move over to her side. When Engineer has his stuff up there you're right there and don't have to turn around that is my opinion.

Mr. Houle, I don't have a problem with that why don't we do that tonight.

Endorsement of Vouchers;

Payroll, legal notice for Zoning Article and engineering for Cushman Village. Authorization of payment of voucher for new configuration of the board.

Mr. Cerrone, On Cushman is this final voucher?

Ms. Burgess, I think I have one more coming for final review.

Mr. Cerrone, I would like to have total cost from day one on this project. I would like total cost for engineering on each project at the end.

Ms. Burgess, Year to date on all engineering has only been \$30,000.

Mr. Cerrone, Some day you're going to be asked on town floor when they go to get an engineer.

New Business:

2) Form A: Fred Bottomley and Allen Riley, 62 Reed Avenue Note: Final Action Due 4/14/09;

Ms. Burgess, Reading in application.

Applicant wished to reconfigure lot lines to create Lot 2, 3 and Parcel B-1

Lot 2: 83.64' of frontage on Reed Ave; 10,034 sq.ft. lot area; meets ANR requirements.

Lot 3: 75.11' of frontage on Reed Ave; 10,035 sq.ft. lot area; meets ANR requirements.

Parcel B-1 to be conveyed to Lot 1; Received frontage variance for Lot 1.

Legal case pending with Planning Board.

Fred Bottomley, Copy of recorded ZB decision frontage variance. We were before you for 18 unit housing for elderly, which was denied by Planning Board. I sued the Planning Board went to court, court agreed with our side came to settlement agreement with Planning Board.

Selectmen and Zoning Board were on board. (Static). Have current CD for GIS. Christopher Yarworth is a PE as well as PLS from Wrentham. You have information before you the zoning decision for this Form A and subsequent elderly housing.

Mr. Cerrone, Make motion approve Form A for Fred Bottomley & Allen Riley, seconded by Richard Thimot.

All in favor 4 to 0 to 1 abstain Chris Sweet.

Other Business:

Resignation of Christopher Sweet;

Ms. Burgess, Reading in letter dated 4/9/09.

New Business:

Ms. Burgess, Form A Rezza asked to be on later and other Form A asked for continuance and our site plan also asked for continuance.

3) Form A: Kieltyka Investment Trust, Carlgate Rd./John F. Mason Rd. Note: Final Action Due 4/22/09;

Applicant could not make meeting asked to be put on for April 23, 2009.

Applicant has provided letter for the extension of final action to April 24, 2009.

Mr. Cerrone, Make motion for Form A Kieltyka Investment Trust Carlgate Rd./John F. Mason Rd., to continue until 4/23/09.

Ms. Burgess, And extension of final action until 4/24/09.

Mr. Thimot, Second motion.

All in favor 4 to 0.

Old Business:

1) Site Plan: SRD Realty, LLC, John Dietsch Square. Note: Final Action Due 4/30/09

Review submitted by John Lavin.

Applicant has requested a continuance to May 21, 2009 and an extension of final action to May 31, 2009.

Mr. Cerrone, Make motion.

Ms. Burgess, Continuance to May 21 and extension of final action until May 31, 2009.

Mr. Thimot, Second motion.

All in favor 4 to 0.

Other Business:

Zoning: April 21, 2009;

Ms. Burgess, They're all for side yard or front yard variances.

107 Bayberry, Wright, Variance (side yard)

Mr. Cerrone, I'm an abutter so I can't act on this.

Ms. Burgess, Bayberry is looking for side yard. 20 Hixon Court is looking for front and side yard. Most of these are pre existing non-conforming and they want to put additions that actually do conform but because they are pre existing non-conforming they have to seek variance anyway. Nothing jumped out at me being unusual or out of ordinary.

20 Hixon Court, McGovern, Variance (front, side yards).

105 Crescent Ave., Carlisle, Variance (front yard).

26 Taylor Street, Follett, Variance (front yard).

Upcoming Meetings;

April 10, 2009: Linda out: Vacation Day

April 13, 2009 @ 2 P.M.: Meeting with Cedar Ridge and Roger Ferris

April 14, 2009 @ 6 P.M.: Business and Industrial Commission

Ms. Burgess, I asked to be on their agenda to discuss the adding of things to industrial zone. Meeting is downstairs area behind Mark Fisher's office anyone is welcome to attend it if they would like to. Just to discuss economic development in town as well as rezoning issues.

April 15, 2009 @ 9 A.M.: Department Head Meeting

April 15, 2009 @ 12 P.M.: Community Planning Act Meeting (Middleboro)

Ms. Burgess, I would like to attend it is update on new legislation that they are putting forward it is land use for formats. It is at legislation level right now but they want to have educational session to get people on board with it.

Mr. Houle, That was already budgeted wasn't it?

Ms. Burgess, This is free

Board has no problem with Mary attending.

April 16, 2009 @ 7 P.M.: Executive Session for Boch w/Selectmen, Town Council and Building Inspector

April 17, 2009 @ 12 P.M.: MAPD Luncheon (Waltham)

Ms. Burgess, Would like to attend it is open forum to ask any questions with all the planners that attend. It is free this is part of my membership I pay into.

Mr. Thimot, Asking about first Thursday in May.

Ms. Burgess, I haven't gotten anything about Mass Federation Planning and Zoning Board. Board has no problem with Mary attending.

April 23, 2009 @ 6:45 P.M.: Zoning Article Meeting

April 27, 2009: Linda out-Jury Duty

April 27, 2009 @ 7 P.M.: Fin Comm: Budget and Zoning Article

Developers Meeting;

Ms. Burgess, I was planning on having another developer's meeting like we did last year get everyone's construction schedules on ongoing subdivisions. I was hoping to have that on May 7, 2009 probably at 6:45 P.M. 10 minutes each developer.

Mr. Houle, Think it is good idea.

Talking about first Thursday in May for Mass Federation Planning and Zoning.

Ms. Burgess, They may not have it this year because of turn out from last year. We could do developers meeting following week 4/14/09.

Mr. Cerrone, We can do it on Wednesday night at Public Works building on 6th.

Ms. Burgess, April 21 have public hearing scheduled

NORTH ATTLEBOROUGH PLANNING BOARD
PUBLIC HEARING
THURSDAY, APRIL 9, 2009

7:00 P.M.- Public hearing on the application of Maple Leaf Realty of N.A. Corporation, for a Preliminary Subdivision to be entitled Woodridge Estates. Note: Final Action Due 4/10/09; Reviews have been received from DPW, Board of Health, Conservation and Town Planner. If Planning Board doesn't act tonight, extension of final action needed.

Ms. Burgess, Reading in application. For record certified mail to that address did get returned said it does not exist.

Glen Bourque, It is South Attleboro not North Attleboro.

Stephen Clapp-attorney, Attorney DeVecchio and I represent the applicant with us tonight is Glen Bourque the president of Maple Leaf and Anthony Winiarski of Commonwealth Engineering he will present the Form A plan.

Mr. Winiarski, I'm presenting preliminary plan Form A was couple months ago. Our office is 400 Smith St. Providence, R.I. As stated in notice it encompasses Lot 32 and 32A of Assessors Plat 29. Both lots are located on Paine Rd. approximately 400ft. south of 295 crossing of Paine Rd. Lot runs from east to west east side being Paine Rd. west side property actually runs to center of Abbott Valley Brook River. Previously ANR plan was completed for residential structure that exists on the lot was taken out of overall parcel, which is basically rectangular in shape. It leaves approximately 17.3 acres and about 300ft. of frontage on Paine Rd. Lot slopes from east to west gradually and it is wooded. Approximately 1/3rd. of parcel is wetlands and are designated by shaded area. As we understand it part of lot is in Aquifer Protection District there is boundary line. We're basically proposing 10 lots in R40 zone all of lots meet zoning requirements area, frontage, etc. Proposing to construct 900ft. of roadway all to town subdivision standards extending from Paine Rd. westerly relatively to right of way width, pavement width, pavement structure basically proposing to meet town standards. Proposing to provide extension of municipal water from Paine Rd. to site and lots are proposed to be served by individual septic systems. Testing has been done on various lots B. of Health and had their review engineer out there Mill River Consulting and basically all of the lots have been found suitable for residential development. Would be proposing closed drainage system in roadway to collect both the road runoff and lot development runoff. We've indicated on Lot 6 proposed drainage easement area. Drainage design would be based upon your town regulations and latest information in Mass. Stormwater handbook all methods of drainage design, collection, etc. There are 10 lots possibly 3 or 4 of lots are in Aquifer Protection District and we are only useful regulations except the size of septic that can go onto these lots basically we would anticipate these lots would be 3 bedroom homes. Remainder would be 4 bedroom. In the subdivision design on north and south side of boundary we have proposing 20ft. wide landscape Conservation Buffer. Basically as I understand your regulations you like to have as many as possible of these large mature trees saved on site. We're proposing to design site for houses and septic that the clearing is necessary to do accomplish that and grading but to better meet your requirements we're basically proposing to keep 25ft. landscape existing vegetated Conservation strip on both north and south side of the lot. We would retain foliage that is there. We probably would like permission as part of approval process to go in and selectively thin out any dead or decaying trees to improve it somewhat but to leave basically all of that vegetation. Proposed on Lot 9 adjacent to Lot 67 of Assessors Plat 29 proposing landscaping and access easement. Mr. Bourque owns and resides in this residence and way house is situated bit difficult to get in and out of side load garage. So we propose to increase pavement little bit but enhance the landscaping and the vegetated buffer that remains in 25ft. strip for both Mr. Bourque's benefit and benefit of whoever purchases Lot 9. Also proposing two landscape easements inside of Lot 1 and inside of existing ANR lot. Mr. Bourque has indicated he would like nice entry with perhaps low stonewall and some landscape planting that would be maintained by a Homeowner's Association. We didn't want to do anything any planting that would be site distance obstruction to vehicles exiting roadway so we pushed them back and they are actually inside on the lots to make sure we meet all necessary site distance criteria. Front lot has already been created ANR process when it was created maintained a 20ft. wide

grading easement/construction easement to basically disappear when roadway is built. We do have to change grade little bit and lot should be sold before we get all the approvals and can start construction. We want to be able to do all the matching. We've done same thing for Lot 1 doing that to potentially reserve right if subdivision is approved and recorded even if construction isn't complete Mr. Bourque might like to come back to the town to get permission to build on Lot 1 because Lot 1 would have all the required frontage on Paine Rd. If it did happen he'd have to change hand but some grading or landscaping would have to be done in area. We're showing it on both lots at current time we're showing it to new road. If someone buys it we want them to know when buying it that there is potential for roadway and we maybe regrading part of that lot don't want to hide anything from potential buyer. 6 lots would be anticipating designing septic to accommodate 4-bedroom single family residential home. We've also received site analysis report that was completed B. of Health by Mill River Consulting. Basically that report has lot of good comments and suggestions called to our attention lot of the items that board normally looks for and B. of Health looks for. We would be working as we develop Definitive design to incorporate or address all of comments that appear in that analysis report. That report did indicate that we didn't see anything drastic of any nature that would preclude the development as being proposed. That completes overview of the project we are here in preliminary stage and part of purpose of that is to get your input my attempt or attorneys or Mr. Bourque's attempt to answer any questions you may have and to take your comments and concerns so that we might consider them as we try and move forward.

Mr. Houle, Have you calculated open space?

Mr. Winiarski, We haven't set open space requirement as yet if you have a requirement we can put boundaries on the lots that are here. Basically it would be wetland area and area that the prime aquifer for river and water source of the river in aqua district that could be put aside as open space. I didn't see any requirement in your regulations for lot of open space I may have missed it.

Mr. Houle, On roadway are you proposing sidewalks?

Mr. Winiarski, Basically I was going to attempt to meet your regulations. In most communities with lots of this size Planning Board has option of requiring or not requiring sidewalks many people like to walk. I think also school bus service might not want to drive in here and pick up children especially older children. I'd probably suggest sidewalk on one side of roadway. I don't know with 900ft. of cul-de-sac roadway that it is necessary on both sides of roadway. Area would be there could be grass maintained by abutting property owners there is ample room for landscape planting either in right of way or adjacent to right of way if you wanted street trees. Normally what happens is easier put street trees outside of right of way because if you have underground utilities they want to go into sidewalk area. Electric ducts, telephone ducts and street trees don't go hand in hand together. We try to create balance and it can be done by creating easement strip or individual easement areas to accommodate street trees. Minimum that is required would have to go in adjusting for wherever driveway locations might be for spacing or something like that. My experience with National Grid is they do not like to see street trees planted on same side of sidewalk where they put their utility ducts.

Ms. Burgess, Reading in Town Planner review dated 4/3/09 (insert). TAPE STOPPED RECORDING. TAPE CONTINUED RECORDING AT B. Of PUBLIC WORKS. Reading in B of Public Works letter dated 4/6/09 (insert). Reading in Conservation Commission Shannon Doyle dated 4/6/09 (insert). Do you want me to read Mill River that was more for you guys it is not actually from B. of Health?

Mr. Cerrone, Where is B. of Health letter?

Ms. Burgess, This is what they gave me.

Mr. Cerrone, Need something in writing from B. of Health I don't want it from Mill River. I need something on letterhead from them saying they want Mill River to represent them or something that is way its been in the past.

Ms. Burgess, I can inquire about that.

Mr. Cerrone, Do they have B. of Health guy there?

Ms. Burgess, Yes they do.

Mr. Cerrone, In my 17 years we usually get letterhead from B. of Health.

Ms. Burgess, My current concern is amount of fill that is being located on that site. I did bring it to attention of Building Inspector I do feel that it may be impacting Aquifer Protection District.

Mr. Cerrone, Was that fill there before?

Ms. Burgess, I'm not sure but it is red and it doesn't seem to be indigenous of the site. That was one of my concerns because of location to Aquifer Protection District. Other than that I have no issues with this I'd like to hope they would be more low impact development especially on 3 lots in back not just size of septic systems but also because other techniques maybe utilized on this subdivision to protect resource area.

Mr. Cerrone, Our new regulations call for 15 or 20ft.?

Ms. Burgess, It is 15ft. slope for trees.

Mr. Cerrone, I know your engineer was mentioning that he was going to put it on where sidewalk but you have 15ft. until road is completed.

Mr. Bourque, That is not problem.

Mr. Cerrone, Bring it out now so when you final drawing make sure your septic design all that stuff stays away from that easement.

Mr. Houle, What type of lighting one light at end of cul-de-sac?

Mr. Winiarski, Lighting ultimately I believe would be paid for by the community.

Mr. Cerrone, Not in this town everything has changed.

Mr. Winiarski, Normally what we try and do on a project like this is National Grid has couple of subdivision standards that they use for lighting. They are not high mass not wooden poles they are about 15ft. tall and they have both contemporary design and more antique design. I definitely would want one in cul-de-sac have to look at lighting that exist might be just improvement in pole lighting on street. My normal practice is been to recommend light about every 200ft. along roadway, which basically maybe 4 lights or 3 lights along roadway. This is straight roadway doesn't have curves or corners or anything like that.

Mr. Cerrone, Where is light on Paine Rd. is there light around that corner?

Ms. Burgess, There is one on corner at that bend around there.

Mr. Winiarski, There are two poles one on either side of intersection I don't know whether or not they have lights there.

Mr. Cerrone, That is something you can do when you come back.

Mr. Houle, What is your line of site as you come in and out?

Mr. Winiarski, Vehicle is normally when you measure site line about 15ft. back for driver's eye position. You have good visibility that is why we pushed this corner back and put oversize radius on it in northbound direction. Quite frankly other direction you're going to see all way to corner intersection when it comes around the corner in that location. There are couple of trees looking out at oncoming traffic as you come around roadway. I believe you're going to see the 90-degree intersection and vehicles that might turn out of Rosanna Dr. probably half way to 295.

Mr. Houle, Good way what is the distance?

Mr. Winiarski, I would say 200 you have about 300ft. of site distance in one direction in other direction about 200ft. I will measure it and indicate it on drawing for next submission to you.

We normally provide sketch in the drawing to show site distance. To answer your question and comment on traffic each single family residential structure generates about 11 trips per day and you get about 10% of those during peak hour morning and afternoon. 10 structures 10 x 10 100/110 trips 10 trips with like 60/40 exiting in morning 40% entering reverse in the afternoon. Get about extra 10 to 12 trips afternoon peak hours.

Mr. Houle, Explain how drainage is going to work at intersection?

Mr. Winiarski, We were looking at right now is collection system in the roadway then easement to detention or infiltration pond and system would include lot of current best management practices. We've looked at meeting the total TSS removal and everything that is required and whatever type of system we install. What I'm not sure of is been couple years since I've done subdivision here and last one I did crossed Mass/RI line. Does community take over the detention basin maintenance or does it look for Homeowner's Association?

Mr. Houle, The homeowner has been taking it if it is on their lot.

Mr. Winiarski, Street drainage is in public street so that I believe belongs to the community. Some communities still want right to go in and maintain even though there might be a Homeowner's Association or it could be Homeowner's Association maintains it. Basically we would use portion of Lot 6 to create appropriate drainage treatment system. If when we run calculations I know my client doesn't want to hear this if system has to get bigger he may lose one of the lots. I can't tell you until I run the numbers. Other thing we looked at we do all the time especially when soils are good is we take roof runoff buildings and try and infiltrate that back into the ground on site. I've worked some designs where we've actually put in pervious pavement in driveways and sidewalks to try and infiltrate that design infiltrate that water into ground also because it cuts down amount of water that is in closed system and amount of water going to whatever facility we have before it gets to wetlands. There are number of items we can look at start running numbers until we get your comments I don't want to spend client's money running numbers.

Mr. Houle, I know you don't have any calculations but it will be designed to 25/50/100-year storm?

Mr. Winiarski, 100 year storm yes and we do our design basically try our best to try and get post construction conditions better than pre construction conditions.

Paul Pinsonnault-299 Paine Rd., I've been resident of that street for 35 years and have seen bit happening in that section of town. One thing I've been happy to see is how Mr. Bourque has conducted himself over at gulf course. I've seen how they have done business and in my opinion improve the property and it has been very nicely done. I think the fact that he is proposing this near his residence that it would probably be a similar type operation. I'm happy to see a local person do it. On south bound of property that does go all way to Rosanna there is another lot that exists Lot 33?

Mr. Winiarski, It has drainage pipe and culvert running across and running through it. Runs down I'm not quite sure if it goes across your property further down. My initial would be it is not buildable between the stream and width of lot and fact that it has wetlands on it.

Mr. Pinsonnault, From Lot 2 down property goes out to Rosanna right?

Mr. Winiarski, Yes from Lot 10, 9, 8, & 7 Rosanna Dr. ends it actually ends before you get to Lot 10.

Mr. Pinsonnault, Sidewalks were mentioned.

Mr. Winiarski, I know I do this in R.I. and Mass. community's question always comes up about sidewalks. Most Planning Boards when you get to lots of acre or more in size generally don't require both sides of road. Some Planning Boards do require one on one side I have number of Planning Boards with that size lot they don't require them they just leave grass strip. I will talk

to my client I will go through regulations in detail and if we want to ask for full waiver of them we would do it at definitive stage. Do you have feeling on it I would be glad to hear it right now?

Mr. Cerrone, Design it with both sidewalks and then if you want to ask for waiver you can ask for it then at least you don't have to go back and make changes, etc. on the plan.

Mr. Winiarski, Drainage I'm designing for worse case condition with that much of pavement running off impervious. Again with size of lot and dead end street I like to walk sidewalks are nice to walk on.

Mr. Houle, Look at our rules and regulations it will clearly tell you what requirement is you can go from there.

Mr. Pinsonnault, I was expecting on one side and that is understandable. Probably has nothing to do with project I would just ask that is it possible maybe to take into consideration maybe doing some sidewalk work on Paine Rd. as well. There is sidewalk up at 295 on both sides of the street and I think it would be nice. I have daughter and grandson there and they like to go out for walks and it would be nice.

Mr. Thimot, Asking where it starts from on Paine Rd.?

Mr. Winiarski, It is basically about 200ft. from Rosanna Dr. and that sharp curve 250ft. When you make sharp right hand turn on west side there is one house that ANR lot was created on and then project runs basically almost if you're looking at it as you make corner other than fact house came out of ANR lot you're looking right at the project.

Brian Kenney- 306 Paine Rd., I was wondering proposed drainage easement is that typical retention pond open retention pond with chain link fence around it?

Mr. Winiarski, We would be looking at it as we did our design and looking at the regulations. I will tell you that open basin is much more economical for developer to build than putting everything underground. We would look at it and if it requires fence we would fence it. It is basically abutting development property and after that there is large property back there.

Mr. Kenney, My concern was you're directing lot of surface water to that one area and if you go back to that area there are two active brooks that run through there and it is wet year round.

Mr. Winiarski, Brook in back is wetland edge of wetland boundary and what happens with detention basin we can't just make a point discharge. When we discharge we don't normally discharge it into level spreader and spread it out over longer area because if you make point discharge you would probably line it with stone because of amount of water that would come out. Generally we design them go out into level spreader and dissipate water overland so that there isn't any erosion.

Mr. Kenney, Couple of questions concerning the proposed 25ft. Conservation buffer. Are there any circumstances in which that would not be provided?

Mr. Winiarski, We suggested it as part of the project to try and meet requirements to save mature trees and natural vegetation. We're going to disturb at least say 50% of the lot between septic system, homes and yard areas around them with the grading. My discussions with Mr. Bourque he is not necessarily looking at small homes good reasonably sized homes and we tried to set homes also that if someone in the future wanted to put swimming pool or something like that on the lot they would have room to do it. That was also part of our reasoning to try and meet your requirements we meet those requirements to definitely save enough vegetation to meet them but if someone wants to do something else on the property if it was done in the future your requirement would still be met.

Mr. Kenney, Also mentioned Homeowner's Association would there be anything written into the deed or covenant to prevent somebody from coming in and clearing out that 25ft.?

Mr. Winiarski, Normally when you set up a easement like this it is put right in the property of the covenant so it will not be disturbed. That is normally done in the deed it can be in covenant also but if you truly want to create one you put it into actual deed for individual lot and then it runs with the property it goes from owner to owner. New owner would still be subject to same covenant if property was resold but it has little more weight being in the deed than being in covenant of Homeowner's Association.

Mr. Houle, It would run in perpetuity with each one of them.

Mr. Kenney, I notice that the buffer does not continue past detention pond on proposed easement.

Mr. Winiarski. We basically stopped at wetland boundaries because that has such restrictions and controls on it that we didn't see need to run the buffer further than that. If someone was to go in and start working in wetland area or whatnot local community officials and conservation agent would be on them so quickly it just isn't likely to happen.

Mr. Kenney, My only point is that comes right up to property line and if it could be extended beyond that it would be great we enjoy going out on that part of property and walking dog. I really don't want to come up to large retention pond if we could put buffer.

Mr. Winiarski, I appreciate the comment we'll consider it as we go through. He stopped at wetlands and he stopped at easement and then take it to wetlands.

Mr. Houle, What is size of retention pond right now?

Mr. Winiarski, Area I set aside for it is 200 x 100.

Mr. Houle, How deep?

Mr. Winiarski, I haven't done any calculations for it. That is why we try and take water off before we can get to it reduce it as much as possible to keep basin smaller size as possible.

Joan Marchitto-503 Hoppin Hill Ave., Couple comments as quality of Aquifer Protection collections that we have directed to the board. Some comments about area as far as quality. In that area north of this area there is intersection where Paine comes into Sheldonville Rd. normal storm quite often floods. Water runs over into culvert, which is ...(inaudible). Was consider year 2000 public hearing of Sheldonville Rd. is a perennial stream. Much comments on those public hearings of that stream. That runs rampant from water that comes from Sheldonville Preserve that is built out. It is still an issue and it was never improved. Also abutting this area back there is large farm south of Sheldonville Rd. that comes a stream to Pasture Brook new culvert there runs through two private residential areas. There is pond that runs under Paine Rd. that area has been improved in fall by DPW that culvert. That water goes under 295 and may abut rear of his land, which is part of Aquifer District. Other area that water is maybe concern is south of Paine Rd. at curve as you're traveling north to south go around curve at least for 18 months on left side there is catch basin during last storm is ...(inaudible). I think it was Jan 2008 it was after they moved some ice around it. I think currently if neighbors would like to verify it is currently sand bagged and hazard horse apparatus around it for hazard. There is water in this area I don't know impact of this subdivision but it is something that town has never done anything for improvement in this neighborhood even when there was no subdivision in that neighborhood. Sheldonville runs into Paine Rd. the road is absolute disarray consequently I guess there is no money for any structures to be improved. Intersect at Paine Rd. which is yield it is not stop sign it is very wide there and it traverses to 295 there are sidewalks under the bridge. However North Attleboro has never been supportive sidewalks on any of their country roads or roads that are very well traveled but they are under bridges. Road there at Paine Rd. is wide it goes around the curve and it narrows to Cumberland Ave. intersection. When it is wide coming down Sheldonville Rd. no one goes under 15 or posted speed it is very fast. I was trying to keep up with car yesterday it was going 45 and I backed off it continued right beyond

Hoppin Hill at St. Lawrence and started speeding up. By time you get to this intersection cars are not slowing down until they come to curve. It is very difficult to walk in that area, bicycle to walk children it is very hard for pedestrian traffic at that area. I walk and run that area on regular basis. Paine Rd. becomes Allen Ave. and Cumberland because people can not see people walking there is a hill no improvements done in that area at all. Also looking around at corner when you traverse to Cumberland Ave. you will be having subdivision south of that with 110 being built out that will have effect at Cumberland and Paine intersection. As we build these subdivisions with our allowable property rights board knows that it is an owner's right. Town does not back the structural improvements of these roadways. This is first subdivision in this area since 2005 there hasn't been anything build out since 2000/2001. I think this is something the board should take look at and be aware of water issues that are in that area. My concerns as Aquifer Protection District it is allowable on single resident lots. Good use for it is use for industrial and commercial. I have some concerns in sense that application of the whole residence you have letter from DPW that is going to have non salt street I understand that. How does board handle the application of fertilizer and herbicides on individual lots? We are talking about very sensitive area of water that water resource to Abbott Valley Run protected area. Any meetings that I have attended at Holy Cross or Mass. State Legislature they've always considered water area of that section very sensitive and highly protected area regional not just North Attleboro. Other question about Aquifer Protection District is that can you store red silt in this district? Can you use that red silt for fill in Aquifer District? How far would they be building up these lots for septic and would the minimum depth of 4ft. of clean fill above maximum high water would that apply to this subdivision? I think you have to look at the regulations and requirements and have to look at protection of our water sources. Does board have any answers to that and how would you handle a situation of red silt being stored on this area? Mr. Clapp, I think Tony can point out where the storage of material is in relation to Aquifer Protection District.

Mr. Winiarski, The fill of stockpile property line for ANR lot that was created is about 180ft. off of Paine Rd. Fill stockpile starts about 200 or 210ft. back basically right about where line is and it extends back to tree line, which is about station 4 off roadway. It goes from station 2 to station 4 that occupies lot. Our understanding from maps here in town hall that boundary of Aquifer Protection District is approximately this location lots outside of it. I would note as I read your regulations they are then not subject to Aquifer Protection boundary. Red fill is basically gravel type material and I don't think because it is red stone has impact on quality of water and it could be used as fill under roadways or fill in lots. Septic system has to have certain criteria material and types of gravel that are underneath them. I believe the material could be used on any of these lots for roadway outside the district. It has to be tested. I know source of that material and have other clients obtain that material and had it tested because of where they were putting it had to verify DEP no contaminates and things like that and there was nothing like that in it. It is basically fill I believe it's coming from Walmart extension site.

Ms. Burgess, Yes it's not supposed to be.

Mr. Winiarski, I think it is basically clean material.

Mr. Clapp, What is the distance approximately from the back of the pile?

Mr. Winiarski, Stockpile ends about station 4 in district using our station in roadway and information we have is about station 750 about 350ft. away from it.

Mr. Houle, Are you going to be bringing more of this red fill?

Mr. Bourque, No.

Dan DelVecchio, 350ft. you referred to is from back end of that pile that is determined by surveyor stakes in center of that road?

Mr. Winiarski, Yes what we had done to do soil testing and to located test poles for septic systems we had surveyor actually layout test poles and we also had him stake the centerline of roadway at 50ft. stations so that if you were to go out there but you can basically follow centerline of roadway down. When I have surveyor work on a site it is clear or wooded I like to know where things are and it doesn't cost that much more to have him put those stakes in.

Mr. Houle, Is road clearly marked does it have stakes on Paine Rd. now?

Mr. Winiarski, Yes it does has stakes coming in from Paine Rd. two or three I think are missing where pile is they are 50ft. apart. There is one before the pile where property line ends and one at station 3, 4, 250 and 350 are gone. As of yesterday morning there was one at station 2, 3, 4 at 50ft. increments as you go down.

Mr. Houle, We have new member on board and there will be another new member it might be advisable to take site visit.

Mr. Cerrone, Show lot of projects in town.

Mr. DeVecchio, We would be glad to meet with everyone we can show you exactly that sites Tony is referring to.

Mr. Cerrone, Would you put silt fence around that so that if there is any runoff?

Mr. DeVecchio, For record to clear the air this was not done in vacuum Mr. Bourque will tell you.

Mr. Bourque, Before I brought the fill in I did go to Conservation and explained where property was located and out front in the open was everything before it was brought in. Engineer also said where the zone line was far enough away and the law says that if it's in the zone and we're outside the zone. I didn't hide anything before I brought it in.

Mr. Houle, For the record when you say engineer your engineer not our engineer?

Mr. Bourque, Correct.

Mr. DeVecchio, He did consult with the young lady that represents the Conservation Commission and what was her comment?

Mr. Bourque, That it was away from wetlands and it was out of her jurisdiction that it met the approval.

Mr. Kenney, Would any interested parties be welcome to site visit.

Ms. Burgess, It is public meeting posted hearing on bulletin board.

Mr. Cerrone, If you want to leave your number town planner or secretary can contact you when we go out there if anyone wants to leave their number sometimes you might miss the posting.

Ms. Burgess, We have to mention it at public hearing when we are going to have that meeting.

Mr. Cerrone, We might just do field trip and go and look at all other sites at same time. Leave your name and phone number we'll make sure someone will call you when we're going out there.

Mr. Houle, It will also be posted.

Ms. Burgess, Would you like to continue this until we hear from B. of Health?

Mr. Houle, I think we should continue it until we hear from B. of Health and maybe little more from Conservation.

Hearing continue until 4/23/09 at 7:30 P.M.

Mr. Cerrone, Then that night we can make decision when we're going out for field trip.

Ms. Burgess, We need two motions one for extension of final action if applicant doesn't have problem we can extend until 4/30/09.

Mr. Cerrone, Make motion for extension until 4/30/09, seconded by Richard Thimot.

All in favor 4 to 0.

Mr. Cerrone, Make motion for continuation until 4/23/09 at 7:30 P.M., seconded by Rich Peterson.

All in favor 4 to 0.

Mr. Cerrone, If you could just put some silt fence around so no runoff in case we get heavy rains I know you're far away just to be safe.

Mr. Cerrone, See if you can get letter from B. of Health.

Respectfully

Submitted,

NORTH ATTLEBOROUGH PLANNING BOARD
REGULAR MONTHLY MEETING
THURSDAY, APRIL 9, 2009

Board taking break and returned at 8:25 P.M.

New Business:

Form A: Lucille Rezza;

Applicant wishes to combine all three lots to create one 1.8 acre lot.

Although lot 355 is in the ILF, without this parcel, land meets R20 requirements.

193.75 frontage on Kelley Blvd. New lot meets ANR requirements.

Ms. Burgess, Reading in application.

Joseph Rezza 168 Kelly Blvd., Three lots in my name and my wife 1, 2 and 3 want to combine 3 lots into 1 lot.

Mr. Cerrone, Total new area is 78,303. 1.8 acres. Frontage is there 193, everything is there.

Ms. Burgess, It meets requirements for ANR.

Mr. Peterson, How does this get recorded so it that shows up now as single lot.

Ms. Burgess, Because these are all dotted now this will what will be recorded now.

Mr. Peterson, Dotted lines always show something originally it was.

Ms. Burgess, It is technically in two zones interstate zone as well but majority of the land is in residential district and meets all the qualifications without that back lot as well.

Mr. Thimot, Make motion we approve Form A for Lucille Rezza, seconded by Don Cerrone.

All in favor 4 to 0.

Other Business;

Public hearing notice from Plainville.

SRPEDD Nomination papers.

SRPEDD Annual Dinner May 27,09 in Fall River at the Fall River Country Club.

Ms. Burgess, We haven't gotten the invite yet.

Personal Sheet;

Ms. Burgess, Personnel basically states what happen in the month for sick days, vacation days and personal days.

Mr. Cerrone, What happens with ½ days you take off how does that work?

Ms. Burgess, Goes in as half days I do half sick day, half vacation day or half personal day. I do it on that paper and they accumulate them we keep track and so do they.

Mr. Cerrone, You have two half days they count as one I wasn't sure.

Ms. Burgess, It is just for you to know as you saw in upcoming meeting dates couple things are going on that tomorrow Linda will be out and also the 27th. she has jury duty.

Space Needed Committee;

Ms. Burgess, They have decided that the accountant is moving into treasurer's office, treasurer is being moved downstairs to Park and Rec. office. IT is moving from basement up into accountant's office. Servers are actually in the accountant's office so it only makes sense that they go over there. Lenore's kitchen is going where IT used to be food pantry.

Mr. Houle, Is there still plans to put addition somewhere?

Ms. Burgess, There is to square off the building. I've heard rumors that is where our storage will be. That is many moons off.

Mr. Cerrone, Only have one zoning article for town right?

Ms. Burgess, Yes.

Executive Session for Boch w/Selectmen, Town Council and Building Inspector;

Mr. Cerrone, We're meeting this Thursday coming up?

Ms. Burgess, Yes next Thursday downstairs at 7:00 P.M.

Mr. Cerrone, With Selectmen.

Ms. Burgess, Just to let you know I was speaking with Attorney Ferris and they also did this to Zoning Board.

Mr. Houle, One difference we do have open hearing going on.

Mr. Cerrone, No they withdrew.

Ms. Burgess, It is just more to get board's input to the Selectmen. Zoning Board had to go for their case against cell tower they had to go down and talk about it.

Mr. Houle, Anybody have any objections to Boch on zone line?

Mr. Thimot, No objection we did everything legal and proper.

Mr. Cerrone, Mary when you get chance give new member planning board policy.

Ms. Burgess, We gave him a huge package.

Mr. Peterson, I've been going through it.

Mr. Cerrone, I think we should update all people's phone numbers so he has it.

Ms. Burgess, Linda actually updated it I will get it to you.

Mr. Houle, Mary if you could give me write out of everybody's phone number.

Ms. Burgess, I will update that and give it to everybody in next package.

Mr. Cerrone, You have to send letter of resignation to Selectmen.

Ms. Burgess, Yes I believe Linda has already dropped that off.

Mr. Cerrone, They're probably going to advertise for new member.

Ms. Burgess, I am going to ask Mark tomorrow what they decided to do if they want to advertise or take suggestions for appointments.

Mr. Cerrone, In the past they've been advertising. I want to make sure they do whatever they have to do and maybe we'll have new member by May something like that.

Ms. Burgess, We're going to do some spring cleaning the next couple weeks. Little of rearranging and lot of thinning out basically throwing lot of stuff out we need more room. Conservation needs another file cabinet. We're going to put gray cabinets in the basement they are old subdivision plans and we have inventory up here of them but we don't access them hardly ever. We're not throwing any plans away I'm talking there calendars, dot metric paper, message book from 1991. I'm not throwing anything that meets public record. We're trying to make it look little nicer.

Mr. Cerrone, Stuff that is 10 or 5 years old can go downstairs. When you know project is coming in you can go down there and see if anything is on file.

Ms. Burgess, I'm looking to get rid of that whole standing shelf closest to my desk it is outdated crap when Don went to meetings it is all his notes things I don't need. All town reports and literature I'm going to keep.

Mr. Cerrone, There was never enough space in town hall since day one. That is why I suggest we should be meeting at Public Works they have beautiful complex there. Nobody uses it on Thursday night we should meet there plenty of parking you come here in summer time when they have game.

Ms. Burgess, Only downfall is if we have big like how Cobblestone dragged on for years and lugging all that stuff.

Mr. Houle, Don Johnson did that quite often.

Mr. Cerrone, You could leave lot of stuff there because you could have couple of file cabinets there too lock them up.

Mr. Thimot, Why don't we make motion that Mary start machine going to use that room?

Ms. Burgess, I will see what I can do let me see if it is feasible first.

Mr. Cerrone, There is no staff there no custodial over here you have too.

Ms. Burgess, If it is just in that room, which I think there is outside entrance and key card then we're all set you don't have to have janitor.

Mr. Cerrone, You can't get into rest of building. I think we should be using that room.

Mr. Houle, Get some feedback.

Mr. Cerrone, This way janitor here doesn't have to stay and we don't have to pay overtime and we can cut budgets too.

Mr. Houle, We agreed we're going to be out of here by 10 P.M. no matter what is going on.

Mr. Cerrone, Sometimes you can't if you have public hearing. You're better off getting there so if you run late you don't have to worry about janitor.

Mr. Thimot, Some of past members liked to have lot of meetings.

Mr. Cerrone, Make motion to adjourn at 8:45 P.M., seconded by Richard Thimot.

All in favor 4 to 0.

Respectfully

Submitted,
Attach Agenda to Minutes.