

**NORTH ATTLEBOROUGH PLANNING BOARD
REGULAR MONTHLY MEETING
THURSDAY, November 18, 2010**

The North Attleboro Planning Board held its Regular Monthly Meeting on Thursday, November 18, 2010 at 6:30 P.M. in the Planning Board Office located at 43 South Washington Street, North Attleborough, Massachusetts. Board members present were Chairman Richard Houle, Richard McCarthy, Richard Peterson and Thomas Welch. Mary Signoriello arrived at 6:32 p.m. Also in attendance was Mary E. Burgess, Town Planner. Chairman Houle called the meeting to order at 6:30 p.m.

Vouchers were signed by the Board

Approval of Minutes

Chairman Houle called for the approval of the minutes of October 21, 2010. Mr. Welch made a motion to approve the minutes of October 21, 2010, seconded by Mr. Peterson and Mr. McCarthy. The motion was approved 4-0-1 (Mary Signoriello abstained).

Chairman Houle called for the approval of the minutes of November 9, 2010. Mr. McCarthy made a motion to approve the minutes of November 4, 2010, seconded by Mr. Welch. The motion was approved 5-0.

Chairman Houle requested that the agenda be taken out of order.

Old Business

1) Form A: Lawrence Soullier

Farm Country Road
R40 District- 40,000 sq ft, 150' of frontage

Date of final action: November 22, 2010
Map 29 Parcel 30

- Planning Board previously requested that the lot be labeled as unbuildable and the plans revised.

Application was previously read into record by Mary Burgess at the November 4th meeting. Mark Whalen of W.T. Whalen Engineering presented on behalf of the applicant. The applicant, Lawrence Soullier was not present. The applicant is requesting acceptance of Form A for endorsement of a plan believed not to require approval on Farm Country Road.

As per the request of the Planning Board, the plans reflect the change of Lot 4B to Parcel 4B and labeled as non-buildable, and indicate no determination of zoning. A motion was made by Mrs. Signoriello to accept the Form A for Farm Country Road, Lawrence Soullier, dated April 22, 2010, revised November 16, 2010. Seconded by Mr. Peterson. The motion was approved 4-0-1 (Mr. Welch abstained).

New Business

Bally Heather Waiver Request

Mary Burgess reported that this has been paved; the waiver request is no longer necessary.

Harris Farms Waiver Request

Alex Renzi of Toll Brothers requested a waiver request for paving after November 15th. Jeff Kane of Earthworks explained how the ambient air and/or surface temperatures can affect paving, especially the asphalt compaction. He referred to Mass. Highway standard Specifications, Section 460. He would be on site to oversee paving. Mr. Peterson made a motion to extend the deadline for paving for Harris Farms to December 1, on the condition that the ambient air temperature be at least 50° for the top course, per Section 460 of the Mass. Highway Standard Specifications. Seconded by Mrs. Signoriello. The motion was approved 5 – 0.

Public Hearing for Christina Estates was opened at 6:45 p.m. and recessed until 7:30 p.m.

**NORTH ATTLEBOROUGH PLANNING BOARD
PUBLIC HEARING
THURSDAY, NOVEMBER 4, 2010
6:45 P.M.
(CHRISTINA ESTATES)**

Pursuant to the provisions of Chapter 41 Section 81W of the Massachusetts General Laws, and the North Attleborough Planning Board's Rules and Regulations Governing Subdivision of Land, the North Attleborough Planning Board held a public hearing on Thursday, November 4, 2010 at 6:45 p.m. in the Planning Board office, located at 43 South Washington Street, North Attleborough, MA, pertaining to the following matter. (It was continued to November 18 due to lack of quorum.)

Application of Cumberland Associates Realty Trust, to modify the definitive subdivision entitled Christina Estates, located westerly of Cumberland Avenue, easterly of Cushman Road, southerly of Countryside Court and northerly of England Road, further identified as Lots 65, 71, 119, 193, 195, 196, 197, 201, 202, and 203, on Assessors' Plat 27, and located within the R-20 zoning district. Applicant is proposing to construct a cul-de-sac on Delphist A. Monast, Jr. Way, and to extend Paul Lizotte Drive to connect with Cumberland Avenue, to be used as the main access to the remaining lots.

Board members present were Chairman Richard Houle, Richard McCarthy, Richard Peterson, Mary Signoriello and Thomas Welch. Also in attendance was Mary E. Burgess, Town Planner. Chairman Richard Houle opened the public hearing at 6:45 p.m., and recessed until 7:30 p.m. Richard McCarthy was recused for the public hearing and returned at 7:30 p.m. Mary Burgess read notice for the public hearing into the record.

Richard Houle: Anything else to read into the record, Mary?

Burgess: Just to bring everybody up to date, as you saw in your package, Conservation did lift the Cease and Desist for the installation of the drainage at the intersection of Cumberland and Delphist Monast, and the utilities as well.

Houle: Can we hold on for one second, before you go any further? I noticed that she's only putting down Delphist Monast Way here, then she put "only" (inaudible)...it really needs to read both doesn't it?

Burgess: No, the only thing that we wanted was the drainage in Delphist Monast that was not connected, that's why it was flooding in the road. There is no road connected to Cumberland, that's the construction entrance. So the only thing that we needed was the drainage to be hooked up so it doesn't flood and freeze. And when she says "only" it's because the Cease and Desist is on the entire property. Also, just to note, the initial tax payment was paid, so the DPW was allowed to grant the road opening permit. So that's where we stand today. They did call for an inspection of the drains because it rained so much on Wednesday, they had to push it to today, and Jeff was out there today.

Kane: It's not quite done, (inaudible) tomorrow.

Houle: Is there anybody here to present? No? Interesting.

Burgess: Okay, well close the Public Hearing and we'll do something else.

(Unknown): I didn't hear you open the hearing, I was standing (inaudible). Let me just grab my easel, I apologize.

Peterson: So everything he agreed to do at our last meeting, he has done or is in the process of completing?

Burgess: Correct. We're starting the modification. I did get an 11 x 17 because it is an 86 page (multiple conversations, inaudible)...

Houle: Jeff, did you have anything you want to add to that?

Kane: We did review the storm water, and came out with about 40 comments, we haven't heard back (inaudible)

Ken Caputo: Good evening, my name is Ken Caputo with Coler & Colantonio. I know Mr. Intoccia is on his way, but we'll start. I apologize again for not hearing you call us the first time. We have been retained by the proponents of Christina Estates to help them resolve open issues and move the project forward. One the means and methods for doing that, that we have talked with Mr. Intoccia about was the proposal that you have before you for a subdivision modification to basically modify portions of Phase I, as they were originally, from what they were originally planned.

This is an aerial of the overall subdivision, and down here is Cumberland Ave., that the Phase I subdivision is planned to begin off of. Right here you can actually see, this aerial is fairly updated, it has the area that's already been started with the two homes under construction, and this is Delphist A. Monast Way. Now Delphist A. was proposed to come all the way up through to Paul Lizotte Drive in the approved plans that the Town reviewed and approved a number of years ago. However, due to complications with a wetland crossing, this right here,

Mr. Intoccia was forced to find alternatives, and another means of access off of Cumberland to get to the remainder of his Phase I lots as well as the remainder of the subdivision. What we have designed and submitted as part of a modification application before you is the intent to change Delphist from being a through-way, and you can see the footprint of the old design here coming up to Lizotte, change it to a cul-de-sac design where there will be no wetland crossing in this modification. By avoiding the wetland crossing, we still have to get to the rest of the subdivision, and what we have done is taken Paul Lizotte, which used to end in a cul-de-sac right here, and we have done what I like to refer to in the office as the Paul Lizotte extension down to Cumberland Ave. Mr. Intoccia a number of years ago bought the home at the corner here, just next to Mr. Visconti's property, which is shown here, and we're able to design this roadway so that it meets all of the subdivision criteria, from horizontal and, by the way, Mr. Anthony Vitale from my office is with me tonight, he does all the heavy lifting. We've been able to design this so that it meets all the horizontal design and vertical design criteria of the subdivision rules and regulations.

A couple of things that have happened as a result of this design, one, Delphist was going to serve as access, direct access to seven lots, it now only provides access to five lots. We had to lose one lot down in here for drainage purposes. Additionally, the existing home lot at the corner where we propose to extend Paul Lizotte Drive, has to be used for drainage purposes. So we're actually down net one at this point I believe from the original Phase I approval. From the perspective of drainage, I understand that there's a few drainage comments in this memorandum, I haven't even read it, but I'm sure we'll be addressing that and working through those with Mary and the peer review consultant. One of the things that changes with this design was Delphist has a high point in its original profile, and by the way this run along Delphist remains unchanged, but it used to drop over a high point here and when it crossed the wetland it was piping that collected a good portion of the roadway here, and directed it back here through an easement to a rear drainage area. Now that we're doing a cul-de-sac and we're not crossing the wetland, this remaining area of Delphist can no longer drain to the back drainage area, it will end up draining down through the wetlands to the culvert that's located on Cumberland Ave., just between Mr. Visconti's property and Mr. Boisvert's property. So, because of that we have to do more storm water work and design to make sure that pre- and post-conditions at this culvert are mitigated.

Additionally, the original design of Paul Lizotte Drive was a long profile downgrade this way, with piping that again, went to the rear detention area. Now with the Paul Lizotte Drive extending to Cumberland Avenue, this is a downhill roadway down to Cumberland Avenue, that paved area will have to be collected and detained prior to continuing on to that same culvert. So we have a changed condition from a storm water perspective that has to be mitigated and has to be attenuated. We have added impervious area from these two roadways that originally were not planned to go to that culvert that will go to that culvert now. So what Anthony has designed is a small detention area here, and another detention area up here at the corner of the proposed intersection of Paul Lizotte Drive with Cumberland Ave. As I stated before I know that there are comments that we'll have to review and get coordinated on and understand how we address those between now and the next available hearing that we can come back with answers. That's pretty much how the drainage wants to work.

Some of the other things that change, is, because this is only servicing five lots, and again, we're not crossing that wetland, all the primary utilities were originally designed to come up Delphist Monast Way, across the wetland crossing, and then begin to feed the rest of the subdivision. What I mean by primaries, I mean the water main, the primary electric, telephone and cable.

Burgess: That's six lots, right? You were saying five.

Caputo: Five lots.

Michael Intoccia: It's six lots, it was originally seven, now it's six.

Caputo: The sixth lot actually gets its service off of Paul Lizotte. It's got frontage on...

Intoccia: No, no, no. Trust me.....six lots.

Caputo: It's been a long day. The primary utilities have been moved to within this section of the proposed subdivision road. So the water main will come up and tie into the original water main design that extends further down Paul Lizotte and Owen Dolan, around the rest of the subdivision. The electric will do the same, and telephone will do the same. So at this point we are extending utilities into Delphist A. Monast to service those six lots, and continue that work we've been working with DPW, Conservation on those matters, and North Attleboro Electric Department as well. There is work currently going on in the intersection to get the crossings completed before the winter season. As far as horizontal/vertical alignment, what you see here in tan is sections of the Phase I roadways that, there are no proposed changes to. They are as reviewed and approved from every aspect of the original design that this Board reviewed and signed off on. So there's no changes to Owen Dolan and there's no changes to Paul Lizotte all the way through back to the other end of the subdivision. What you do see here, and it's a little confusing, cul-de-sac shape is that is a temporary cul-de-sac, so that when we build Phase I, it is not a narrow dead end, there will be room to turn around.

Houle: You're calling that Phase I?

Caputo: These lots here, my understanding, these two might not be involved but these lots here and out here are Phase I. 22 lots total I believe?

Intoccia: When we got this approved we have to build it in phases, so we have five different phases, six different phases.

Caputo: I believe there was an original phasing plan.

Burgess: Yes, 26 was in Phase I.

Caputo: So all of these modifications are completely contained within the Phase I zone of the overall project.

Houle: Mary, do we have the old...

Burgess: I didn't pull out the huge enormous plan, I did give the 11 x 17, because it's 86 pages.

Caputo: I think the next plan is strictly the proposed metes and bounds plan that's in the plan set, and again you can see by the dotted lines here the extension of what was originally approved. So this was the main corridor into the subdivision, Lizotte was a dead end, up here. We're simply moving the main entrance down here and turning Delphist A. Monast into a dead end street.

Intoccia: Originally this is how we had it, and then at the eleventh hour, before we got it approved, someone on the Board, in order to go through, wanted to change (inaudible) there and make that one a dead end, and we agreed to do that. And the whole problem is for the last two years we've been fighting is that wetland crossing. We can cross it with a bridge, but the DPW doesn't want a bridge. We showed them a bridge we built in Franklin, beautiful bridge, no one wants a bridge. So they said since you have rights to that house, go back to the old roadway and that's what we did.

Caputo: I know this was just an overview and there are more details to get into.

Burgess: Generally, as I was telling them earlier, this is just a presentation to the Board and then the heavy lifting starts now. But I do think the Board did want to bring up something.

Houle: Want to show him the picture?

Intoccia: That's already coming out, I already did that.

Burgess: Today?

Intoccia: No, it's coming out either tomorrow or Monday morning. I saw that when I was down there the other day. I haven't been down there in about two months.

Houle: Mike, that's been like that for a long time.

Intoccia: I know, I'm saying, it will be out.

Burgess: Okay, if it's not gone by Monday...

Intoccia: I promise it will be gone by Monday.

Burgess: You promise a lot Michael.

Intoccia: I do.

Burgess: The drains were supposed to be done in April.

Intoccia: The drains are done tonight. They're still there working, under the lights.

Burgess: I'm holding you to Monday.

Intoccia: Okay, Monday by 5 p.m.

Burgess: 5 p.m.? I'd like 9 a.m.

Intoccia: Give me until noon.

Burgess: Alright, noon. That's it. I'll be there waiting.

Houle: Jeff, just out of curiosity, do you have initial comments on what you just heard?

Kane: With just the initial presentation? No, I don't actually. As Mary said, (inaudible)

Peterson: All the utilities now are going to be coming in the new entrance way? We will have no utilities going across wetlands?

Caputo: No.

Peterson: So you'll have a separate line for the utilities coming in from that Monast Way?

Caputo: Yes.

Houle: One of the questions I have, ConCom has lifted the Cease and Desist only to finish the drainage on Delphist Monast.

Intoccia: We're scheduled to go back next week on the utilities work and work out what the areas were for restoration, (inaudible) once we get that, then we'll (inaudible). We'll be doing it in phases.

Caputo: Just to clarify, they lifted the enforcement order for the utility work at the intersection of Delphist and Cumberland, which was drainage water and dry utilities, electric, telephone, cable conduit across there. NAED has authorized inspection of the conduits, DPW on the water and the drainage previously issued street opening permits. That's all they've lifted the enforcement order for, is that work. Our plan is to work with this Board on the design revision, which from an environmental perspective, avoids wetland impact instead of creating wetland impact. We have to file, because of the change, it is a modification, we've agreed with ConCom to file an application for an amended order of conditions, which we'll be getting done over the course of the next month, to present this plan and get the amended order done with them, through which order we can also address any outstanding issues relative to the matters involving the original enforcement order itself. A Wetland scientist from our firm, actually walked the site today with the agent from the Conservation Commission, Miss Shannon Doyle, and they are collaborating on coming up with an acceptable game plan for addressing the three remaining areas, actually it's really two, and thereby the Conservation Commission could lift the entire enforcement order, but it doesn't do us much in terms of a lot more work other than what's on Delphist for the lots that did not change. These two lots that the homes are under construction on, nothing about those lots changed, nothing about these two lots changed. But from here back, it changed, and they want us to go through the amendment process, which is

completely understandable. We will have resolved the enforcement order issues prior to getting to them formally, and I think that Commissioner, the chairman of that commission was happy, to see that progress.

Intoccia: He just wanted to do it in phases, he didn't want to lift the whole thing (inaudible), tie into the drainage, get the water connected there, coming back into two weeks with a plan showing what the restoration is (inaudible) rain factor (inaudible)

Houle: Where are you with Electric?

Caputo: The conduit crossing outfit has been approved to just put the conduits in. The NAED, we've issued a couple of letters to them and they have been responsive to us, obviously there is that extended service agreement that Michael was in the process of executing with them, however now with the modification in front of them, they want to see that we're working with a fully approved set of plans from this Board and amended order from ConCom, so over the next two months we'll be hopefully working through that process with you so we can complete the paperwork with NAED. Again, that primary service for electric has some expensive and involved components to get to the rest of the subdivision, and they used to come up this way. So there is a change even with them. The one comment that I did receive from them, when they received this plan, that's not on the plan but will added to it, I'm sure, through, along with other revisions, is they would like a street light there, they always recommend a street light at the end of cul-de-sacs. We weren't aware of that, we thank them for pointing that out to us.

Houle: It's in our rules and regulations.

Caputo: We have to add a street light to that. It's not on the plan. So we would be adding a street light to the end of Delphist A. Monast. Again, it's a, there's a lot of things that are not totally in parallel, but there's a sequence, and we felt that the best place to begin was here with this Board, get the infrastructure portion of it agreed upon. We will be starting the process with the Commission, especially now that we have the opportunity with the peer review comments to update, make some revisions as it pertains especially to storm water, I'm sure the Commission's interested in that, and they will be that much better to work with the Commission with storm water design that is reaching consensus here.

Welch: So you're planning on bringing water and sewer up to the cul-de-sac's homes, is that part of the plan?

Intoccia: It's already in. No sewer, the water's already in, drainage is already in.

Welch: Up to the end of the circle, it's all done?

Intoccia: We already installed them, we just never tied into the street. We even put **stried** pipe for the sewer (inaudible)...it's a dry sewer line.

Caputo: On this plan set, on the utility drawing, Anthony you can correct me if I'm wrong, but we show the water main design and the modification to its dead end terminus in this plan set as well.

Welch: So that just hasn't been connected on Cumberland Ave.?

Burgess: Correct. They couldn't get the street opening permit, and they just got the street opening permit last week.

Houle: Mary, we have no letters from Electric or no letters from, we have this from ConCom, I see that, but other than that we have nothing?

Burgess: No, they're all waiting on us.

Houle: Where are you with DPW?

Caputo: That plan set was distributed to all departments per your guidelines. We actually started the whole process of looking at this potential modification with Mary and Bill McDowell from DPW, along with Mr. Hollowell, and DPW, one of the hold ups to the street opening permit was they knew that Michael wanted to do a modification, they knew he was going to have to do a modification, and one of the hold ups with the street opening permit was they would like to see what that modification was going to be. This modification design was actually, well obviously developed for purposes of moving the rest of the project forward, but it was a prerequisite to the street opening permit that we file this with this Board, and they have been reviewing this design. I don't know that I've ever gotten a formal comment from them other than the hearing we had before the DPW commissioners. We went twice before the DPW commissioners, we were able to present the design intent here, they know that this Board and your engineers will be reviewing it, but we present the access, present the storm water design as a whole, they did have the report, I know Mr. McDowell took a look at it, and present the utility changes. After that presentation the commissioners all voted unanimously to exercise the street opening permits with Michael and that's why we're underway.

Intoccia: The other thing they wanted me to do was when we, next year, is take a look with them, if I could replace it, the culvert, it needs work.

Caputo: This is part of the proposal is to replace that culvert.

Burgess: One of the things was that they weren't going to get their street opening permit until they proposed this plan. They were willing to give them the street opening permit once they proposed it, but that was it. Then there was something about a 12" and 15" that you're going to put in a 12, or 15 to 18, I don't remember. Then they were going to do the upgrades to the culvert, but first they wanted to make sure they were proposing to it, so basically all they were able to do is what they're doing in Delphist Monast at this point, until we have more.

Caputo: Only the drainage from Delphist in this area is being done. There is proposed drainage that this detention basin has an outlet down to that same culvert as well, that's not part of the, no utility work up on this section of Cumberland Avenue is part of that street opening permit. That would have to be a new street opening permit, hopefully next spring.

Welch: So when you're doing the drainage work at Delphist Monast, are you tying the water and sewer when you're doing it?

Caputo: Yes. So, DPW recognized that the type of modification that was being described was going to do just what I said in the beginning of the presentation, it was going to introduce new impervious areas that would be tributary to that culvert and that's really what the big hang up on issuing, they wanted to see that the infrastructure they were issuing a permit for understood that.

Intoccia: They didn't want me to build a bridge, and have the town say they own a bridge.

Houle: It's the maintenance later.

Intoccia: Right, and they always liked this layout better all the time, that's why they were always upset the way it got approved. So now that we're going back with this, that's why, the minute they said we would file this with the Planning Board, they would give me my street opening permit.

Houle: So, Mike, why didn't you just come in with that?

Intoccia: I did, you guys don't understand. I wouldn't have gotten it approved four years ago, there was someone sitting on the board that did not want this to go this way, and it...

Signoriello: They wanted a bridge?

Intoccia: No, it wasn't a bridge, they wanted the main entrance there. I had to go buy another house to do it, you think I like going to spend 260 grand?

Kane: On the infrastructure plan, this is much more beneficial, looking at the idea with the bridge, I know the previous engineer mentioned that the drainage was going to be suspended from piers starting at one side to the other with a free span across. It would have been interested to see, I wasn't sure how they were going to do that. I think the water was actually going to be (inaudible) under the wetlands, so as far as construction and maintenance, this is a much better plan.

Houle: You're staying out of the wetlands.

Caputo: This basically is designed to come, this (tape turned over)

Houle: I have a question. The way this is draining now, with your proposal, you've got all of this coming down here?

Caputo: Some of it, Anthony, do you remember the catchment point?

Houle: And I understand we're going to get our, we're going to get a lot of these questions answered from our engineering services, but just out of curiosity, I'm just wondering where the cutoff point is, where is this coming down here and where else is it going?

Anthony Vitale: My name is Anthony Vitale from Coler & Colantonio. The drainage that you're talking about, anything from these two this way, goes this way.

Houle: So those two lots go to the right

Vitale: Even though the grade of the road goes down here, these are the two last ones that it'll catch, and actually it gets piped back against the grade.

Houle: What grade are we at from here to here?

Caputo: That's right on the, it's a long crest curve.

Vitale: 134 to 156

Caputo: Anthony, if you can show them the profile plan on that set

(Multiple background conversations, inaudible)

Houle: And that's all going to be collected where?

Vitale: Just about here I believe, right?

Caputo: Then it will be sent down to the basin that it was originally proposed to be sent to. We have slightly less flow going to that rear basin as a result of the plan.

(Multiple background conversations, inaudible)

Houle: There'll be, I'm guessing, support that's going to be needed on Cumberland Road? Are you going to upgrade the system on Cumberland Road at all?

(Multiple background conversations, inaudible)

Caputo: There'll be a new pipe coming down to here. One of the things about that culvert is there's a catch basin structure and grate that sit right on top of the culvert, so whatever goes into that structure is, there's no, absolutely zero treatment, and any opportunity to catch any suspended solids whatsoever. We're proposing new structures at the culvert, new catch basin that will be separate from the culvert and piped into it, as well as a new trunk line from here and the original plan was to have a trunk line go from there.

Houle: So is the trunk line going to go all the way down to the cul-de-sac, Delphist Monast?

Caputo: It comes, it pitches this way to the culvert from Delphist Monast, and then another trunk line pitches this way from Lizotte down to the culvert from the other direction. So it comes all down to that culvert point in outlets.

(Multiple background conversations, inaudible)

Caputo: The culvert itself is something the DPW pointed out to us, and it was a good observation. First it's a very old culvert, I wouldn't be surprised if it was plain concrete with no reinforcement. It's pitched in a way, that at the outlet end, the low end, it constantly has, it's constantly half full of water. At the upper end, the inlet end, it's high and dry, which tells us that, first of all, we could get some better performance out of the culvert just simply by slightly flattening the slope and getting the invert out of the normal spring line of the water, but also by flattening the slope we lose some flow capacity. I believe the proposal is to make it 24".

(Multiple background conversations, inaudible)

Houle: Everything's being designed to the hundred-year storm criteria?

Vitale: The performance scouts, we meet, in the post-condition we meet the pre-one hundred year storm.

Houle: You say "pre", what do you mean?

Caputo: Pre and post are balanced.

Vitale: It's up to the hundred year storm, yes.

Houle: Does the Board have any questions at this point? Does anyone here in the audience have a comment about anything we've heard tonight?

James Visconti: James Visconti, 236 Cumberland Ave., I'm right next to that culvert, and that's really our main concern right now is that culvert.

Houle: You're where?

Intoccia: He's right across from (inaudible)

Visconti: Right now that's a 21" pipe, a 24" would improve it, but I'm not so sure how much more water you're going push down to that point. When it rains heavily, that 21" pipe right now has a hard time handling the volume.

Houle: Does it flood now, Mr. Visconti?

Visconti: Well, it did flood into my back yard, right now there was a lot of drainage work done to my back yard so hopefully that won't be a problem. The only problem there might be now if you don't upgrade that pipe is that it might go over the street if you get a lot of rain.

Houle: And it's a 20" pipe now?

Burgess: It's a 21" pipe. That's one of the off-site improvements that the DPW will be looking at.

Visconti: As you can see, as it stands right now, all the water from one side of Cumberland Ave. to the other and now the new development is going to come to that one point. I believe, like Jeff said, that's a choking point right now. I would like to Board to seriously look at the plans to upgrade that culvert.

Kane: It's the opportunity now to remodel it based on existing conditions as opposed to what was (inaudible) into the culvert years and years ago, so we have this opportunity to look at what feeding into it (inaudible)

Peterson: What is the drainage situation across the street?

Kane: It goes into a wetland, I'm not sure of any flooding issues there on the backside of that.

(Multiple background conversations, inaudible)

Burgess: There's actually a little stream that goes back there.

Kane: The idea was to meet the pre-development conditions as far as flow rate, it's not necessarily the volume, but it's the rates.

Intoccia: No matter what we do here, it's just going to enhance it. When we did part of the conditions I believe it was (inaudible) ConCom, we had to redo his backyard because his backyard was flooding all the time, so we have now constructed (inaudible)

Houle: You've done his backyard? Okay. Thank you for your comments, and we'll make note of that. Does anyone else have any comments?

Todd Taylor: Todd Taylor, I'm at 208 Cumberland Ave. I'm just curious going forward, you had talked about all of this, what's going to happen with all of this drain work here, where is that going?

Caputo: That all is as originally designed and approved, large detention basin back here behind lots 25, 26, 11, 12, 13, so this street, Owen Dolan and all the drainage pretty much contained back up in here, and you can see the area that we're referring to is essentially this area back in here, where there's a drainage basin being proposed, and I'm not that familiar with the entirety of the subdivision, because our focus has been primarily on Phase I.

inaudible..... (multiple background conversations).

Taylor: I've never been that far back to know what happens to the grade and everything else there, but I live here. When these two were built, this is 12-14' higher. Now obviously if any water comes from this and comes down, it's going to go into here, but what has happened from this back, I believe, and this is guesswork because I'm getting more water, is it's coming down that strip next to my house, in between my lot and the one on the other side.

Intoccia: We'll take a look at it. Bobby's already said, that (inaudible) in the spring we'll clean that up.

Taylor: That's a pretty steep hill. My back window is at their foundation, and that's washed out. But whoever owns this little piece of property here, used to just be soft in the rain, and now it's almost like a stream.

Houle: Thank you.

Caputo: I think that one of the opportunities here for us to work because it's a judgment matter that engineers could look a couple ways, and we welcome the opportunity to work with your engineer, is obviously you have a built environment on this side of Cumberland Ave., you have a very large area that it drains to via that culvert, so what we can collaborate on and come to an agreement on, on what's best for draining and getting water over here is probably a good exercise for us to go through with Mary and your peer review consultants.

Houle: Mary, maybe we can get everybody together for a prelim meeting?

Burgess: Actually once I get the preliminary comments back, we have something to work with, and revised plans, right now we're just at the very, very beginning, but yes, definitely there will be another meeting where we all sit down, a workshop.

Houle: Will you get all the Boards?

Burgess: Yes.

Houle: Mary's very good at it, so great.

Intoccia: When do you want to see me next?

Burgess: January 6. I need an extension of final action, I was thinking March 31. In the meantime, if you want a workshop, let me know. But I expect all those questions answered before you come on January 6. That's why it's so far out, it gives you six weeks.

Peterson: I make a motion that we continue the hearing for the application of Cumberland Associates Realty Trust for the modifications of Christine Estates to January 6, 2011 and the extension for final action to March 31, 2011.

Signoriello: I second.

Houle: All in favor. The motion passes 4-0.

**NORTH ATTLEBOROUGH PLANNING BOARD
REGULAR MONTHLY MEETING (Continued at 7:30)
THURSDAY, November 18, 2010**

Richard McCarthy returned to the meeting at 7:30 p.m.

Old Business (continued)

2) Form O: Distron Corporation
87 John Dietsch Square

Date of final action: November 22, 2010
Map 34A Lot 371B

- No DPW, Beals & Thomas review at this time
- Received new plans

Tom Welch left the table at 7:30 p.m. Application was previously read into the record. Mary Burgess reported that comments submitted were addressed; new plans were received November 15, a final review from Beals & Thomas will be forthcoming. John Grenier of J.M. Grenier Associates, Shewsbury, presented on behalf of the applicant, who was not present. The applicant is requesting a site plan approval. Mr. Grenier reviewed the updated site plans, specifically changes to the existing parking area. The matter will be continued at the December 16 meeting. Mr. Peterson made a motion to extend the final action on the Form O submission by Distron Corporation for a site plan approval at 87 John Dietsch Square to December 20, 2010, seconded by Richard McCarthy. Motion carried 4-0. Mr. Welch returned to the table at 7:46 p.m.

New Business (continued)

Woodridge Waiver Request

Attorney Stephen Clapp presented for Glenn Bourque and requested a waiver request for paving after November 15. The request was to extend paving to December 24. Mary Burgess received a review from Jeff Kane of Earthworks and also received a memo from Bill McDowell of the DPW. She reported that the DPW's position is that December 15 is an acceptable date as long as protocols are taken. Jeff Kane reviewed in detail the protocol regarding ambient air/surface temperatures and core testing as outlined in his review of the waiver request. He would be on site to oversee paving. Following discussion, Mr. Peterson made a motion to extend the deadline for laying the binder for Woodridge to December 17, with all applicable protocol followed as outlined by Earthworks Engineering. Seconded by Mrs. Signoriello. The motion was approved 5 – 0.

Mrs. Signoriello made a motion to adjourn the meeting, seconded by Mr. Peterson. Motion carried 5 – 0. The meeting adjourned 8:15 p.m.

Respectfully Submitted,

Mary Signoriello
Secretary