

**NORTH ATTLEBOROUGH PLANNING BOARD  
REGULAR MONTHLY MEETING  
THURSDAY, MARCH 20, 2008**

The North Attleboro Planning Board held its Regular Monthly Meeting on Thursday, March 20, 2008 at 6:30 P.M. in the Planning Board Office located at 43 South Washington Street, North Attleborough, Massachusetts. Board members Richard Thimot, Joan Marchitto, Richard Houle, Christopher Sweet, Donald Cerrone-chairman and Mary Burgess-town planner.

Planning Board Business:

1) Approval of Minutes;

2/21/08- Christopher Sweet make motion to accept minutes, seconded by Richard Houle.

All in favor 4 to 0 to 1 abstain Richard Thimot.

2/26/08- Dick Houle make motion to accept minutes, seconded by Joan Marchitto.

All in favor 3 to 0 to 2 abstain Richard Thimot and Chris Sweet.

2/28/08- Dick Houle make motion to accept minutes, seconded by Joan Marchitto.

All in favor 4 to 0 to 1 abstain Richard Thimot.

3/6/08- Christopher Sweet make motion to accept minutes, seconded by Joan Marchitto.

All in favor 4 to 0 to 1 abstain Richard Thimot.

2) Review Final Actions;

Amerada Hess Final Action due 3/31/08 being heard tonight.

John Lavin's contract;

Mr. Cerrone, We just signed it 7/01/07.

Other Business:

Upcoming Meetings;

3/21/08 at 12:30 P.M. MAPD luncheon meeting Foxboro Brass Pro Shop. Commercial Development. It is Planning luncheon.

3/26/08 at 11:15 A.M.: Mark Fisher, Al Spaulding RE: Peck Street and Angle Stone Monument.

Ms. Burgess, Have no clue what that is about.

Mr. Houle, Peck St. is dirt road I think it is recognized as a street just not finished.

Mr. Cerrone, It goes to Plainville. The town sold in auction as is.

Ms. Burgess, When I find out let you know.

3/24/2008 at 4:00 P.M. Special Town Meeting Warrant closes;

Ms. Burgess, In package revised article to be resubmitted. The way I wrote it Roger said was fine but he said if town meeting is used to having it written another way they will probably deny it so I just rewrote it. I just need Don to sign original if everything is satisfactory. It was Aquifer Protection District.

Mrs. Marchitto, Updating it for DEP regulations? ( Yes).

Ms. Burgess, We have aquifer districts by Chemawa Golf Course, one at John Dietsch and one by Plainville. It is overlay district on the zoning map our zones haven't changed.

Mr. Cerrone, Have big map at town meeting we used to have one.

Ms. Burgess, DEP sent a letter to DPW Mark Hollowell and CC myself and Board of Health. I said I would do it because we're planning board and we do zoning changes.

3/25/2008 at 5:30 P.M. Site Visit to Windchime, etc.

3/25/2008 at 7:00 P.M. DPW sewer master plan review at Police Station;

5/2/2008 at 5:15 P.M. Mass Federation of Planning & Appeals Boards Dinner ( RSVP 4/24/08);

All board members will attend \$40 head.

SRPEDD Annual Dinner;

Mrs. Marchitto, They're looking maybe Wednesday 5/21/08 they haven't stated location yet but I think it might be at White's. We have meeting next week say I will find out more details.

WalMart;

Mr. Thimot, Asking if they went to SRPEDD.

Mr. Cerrone, I think they went for traffic.

Set date for Zoning Map with SRPEDD;

4/10/08 at 6:30 P.M.

Set date dor Adult Retirement Development committee to present to Planning Board;

4/17/08 at 6:45 P.M. schedule Cushman for 7:30 P.M.

Discuss policy for submitting materials fopr meetings;

Ms. Burgess, You wanted us to draw up policy.

Mr.Cerrone, I want all these engineers anybody that has correspondence I want in our package I don't want to come hear and find two sets of package the board doesn't get chance to read it. I get my package on Monday come in here on Thursday and have another stack of papers. If we can't get correspondence by Friday afternoon in this office it won't be on the agenda if they don't submit all information they won't be heard I don't care if it is public hearing or not.

Ms. Burgess, The letter hasn't gone out yet it is draft.

Mr. Sweet, Make motion to accpet policy no more correspondence accepted if it is not received the Friday before next schedule meeting, seconded by Dick Houle.

All in favor 5 to 0.

Mr. Cerrone, Put it in book office policy so they can read it.

7:00 P.M. open public hearing for George and Linda Weston lawyer is not here so continue until 7:15 P.M.

Old Business:

1) Request of Intoccia Construction Co., Inc. to set bond for Christina Estate

Received requested information on Wednesday March 19, 2008

Postpone until April 3<sup>rd</sup>. meeting.

2) Form O: Amerada Hess;

Final Action Due 3/31/08.

Present Phil Lonbardo-attorney, Luke DiStefano-Bohler Engineering and Andy Lautenbacker-Hess Permit Manager.

Applicant hasn't requested an amendment to Conservation Commission approved plan.

Application was previously held up due to compliance with DPW regs.

Applicant is no longer requesting municipal water service and instead is installing a well to facilitate the needed water to the car wash.

Following Conditions shall apply if approved;

1) Letter provided byt the applicants Licensed Site Professional (LSP) regarding the installation of the well on site and that the installation of said well will not hinder further clean up of the site nor contribute to any additional contamination.

2) DPW approved metering device is required on the well water supplu to the car wash.

3) Installation of the well supply pipe in relation to the existing plumbing shall be inspected by the Water Department and approved prior to issuance of a certificate of occupancy.

4) Applicant must comply with the BOH regulations regarding the installation of the wells.

Phil Lombardo-attorney, Looking to add car wash to back portion of property. We got hung up on issue DPW was concerned about water pressure in front of site and that addition of car wash might stress the system. They had asked us to upgrade that main replacing 2" main with 8" main. Hess decided that doing that for 1000 or 2000ft. along road is just cost prohibited. Rather

than kill project we decided to put in well instead it will be not potable water and it will service car wash only. Well will be sufficient in terms of volume to meet needs of the car wash. One change we won't be using town water we'll just use well. As I understand DPW wrote and don't object to well.

Mrs. Marchitto, Does DEP get triggered with well water?

Mr. Lombardo, No it is non potable it is not drinking water source if it were you would have to have all kinds of approval and testing, etc. non of that applies when it's not drinking water source.

Mrs. Marchitto, 3/31/08 before we vote I would like to get that verified it doesn't trigger DEP. Is there any contamination with gasoline tanks, etc.

Mr. Lombardo, No the well is 100ft. away from tanks and they are double wall fiberglass tanks with electronic.

Luke DiStefano-Bohler Engineering, Location of well is just below two parking spaces that would be utilized to service the car wash. Nothing on this plan has changed from what board had reviewed on initial go around. Only change is DPW had major concerns about capacity or ability of the existing water service to handle relatively small demand that would be generated by the car wash. They asked us to look at upgrading infrastructure, which would cost about \$250,000 to do that. Not only would it be about 1000ft. of water main it would also require that we upgrade services to each of the buildings adjacent to that main and I think there are 4 or 5 structures that would need to be upgraded. We looked at other alternatives and best and most cost effective we could come up with was put well on property. We spoke with environmental consultants, etc. well drillers they all think that deep well into bedrock is probably the best alternative. Well will be able to provide adequate capacity for this use, which is very low demand use basically 90 to 95% of water that is used for each wash is reclaimed. You're looking at about 10 gallons new water for every wash. You're looking 150 gallons of water an hour over 12 hrs. that wash will be open. Well we talked with car wash manufactures that have done wells before it is not issue with them it doesn't seem to be issue with anyone else. DPW did have couple concerns about proximity of the well to underground storage tanks well will be situated about 120ft. away so there should be no issues with contamination. Well will probably going to be down several hundred feet to point even if there was release at tanks water would have to migrate in opposite way of which we believe groundwater does, which is towards Ten Mile River then it would have to get down to a point where it would be impacting the well. We feel there is no issues with having well that distances from the tanks and then the remediation on this site I believe is another concern. We spoke to environmental folks and this shed was slated to be taken down earlier but to save money and mobilization they left it there and will take it down if get car wash approval. They will do it all at same time will need to keep some monitoring wells on site will coordinate that with shed and monitoring wells that will be abandon will be done with certified licensed soil professional on site as required. There will be no detrimental impacts to the well other than that plan has stayed the same. Well water will be reclaimed and reused.

Mr. Cerrone, How far from property line are you from Dexter St. it was all contaminated?

Mr. DiStefano, There is no cross contamination on this site they've been monitoring this site for their own release.

Mr. Houle, Has Board of Health answered any of this?

Mr. DiStefano, If we get through permitting process we will have to get construction permits for the wells through Board of Health. We have had preliminary conversations with them and their reaction is if get proper permits they don't have an issue.

Ms. Burgess, Because of issue well being installed and the existence of DEP. John looked over plan and researched information that was available regarding existing site and he has produced letter. Earthworks Engineering dated 3/20/08 ( Insert).

Mr. Cerrone, Opening public hearing for George and Linda Weston and recess until 7:30 P.M.

Mr. Lombardo, We will have to address his concerns.

Mr. Thimot, Is there any possibility of contamination?

Mr. Lombardo, No we're drawing from it and anything going off site is going into sanitary systems we will get that documented. The shed is going away and whether or not they can identify which wells are going to be replaced. When project is done they will have identified them and left them in place.

John Lavin, That is no problem it is just extraction of water it is really just getting letter from Board of Health. You have to prove it is non potable.

Mr. Lombardo, We did get zoning approval. Off top of head could you confirm that if it is non-potable water we don't need any particular DEP type permits?

Mr. Lavin, It is really just making sure that well is always stay forever that is why I said deed restriction. As far as putting in the well in no usually just notify Board of Health.

Ms. Burgess, I have recommended some conditions if approved along with DPW letter on same line as John's letter and Board of Health regulations.

Mrs. Marchitto, Footprint of site hasn't change have same amount of curb cuts?

Mr. DiStefano, We're proposing to modify site slightly to what exist today. Most of areas shown is fairly run down location. We are proposing as part of plan to make some landscaping improvements curb cuts in front bring it all consistent across entire frontage put landscape island in front create some green space and enhance green space that is there. We're proposing small detention pond to help handle stormwater runoff from facility. There are improvements to landscaping, improvements to stormwater quality, modifying some of the lighting. Only area that will see major impact is southeast corner of the property southwest corner of property where the car wash is going. Building is 864sq.ft. building. Are putting low level shoe box style lights that were included in the plan. We're not looking to increase lights any lights going in adjacent to residential/abutting properties or abutting right of ways will be shielded so everything is going to be contained completely on site. Site is only required to have two parking spaces under zoning. I call them service spaces for the car wash enter in southerly direction make way around can pull into parking spaces there are vacuums, trash receptacles. Circulation on site is going to remain unchanged. This is self serve car wash there is no attendant. There is dumpster in back enclosed. We will need Mass Highway curb cut. We've just realigned curb cuts.

Mr. Cerrone, Mary did you send it to Board of Health?

Ms. Burgess, DPW did and I haven't heard anything I did inquire about LSP.

Discussion of approving with conditions or coming back next meeting.

Continue until 4/3/08.

Mr. Thimot, Make motion to grant Amerado Hess extension until 4/4/08, seconded by Chris Sweet.

Mrs. Marchitto, Modify motion until 4/7/08, seconded by Chris Sweet.

All in favor 5 to 0.

NORTH ATTLEBOROUGH PLANNING BOARD  
PUBLIC HEARING  
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7:30 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 4/30/08;  
Ed Casey-attorney, We had approached you about existing size of sewer line the pipe, existing amount of fill on roadway associated with size of detention basins. Recommendation from Planning Board is we go back to Public Works and produce evidence that Public Works will support the waiver for size of pipe or amount of cover. Carl Boardman I think went to Public Works and they said they're not going to express support for either of the alternatives. Plans before you are plans that had been prepared by Scott Rolffe. Carl Boardman is here to address any questions. We went to Board of Health and they have letter I think was made part of the record. I believe only issue from our perspective is related to length of roadway that would be the single waiver, which we would seek relief. We spoke very briefly with Mr. Lavin he said he needed some additional time because he had just gotten opportunity to begin review. Perhaps it makes sense until Mr. Lavin has chance to analyze it thoroughly and then report to you at which time we would make final remarks and asked that public hearing be closed and that you consider the granting roadway length waiver.

Mr. Cerrone, You met with Public Works on sewer and you are going down Mt. Hope St.?

Mr. Casey, Yes I know neighbors have been concerned about that. I think we all would like to be able to go out back of subdivision to reduce certainly the cost associated but also to simplify the difficulties for neighbors allowing them to get some relief from problems they are experiencing that are not contributal by Weston's. It would be nice solution but Public Works aren't going to waiver from it's decoration that we are to conform this plan to master plan sewer in Mt. Hope St.

Mr. Cerrone, You have some fills.

Mr. Casey, Public Works in its comments identified number of concerns those are issues that would be taken up in context of construction. It would be reasonable that prior to construction those type of concerns be fully addressed. I think it is distinct from approval process of subdivision I don't think it would be appropriate for us to engage in any sort of testing now it would be matter taken up prior to construction.

Carl Boardman, The plan is January shows sewer and water.

Mr. Lavin, As far as design at Mt. Hope St. sewer design and retention basins.

Mr. Boardman, That was in stormwater management report.

Mr. Lavin, As far as geotech?

Mr. Boardman, No geotech. We have said on plan that geotech will evaluate the materials and details of construction. We have certain standard available for the fill. Specify but there could be some varies on specification.

Mr. Lavin, All the design should be done.

Mrs. Marchitto, I don't think there should be question once we give the approval that detention ponds.

Mr. Lavin, Letter dated 3/20/08 from Earthworks Engineering ( Insert). Went through stormwater detail.

Mr. Cerrone, Have these plans been submitted to electric co.?

Mr. Boardman, No their rules and regulations state that we should submit plans approved by Planning Board.

Mr. Cerrone, I thought our rules said at same time when did it change?

Ms. Burgess, Jay was not aware of that I know that has been rumor that we have to approve it and then they will do their plan.

Mr. Boardman, Our letter of 12/6 we addressed that issue states NAED must receive final approved development plans scale not less than 1" = 40ft. prior engineering construction plans.

Mr. Cerrone, Our rules say we have to get letters from all departments. Send copy of our regulations to electric co.

Ms. Burgess, They're accepting it with Cushman. I've asked Jay about this.

Mr. Lavin, Wiavers issue is 900ft. and commented on radius 50ft. minimum and also reduction in frontage. Zoning regulations stipulate that board may approve reduction in frontage. Cul-de-sac as designed has 5 house lots fronting. Board must decide if extended roadway length, which allows for additional house lot frontages. Applicant states subdivision control regulations states minimum radius, which is 50ft. Board should consider intent of radius dimension it can be increased by the board then has latitude to increase other minimum requirements. There is minimum site distances specified there is no maximum radius in regulations. Why is it in best interest that waivers be granted? Applicant stated it would increase revenue to the town. I stated as stipulated in subdivision control regulation board may inquire about open space. Easements I referred to applicant's letter. Requesting to see if there was possibility of getting sewer to Young Ave., Lakewood Dr. and John Rezza research easements. Response was engineer met with DPW staff basically said they were directed to extend sewer in John Rezza southerly of Mt. Hope St. entrance.

Mr. Cerrone, If you went this way with sewer would you still have to come in with 14ft. of fill? John Rezza on Young Ave. come across.

Mr. Lavin, It's on private property have to get easement from abutter.

Mr. Cerrone, I'm saying if we can save filling in 14ft. benefit whole town and everybody you have to look at it.

Linda Weston, You sent us to DPW twice.

Mr. Cerrone, Our concern is you have 14ft. cut fill you're going to flood the other people in that area.

Mr. Boardman, There is no access to Young Ave. at this point.

Mrs. Weston, We had a plan to come out through private property two different ways not Young Ave. You sent us twice large expense to DPW they said no.

Norm LaCasse-69 Lakewood Dr., There is an easement from Angelina.

Mr. Cerrone, I know there is easement on John Rezza Dr. to go to Lakewood Dr. that was original plan.

Mrs. Marchitto, Is there way to capture the water with easements? It is not Planning Board's responsibility to engineer a project. Have you looked at way where it can be captured to help the residents?

Mrs. Weston, He already did one whole set there will be less water runoff than there is now.

Mrs. Marchitto, I'm not talking about sewer I'm looking at different avenue to see if surface water can be captured.

Mr. Boardman, There is surface water that comes down from Mt. Hope St. there is existing pond from proposed subdivision. We have provided detention ponds from roads themselves reduction in the volume and rate of runoff to pond to Young Dr.

Mrs. Marchitto, Have you approached residents for easements to grasp that water?

Mr. Casey, Isn't problem that there is high groundwater?

Mr. Boardman, That is part of the problem. We have reduced rate of runoff to existing pond/wet area anywhere from 31% to 40%. 31% in 100 year storm 46% in 2-year storm and

40% in 10 and 25 year storm. Coming out of the pond reduction of rate of runoff anywhere between 17% to 60%, 60% being in smaller storm 2-year storm.

Mr. Lavin, When you say reduce rate it is just the speed it's not quantity.

Mr. Boardman, We have reduction in 2 year storm we have 42% reduction in volume of runoff and in 100 year storm we have 5% reduction in volume from wetland.

Sandra Copley-49 Lakewood Dr., Is that surface water? ( Yes.).

Mr. Cerrone, John when you run sewer lines water table goes down?

Mr. Lavin, Yes if you do it right. You mentioned geotech saying the groundwater is 1 ½ to 2ft. did you submit that it would be no problem?

Mr. Boardman, We had geotech look at it informally we did not submit it.

Mr. Lavin, Sewer same issues easement to rear of property putting sewer. Mailboxes central boxes request detail of the pull off area. Line of site last time we talked they went out and staked it. There was submittal of traffic 85<sup>th</sup>. percentile talked about vertical and horizontal on plan have appropriate ASHTO objects location and elevation. Make sure you're not going across properties and fill.

Mrs. Marchitto, When we went to Butterfly we did look at and Chauncey gave us site line I was looking for that. We have requested that for other subdivisions.

Mr. Lavin, GPI report submitted it does give the speed study with 85<sup>th</sup>. percentile and stated the site distance.

8:00 P.M.- Continuation of the public hearing for the application of Cushman Development Corporation, for the Definitive Subdivision to be entitled Cushman Village ( Tilton & Associates, Inc.). Note: Final Action Due 5/31/08;

Mr. Cerrone, Continuation of Public Hearing for Cushman Village.

Larry Tilton-Tilton & Associates, Asking for continuation.

Mr. Cerrone, 4/17/08 at 7:30 P.M.

Mr. Sweet, Make motion we continue hearing until 4/17/08 at 7:30 P.M., seconded by Dick Houle.

All in favor 5 to 0.

Respectfully Submitted,

Richard R. Houle  
Secretary

**NORTH ATTLEBOROUGH PLANNING BOARD  
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8:01 P.M.- Mount Hope Farms;

Mr. Cerrone, You put stakes we went out there where entrance was going to be and one south and one north. The one that was tough was around the bend south. There is telephone pole another 10 or 15ft. you can't see entrance of your subdivision can't even see the cars. On other side you have rocks.

Mrs. Weston, The rock is on your property 7ft. of road is yours.

Mr. Casey, Our experts said based on speed data analysis presented 250ft. for vehicles on Mt. Hope St. from south traveling at the 85<sup>th</sup>. percentile speed, which is 35 MPH to safely stop at this location with 300ft. being available.

Mrs. Weston, We measured it.

Mr. Lavin, Where is it on plan?

Mrs. Weston, It is in the report.

Mr. Lavin, Is it both vertical and horizontal it's fine?

Mr. Casey, It doesn't say that but I recall that was testimony as question that was asked that evening.

Mr. Lavin, If we go back to the minutes it will say standard procedure also on site plan if question usually do vertical and horizontal. Does it run across any lots I don't know? If it is you would have to get an easement from that property.

Mr. Casey, It was his testimony that evening. I understand that you want to document I think it is reasonable request of us to produce from GPI that sight distance detail that acknowledges that there was adequate consideration of these issues that relate to different heights and any obstacles.

Mr. Lavin, I think we talked at the time that you have the survey information. It is supposed to be 3ft. from car to 6" show the objects, show the elevation so you can draw that straight line and horizontal showing the same thing. It is basically to show horizontal and vertical both ways.

Mr. Casey, Issue has been raised I think appropriate thing for us to do since the work is done so let's have documentation substantiating that.

Mr. Lavin, Detail of cross section at intersection not necessarily this project but several projects there have been problems with detail or the intersection to existing. It states it was on sheet 7 & 8 I couldn't locate any details for intersection.

Mr. Boardman, You asked for detail of cross section at intersection and Weston Dr. and Stevens.

Mr. Lavin, Under Earthwork "applicant placed following statement on definitive subdivision plan qualified geotech shall be retained by owner to provided specifications and recommendations for all cuts and fills, structural requirements relative to the geotechnical work including but not limited to retaining walls, foundations, filled slopes, road bases, light pole bases, pond embankment and other soil stabilization issues". "Geotechnical Engineer is to provide owner with all specifications for selection and placement of all engineered and/or deep (> 3') fill and requirements for cuts greater than 4". " Recommend the board that all required engineering, specifications, structural requirements, etc. for the proposed subdivision is completed prior to approval of proposed subdivision". Answer from applicant was " we have included sufficient specifications reference to NA Planning Board Rules and Regulations sheet 9, 10 & 11 to ensure the subdivision constructed properly. Above statements were included to ensure the specifications as followed".

Mr. Boardman, 9, 10 & 11 provide the detail specifications in your notes referencing regulations and DPW specifications.

Mr. Lavin, Also Mass. Highway. What is specification on retention pond? You're saying design retention ponds after? ( No.). What is engineered fill?

Mr. Boardman, Material specifically designed I'm using common burrow.

Mr. Lavin, That will hold everything?

Mr. Boardman, Yes we're not looking at deep ponds elevation of 198 and top elevation 186 and top elevation 191 and overflow foot lower than that.

Mr. Lavin, This is saying you're going to have someone on site the whole time doing fill? ( Yes). This engineered fill should be taken off it should say ordinary burrow. Engineered fill to

me is to have various forces that are going against it that you have to offset. I'm going to recommend DPW fit in.

Mr. Boardman, We just want to ensure that there is a geotech on site monitoring the fill and making sure it is appropriate for actual site condition.

Mr. Thimot, Asking about fences around ponds?

Mr. Lavin, Fences are on there and I made comment in stormwater fences should be above 100 year stormwater elevation. You have to make sure you get 95% with good material it is going to be ordinary burrow, which will take sieve analysis and then gravel burrow roadway. Recommendation prior to construction do test pits or boring where required, soil investigation roadway required ensure that subsurface will not impact saturate sub-base materials and bituminous concrete. Recommend roadway crown be 4ft. above high seasonal ground water. Applicant notify board prior to testing to allow representative to be present for testing. Submit soil logs and recommendations. Recommend that report and soil investigation be prepared and stamped by a Licensed Profession Geologist. Response; "Section 5.14 does not require any of the items however section 5.41 does require in cut areas all unsuitable material such as peat, highly organic or clay materials. Our opinion Highway Supt. consider it to be detrimental sub-grade shall be removed and replaced with ordinary burrow. Intent of regulations that determination of unsuitable material is made at time of construction and use of fill material is contemplated. It is prior to construction going out as opposed to moving all equipment out there and then doing it. Mr. MacDowall from DPW recommends instead of doing test pits he's doing borings. Proposed elevation fill required that geotech be on site to make sure materials it is really following Mass. Highway as far as lifts go. Make sure there are proper lifts and that compaction is also documented because it is great amount of fill. They are going to get geotech to be retained and come back in 12" lifts is fine. Geotech engineer shall approve compaction testing and sieve analysis material used. Mr. MacDowall did this and I always do it is where they get material from sieve analysis from them and go see material before it comes on site. Sidewalks think it was just cut and paste.

Mr. Boardman, We had alternate detail concrete sidewalks or instead of bituminous we took it off.

Mr. Lavin, Following regulations it's bituminous. Wheel chair ramps perpendicular to the curb at start and/or end of the curb radius. Provide handicapped ramp detail on subdivision plan. Grass strips although section has been previously deleted board should consider grass strips to be provided smoother transition for driveways with respect to granite curbing. Also mail box locations should be considered in grass strip area. It gives better transition and also less puddling in the sidewalks. In essence it is a waiver.

Mrs. Marchitto, We were having difficulty with driveways meeting handicap. Side slopes recommend 4 to 1 vertical adjacent to retention basins next to sidewalk.

Mr. Boardman, It was designed at 4 to 1.

Mr. Lavin, Fence is proposed here but I think 100-year storm is above. Street names.

Mr. Boardman, We have letter.

Mr. Lavin, Street signs put on plan. Street lighting utilities we talk about in general before endorsement put utilities on plan. If they require approved plan let them do their design and then put it on plan and then endorse it. You're going to have sewer so you have to make sure your gravity is going to miss utility lines. Drainage there are recommendations and my letter as far as wetland issue you're in front of ConCom.

Mr. Cerrone, Have you been to Conservation?

Mr. Boardman, No we have had workshop, which resulted on changes represented on January plan of detention areas.

Mr. Lavin, This is on wetland discharging in the back and possibility of collecting any of water in the back, putting to low ground to pipe now it just flows over the land to a catch basin before the roadway. Try to maybe collect that water.

Kevin MacDonnell- 59 Lakewood Dr., Submitting pictures taken on 3/10/08.

Sandra Copley, Submitting detail pictures and sketch of where that water is going. I marked catch basins on Young Ave. and Lakewood Dr. where the issues are. Red arrow is the Copley property there is squiggly line that goes out to the pond on Weston. #18 represents culvert in front of Copley property that is photos that MacDonnell's showed you where all water was flowing. 1 through 12 show lot of water that is right behind Copley property between northern pond. 7 through 12 is overflowing water in back of Copley property and little stream that goes from north pond to culvert in the street. Last page is picture of 6 culverts, which are marked on aerial photo and couple go down Lakewood these pictures were taken yesterday when it was raining and Copley property was flooded in the back, river was flooded in the middle, Weston farm northern pond had water that was coming outside of the wetland flagging areas. All the catch basins you see on last page none of them have water going to them. Does that mean that all this water is groundwater coming up? Weston farm water there was overflowing the wetland markers, water in my parents backyard was overflowing and the streams that go behind the houses on Young Ave. there was all kinds of water there.

Mr. Boardman, It is not groundwater issue problem is when subdivision Young Dr. Rezza Dr. were constructed there was not proper allowance made for water existing stream channels were filled culverts put in has no place to go.

Ms. Copley, Our concern is that with 14ft. of fill on top of that it seems this groundwater has nowhere to go.

Mr. Boardman, It is not groundwater it is definitely surface water that is trapped. One of earlier meetings we had photography and geological survey maps that showed entire area.

Ms. Copley, Pond is surface water but water table is very high under that? ( Yes.).

Mr. MacDonnell, I notice when it rains or snows two or three different ponds that don't show up to ponds of surface water. It is surface water that can't go anywhere because I guess currently there is too much water in the ground.

Mr. Lavin, Talking about wetland location on northern area to pursue that to try and remedy it for surface water. Recommend bottom elevations for the wetland area is wetland of that area dug below the groundwater and is it being fed by groundwater I'm not sure. Ask to provide bottom elevation to see if it is being spring fed and also if surface water flow too. Sloping make sure crown of road is  $\frac{1}{4}$ " per foot. Detention basins not greater than 4 to 1. Mass DEP as far as their policy fences around them all move fence up little bit. Just matter of above ground retention ponds that the berm. This is almost the same board's previous experiencing and still experiencing at Hickory Woods behind Mr. Kearns house. Have to make sure that there is nothing leaking out and any infiltration going sideways. Make sure it is locked in to existing earth. These are designed at 3ft. use ordinary burrow I recommend take notation off as far as engineering fill it's ordinary burrow and follow specifications. They show filter fabric the only other engineering thing is if it is going to penetrate out you might have to use some type of impervious like landfill liner on side to lock it in. Cobblestone for example they used clay to lock it in. Then you don't get exfiltration on side of walls. Should show some type of detail different types of material you will have two different types of materials. One will be more pervious than the other maybe if it's ordinary burrow. It is probably high in silt content probably 40% you get the different materials and one kind of wins over the other and just find path of least resistance but if it is all one material it just holds everything down. Forces are one thing but also the exfiltration is another. DPW response as far as their recommendations a lot of it is caution to

make sure that what you were supposed to get at end of day as far as settlement. Responsibilities of retention ponds as far as maintaining it. It says the NA DPW confirm it will maintain the subdivision proposed stormwater system components due to construction, constructed both in public right of ways and on private property consisting with NA Subdivision Regs. Make sure they're going to maintain them in right of ways to things because they are in backyards on private property. I did stormwater review and comments I added; " Note: the reviewer originally did not perform a complete review of the hydrology report due to the potential change in grades due to the potential use of E-One low pressure pumps. Have recently received letter 3/18/08 from NA DPW stating that they do not recommend low pressure sewer. Therefore, we have reviewed hydrology report and offer the following recommendations; contours, elevations some of existing ones. There are some recommendations Mass DEP Stormwater Policy, recommend use shallow marsh system or similar BMP located at outfall locations of detention ponds for reduction in the anticipated nutrient loading inherent in residential lots. Per Mass. Highway Design Manual minimum time of concentration 5 minutes should be utilized in stormwater runoff modeling. Portion of watershed DA #1 appear to fall within the extents of NRCS mapped soil area corresponding to soil #705B with subsequent hydraulic soil group B classification calculations should be corrected. Entire limits of Watershed DA #2 appear to fall within the extents of NRCS mapped soil area corresponding to soil #705C with subsequent hydraulic soil group B classification calculations should be corrected. Low path for DA#IV appears to end at existing catch basin located in gravel driveway. Drainage model shows/states that DA#IV and DA#1 combine and discharge to existing pond. Applicant should show/model the hydraulic link between the 2 subcatchments or combine the 2 subcatchments to form one inclusive watershed to the pond. Flow path for DA#III ends at existing pond located at the southwest property line. Drainage model states that DA#III flows into DA#1. Applicant should show/model the hydraulic link between the 2 subcatchments or combine the 2 subcatchments to form one inclusive watershed to pond. Does field data exist corroborate modeling of existing pond? High Water Elevation should be determined and used for all pond elevation calculations. They did excavation test pits in vicinity next to it. Information/location of existing outfall control structure, referenced in the existing conditions modeling, is not shown on the plans. Design Comments-Proposed Conditions; Contour elevations are unreadable. Drainage subcatchments difficult to read. Drawing should be revised. Lot lines should be removed or different line types with a corresponding legend should be utilized. As per standard engineering practice, geotech design should be based on soil properties of the specific soils anticipated to be used in construction of detention area embankments. On site soil proposed for embankment use should be classified during the design phase of project. If on site materials are not appropriate for the proposed embankment areas, specifications of acceptable soil should be provided. Embankments and spillways should be designed to conform to the regulatory guidelines of the state's Office of Dam Safety ( 302 CMR 10:00). Applicant should submit proof of compliance. Groundwater mounding analysis should be provided for all infiltration basins to ensure no adverse impacts to abutting wetlands, properties or proposed single family dwelling. Subcatchment DA-IVB- Subcatchment is comprised of house, lawn and coral areas, no pasture calculations should be corrected. Section 5.12.2.b Drainage- Fence surround pond 9P should be set at or beyond the horizontal location of the 100 year storm 24 hour storm design elevation of 188.93. Ponds 7P, 9P and 11P- applicant proposes infiltration discharge at all pond locations. All SWMP design guidelines regarding infiltration should be adhered to, including but not limited to: minimum of 3 infiltration tests per basin, minimum 100' set back from surface waters, infiltration areas should not be constructed on fill material, 2' vertical separation from seasonal high water table. Subcatchment DA-IIA- ledge

area within cul-de-sac island is not represented calculations should be corrected. Per SWMP, retention/infiltration ponds should have minimum of 10'-0" width maintenance access with maximum slope of 15%, access should allow for maintenance of spillway without traversing pond bottom it is recommendation to get into ponds themselves. All storm drain pipes located within fill areas should be monitored for a minimum of 1 year beyond installation to ensure no settlement within fill areas or differential settlement between fill and in-situ materials areas occurs. Frequency and type of monitoring ( i.e. survey, video inspection) should be decided by board. Design Comments-DEP Stormwater Management Form; SWMP Standard #4 applicant should revise groundwater recharge calculations to reflect areas corresponding to hydraulic Group B soils. Analysis of Stormwater Collection System; Section 5.12.2.b Drainage- Per Mass. Highway Dept. Design Manual, trunk line drains should have minimum velocity of 3 fps., calculations should be corrected. Stormwater Management Operation and Maintenance Plan; operation and maintenance plan should include SWMP requirements for infiltration areas maintenance plan should be revised. 5.12.2.1 Erosion Control During Construction it is NPDES permit required by EPA. If any dewatering required to installing subgrade utilities, structures, pipe, etc. there is separate NPDES Stormwater Permit prior to discharging waters. Water mains shall be installed according to specifications of NA Water Dept. Recommend applicant indicate on definitive plans the proposed water services to each house lot. There was dead end going to cul-de-sacs with water and possibly looking at looping the line. I believe you talked to DPW on that.

Mr. Boardman, Yes we talked to Mr. MacDowall don't want water loop.

Mr. Lavin, Then you don't have to flush hydrants there is no dead end no rust that is why you loop it, continuing flushing pipes they don't rust and scale, etc. I know in Attleboro on one project they put them where you put the loop and just put double line in one going in one coming out. Hydrants located they did relook at hydrant spacing per the requirements. Is water pressure sufficient?

Mr. Boardman, Yes Bill MacDowall said there is sufficient water pressure.

Mr. Lavin, 5.12.4 Sewer- Recommend sewer going out back way. Sewer Extension Permit from DEP prior to installing public sewer, which is required. Design of sewer itself they designed Mt. Hope and then designed subdivision just ask for design calculations.

Mr. Boardman, Wetland hole is 10ft. down starting from John Rezza Dr. that is where it ends.

Mr. Cerrone, I thought you were going street above John Rezza it is about 25ft. down they cut road to get into sewer line back in 78 or 79.

Mr. Boardman, About 7ft. on John Rezza Dr. and then coming up Mt. Hope St.

Mr. Lavin, Did you get comments back on Mt. Hope of what you have to do after you put pipe in what restoration you will need from DPW? ( No.). Have they requested curb to curb? ( No.). You're still not finished with DPW as far as sewer.

Mr. Boardman, They've seen the plans this is what they want they're not in position to approve it until such time as sewer moratorium is lifted.

Mr. Lavin, Design calculations report stated that. Easements for utilities across lots or centered on rear or side lots should be provided where necessary and shall be at least 15ft. wide for electricity and telephone and 20ft. wide for drainage and sewer. Board may increase or reduce the width requirements as deemed appropriate. Applicant response all required easements are shown on plan are appropriate width.

Mr. Boardman, Only easements provided are for storm drains and they're 20ft. wide.

Mr. Lavin, Any retention pond needs flat top you should be able to get around them. Put slope into it so you can drive into it and you can still maintain the capacity. Recommend all easements shown label municipal easements. Easements constructed to handle heavy

equipment provide detail(cross section) of proposed materials to be utilized to support heavy equipment. Easement provided minimum of a 10' 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. Particular easement totally accessible from Weston Dr. is 4 to 1 slope. Next one same thing whole easement around retention ponds they have to be accessible. Recommend board review proposed easements at one time we had them right up to houses so they couldn't build a deck. Traffic analysis we talked about. Stop sign at intersection of Mt. Hope and Weston. General Comments; they did provide just to clarify existing. Stop signs were shown. If you have fence detail rip rap and emergency outflow. Detail should be added to definitive plans. Revise statement on detail sheets will meet requirements of NA rules and regs. Basically they showed alternative top steel. Filter fabric underneath rip rap areas. Insert additional details as required to construct project ( i.e.- water trench detail, size of outlet structure, etc.).

Mrs. Marchitto, I would like clarification our zoning interpretation the cul-de-sac has 5 lots and I know zoning says it maybe reduced to 90ft. They do have 3 lots fronting at 90ft. but there are actually 5 lots.

Mr. Cerrone, It's 100ft. radius.

Mr. Boardman, 3 of the lots come under that.

Mr. Cerrone, They have to sit houses back more to meet 120ft.

Mr. Boardman, Length of road is 971ft. is to center of cul-de-sac, 871ft. to the throat.

Mr. Cerrone, Has one cul-de-sac that has 52ft. radius has 3 lots on that one. You're saying cul-de-sac doesn't meet zoning?

Mrs. Marchitto, I'm trying to understand it.

Mr. Boardman, I believe it says that this reduction shall be limited to maximum of 3 lots fronting cul-de-sac. We have 2 that have 120ft. frontage and 3 that don't on large cul-de-sac.

Mr. Lavin, I don't remember cul-de-sac this big every one I've seen has always 60ft. since 2002. I put the minimum it does state that I said you might look at the intent.

Mr. Cerrone, That would reduce fill amount making cul-de-sac smaller.

Mrs. Marchitto, Are we starting at center of Mt. Hope?

Mr. Boardman, No we're starting at edge of pavement property line at Mt. Hope.

Mrs. Marchitto, Why not start center street to center street?

Mr. Lavin, It is really up to you typically you go from centerline even though it is variable width. It is like survey you have centerline of roadway then you go to zero and take left angle start at zero there and then going up. It is typically from center point of road so in sense it all connects together.

Mr. Boardman, Zero point is property line.

Mr. Cerrone, Our bylaw says 900ft. I've always gone to center of cul-de-sac.

Mr. Boardman, That is 972ft. that is one waiver we requested.

Mr. Cerrone, I told you my story on 900ft. it is up to board what they want to do as far as I'm concerned you didn't want change the 900ft.

Mr. Houle, I don't think need to change it waiver I think is up to the board.

Mr. Thimot, I have no problem with waiver.

Mr. Cerrone, I'm not going for waiver we changed it from 600 to 900 somebody else will come in here and say 1000ft./1100ft. everybody keeps pushing the button.

Mrs. Weston, Dorey Estates has 1200ft.

Mr. Cerrone, They have emergency access.

Mrs. Weston, To paper road that is in swamp there is no road there.

Mr. Cerrone, We were there the other night.

Mrs. Weston, There is no road.

Mr. Cerrone, Road goes all way to Dodge Ave. there is emergency access from Dorey Estates with gate.

Mrs. Weston, Yes there is gate but it doesn't go anywhere paper road was never built it is in swamp.

Mr. Cerrone, I'm only one person I'm not going to vote for waiver I'm staying at 900ft.

Mr. Houle, My only problem with that we're here as board and we here to do things and make things happen to go forward. How are we going to do that as a board? We don't have to change it we can look at each subdivision as it comes in and see if it is for betterment of town or isn't it. I don't think we have to change the regulation to do that.

Mr. Sweet, They still have to go through us with discussion, etc.

Mrs. Marchitto, I think Don is saying that there was reason why it was changed and if board is going to start to do waivers then it is time to look at our zoning to make that change to go forward.

Mr. Cerrone, It is up to you guys I'm only one vote.

Mr. Lavin, Only thing I suggest if you're going to do roadway you have to just state reason because if someone else comes in.

Mrs. Marchitto, I think it has to be clarified.

Mr. Cerrone, If you have emergency access I wouldn't have any problem.

Mrs. Marchitto, On Dorey I've been taken by vehicle out to Dodge.

Mr. Casey, If I were on the board way I would be able to distinguish this situation from any possible future subdivision might be submitted is that you have letters from Fire and Police Dept. The only rationale that I've ever understood that made sense to me associated with maximum road length dealt with public safety and it was concern about length of roadway without other means of access that would limit emergency vehicle arriving at end of that dead end roadway. We have opinion of the individuals in town that have the experience to from an opinion about safety issues and they offer an opinion that 972ft. length will not create any safety issues. If you're looking for way to distinguish granting waiver in this case and others I think that is certainly legitimate basis to do so.

Mrs. Marchitto, That is good point I will state that waiver is two prong consistent with subdivision control and second public interest. I do believe that public interest is different than public safety and I believe public safety is very important. I think the residents abutting this area ...(inaudible). One of the concerns the board has to look talking stormwater with knowledge that we have issues of high groundwater. Public interest would be something that I stated earlier is there way to capture that water abutting the subdivision. That to me would be public interest if you could capture that water help the abutting residents and maybe that might work at second prong of public interest.

Ms. Copley, I would also like to say about public interest possible mitigation of that water. Other thing about health and safety granted the Fire and Police Dept. they don't have problem with road that length because they don't foresee it as public issue. I'm wondering if they were asked the question if cul-de-sac were normal size could it be still okay. If road wasn't longer than 900ft. most likely it would still be right size for trucks to turn around. Although the longer road does meet safety requirements I think the shorter road would also or you wouldn't approve it if it conforms to guidelines of the town and trucks will still be able to go round. Reason they want road longer is to get 2 extra lots and I understand reason for that but in keeping with the fact of high groundwater and drainage and amount of fill my feeling and the other neighbors is that if the road were 100ft. less and there weren't that many houses then it seems to us strong reasonable possibility that we wouldn't have that much going on there to

hopefully make situation worse. I did ask engineer if he could absolutely guarantee this would not make water worse. If road was normal length shouldn't health and safety be accommodated?

Mr. Cerrone, I made commitment and I'm sticking to 900ft.

Mr. Thimot, You have lot water, lot of potential land that you can't use.

Mr. Houle, Maybe as Joan just stated if we were to look at a waiver maybe we could look at some possible way of retaining water. Could you look at that to help these people?

Mr. Casey, Mr. Lavin when were looking at photographs I don't have the expertise. I'd like to explore it with client and with Carl and see whether it might address your concerns. It seems reasonable to layman.

Ms. Copley, My parents have offered to give an easement in that area where water seems to want to go anyway to get it into that culvert where it is supposed to be.

Mr. Casey, Asking Ms. Copley to see him afterwards.

Ms. Copley, Yes. Maybe you could get DPW to get culvert connected to other one and put it where it was supposed to go in drainage across the street.

Mr. Lavin, To remind board it says in the regs that permanent dead end street, which is one way in is 900ft. as alternative board requires special roadway or parkway. Besides waiver it is just reminder that they can put longer if they put parkway in. It is public safety issue one in and out so one side has access if there is accident, etc.

Mr. Thimot, Has anybody examined the potential of putting an emergency access?

Mr. Boardman, I think it goes similar to analysis we had for sewer there is no way out without getting easement over someone else's property.

Mrs. Weston, We don't have it we only front Mt. Hope St.

Ms. Copley, Someone brought it to my attention that onto southeast corner of the property is it tributary to public water supply I'm wondering if anyone investigated that?

Mr. Boardman, It is indirectly tributary to Attleboro. There are no standards for zone B however we do have water quality treatment unit.

Mr. Lavin, You have to calculate 1" if discharging and then you have to have emergency shut off.

Kevin MacDonnell-Lakewood Dr., Concern about blasting can you guarantee me it won't effect negatively the flow of water?

Mr. Boardman, Only place maybe blasting is intersection of Weston and Stevens Dr.

Mr. Lavin, That's why you have to do test pits to determine ledge. You're blasting the redrock it just creates seams all over the place.

Mr. Thimot, Most of the best land in this town is used you get into second grade land you have to find ways to use this land. If we have to change some of the regulations to accommodate these things then that is what we have to do. Linda says she has more land there so she has to use land she has.

Mr. Houle, If we granted the 72ft. waiver is that what you mean?

Mr. Thimot, Yes and I think it is going to come up again.

Mr. Cerrone, If you want to change regulations change them but don't keep giving waivers.

Mr. Thimot, I think we should seriously consider granting waiver now and go ahead and extend the road.

Mr. Cerrone, We'll be changing regulations every time somebody comes in with subdivision.

Ms Copley, Some of them may not be as sensitive this one is very sensitive because of water issues. They should have right to use their land and develop it and 72ft. is 72ft. but when you get 14ft. of fill in very sensitive area I think that is the issue.

Mr. Cerrone, They can still subdivide property with 900ft. that is why we have rules.

Mr. Houle, Put waiver aside issue is can we make it better for people who live there I believe it can be. Going forward with waiver whether we do that or not looking at back part their land doesn't get anymore surface water I think that can be done you're bringing lot of fill as it is.

Mrs. Marchitto, I'm looking at capturing the water.

Ms. Copley, It looks like downspout but it is connected to sump pump hose, which is right next to where the water is between my parent's house and trough where actual swale was built it was gushing out of there yesterday. House across street they're pumping water out of their basement it is directly next to the culvert where the national drainage easement is across street from where the water is coming out. They're pumping into street right now and Caruso's house on Lakewood Dr. they have 4 PVC pipes that are at least 20ft. long coming off the drains in their house and dragging them out because there is so much water in their basement.

Mr. Cerrone, You have all comments so you can go back and getting everything updated. Get to electric co. so we can get some letters from them.

Mr. Lavin, You have to go 14ft. because regulations put above high seasonal groundwater.

Mr. Boardman, It is 10ft.

Mr. Lavin, Regulations for basement has to be 2ft. above high seasonal groundwater. Existing 186 then front of house it is going to by like walkout.

Mrs. MacDonnell, That water is all going to come down?

Mr. Boardman, It is going away from your property high point is 191 sloping down to detention pond.

Mrs. Marchitto, Make motion for Mount Hope Farms Estates to continue until 5/8 at 7:00 P.M., seconded by Chris Sweet.

All in favor 5 to 0.

Mrs. Marchitto, Make motion for Mount Hope Farms Estates for extension until 6/30/08, seconded by Chris Sweet.

All in favor 5 to 0.

Mr. Cerrone, Have you got all correspondence from Board of Health?

Mr. Boardman, Yes we have.

Mr. Cerrone, Haven't read it into record we will read that next meeting and Public Works.

Mr. Boardman, We have their comments also.

Respectfully Submitted,

Richard R. Houle  
Secretary

Board taking 10 minute break.

**NORTH ATTLEBOROUGH PLANNING BOARD  
REGULAR MONTHLY MEETING  
THURSDAY, MARCH 20, 2008**

Mr. Cerrone, Mary were you here when this plan came in?

Ms. Burgess, Yes original plan was in August.

Mr. Cerrone, In past town planner writes letter makes comments on project.

Ms. Burgess, It was in first package in October.

Mr. Sweet, I recollect she didn't like size of big cul-de-sac.

Mr. Cerrone, Every project should write letter to us. Just get it to us nobody brought out trees.

Correspondence;

WalMart Extension;

Ms. Burgess, They will be in on 4/3.

Mr. Sweet, Shrinking the square footage down making it little small for architectural reasons and there was something with Attleboro.

Mr. Cerrone, Mary sent letter to Roger Ferris 3/7/08 on Hickory Woods.

Donald Cerrone and Richard Thimot abstain at 10:07 P.M.

Hickory Woods;

Ms. Burgess, We had received from Fred Bottomley several bonds release requesting reductions. I wanted to know if we're in litigation regarding these bonds can you reduce them. Allen had come in and asked about bond reductions. I told him legally I'm waiting for response but as long as we're in litigation I know we won't be able to reduce those. Roger backed me up questions are asked are non-applicable until we get out of lawsuit.

Mrs. Marchitto, I had asked Mary I wanted to know procedure of taking the bond not necessarily regarding Hickory Woods. I didn't realize you were going to send Roger Ferris for information. We know that Wrentham has taken bond.

Ms. Burgess, I was just asking Roger if we do it in near future I want his opinion as well. I thought you were looking for legal.

Mrs. Marchitto, How to do it so that we could discuss it as board if we choose to do it and what we had to do. Then we could go to legal and tell him what we're planning to do to go forward.

Ms. Burgess, I did also contact my pier's they have seen nothing on how to do it.

Mr. Lavin, You can also contact the bank.

Mrs. Marchitto, Donald and Richard are going to abstain from Hickory Woods I'm going back to discuss Hickory Woods.

Mrs. Marchitto, The three of us that are voting will have to do some thinking about Kevin Joyce's area Beaupre and Pinsonnault because he has not gone forward. My feeling a year ago in April when I was there it was almost as if watching to see how the other part of subdivision was going to progress. Fred Bottomley is going forward he has things in play and Kevin Joyce has done anything. I feel as though excuse to see if other developer is going to do anything. I think three members that are voting having to put some thought into what we want to do.

Mr. Sweet, Start with strong letter.

Mrs. Marchitto, We have written letters he doesn't come to meetings. We can start by hiring John Lavin to give estimate on how much it would be to finish the road. Not hire give an estimate on how much road will cost so we can decide how we want to proceed if we do want to take bond and have someone finish the subdivision.

Mr. Houle, I have no problem with taking bond but I do have problem we're going to stick the town with anything we find over there. If there are any water issues does that mean town is now legally obligated to fix those things?

Mr. Lavin, No you're just doing the road you have to just protect the road like Fred is doing he's protecting the road that would be in estimate to put in sub drains or whatever.

Mr. Houle, But by taking his bond don't we now indemnify the town making them responsible for it?

Mrs. Marchitto, I don't know that is why I want to have discussion.

Mr. Lavin, You're taking the 40ft. you take the bond he has to still give you the road too. All you're bonding is the 40ft. layout.

Mr. Houle, So we're not responsible for any water in any basement?

Mr. Lavin, No that is private property.

Ms. Burgess, Everyone is going to go to selectmen about fixing water problem.

Mr. Lavin, There is water issue over there on Beupre.

Ms. Burgess, He was just more concerned because we never did the core testings.

Mr. Lavin, I would estimate to do same thing.

Mrs. Marchitto, John is there curbing on the property?

Mr. Lavin, There is some but it is leftover. From what I understand curbing and what they did on other one area.

Mr. Houle, Mary thinks we have about \$150,000.

Mr. Lavin, I've never been over there for inspection.

Ms. Burgess, By taking the bond we have to go with labor we can't bid it out. There are legal matters regarding who you as town hire you have to hire union workers, equal pay, etc.

Mr. Lavin, It just has to be prevailing wage.

Mr. Houle, Under part of that road is not right.

Mr. Lavin, You have to consider that in estimate almost what they did on other side dig it out 2ft. and putting back in so at least you get that buffer and putting in good material. What happen on other roads is it was crap material and then it just saturated the good material and then it just cracked.

Mr. Houle, I agree with you Joan other than a strong letter what is the next phase?

Mr. Sweet, That is what we're going to hear from Mr. Ferris and procedures.

Mr. Houle, Can we put some pressure on them?

Ms. Burgess, Bond is cash.

Mr. Lavin, What you should do on hindsight phase it always leave 2 house lots at end until everything is done. The only leverage you have is house lots once it's old it's done. You have to phase and retain some lots.

Mrs. Marchitto, I just wanted to bring that up and have Chris and Dick know we may have to hire John to give us an estimate of how much it would cost to finish what is there.

Mr. Lavin, I never did inspections one time it was visit not inspection.

Donald Cerrone and Richard Thimot returned at 10:20 P.M.

Butterfly Estates;

Ms. Burgess, He has not called me yet. I talked to Jay Moynihan and told him Butterfly doesn't have light and I told him Scott Brown would be contacting you about that. We talked about grandfathering Fred Bottomley.

Cliffs II;

Ms. Burgess, Wagon Wheel I asked him there are no lights there and he said it wasn't his problem he doesn't own the road.

Mr. Cerrone, They did the overhead they installed all that. I think we have to send letter to selectmen about electric co. Before they took over changed jobs over there everything was getting done by them. Now they change jobs in middle and projects are done.

Ms. Burgess, John Rhyno is aware of it.

Mr. Cerrone, How can they change the rules on old subdivisions? We have to send letter you have to get lights. Send letter to selectmen subdivisions been going on since project started under old rules now electric co. changes the rules. They did the poles they never put the lights on why are they collecting money for electricity? Check on it and stay on Butterfly too.

Mrs. Marchitto, Did we send letter to Scott Brown stating what we saw?

Ms. Burgess, No

Mrs. Marchitto, Follow up on that and Dorey and Mordini.

Butterfly;

Mr. Cerrone, Send letter tell them we need response before next meeting.

Magnolia Doug Cash;

Mrs. Marchitto, Where gate cul-de-sac is.

Mr. Cerrone, They have to topcoat the driveway themselves. How much money do we have?

Ms. Burgess, \$7400.

Mr. Cerrone, Give it to public works.

Mr. Houle, I don't think we should ever allow the utilities to be done like that on cul-de-sac. It looks horrible and it's public safety hazard to me.

Mr. Cerrone, Electric co. designed it they're the ones who put it in whoever designed poles for that it looks terrible.

St. Lawrence;

Mr. Cerrone, How are we making out on lights John Rhyno came up I guess.

Ms. Burgess, John Rhyno called me and I told him board has already heard about it and that we were talking with town council. Neil called me today he wants more lights and subdivision plan has already approved for certain amount of lights beginning of Sheldonville. On letter I sent he is talking to Elliot Bray regarding Earth Tech letter that he was supposed to send said he would send it.

Jill Marie;

Ms. Burgess, Easements he reviewed them and they are okay.

Best Practices for Streamlined Local Permit;

Ms. Burgess, I received notification to be held on 3/27/08 in Hingham. I also forwarded to Mark Fisher they said they couldn't go because there is selectmen's meeting. Streamlining making more efficient.

Policy and Procedures;

Ms. Burgess, Mark Fisher said selectmen have come up with couple new policies one regarding when we are served subpoenas they go straight to council and they we identify who to contact regarding lawsuit. Second one is regarding petty cash we're not allowed to cash personal checks out of petty cash and we have to turn in our petty cash monthly. This is other thing if I have to make expenditure over \$20 I have to check with town accountant. This is for everybody.

Mitigation Funds;

Ms. Burgess, Mark Fisher to Roger Ferris posing question describing our situation.

FinCom;

Ms. Burgess, For our budget and any warrant articles. Michelle sent out e-mail with following dates and I picked 4/14/08. No time yet basically it is going to be budget and any articles that we have.

Mitigation Funds;

Mrs. Marchitto, Donald what is your take on it?

Mr. Cerrone, They want to take it.

Ms. Burgess, No that is not what it's saying it is saying what do we do with it. Do we turn it over to general fund or return it.

Mr. Cerrone, Mark Fisher is going to want it to go in general fund. You have to go back to town meeting you can't just take it.

ZB Appeal Decision;

Omni Point Communications;

Ms. Burgess, Need their conditions changed because if they took out the paint and repainted the steeple it is lead so it would cost too much. They don't have to repaint the steeple.

Garage for car.

Bill's Auto

188 Commonwealth Ave.;

Ms. Burgess, Was approved but they have to maintain all the trees along Simmons Ct. Have to use that entrance can't use any other entrance and fence along Simmons Ct. basically to protect everyone on Simmons Ct.

Program Community Access for ADA people case committee.

Hyandi;

Mr. Cerrone, I had to see zoning inspector car dealer on Rte. 1 old Mandeville. They need license renewal. I brought to Al's attention and Mary e-mailed downstairs that we haven't seen site plan. I told them not to renew the license until we see site plan and not to park cars on Able Glass.

Ms. Burgess, They haven't met conditions to zoning board as well.

Mrs. Marchitto, Did they ever do site plan for Able Glass?

Mr. Cerrone, No they told us they would. They have it all paved and they're parking they shouldn't be using it same thing with Boch it is full of cars.

Madonna Manor;

Mr. Cerrone, They want to move to old Dr. Bott's location.

Earthwork Engineers;

Mr. Cerrone, Telling John he has to have all his stuff in on Friday before meeting so we can get it in our package and review it.

Cushman;

Mr. Lavin, Where do we stand with Cushman? Do I have to review anything?

Ms. Burgess, Package make sure we have everything it doesn't have to do with workshop. I'm sorry that is Christina I haven't seen anything on Cushman.

Bally Heather;

Mr. Lavin, Has to rip up the road it's been in the files for year and half. Should I do bond release?

Mrs. Marchitto, No.

Mr. Lavin, He's going for acceptance he told me. It is clearly labeled I wrote three letters they're in lawsuit with Bevalaqua.

Ms. Burgess, As soon as plant is open he's going to do topcoat he told me.

Mr. Lavin, He has to reclaim that road grind it up.

Mr. Cerrone, I had to go out there last Friday I got call from Linda about noontime. Some neighbor called up and they have about 30 holes dug all over the place and they're afraid for the kids. I had to lift about 20 bounds and put them on top of holes. One of ladies who complained said she had called and didn't getting respond so I called again.

Ms. Burgess, I responded to her and I talked to her. When she called I talked to Tom Fitzgerald he said bounds were going to be put in tomorrow. I called her back and left message telling her what was happening and to call me if there was any problem.

Mrs. Marchitto, She was talking about water lines being on property.

Ms. Burgess, She said the water dept. came before for lawn and never replaced it. I told her next time water dept. does that she should call the selectmen. She was afraid they were going to kill her trees and wanted to know if she had to move the trees.

Mr. Cerrone, There is water main that goes through there when they looped it.

Briggs Nursery;

Ms. Burgess, She was wondering what was going to happen on her property because right now Briggs in rear it drains directly into her yard. I said that was going to be moved about 45 degrees down and it is going right down to pond.

Mr. Lavin, Bally Heather I'm not going to do bond I'll do Queen's Grant.

Ms. Burgess, Briggs plan never got endorsed.

Mr. Cerrone, How are they doing the work?

Ms. Burgess, I discussed that with building dept. they're not supposing to be doing work until they have an endorsed plan from Planning Board. They said might have fallen through the cracks.

Mr. Lavin, They shouldn't have been issued building permit.

Mrs. Burgess, Reason why it wasn't endorsed is they were waiting to get copy of registry that decision was registered at Registry of Deeds. That wasn't in file so called him up and he came and got copy. We do have to sign plan.

Shaun Mac Cormack;

Ms. Burgess, We sent letter he picked it up I'm giving him until Monday that will be 10 days from when he signed for it. Send him follow up letter then after that Roger is going to deal with it. Basically what happen when the bill came in Shaun was just paying them he didn't have time to review them. When he had time to review them he found some inconsistency it is \$2900 in question he wanted it reduced to \$1900.

Mr. Cerrone, That is why you never release bonds until all bills are paid you have no leverage now.

Mr. Lavin, I have leverage I have contract with you.

Mr. Cerrone, Yes we're responsible for your contract.

Subdivision Control;

Mrs. Marchitto, On Tuesday we had stated we some money left over from budget and perhaps having John to tweak the subdivision control on technical side of it.

Mr. Lavin, Only thing I would suggest review them on your own and then when you're ready to go public comments in writing.

Mrs. Marchitto, Do we have board's okay to have John?

Mr. Sweet and Mr. Houle have no problem.

Mrs. Marchitto, Can we something at end of April?

Mr. Lavin, Yes.

Mr. Cerrone, Public Works should be able to give us all that stuff too. They were going to send us detail design.

Mr. Lavin, Everything else is pretty standard Mass. Highway their regs. all details should be in there. Just reference their book as far as supplies, current hydrant specified, etc.

Mr. Cerrone, They can't change until they notify us.

Selectmen;

Mr. Cerrone, We need two members.

Donald Cerrone and Joan Marchitto will do it.

Ms. Burgess, They don't want to do 43D they want to do how to improve streamlining. I gave them an example.

Mr. Cerrone, Sometime we can switch off.

DPW Master Plan;

Ms. Burgess, Asking if she is needed there.

Board okays Mary not attending.

Mr. Cerrone, Call Mr. Fitzgerald tell him to start grinding road and find file.

Queen's Grant;

Ms. Burgess, He's fixing up Amy Lane.

Mr. Sweet, Water is still coming off the hill.

Mr. Cerrone, He wanted to meet with John at site. He's blaming Allen Ave. I said it isn't coming from there.

Mr. Houle, Make motion to adjourn at 10:55 P.M., seconded by Chris Sweet.

All in favor 5 to 0.

Respectfully Submitted,

Richard R. Houle  
Secretary