



City Of Attleboro, Massachusetts

PLANNING BOARD

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MINUTES

JANUARY 28, 2019

In accordance with the provisions of the Massachusetts General Laws Ch. 40A and Ch. 41, as amended, the Planning Board held public hearings on Monday, January 28, 2019 at 6:30 p.m. in the Council Chambers , City Hall, 77 Park Street, relative to the following :

Planning Board Members Present: Chairman Paul Danesi, Vice Chairman Jason Gittle, Secretary Bert Buckley, Scott Jones, and Melinda Kwart

Planning Board Members Absent: Sheryl Guglielmo and Jim Lewis

The Board heard the new public hearing for the application of W.B. Construction & Development, Inc. for the proposed amended forty-three (43) lot definitive subdivision entitled Brigham Hill Estates, as shown on the plan entitled "Phase II - 'Brigham Hill Estates' Definitive Residential Subdivision Modifications" filed pursuant to MGL Ch. 41 §81W, said premises being located off Smith Street and 29 Brigham Hill Road, more specifically Assessor's plat #218, lots #7 and 7B, surveyed by Byron J. Andrews, R.L.S. and engineered by Richard M. Mainville, R.P.E. of Andrews Survey & Engineering, Inc., 500 East Washington Street, North Attleboro, MA 02760, dated May 2, 2014 and revised through October 15, 2018. The subject premises are located in the Single Residence -D zoning district.

The Board heard the new public hearing for the application of W.B. Construction & Development, Inc. for the proposed amended twenty (20) lot definitive subdivision entitled Brigham Hill Estates, Phase II, as shown on the plan entitled "Phase II - 'Brigham Hill Estates' Definitive Residential Subdivision Modifications" filed pursuant to MGL Ch. 41 §81W, said premises being located off Ingall Lane, more specifically Assessor's plat #218, lot #7A, surveyed by Byron J. Andrews, R.L.S. and engineered by Richard M. Mainville, R.P.E. of Andrews Survey & Engineering, Inc., 500 East Washington Street, North Attleboro, MA 02760, dated May 2, 2014 and revised through October 15, 2018. The subject premises are located in the Single Residence -D zoning district.

Speaking in favor of the application was Bill Ward of W.B. Construction and Development. He stated that these two filings were made to address existing issues with the detention ponds in both Brigham Hill Estates and Brigham Hill Estates, Phase II. He stated that significant analysis was performed by a hydrogeologist over the summer and that the plans are proposed to resolve the ongoing flooding issues. He stated that he had his engineer take a comprehensive look at the entire Brigham Hills project, including two potential future phases.

Speaking in favor of the application was Bill Blais of Andrews Survey & Engineering who stated that the primary concern is with mounding issues as a result of the ponds constructed for Phase II. He stated that the original design included two basins and that water from the upper basin had been discharging in an unexpected manner, resulting in stormwater flowing across the neighbors' properties. He stated that the entire system had caused mounding of the groundwater to a height of six additional inches, which was primarily effecting one abutter on Smith Street, Jennifer Cooke. He stated that the proposed plans were derived by analyzing the entire proposed build-out for Brigham Hills. He explained that the original plan was for the Phase I ponds to hold not only the water from Phase I, but also the future Phase V and a

portion of the Phase VI stormwater. He explained that based on the updated local and state stormwater regulations, the Phase I basins will not meet the requirements to contain those volumes of water. He stated that accordingly, they are proposing to enlarge the footprint of the upper basin and add outlets to both the wetlands and lower basin and modify the lower basin and its outlets directly to the wetlands.

Director of Planning and Development Ayrassian questioned the impetus for making the Phase I basin larger.

Mr. Blais replied that based on the newer models for the updated regulations, the data determined that the existing design would result in water overtopping the lower basin. He stated the basin is enlarged to prevent this.

Senior Land Use Planner Stephanie Davies noted that the modifications to the Phase I basins are not because the existing system doesn't work, but rather to meet the stormwater requirements for the future volumes anticipated with the unconstructed phases. She noted that there have not been any complaints about the functionality of the Phase I basins and that the current basins are technically grandfathered in regards to the regulations.

Mr. Blais conceded, but stated that when they return for Phase V, they would have to modify the basins at that time and that it would make more sense to make all of the repairs at once.

Ms. Davies reiterated that there is not a current problem for Phase I.

Mr. Blais agreed and explained that it had already been overdesigned to accommodate future phases, so is sufficient for the current Phase I stormwater. He stated however, that it will have to be modified for the Phase V plans, so the work would just be postponed to a future time.

Melinda Kwart noted that the Phase I basins were neither constructed nor designed correctly. She questioned how this could occur.

Mr. Blais replied that the basins were designed correctly for the regulations in place at the time the subdivision was approved and that the regulations have since changed.

Jason Gittle questioned how Phase I's modifications help the neighbors with their existing flood concerns.

Mr. Blais replied that they don't. He explained that the problems will result with the future phases of development. He went on to explain the Phase II modifications where the lower basin was eliminated and the remaining basin converted to a detention rather than infiltration basin. He noted that the Conservation Commission had requested that the basins be made impermeable, so they are proposing the use of clay in the bottoms of the basins.

Chairman Danesi questioned where the Phase II system will discharge.

Mr. Blais replied to the abutting wetland system, which flows to an 18-inch culvert under the road, into a headwall at Smith Street, which leads to a manhole, which also connects to two catch basins in the street. He stated that the downstream effects were reviewed and it was determined that the pipe is already too small, so they discussed with Public Works upgrading to a larger pipe to reduce the pooling of water in the wetland area by about 3-inches.

Chairman Danesi questioned whether the detention basin will hold water for long periods of time.

Mr. Blais replied that the water drains down to the bottom of the basin with a controlled outflow to the wetlands.

Chairman Danesi questioned who will maintain the basin.

Mr. Blais replied that W.B. Construction will maintain it until it is accepted by the City.

Chairman Danesi questioned how the maintenance differs from the previously approved basins.

Mr. Blais replied that it is similar, with both basins requiring mowing and monitoring for clogging.

Chairman Danesi noted that discussions had previously involved moving the basin further from Ms. Cooke's property. He asked whether this plan includes that change.

Mr. Blais explained that as the subdivision is already constructed, the basin still needs to function while the repairs are made, so they cannot demolish the whole thing. He stated that instead of moving the whole footprint, they are extending the feature out towards the wetlands, instead. He noted that the entire lower pond is being eliminated.

Chairman Danesi asked whether the lower pond was closer to Ms. Cooke's property than the upper basin.

Mr. Blais replied that both basins are equidistant from her property.

Chairman Danesi questioned what steps are being taken to ensure that there will be no break out from the basin.

Mr. Blais replied that the basin in question was established three years prior and there are no signs of break out to date, so the design for that appears to be sound.

Scott Jones sought to confirm that the water drains from the bottom of the basin.

Mr. Blais replied yes.

Chairman Danesi noted that the Conservation Commission has performed a preliminary review and questioned whether they were comfortable with the proposed volume of discharge to the wetlands.

Ms. Davies stated her understanding that the Conservation Agent's concern is with the capacity of the wetland to contain all of the volume from both of the basins. She stated that he is concerned with the effects of that additional water on the properties along Smith Street that also have wetlands behind their property. She stated that there is special concern for the property that contains the outflow pipe.

Jason Gittle questioned the difference in elevation between the wetlands and the street.

Mr. Blais replied that headwall is at 121-feet, which is lower than the houses sitting at grades of 128- to 132-feet. He noted that there is the possibility of topping the street with existing conditions.

Ms. Davies questioned how the additional water will not result in a larger ponding effect in the wetlands.

Mr. Blais replied that at elevation 121.7 the water will flow across Smith Street. He asserted that if the size of the pipe is increased, the ponding will be maintained at current levels with the additional water.

Ms. Davies sought to confirm that they do not believe that there will be any greater ponding in neighbor's backyards than what they currently suffer.

Mr. Blais responded in the affirmative. He noted that the outflow pipes are on private property and that they have been unable to find any references to easements in the deeds, so are unsure of how the work will be done.

Ms. Davies informed the Board that staff have received a combined quote for the stormwater review of both applications. She questioned whether the Board feels that the reviews should be performed as two separate contracts for Phase I and Phase II or, as currently presented, a combined review.

Mr. Ayrassian noted that the projects appear to be mutually exclusive.

Chairman Danesi noted that the stormwater for future phases will have to return for additional reviews.

Mr. Blais noted that they submitted one stormwater report that covers both projects.

Mr. Ayrassian stated that the Board had previously been informed that there would be a commonality between the Phase I and II modifications in relation to rectifying the flooding around Phase II. He stated that they are now discovering that the modifications for each phase are mutually exclusive and his opinion is that they should be teased out and reviewed separately. He emphasized that the modifications for the Phase I system have nothing to do with resolving the existing flooding issues.

Chairman Danesi sought to ensure that there won't be a situation where the peer reviewer is likely to recommend diverting water from the Phase I system to the Phase II system or vice versa. He stated that at present, there is no water exchanged between the two systems.

Mr. Ayrassian noted that deflecting water from Phase II to Phase I has the potential to throw off the development plans for future phases.

Ms. Davies stated that she had discussed this issue with Horsley Witten Group. She stated that they affirmed that there is no connection between the two different systems. She stated that the reviewer noted the benefit of looking at the project as a whole, but also registered concern with the potential to bog down the review of the corrective action for Phase II by lumping it together with Phase I. She reiterated that the Phase I modifications are not a current problem, but rather relate to providing capacity for future phases. She stated that she can empathize with the desire to not rip out a constructed basin once it has been stabilized to address the future capacity needs. She stated her concern, however, relating to the Planning Board's commitment to the LID philosophy, which calls for stormwater to be spread out throughout subdivisions, rather than collected in a few huge basins. She stated that, as has been observed with the Phase II issues, problems with such systems can have far reaching effects and are much more difficult to rectify. She stated that the methodology adopted by the Board strives for stormwater to be treated at a point as close as possible to the point of inception, rather than being piped elsewhere. She stated her concern that these modifications could end up creating problems with the Phase I system that don't currently exist.

Mr. Blais noted that the Phase I and Phase II systems are connected in the sense that they both flow into the same wetland and discharge through the same pipe.

Bert Buckley expressed his concern that we are taking the flooding issue created by the Phase II stormwater system and just pushing that issue four or five lots down the road to affect other neighbors' properties with this plan. He stated his concern over whether the wetlands can realistically contain the stormwater volume from both the Phase I and Phase II systems.

Ms. Davies noted that the systems already discharge to the wetland system.

Bert Buckley argued that they are going to be adding more water, as they are planning to include future development phase stormwater.

Chairman Danesi noted that they are proposing to enlarge the pipe outlet to the greater wetland system downstream.

Jason Gittle questioned a summary of how the Phase II issues will be resolved.

Mr. Blais replied that they are converting the basin from an infiltration function to that of detention and then funneling the treated water to the wetlands. He stated that some of the water was already going to the wetlands with the existing system and that now more of it will.

Mr. Ayrassian noted that although credit is not being taken for infiltration in the proposed Phase II modifications, he imagined that there would be infiltration to a certain extent. He stated that he understood the discussion to mix clay into the bottom of the basin to create an impervious invert, but questioned whether any efforts are being made to reduce the permeability of the basin side slopes.

Mr. Blais replied no, that just the bottom is being modified.

Ms. Davies questioned whether a more comprehensive protection could be provided, like a liner rather than clay.

Mr. Blais replied yes, but that he felt the clay can provide a similar effect for less cost.

Mr. Ayrassian suggested the Board defer to Horsley Witten Group on the effectiveness of the proposed measures against infiltration.

Chairman Danesi polled the Board on opinions for combining or separating the stormwater reviews.

Scott Jones stated his belief that there is a value to seeing the project as a whole, but questioned which approach was likely to be more efficient.

Chairman Danesi noted that the systems slated to hold future phase stormwater will be revisited again when the new work is reviewed. He stated that he liked the idea of separating the reviews so the greater focus can be on resolving the Phase II issues.

Melinda Kwart stated that as the systems are dumping into the same wetland area, she felt they should be reviewed as a whole.

Mr. Ayrassian questioned what benefit the applicant gets from a Planning Board decision for just Phase I when there is nothing currently before the Board for the subsequent future phases. He stated that the Board doesn't have information on the anticipated future loads or the elements of the future phases. He reiterated that the focus should be on the modifications to Phase II to resolve the flooding issues and that there is no true nexus for that goal between the two system modifications.

Mr. Ward reminded the Board that there are issues with the Phase I basin construction that came to light during the development of the as-built plan. He explained that some modifications need to be done to the basin to make it comply with the plans, so it made sense to propose to do all of the changes at one time. He stated that the Phase I modifications are secondary to those for Phase II.

Mr. Blais stated his understanding that the City is eager to close out the Phase I subdivision construction as it has been ongoing for some time.

Mr. Ayrassian reiterated the LID philosophy that seeks to diffuse the stormwater. He stated his concern with this plan seeking to increase the capacity of the existing basins rather than adhering to that philosophy. He expressed his concern that the applicant is liable to be resistant to changes to the system with the review of future phases should it achieve approval at this stage. He noted that the applicant could have come before the Planning Board to fix the basin in Phase I without filing an 81-W plan.

Mr. Ward agreed it could have just been done on the as-built plan. He stated that he had asked his engineer to review the whole project as a whole.

Mr. Ayrassian expressed concern with the combined review's potential to slow down the permitting process, which delays a resolution for the neighbors suffering from the flooding associated with Phase II. He suggested the applicant consider withdrawing the 81-W application for Phase I, as it is not necessary at this time and the Board needs to focus on the Phase II modifications.

Speaking in favor of the application was Scott Rolfe of Andrews Survey and Engineering who stated that the benefit of looking at Phase I now is that it empties into the same wetland system as Phase II. He explained that modeling both basins outputs to the wetland as a whole allows them to ensure the modifications proposed will protect the street from potential future flooding.

Speaking in favor of the application was attorney David Gay who concurred, explaining that the one analysis for the two projects will ensure that the pipe beneath the road is designed to the appropriate size, so the pipe doesn't need to be replaced again in the future.

Ms. Davies suggested that the peer reviewer could define comments for the two separate Phases within the one report.

Mr. Ward reviewed their priorities as being the Phase II pond, then replacing the pipe outflow, and lastly, the modifications to the Phase I ponds.

The Board agreed to perform a combined stormwater review for the two projects with one contract and one report.

Speaking neither for nor against the proposal was Pierre Martin of 60 Smith Street who noted that the upper basin currently contains water for upwards of a week after storms.

Mr. Ayrassian replied that the system will have to drain within 72 hours, once modified and complete.

Mr. Martin questioned whether the adjustments will be made to the in and out flows to accommodate the great depth of the ponds.

Mr. Blais replied that new outflow structures will be created one foot below the top of the basins.

Speaking neither for nor against the application was hydrogeologist Rick Wozmack of Endpoint, LLC on behalf of Jennifer Cooke of 128 Smith Street. He stated that he feels everything presented tonight has been positive and that making the Phase II pond impermeable will go a long way in alleviate his client's concerns. He stated his sense that water will be held in the ponds for much shorter periods of time than they are now. He suggested that the peer reviewer develop some guidance on the recommended approach for a less permeable liner, as he would like to see some level of assurance that the slowing of the pond's permeability will abate the flooding on his client's land.

Ms. Davies agreed to provide the applicant the peer review fee.

There being no one else to speak, both hearings were continued.

The Board heard the continued public hearing for the application of UHS of Fuller, Inc. for a Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE, for realignment and expansion of two existing parking lots, adding a total of 75 new off-street parking stalls; including associated landscaping, lighting, grading and stormwater management systems; the subject premises being located at 200 May Street, more specifically Assessor's plat #14, lot #75, located in the Single Residence-B zoning district.

The Board reviewed the Form P1 - Request for a Continuance to February 11, 2019, submitted by Daniel R. DeCesaris of Joe Casali Engineering, Inc. on behalf of UHS of Fuller, Inc. relative to the Major Site Plan Review filing for 200 May Street. Bert Buckley made a motion to grant a continuance to February 11, 2019. Scott Jones seconded the motion and all voted in favor.

There being no one else to speak, the public hearing was continued.

The Board heard the continued public hearing for the application of the City of Attleboro for a Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE, for the demolition of the existing high school building and construction of a new high school building consisting of 476,425 square feet and associated sports fields and courts; 687 off-street parking stalls; and associated landscaping, utilities, grading and stormwater management systems; the subject premises being located at 100 Rathbun Willard Drive, more specifically Assessor's plat #44, lot #42, located in the Single Residence-B and Single Residence-D zoning districts.

Speaking in favor was Chairman of the Building Commission Jack Jacobi who stated that a plan denoting snow removal areas has been submitted per the Board's request. He noted that a neighbor had expressed concern with the line of sight at the Fairway Drive and Rathbun Willard Drive intersection and that they investigated the matter. He explained that there is a large rhododendron that obscures motorists' view when pulling out of the street. He stated that he doesn't want the neighbor to have to give up their screening for the neighborhood, but that it may be a violation of code that will be left up to the Building Commissioner. He noted that the worst of the traffic will be for 25 minute periods in the morning and afternoon that coincide with school drop off and pick up, so he imagined the poor sight lines could be worked around.

Mr. Ayrassian agreed that the vegetation is a violation of the Zoning Ordinance, which is enforced by the Building Commissioner.

Speaking in favor of the application was Dave McKinley of Kaestle Boos Associates who explained that snow will be stored on all of the islands and areas inside the bus and parent drop-off loops. He stated that there are plenty of places to put snow throughout the site.

Chairman Danesi sought to confirm that the stormwater management system has been designed to accommodate the snow melt.

Mr. McKinley replied in the affirmative and stated that there are several ponding areas, as well as a large underground filtration basin.

Mr. Jacobi noted that they have not taken credit for the infiltration, but that an underground cistern for the roof water runoff to be collected and reused for irrigation of the fields after treatment is proposed.

Mr. Ayrassian questioned how the snow will be moved to the removal areas.

Mr. McKinley replied that they are likely to use front-end loaders to move the snow.

Mr. Jacobi noted that the school handles their own snow removal.

Speaking in favor of the application was Francisco Lovera of McMahon Transportation Engineers & Planners who sought to address the Board's concern with the potential for cars from the parent drop-off area queuing out into the street. He stated that they ran an analysis similar to the one used for anticipating queued cars at a bank drive-through window. He stated that their current counts are 91 trips in the morning and 53 in the afternoon. He stated that based on those numbers, queuing is not expected to reach Rathbun Willard Drive. He stated that based on their exit analysis, they don't expect more than a few cars waiting for left or right hand turns. He stated that a longer service length is anticipated for pick-ups when parents are waiting for their kids to come out, but the queue is still anticipated to be contained on site. He stated that up to 20 cars can queue in the space provided.

Chairman Danesi questioned the anticipated wait time for turning on to Rathbun Willard from the exit.

Mr. Lovera replied approximately 40 seconds for a left-hand turn and 16 seconds for a right-hand turn.

Bert Buckley stated that he's not concerned with stacking out front, as he expects parents will be dropping their kids off on the new expanse of Rathbun Willard Drive between the high school and Brennan School, to avoid fighting the traffic trying to make drop-offs, much like they do now.

Ms. Davies stated that she didn't imagine there was anything that could be done to prevent that.

Mr. Jacobi stated that the proposed design is a better one as it separates the entry and exit points, unlike the existing drop off, which results in a lot of competition trying to in and out of Rathbun Willard Drive.

Jason Gittle stated his reservations with the parent drop-off design.

Mr. Ayrassian asked whether any alternatives have been considered to add capacity.

Mr. Lovera replied that the entrance to the CTE mall could be made into a drop-off zone.

Speaking in favor of the application was Joe Milani of Kaestle Boos Associates who explained that the benefit of the current design is that it allows disabled students to be dropped off at the front of the school, nearest the elevators. He noted that cars can also stack in the parking lot adjoining the drop-off loop.

Scott Jones noted that there is going to be a lot more going on to the south side of the building. He questioned whether an additional thoroughfare for drop-offs had been considered on that side.

Mr. Jacobi replied that the Bushee Street entrance is proposed to be expanded, to make it more useful.

Mr. Ayrassian admitted that a lot of the traffic flows will depend upon informing the public as to the appropriate routes. He asked whether everyone will be directed to the parent drop-off loop or will the other entrances also be made obvious via signage.

Mr. Jacobi replied that the drop-off loop will not be promoted as the primary school entrance. He stated that the vast majority of students will drive themselves through the rear entrance to access their parking lot. He agreed that in the summer of 2022 it will be beneficial to hold an orientation to ensure everyone understands the most efficient ways to reach their destinations.

Mr. McKinley stated that one of the lots in the rear could be modified to serve as a drop-off route, as well, if the School Committee found it necessary, but that they had designed things as presented so there wasn't a lot of overlap with regular traffic on the bus loop.

Mr. Jacobi admitted that slight tweaks to the traffic routes will likely be made once the site is fully operational.

Chairman Danesi questioned whether parking will be prohibited on Rathbun Willard Drive.

Mr. Jacobi stated that the suggestion had been made for the City Council to study a parking ban on the north side of the roadway. He noted that significantly more parking is slated to be provided on site than before, so they do not anticipate a parking problem.

Chairman Danesi expressed concern with the ability of motorists on Green Drive, which is across from the drop-off exit, to make turns on to Rathbun Willard Drive.

Mr. Lovera stated that it will be similar to any other intersection.

Chairman Danesi argued that there are two lanes exiting the site versus only one lane on Green Drive.

Mr. Lovera countered that it will only be for a 15-20 minute interval in the morning and afternoon.

Mr. Jacobi added that it is not sound planning to offset the intersections.

Chairman Danesi questioned the use of traffic calming features.

Mr. Jacobi replied that two speed tables are proposed on the south side of Rathbun Willard Drive and on site, as well. He noted that the traffic circle will also serve to slow down traffic.

Speaking in favor of the application was Steve Johnson of Consigli who explained that they have determined three different routes to get trucks on and off the site. He stated that their preferred route is the one where they take Exit 3 off of Route 95 and turn left onto Lathrop Road, as it is the most direct and will impact the least number of residents. He stated that the other two routes would utilize Exit 5 off of Route 95 to Route 152 and through various neighborhoods to reach the site.

Mr. Jacob stated that coming down Rome Boulevard is really the only effective way to reach the site, as he couldn't imagine the Boards want those volumes of truck traffic coming down North Main Street through the City center.

Mr. Ayrassian stated his continued reservations with the traffic weave that typically occurs at the intersection of Lathrop Road and South Avenue.

Mr. Milani replied that they studied that issue, analyzing the different turning radii of different trucks.

Mr. Lovera stated that the peak traffic count at that intersection was between 12:15 to 1:15 p.m., which will be outside of the peak trucking traffic hours. He stated that the intersection has a "B" level of service and up to five vehicles taking a left on to Lathrup Road queue at any one time.

Mr. Ayrassian countered that the trucks will be utilized during the morning commute traffic.

Mr. Johnson replied that there will be truck black-out travel times from 6:45 to 7:45 a.m. and from 2 to 3 p.m.

Mr. Jacobi noted that the workers will be arriving to the site at 7 a.m., but will park in the Highland Country Club temporary lot.

Mr. Ayrassian suggested the truck traffic be blacked out until 8:30 a.m.

Mr. Jacobi replied that if the Board dictate such a stipulation, they will make it work.

Chairman Danesi noted that such requirements could be limited to when school is in session.

Mr. Ayrassian argued that the issue is the comingling of the truck traffic with existing traffic.

Chairman Danesi insisted that the traffic flows have a distinct seasonality relative to when school is out of session, though.

Mr. Ayrassian requested that a narrative be submitted including the truck traffic timeline and details on the number of trucks.

Mr. Jacobi requested a continuance to February 25, 2019. Jason Gittle made a motion to grant a continuance to February 28, 2019. Melinda Kwart seconded the motion and all voted in favor.

Speaking neither for nor against the proposal was Cindy Smith of 100 Rome Boulevard who sought to reiterate the concerns she raised at the last meeting relative to truck traffic. She implored the Board to consider other routes to better disperse the truck traffic.

There being no one else to speak, the hearing was continued.

The Board held a business meeting.

The Board reviewed the letter from President Joe J. Caponigro of Joe Caponigro, Inc., received January 22, 2019, to Chairman Paul Danesi of the Planning Board, regarding the Orr's Pond Water Resource Protection District special permit decision for 0 South Avenue, Plat 80, Lot 8.

Speaking was Joe Caponigro who explained he has the property under a purchase and sales agreement and has three requests of the Board relative to the previously granted permit. He requested an extension of time of three months, as he needs more time to get his financing in place and obtain a building permit. He stated that his second request is to reverse the layout of the house to have the garage facing South Avenue, which will better buffer the living area from noise and put the yard further from the busy roadway. He stated that the third request is eliminate the recharge system shown on the approved plan. He explained that this property also received a Negative Determination from the Conservation Commission relative to a stream on the property, but that the approved plan before them did not include the recharge system. He stated that he was unsure why such a system would be needed, as the soil in the area contains a lot of gravel, making it highly permeable. He noted that the systems frequently fail, as homeowners neglect them when they get clogged with debris. He stated that the Planning staff had noted that such features are not necessarily required in Water Resource Protection Districts. He requested that the feature be removed from the plan.

Mr. Ayrassian requested that an updated site plan be submitted showing the modifications.

Bert Buckley made a motion to grant a three month extension of time for the WRPD special permit for 0 South Avenue. Jason Gittle seconded the motion and all voted in favor.

Ms. Davies noted that the Conservation Commission usually requires features like this, but didn't in this case, resulting in a mismatch between the approved plans.

The Board tabled the plan revisions pending the submission of an updated site plan.

The Board heard the appointment to speak of Sean McNamara of 83 Richie Road, regarding the "STONE FIELD ESTATES" subdivision.

Mr. McNamara was not present to speak.

The Board heard the appointment to speak of Bob Catenacci regarding the "STONE FIELD ESTATES" subdivision.

Mr. Catenacci apologized for missing the last meeting. He stated that he has started reviewing the as-built plan that he received today from his engineer. He stated that the street has been paved, the sidewalks constructed, and all but two of the bounds installed. He stated that the frost and excessive rainfall have been an issue and that he'd never seen a winter or fall quite like this. He stated that all that remains is to complete the bounds, and create, test, and install the soil media for the second stormwater basin. He stated that at that time they will also clean out the forebay.

Mr. Ayrassian questioned whether the soil media work would have to wait until the summer.

Mr. Catenacci stated that it was hard to say with the weather being so unpredictable. He stated his hope that it could be completed before spring, but that if the weather doesn't cooperate, they will have to wait for the dry season.

Mr. Ayrassian questioned whether the outflow pipe on the fourth basin had been installed.

Mr. Catenacci answered in the affirmative. He stated his engineer's estimation that the ponds have been working as designed without break out or overtopping. He noted that they have been on the fuller side due to the recent rains and snowmelt, but that despite the volumes, they seem to be working.

Bert Buckley sought to confirm that all of the asphalt is in.

Mr. Ayrassian replied with the exception of Saveena Drive.

Mr. Catenacci agreed and stated that he will pave Saveena Drive as soon as the gas line is installed by Columbia Gas.

Mr. Ayrassian requested that Mr. Catenacci put his timeline and the outstanding items in writing for the Board to review. He noted that they had received a letter of opposition relative to the work Mr. Catenacci is performing.

The Board reviewed the letter and pictures from Sean P. MacNamara, received January 28, 2019, to the Planning Board, relative to concerns with the missed completion deadline for the "STONE FIELD ESTATES" subdivision.

Mr. Ayrassian noted that a resident of Saveena Drive had previously written and requested the Board deny Mr. Catenacci any further extensions to complete construction of the subdivision.

Mr. Catenacci replied that he was unsure who that resident might have been, as he had gotten confirmation from both of the homeowners on Saveena Drive in regards to delaying the installation of the road's topcoat. He suggested that he return at the end of February with an update.

Ms. Davies noted that she had driven by the subdivision earlier in the day and that the ponds were fairly full.

Mr. Catenacci replied that looks can be deceiving from the road and that the ponds actually have 3- to 4-inches worth of clearance to the top.

Ms. Davies questioned why the sediment forebay would be continuing to hold water. She asked whether siltation is preventing the water from passing to the next basin.

Mr. Catenacci agreed that the ponds will not work to their full efficacy when they are contaminated with sediment and silt. He suspected that the ground being frozen is also resulting in poor permeability. He reiterated that there was recently 3-inches of rain and snow.

Mr. Ayraasian countered that the basins were designed to handle such conditions.

Mr. Catenacci agreed that the system was successful and that there was no overflowing.

Chairman Danesi pointed out that Mr. McNamara had concerns about the ponding in the low parts of his yard during the storm.

Mr. Catenacci pointed out that Mr. McNamara now has a "for sale" sign on his home.

The Board reviewed the memorandum from Public Works Superintendent Michael Tyler, dated January 7, 2019, to the Planning Board, providing a recommendation to issue, with consideration of several items, a FINAL release in the amount of \$142,186.80 plus interest relative to the "AVALON ESTATES" subdivision.

Bert Buckley made a motion to dismiss the memorandum. Melinda Kwart seconded the motion and all voted in favor.

The Board reviewed the memorandum from Public Works Superintendent Michael Tyler, dated January 23, 2019, to the Planning Board, providing an updated recommendation to issue a PARTIAL release of funds in the amount of \$83,640.70 relative to the "Avalon Estates" subdivision.

Bert Buckley made a motion to approve the **PARTIAL** release of funds of \$83,640.70 for "AVALON ESTATES." Scott Jones seconded the motion and all voted in favor.

The Board tabled the email from Public Works Superintendent Michael Tyler, received January 28, 2019, to Planning Board Chairman Paul Danesi, addressing questions from the Board relative to bond releases in lieu of his presence at the meeting.

The Board tabled the notices from Planning Board Clerk Lauren Stamatis, dated October 26, 2018, to Bill Ward of W.B. Construction & Development, regarding the lapsed deadline on September 30, 2018 for the "BRIGHAM HILL ESTATES" subdivision, and the impending deadline on November 30, 2018 for the "BRIGHAM HILL ESTATES, PHASE II" subdivision, pending the submission of 81-W plans.

The Board tabled the notice of default from Kevin Freytag of Murphy Hesse Toomey & Lehane, LLC, dated August 6, 2018, to Fred Bottomley, relative to the "CAMERON WOODS" definitive subdivision and the memorandum from Planning Board Clerk Lauren Stamatis to Public Works Superintendent Michael Tyler, dated September 11, 2018, regarding the as-built Mylar submitted for the "CAMERON WOODS" subdivision.

The Board reviewed all remaining correspondence.

The Board approved the minutes of January 7, 2019.

The Board received the SRPEDD report.

Scott Jones stated that the region is debuting a dock-less bike sharing program, much like the blue bike program in Boston. He stated that municipalities can opt into the program to join the RFP. He noted that opting in doesn't obligate the City to participate, however.

Mr. Ayrassian noted that he had sent the initiative to the Mayor and had yet to hear back.

The meeting was adjourned at 9:21 p.m.