



City Of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

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MINUTES

JUNE 15, 2020

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, June 15, 2020 at 6:30 p.m. remotely via Zoom, relative to the following :

Planning Board Members Present: Chairman Paul Danesi, Secretary Sheryl Guglielmo, Melinda Kwart, Jim Lewis, Sean McNamara, and Fred Uriot

Planning Board Members Absent: Vice Chairman Jason Gittle and Bert Buckley

The Board heard the application to amend §5.10 PERFORMANCE GUARANTEES and §7.1 TIME REQUIREMENT of the Planning Board's RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND, as amended.

Speaking in favor of the application was Senior Land Use Planner Stephanie Davies. She explained that the proposal arose from concerns regarding the fairness of the subdivision security release process, specifically in regards to inflation and retainage. She stated that the proposed amendments are meant to be fair to developers, but adequately protect the City's interests. She stated that the proposal involves applying a higher inflation factor, but not holding the retainage as had been done previously. She stated that this approach is based on work performed by former Public Works Superintendent Lance Hill in developing a reduction schedule for subdivisions. She explained that basically, certain percentages of work are released once completed, but some money retained to ensure there are funds to repair damage if the project drags on. She gave for example that the full amount for the binder course will not be released until a final coat of asphalt has been installed, to ensure the binder is not degrading for years without protection if construction isn't completed in a timely manner. She stated that they are also proposing to amend the time requirement section and clarify that the 24-month time requirement does not commence until the final plans are signed and also gives greater clarity on what the Board needs to consider time extension requests. She noted that the proposed release schedule would be included in all future decisions to inform developers of the City's policies upfront.

Director of Planning and Development Gary Ayrassian requested that the record reflect that he is in favor of the amendments.

The Board reviewed the letter submitted by Tim Caponigro of Woodlark Development Corp., received March 13, 2020, providing comment on the proposed amendments to the Subdivision Rules & Regulations relative to performance guarantees.

Speaking in opposition was Joe Caponigro of 903 Pike Avenue who stated that he takes issue with the stark language that the Board "shall not" take into consideration housing construction as a basis for granting extensions. He stated that no developer can plan ahead 100%, and he feels the Board should at least have the flexibility to make exceptions in extenuating circumstances. He suggested that the language be updated to "shall not be required to...", to allow them the latitude to consider things like the current pandemic.

Chairman Danesi noted that often times in a crisis, the state steps in anyways and automatically tolls any deadlines until the crisis is over. He explained that the Board has faced situations in the past where extension requests were entirely predicated on housing construction, which is unacceptable.

Mr. Caponigro pointed out that with the language "shall not", it doesn't even leave the door open for using their judgement in extenuating circumstances.

Speaking was Mr. Ayrassian who stated that he understood Mr. Caponigro's position, but noted that the regulations are written for the general conduct of business and that there will always be extenuating circumstances since not every situation can be addressed. He noted that there have been many times where 17 out of 20 lots have been constructed and some of the infrastructure improvements have not been completed. He stated that in those situations, it's unfair to the 17 individuals who have paid full price for houses to have incomplete subdivision services just because the contractor hasn't sold those last few house lots.

Jim Lewis stated that every decade or so the real estate development business has drastically changed and we can't predict what's ahead. He stated that it's a rare subdivision that gets completed within the two year timeline. He stated that Mr. Caponigro's idea is a good one.

There being no one else to speak, the public hearing was closed and tabled.

The Board heard the application of Shawn Jorde for a special permit pursuant to §17-9.0 SPECIAL PERMITS and §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single family dwelling with associated driveway, septic system, utilities, deck, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 0 Lathrop Road, more specifically Assessor's plat #81A, lot #4C (Builder's Lot #1), located in the Single Residence -B zoning district.

Speaking in favor of the application was John Risser of Risser Engineering who stated that this lot has received approval through the Conservation Commission for its proximity to wetlands. He stated that the standard WRPD notes have been included on the plan, including prohibiting outdoor storage of hazardous materials, prohibiting use of salt, etc. He stated that the house will be heated by gas and that the septic system has been approved by the Board of Health. He stated that the lot is approximately 3,500 feet from Orr's Pond and Route 95 intersects between them, so run off reaching there is unlikely.

Chairman Danesi asked whether this plan meets all of the requirements to protect the Water Resource Protection District.

Mr. Risser answered in the affirmative.

Mr. Ayrassian asked the location of the construction staging area.

Mr. Risser stated the proposed driveway and front yard of the house.

Mr. Ayrassian asked the approximate break-down of upland versus wetland (including buffer) on the site.

Mr. Risser stated approximately 1/3 upland and 2/3 wetland.

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

The Board heard the application of Shawn Jorde for a special permit pursuant to §17-9.0 SPECIAL PERMITS and §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single family dwelling with associated driveway, septic system, utilities, deck, and grading within the Orr's Pond Water Resource

Protection District, said premises being located at 0 Lathrop Road, more specifically Assessor's plat #81A, lot #4C (Builder's Lot #2), located in the Single Residence -B zoning district.

Speaking in favor of the application was John Risser of Risser Engineering who stated that Lot 2 is just to the north of lot 1 and that it is smaller. He stated that the same notes relative to Water Resource Protection district have been included on the plan. He stated that it will be heated by propane and has approvals from the Board of Health and the Conservation Commission.

Chairman Danesi asked whether a significant amount of fill will be required.

Mr. Risser replied no, that the only earth removal will be digging out to install the septic system.

Chairman Danesi asked Mr. Risser to certify that the project meets the necessary protections for the Water Resource Protection District.

Mr. Risser answered yes.

Mr. Ayraasian asked whether the proposed driveway traverses a wetland.

Mr. Risser replied that there is a small existing drainage ditch and that the Conservation Commission has approved the crossing which involves a culvert under the driveway.

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

The Board heard the application of Flair Homes, Inc. for a special permit pursuant to §17-9.0 SPECIAL PERMITS and §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single family dwelling with associated driveway, septic system, utilities, deck, and grading within the Bungay River Water Resource Protection District, said premises being located at 84 Ashden Court, more specifically Assessor's plat #187, lot #3K (Builder's Lot #9), located in the Single Residence -D zoning district.

Speaking in favor of the application was Bill Blais of Andrews Survey and Engineering who stated the intent to construct a single family home utilizing public water and a septic system in the front yard. He stated that the home will be heated by propane gas. He stated that the septic has been approved by the Board of Health and they have obtained an Order of Conditions from the Conservation Commission. He stated that the site is 2,500 feet west of the Bungay River and separated by a street, so impacts are anticipated to be minimal. He stated that the site has 6.6% lot coverage of the 1.39 acre lot, which is approximately 50% upland and 50% wetland. He stated that there are notes on the plan indicating the standard prohibitions regarding construction in the Water Resource Protection District. He certified that the plan meets all the requirements of the regulations.

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

The Board heard the application of Pike Avenue Acquisitions, LLC for the proposed forty-nine (49) lot definitive subdivision plan entitled "PIKE ESTATES," located at 419 Pike Avenue, more specifically Assessor's plat #130, lot #81, located in the Single Residence-D zoning district, engineered by Daniel R. Campbell, R.P.E. of Level Design Group, 249 South Street, Unit 1, Plainville, MA 02762.

The Board discussed the application of John J. & Mary F. Donovan to extend Rambler Road 2-5 feet, as shown on the street extension plan entitled "RAMBLER ROAD EXTENSION," engineered by Daniel R. Campbell, R.P.E. of Level Design Group, 249 South Street, Unit 1, Plainville, MA 02762, dated March 1, 2018, revised through October 28, 2019. The subject premises are located on Assessor's plat #123, Lot #8 in the Single Residence-D zoning district.

Speaking in favor of the application was attorney Edward Casey who requested that the Board table the matter of Rambler Road and continue the public hearing for Pike Estates. He stated that his client is considering redesigns to the project.

Mr. Ayrassian noted that no formal vote is required as the state tolling is in effect during the state of emergency.

There being no one else to speak, the Board continued the public hearing for "PIKE ESTATES" and tabled the matter of "RAMBLER ROAD EXTENSION".

The Board heard the application of Tian Ann Jih Der Sheng Daw Yuan Temple for a Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE, to accommodate the construction of a temple facility consisting of three buildings, paved access drive with sidewalks, a parking lot consisting of 34 off-street parking stalls, landscaped walking paths, and associated grading and stormwater management systems; the subject premises being located at 61 Thurber Avenue, more specifically Assessor's plat #34, lots #5 & 7, located in the Single Residence-B zoning district.

The Board reviewed the email from Steve Kohm of Prime Engineering, received June 10, 2020, requesting to continue the public hearing for the Major Site Plan Review application of Tian Ann Jih Der Shen Daw Yuan Temple.

Ms. Davies noted that they are looking to receive preliminary comments from the Conservation Commission before returning with revisions to the Planning Board. She noted that the engineer has revised the steep driveway, as requested.

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

The Board held a business meeting.

The Board discussed the Form A plan submitted by Jason and Brigit Steely for 712 South Main Street.

Speaking in favor of the application was Brigit Steely who stated that she is looking to buy land from her neighbor, Deb Gorman. She explained that her property has a garage on the rear lot and that the only access is from the Nichol Avenue paper street, which has been abandoned since it abuts the park. She stated that obtaining the land from her neighbor provides her the ability to permit her campers and trailers to more easily access the lot. She stated that her neighbor allows this use now, but she doesn't think there is an easement on the deed. She explained that Ms. Gorman is selling her property and she is purchasing the land to maintain her access to her rear lot.

Jim Lewis sought to confirm that there are no structures on her lot.

Ms. Steely replied that there is merely a shed and a fireplace, but no permanent structures.

Jim Lewis made a motion to approve the Form A plan for 712 South Main Street. Sheryl Guglielmo seconded the motion and all voted in favor via roll call.

The Board discussed the Form A plan submitted by William H. Swift for Cypress Road.

Speaking in favor of the plan was William Swift who explained that he had bought lots abutting his home to redistribute the lots to create two buildable lots. He stated that the new lot will have 12,600 square feet and that his lot will remain 12,000 square feet. He stated that the land is under contract to be sold and that he intends to grant an easement to go from the backyard to Cypress Road. He stated that the new lot will tie into the city sewer and water from Evergreen Road, where it will front.

Mr. Ayrassian noted that the plan was incomplete as clear road layouts are not shown. He suggested the Board consider approval pending the revision to the plan.

Jim Lewis made a motion to approve the Form A plan for Cypress Road pending the submission of a revised plan with clear roadway layouts. Sean McNamara seconded the motion and all voted in favor via roll call.

The Board discussed the Form A plan submitted by John E. & Pearl D. Case Realty Trust for Lockwood Avenue.

Speaking in favor of the application was attorney Ed Casey who explained that the purpose of the Form A is to allow the property to be split into two lots. He noted that the Zoning Board had already granted variances earlier this year to permit the single family home to be constructed on Lot 2 and the existing dwelling maintained on Lot 1.

Ms. Davies recommended approval of the plan.

Fred Uriot made a motion to approve the Form A plan for Lockwood Avenue. Sean McNamara seconded the motion, and all voted in favor, save Jim Lewis, who abstained, via roll call.

The Board discussed the Form A plan submitted by John Quinn & Deirdre Mullins/Eileen Wilbur for 16 Glen Street & 22 Campus Road.

Speaking was John Quinn who explained that he purchased Lot 2 from his parents 14 years ago and that the plan shows an updated line dividing the two lots in the manner that has been in practice over the past 30 years. He noted that his home encroaches on the neighboring lot with the existing layout.

Ms. Davies explained that the plan is problematic in that although it makes the lots more conforming, it makes the existing accessory structures non-conforming.

Mr. Ayrassian suggested that Mr. Quinn file with the Zoning Board for variances to address the non-conformities before the Board entertains approval of the Form A.

Ms. Davies noted that the lot area is also an issue, as the lot is being made larger, but it is still non-conforming.

Jim Lewis noted that it was a confusing plan.

Mr. Quinn explained that Campus Road is just a paper street, but makes his lot have two front yards. He stated that he is eventually looking to sell his property so he's trying to ensure there are no issues.

Ms. Davies agreed that obtaining the zoning relief will make the property more marketable.

Jim Lewis remarked that Campus Road must be very wide.

Mr. Quinn stated that it is actually narrow, a little over a car width. He explained that the pavement was installed on his property, completely outside of where the road was laid out.

There being no one else to speak, the Board tabled the plan.

The Board discussed the Form A plan submitted by Shrine of Our Lady of La Salette for 0 Park Street.

Speaking was Bill Blais of Andrews Survey and Engineering who explained that La Salette owns approximately 19 acres of property opposite their current facility. He stated that they are seeking to carve out one house lot of just over two acres, as well as a 1,365 square foot parcel. He stated that their intent is to convey Parcel A to an abutter, as their driveway and garden beds encroach on La Salette's property.

He stated that the area is zoned Single Residence-D, so the buildable lot meetw the minimum criteria with 451-feet of frontage. He stated that the balance of land will be 17.33 acres.

Mr. Ayrassian asked whether it states anywhere on the plan that Parcel A is a non-buildable lot.

Mr. Blais answered no, but stated that there is a note indicated that Parcel A is to be combined with the neighbor's lot.

Mr. Ayrassian suggested that it be labeled.

Jim Lewis made a motion to approve the Form A for 0 Park Street. Sean McNamara seconded the motion and all voted in favor via roll call.

The Board discussed the Form A plan submitted by Matthew Sweet & Raymond Hayden for 163 Wilmarth Street.

Speaking was Matthew Sweet who explained that he and Mr. Hammond are seeking to perform a land swap. He stated that Mr. Hammond owns parcel A and that it can only be accessed via property that he owns, Lot 11C. He stated that he owns Parcel C which he would like to give to Mr. Hammond, as he cannot access it without crossing Mr. Hammond's property or traversing the wetlands. He stated that the access issues, in part, are due to wetlands encumbering the area.

Ms. Davies stated that Parcels B and C are slated to be combined with Lot 101.

Chairman Danesi asked how Mr. Hammond will access the area.

Mr. Sweet replied that his property fronts on the corner of Wheaten Drive.

Jim Lewis summarized that the plan just swaps pieces of back land and combines them to existing lots with frontage.

Mr. Ayrassian recommended approval, as all of the parcels are labeled "not a buildable lot".

Jim Lewis made a motion to approve the Form A for 163 Wilmarth Street. Sean McNamara seconded the motion and all voted in favor, via roll call.

The Board reviewed the Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated May 18, 2020, to City Clerk Stephen Withers, granting the request of SOWA, LLC to withdraw without prejudice their Major Site Plan Review application for 1 Highland Avenue and 5 Route 1A.

Chairman Danesi expressed his displeasure with the site being a mess with large piles of earth.

Mr. Ayrassian stated that staff could write a letter and enforce the Site Plan Review decision.

The Board reviewed the email from Robert W. Catenacci of One Thirty One Pleasant St, LLC, dated June 10, 2020, to Planning Board Clerk Lauren Stamatis, requesting to donate to the City \$8,500.00 in lieu of installing the fire alarm box in the "STONE FIELD ESTATES" subdivision.

Speaking was Robert Catenacci who stated his sense that fire alarm boxes are obsolete in a world where everyone has cell phones and that none of his customers what the feature installed. He stated that he finds the boxes to be an eye sore that just attracts vandals. He suggested that the funds could be better used elsewhere in the City.

Chairman Danesi agreed that fire alarm boxes were one of the many amendments the Board is looking to address with their updates to the Rules and Regulations, which has unfortunately been on the back-burner. He stated that he suspected the majority of the Board would recognize that residents don't want them. He stated that he had no objections.

The rest of the Board agreed.

Mr. Ayrassian stated that a formal letter offering the donation needed to be submitted and that the money would have to be deposited before the Board issues a Certificate of Vote absolving him of his responsibility to install the fire alarm box.

The Board discussed the Municipal Council certificate of vote from June 2, 2020, soliciting the Planning Board for a recommendation relative to the loan order in the amount of three hundred fifty-seven thousand (\$357,000.00) dollars for the cost of purchasing and equipping Police Departmental vehicles.

Mr. Ayrassian recommended that the purchase complies with the Comprehensive Plan.

Sean McNamara made a motion to recommend to the Council that the loan order in the amount of three hundred fifty-seven thousand (\$357,000.00) dollars for the cost of purchasing and equipping Police Departmental vehicles is in compliance with the Comprehensive Plan. Melinda Kwart seconded the motion and all voted in favor via roll call.

The Board discussed the Municipal Council certificate of vote from June 16, 2020, soliciting the Planning Board for a recommendation relative to the loan order in the amount of six million nine hundred thousand (\$6,900,000.00) dollars to include elevator improvements in the renovations to the Attleboro Public Library.

Mr. Ayrassian recommended that the purchase complies with the Comprehensive Plan, as this is just a minor addition to the previously recommended loan order to renovate the library.

Melinda Kwart made a motion to recommend to the Council that the loan order in the amount of six million nine hundred thousand (\$6,900,000.00) dollars to include elevator improvements in the renovations to the Attleboro Public Library is in compliance with the Comprehensive Plan. Fred Uriot seconded the motion and all voted in favor, via roll call.

The Board tabled the letters from Mark Rioux of Murette & Sons, Inc., received June 4, 2020 and April 7, 2020, to the Planning Board, requesting to waive the need for sidewalks on the westerly side of Colts Way in the "Deer Run Estates" definitive subdivision and requesting a 24-month extension of time relative to the "DEER RUN ESTATES" definitive subdivision. The Board also tabled the letter from Robert W. Catenacci of One Thirty One Pleasant St, LLC, dated June 10, 2020, to the Planning Board, requesting an extension of time to October 31, 2020 relative to the "STONE FIELD ESTATES II" subdivision, as well as the letter from Planning Board Clerk Lauren Stamatis, dated June 10, 2020, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the request for a PARTIAL release of funds for the "DALE COURT EXTENSION" subdivision.

The Board discussed the application of Shawn Jorde for a special permit pursuant to §17-9.0 SPECIAL PERMITS and §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single family dwelling with associated driveway, septic system, utilities, deck, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 0 Lathrop Road, more specifically Assessor's plat #81A, lot #4C (Builder's Lot #1), located in the Single Residence -B zoning district.

Jim Lewis made a motion to **GRANT** a special permit pursuant to §17-9.0 SPECIAL PERMITS to construct a single-family dwelling and deck, with associated driveway, septic system, utilities, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 0 Lathrop Road, more specifically Assessor's plat #81A, portion of lot #4C (Builder's Lot #1), located in the Single Residence-B zoning district, as shown on the site plan entitled "SANITARY SITE PLAN, ASSESSORS PLAT 81A LOT 4C LOT 1 LATHROP ROAD ATTLEBORO, MA", engineered by John H. Risser, Risser Engineering Company, 93 George

Leven Drive, Unit 3, North Attleborough, MA 02760, dated March 3, 2020. Melinda Kwart seconded the motion. A discussion followed and all voted in favor via roll call. The Board attached conditions.

Jim Lewis made a motion to **GRANT** a special permit pursuant to §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single-family dwelling and deck, with associated driveway, septic system, utilities, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 0 Lathrop Road, more specifically Assessor's plat #81A, portion of lot #4C (Builder's Lot #1), located in the Single Residence-B zoning district, as shown on the site plan entitled "SANITARY SITE PLAN, ASSESSORS PLAT 81A LOT 4C LOT 1 LATHROP ROAD ATTLEBORO, MA", engineered by John H. Risser, Risser Engineering Company, 93 George Leven Drive, Unit 3, North Attleborough, MA 02760, dated March 3, 2020. Melinda Kwart seconded the motion. A discussion followed and all voted in favor via roll call. The Board attached conditions.

The Board discussed the application of Shawn Jorde for a special permit pursuant to §17-9.0 SPECIAL PERMITS and §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single-family dwelling and deck, with associated driveway, septic system, utilities, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 0 Lathrop Road, more specifically Assessor's plat #81A, portion of lot #4C (Builder's Lot #2), located in the Single Residence-B zoning district.

Jim Lewis made a motion to **GRANT** a special permit pursuant to §17-9.0 SPECIAL PERMITS to construct a single-family dwelling and deck, with associated driveway, septic system, utilities, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 0 Lathrop Road, more specifically Assessor's plat #81A, portion of lot #4C (Builder's Lot #2), located in the Single Residence-B zoning district, as shown on the site plan entitled "SANITARY SITE PLAN, ASSESSORS PLAT 81A LOT 4C LOT 2 LATHROP ROAD ATTLEBORO, MA", engineered by John H. Risser, Risser Engineering Company, 93 George Leven Drive, Unit 3, North Attleborough, MA 02760, dated March 3, 2020. Melinda Kwart seconded the motion. A discussion followed and all voted in favor via roll call. The Board attached conditions.

Jim Lewis made a motion to **GRANT** a special permit pursuant to §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single-family dwelling and deck, with associated driveway, septic system, utilities, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 0 Lathrop Road, more specifically Assessor's plat #81A, portion of lot #4C (Builder's Lot #2), located in the Single Residence-B zoning district, as shown on the site plan entitled "SANITARY SITE PLAN, ASSESSORS PLAT 81A LOT 4C LOT 2 LATHROP ROAD ATTLEBORO, MA", engineered by John H. Risser, Risser Engineering Company, 93 George Leven Drive, Unit 3, North Attleborough, MA 02760, dated March 3, 2020. Melinda Kwart seconded the motion. A discussion followed and all voted in favor via roll call. The Board attached conditions.

The Board discussed the application of Flair Homes, Inc. for a special permit pursuant to §17-9.0 SPECIAL PERMITS and §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single-family dwelling and deck, with associated driveway, septic system, utilities, and grading within the Bungay River Water Resource Protection District, said premises being located at 84 Ashden Court, more specifically Assessor's plat #187, lot #3K (Builder's Lot #9), located in the Single Residence-D zoning district.

Jim Lewis made a motion to **GRANT** a special permit pursuant to §17-9.0 SPECIAL PERMITS to construct a single-family dwelling and deck, with associated driveway, septic system, utilities, and grading within the Bungay River Water Resource Protection District, said premises being located at 84 Ashden Court, more

specifically Assessor's plat #187, lot #3K (Builder's Lot #9), located in the Single Residence-D zoning district, as shown on the site plan entitled "SEWAGE DISPOSAL SYSTEM NEW CONSTRUCTION", engineered by Richard M. Mainville, P.E of Andrews Survey & Engineering, Inc., 500 East Washington Street, North Attleborough, MA 02760, dated January 10, 2020 and revised through June 12, 2020. Melinda Kwart seconded the motion. A discussion followed and all voted in favor via roll call. The Board attached conditions.

Jim Lewis made a motion to **GRANT** a special permit pursuant to §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single-family dwelling and deck, with associated driveway, septic system, utilities, and grading within the Bungay River Water Resource Protection District, said premises being located at 84 Ashden Court, more specifically Assessor's plat #187, lot #3K (Builder's Lot #9), located in the Single Residence-D zoning district, as shown on the site plan entitled "SEWAGE DISPOSAL SYSTEM NEW CONSTRUCTION", engineered by Richard M. Mainville, P.E of Andrews Survey & Engineering, Inc., 500 East Washington Street, North Attleborough, MA 02760, dated January 10, 2020 and revised through June 12, 2020. Melinda Kwart seconded the motion. A discussion followed and all voted in favor via roll call. The Board attached conditions.

The Board discussed cluster mail boxes.

Mr. Ayrassian informed the Board that the USPS is requiring cluster mail boxes for all new subdivisions and suggested the Board may want to amend their Rules and Regulations to address placement of them. He stated that he has been fielding complaints from the residents of "STONE FIELD ESTATES II" and "COOPER'S FARM", who are unhappy as they anticipated having their own mail boxes. He explained to them that it is a USPS requirement and out of the Planning Board's hands. He stated that he has reached out to the Post Master General to obtain specifications on how many boxes are needed per number of homes in a subdivision. He stated that for "COOPER FARM", it depends on the cluster that the developer installs and how many boxes it contains, but it was estimated that 2-3 clusters will be required. He stated that he spoke with Tim Caponigro on the matter who is not happy that this is coming up after he's already received his approvals, but that he will address things. He stated that he likewise spoke to Bob Catenacci who will also work with the staff and the Post Master to determine the number of boxes needed for the "STONE FIELD ESTATES II" subdivision. He stated that it will be important to update our regulations moving forward as residents need to know that they will be using a cluster mail box. He stated that for some residents, that fact may be a deal breaker and a burden that they do not want to shoulder.

Chairman Danesi stated his understanding that all new subdivisions are requiring them and asked whether a resident would then opt entirely to not buy a new house.

Ms. Davies agreed that that someone may rather buy an older construction that has individual mail boxes.

Sean McNamara asked whether there is any way for the approved subdivisions to claim grandfathering status as they were approved without the feature.

Mr. Ayrassian replied no, that as the ruling is federal, it supersedes the Board's decision. He stated his understanding that it is an attempt to reduce costs for the USPS, so that their vehicles don't have to stop at each individual house in a neighborhood.

Sean McNamara noted that Phase I of Stone Field Estates has individual mail boxes and that it is going to be aesthetically jarring for the other half of the subdivision to have cluster boxes.

Chairman Danesi noted that it could become an issue for such subdivisions that USPS will have to remember which houses are in the cluster and which have individual boxes.

The Board discussed the "STONE HAVEN" subdivision.

Mr. Ayrassian stated that he had received an email from several residents in the subdivision who informed him that trucks are having difficulty navigating the turn around. He explained that larger trucks cannot make the turn with the existing radius and end up riding up on the island or traveling on the berm of the roadway's outer edge. He stated that this includes UPS panel trucks, as well as garbage trucks. He stated that they are requesting that the landscaped island be paved over. He stated that he visited the site and met with about half a dozen residents and that he could see that the turnaround is very narrow. He noted that the landscaping as approved has not yet been installed. He suggested that the Board could keep the plan as approved, allow the developer to pave over the center island, or modify the design to make the island smaller. He noted that the landscaping in the island was not serving a biofiltration value for the stormwater system and was merely aesthetic.

Chairman Danesi opined that if the residents sign off on removing the island, he is not opposed.

Jim Lewis sought to confirm that the subdivision has not yet been accepted so it would be the developer's role to remove the feature.

Mr. Ayrassian agreed, but stated that since it is an approved feature of a subdivision plan, he didn't feel it was appropriate for staff to make the decision administratively without running it by the Planning Board.

Jim Lewis questioned the process for the change. He stated his sense that it would just be an update on the as-built plan and that the file would just need to contain proof of the Board's approval for the island's removal.

Mr. Ayrassian agreed that no revised plan would be required. He stated that if the Board agrees, he will contact the developer and have him submit the request in writing so that the Board can hold a vote.

The Board agreed they would entertain the request.

The Board reviewed all other correspondence.

The Board tabled the pending minutes of March 2, 2020 and May 13, 2020 .

The meeting adjourned at 8:29 p.m.