



Regular Meeting

Monday, September 21, 2009

ATTENDANCE:

| MEMBER | PRESENT(x) | ABSENT(X) |
|-----------------------|------------|-----------|
| Neil Bagdis | | X |
| Julie Jacobson | X | |
| David L. Bennett | X | |
| Henry B. Stidsen, Jr. | X | |
| Pamela Vasil | X | |

Other Attendees: Eric Howe, Steven Urbanovitch, Helen Urbanovitch, Alfred Cournoyer, Lawrence Cournoyer, John Martin, Arthur S. Palmer, Richard Palmer, Andrew Liston and Justin Richardson of Thompson & Liston; Cheryl Sleboda, CFO, Anna Maria College; Margaret O'Donnell, Thomas Fancy, Robert P. Clark, Shelley Hammond and William Coyle (Coyle Eng.), Alice K. Livdahl, Esq.; Sam Chapin, Brown & Caldwell.

Vice Chair Julie Jacobson called the meeting to order at 7:15 p.m.

Minutes: On a motion (D.B., H.S.), July 14, 2009 minutes were unanimously approved.

Temporary Accessory Use Apartments: Relative to past applicants:

- (Whitworth, 346 Marshall ST, Yezpez, 112 Holden RD and Tessier, 57 Richards AV) applications have not been approved, Suspended action until next meeting (lack of notarized letter stating applicants lived on the premises).
- Three other renewal applications need additional paperwork. Action tabled next mtg.
- **Gerald Kuntz, 7 Johnnel ST:** Subject to checking file for completion, renewal approved.

Approval Not Required Subdivision (ANR) filings: Tom Fancy, Fancy Land Surveying, represented Norma J. Carr as Trustee relative to "Parcel C", proposed 392+/-sf around a shed on the property line between Margaret R. O'Donnell and Mrs. Carr's tracts.

- Mrs. Carr sold Tracts 1, 3 and 4, creating Parcel C to be combined with the other three tracts for Margaret O'Donnell.
- The property line fell along shed line. Parcel C would give at least 10' setbacks from the existing shed to be deeded to and combined with land of O'Donnell.
- Asked how long shed had been there (no answer?).
- D.B. mentioned a typo, "O'Connell" rather than "O'Donnell" at bottom of plan to right of Graphic Scale.
- On a motion (D.B., J.J.), to approve, ANR was unanimously approved (5-0).

Robert Clark and Raymond Daly: Move their ANR request to coincide with their Public Hearing later on the agenda.

Public hearing at 7:27 p.m. for AMC: Anna Maria College, 50 Sunset LA by Thompson & Liston. Site Plan Review for construction of new parking lot behind Madonna Hall and appurtenant grading and utilities.

This Site Plan Review is for a proposed parking lot behind Madonna Hall. AMC was represented by Andrew Liston and Justin Richardson of Thompson and Liston and by Cheryl Sleboda, CFO of

the College. Mr. Liston started by recalling several other filings they had done in recent years for Anna Maria College.

- Entrance off Sunset LA, drainage passes through from new ball field. Collection of drainage from parking lot trapping, treating, settling, infiltrating into the ground water. Present drainage is in a pipe, open, in a pipe, open.

Proponents responded to David Ross Associates' (town's consultant) letter point by point. Comments under the general engineering category (from Rules and Regulations Governing the Subdivision of Land):

1. S. 4.8.6.4. **Spacing of catch basins.** He quotes the "not greater than 300' apart". Two cfs is generally capacity with grades. It depends on drainage desired. Some stormwater to Catch basin 4 travels over 370' along parking area.
2. S. 4.8.6.6: **Depth to ground water.** There should be a drainage layer beneath the gravel sub base. Bridge of groundwater through gravel area.
3. S. 4.9.2.3 **Side slopes.** Slopes are armored slopes. About 2:1. They are 1.5:1. Rip rap is shown.
4. S. 4.9.2.5 Four foot fence should enclose two interior island detention areas. First drawing shows guardrails, not 4' high. Fences could be added to the guardrails. These are swales. A.L.: Issue with adding 4'. Added and bolt to guardrail at interior parking lot basin areas. Elevation 24" + 11.06 up to the top of the pipe, 2' plus. You would accept this condition? A.L. on the basin side of the guardrail, back of the guardrail posts; also prevents cars from hitting fence and damaging that.

H.S. Return to fence section. If snow is plugging the pipe, how high is parking lot over the level of the detention area? 4'. I would like to see a fence on that. A.L. Three parking spaces, fence, three parking spaces. Not on the up-field side.

5. Cover over drain lines. Cover was fully within allowances used.
6. Okay: Concrete walk standard sidewalk, MA Highway spec.
7. Comes from road review. One driveway, low velocity, hard turn. A.L.'s experience on college campuses: Kids do not walk where sidewalks are. We could slide it over if Board prefers. H.S. Sidewalk width... Justin Richardson: 5' and a berm. Handicapped accessible on both ends of the parking lot.

J.J. The concern is sloped nature of walkway, height. A.L. thinks it a maintenance condition equal to the rest of campus. Plowing will go along edge of the berm. H.S. would like to see two feet (2') of grass in there. A.L. If 2', I would rather it be 3', more easily maintainable.

General Comments:

1. **Soil Testing:** Still testing. Willing to do test pit as Ross suggested at time of construction. D.B. When is construction planned? Cheryl Sleboda: We have been waiting for this meeting. How do you address, would raise bottom if there is an issue. H.S., others have no issue. Have test done during the construction. First two pipes are 24"; others are 30".
2. Southwest corner of infiltration area appears to be large subcatchment of stormwater from parking lot, a very small corner of the area. J.R. 60 to 100sf.
3. Less than 2' per second. 1.6' per second. Looks large but does not present that much drainage flow.
4. A.L. We agree (Drain manhole 5 has two 12" inlet pipes, 15" inlet pipe and an 18" outlet pipe. This should be at least a 5' diameter manhole).
5. Pre-cast catch basin. Drainage table does show all pipe sizes. Will be 12".
6. Clarify what is going to be on top of infiltration area when done? A.L. Loam and seed.

7. Re: protection from impact damage, the two lighting poles within parking area will be pre-cast concrete pole bases. Thompson & Liston will provide that detail prior to construction.
8. Regarding detail of existing parking, access or pedestrian movement where it connects the access driveway. A.L. blends to the pattern of motion; one stop sign would not. It is inappropriate. There is no place to protect the sidewalk other than striping. J.R. There is an open area. A.L. We will paint the crosswalk. H.S. even if diagonal.
9. Requirement for additional handicapped spaces for 200 additional spaces: 6; can create those in other parking lots nearer to other buildings. If they are going to the ball field, they could park at Miriam Hall. A.L. We can do two spaces here by bumping out curb line to give wheelchair accessibility. Four other handicap spaces will be added to other lots on campus.

Drainage Analysis:

1. **Minimum water quality volume (required by Standard 4 of DEP Stormwater Policies) should be provided:** We are required to go to 1". Drainage analysis under number 1 is now there.
2. **Applicant should justify assumption or modify value:** Volume for Infiltration area assumes 90% void ratio. Industry standard for stone-filled systems 40%. At least 6' of area (25%) is proposed with sand. Volume in area at top of plan view of parking lot. There are some overflow pipes in case something happens that no one sees.

Vice-Chair Jacobson asked if board members had additional questions. None.
No to Mike Putnam's question.

Abutter John Martin, 55 Streeter Road, expressed two concerns: 1) noise control; and 2) why lights are on at all hours. Lights shine in neighbors' houses. A.L. Light is directed down and is in the plan set. Noise control: Mr. Martin feels "football games are atrocious". Wants noise control on football field. A.L. (or C.S.?) Parking lot has landscaping.

D.B. How you would control noise: Put up a 20' fence. A.L. We have provided buffers to the Cournoyers. We are not disturbing line of trees along Cournoyer's boundary.

Lawrence Cournoyer: I am very distraught. Lights are on continuously. I do not need night light. It is like a city over there. There must be something. Line of trees is so skimpy. You need something dense, evergreens. J.Martin: Eric (Howe, an abutter) can read at night. You will get ambient light, especially in the winter. A.L. We won't have the same issues as with the ball field because we are not doing that kind of lighting. 22': amount of lumens on the edges. [Further comments by J. Martin and L. Cournoyer]. Cheryl Sleboda: We could look at what is required for safety lighting. D.B. We limited hours of operation in the field.

L. Cournoyer: Why can't you use lower intensity lighting? D.B. Our immediate issue is the lights on this lot... and buffer between AMC and Cournoyer's property. Got to zero on one side. Parking lot to Cournoyer boundary is 80', 70'. Could put evergreen trees. L.C. Width of the lot north to south. A.L. 200'. L.C. How close to my house and barns? L.C. asked about rocky knoll. A.L. indicated they would look at type of fixture, direction of fixture, amount of light. A.L. Perhaps have landscaping further up the hill. L.C. I have farmed those fields since 1948. That changed when DCR set specific lines. Could not do the parking there. No parking would be allowed there. To H.S.' question, A.L. said Sheet L1 indicates what the trees are. 1 JS = 3" in diameter, Japanese. A.L. If quality is screening, variety of tree would be changed. Presently the type of tree is for the beauty of the parking lot.

D.B. Work on illumination issue. We have never had a Site Plan appeal. J.Martin asked the length...

D.B. **moved approval** (duly seconded) **subject to conditions discussed with them during this meeting.** Approval was unanimous (4-0). At 8:20 p.m. J.J. officially closed the public hearing and stated there would be additional information coming forward.
END OF HEARING

Reason for the campus Master Plan: Additional residence hall is planned for the first base line area of baseball field. J.J. noted that is outside the purview of the Planning Board; however, the College should meet with the abutters on concerns that should be addressed. The proponents will bring back information on Lighting, see what can be done to lower or turn lights off.

PUBLIC HEARING OPENED AT 8:22 P.M. **Robert Clark and Raymond Daly, 84 Coderre ST, Boylston, MA for Continuance of hearing for approval of proposed 6-lot Definitive Subdivision Plan at property known as Spaulding Woods at 0 Pleasant ST (Map 11, Lot 16).**

Bill Coyle, Robert Clark, Alice Livdahl, Sam Chapin, consultant handling DEP issues relative to landfill closure were introduced relative to this hearing. Dealing with easements, revised lot lines between lots 3 and 4 to get a normal-sized house, set a 50' no-disturb zone, no house, barn or garage within that area. Added easements for transformers for PMLD. EcoTek has reviewed. Only one change behind Shirley Court. Bill Coyle stated they had completed responding to comments and satisfied the Town's engineering consultant. They had met with Mike Putnam, DPW and answered his comments. Ross has reviewed the roadway, drainage calculations. Relative to affordable housing, Affordable lot is not supposed to be any less desirable than any other lot. "It is not going to fly." Can take a look at it. Relative to the DEP, B.C. turned the floor over to Alice Livdahl and Sam Chapin. Atty. Livdahl stated that after the May hearing, DEP required additional post-closure because landfill was being subdivided. On 26% of lower level the probes are on. Additional soil tests did not reveal any more problems (August and September). What DEP wants them to do is protect their houses, foundations. They do not have issues with the buffers, restrictions, etc.

Sam Chapin: At the April 13, 2009 Planning Board meeting, the Board wanted DEP issues completed (landfill closure certificate). Approval was received in July. We did not anticipate post-closure use permit would be required. They did receive Closure Certificate. Post closure use permit and additional monitoring points would have to be installed. You asked can we get this additional requirement; we thought we could. We installed, monitored, submitted post-closure to rigid deadlines. Their deadline would be prior to this meeting. On September 17, we received this letter of Sept. 16 wanting more information. They are not denying; they are requiring more testing. Twenty days from receipt of the letter. They do allow requests for additional time. Twenty days from September 18 or September 19. We may want to ask for additional time.

We found there was 1. __%. Biggest concern with methane, it is explosive. If it builds up to 5% is the law. Below 5% it will not explode. Right at the edge of the old dump site 1.03% of the lower explosive limit. At one point, it was down to zero. Another time it was .2% (pound down the lateral movement of the gas where we are getting positive readings. They are capped after they are tested.

D.B. financial assurance. Sam Chapin: We have not submitted anything yet. Post-closure.. D.B. suggested they get **these two letters to Ross Associates for their comments.** How it impacts the subdivision if there is gas seeping through drainage,

S.Chapin: What kind of mitigation is necessary? Some is necessary. Similar to radon, mitigate crushed stone and coming out of these areas. The challenge can be mitigated. Does not believe these lots will be unbuildable.

Sam Chapin reiterated what Atty. L. said. Their concern is with public health and safety. They made no comment on anything under Planning Board purview. DEP is providing for public health and safety will not be part of the experience on this property. A.L. Mitigation that is specific to certain houses.

Uplands requirements restrict within so many feet of wetland. One lot is mostly unbuildable. Bill Coyle: DEP will allow this built if we cannot satisfy his concerns. If conditions could be put on it, DEP wanted to see what those conditions are.

D.B. wants our engineer to give his opinion whether we should be approving a subdivision with these. (Speaker?) Ross never once commented on these issues.

B.C. Bob Clark tried to fix the problem. DEP just needed minimal... B.C. would not be revising plans.

Regarding our former consultant, Kevin Hardiman, leaving Ross Associates, the Board voted to stay with Ross Associates if further review is needed. Members liked the work they saw on tonight's AMC filing.

Inclusionary housing: Must not put on a less desirable lot than any other.

Atty. L: It is a huge lot that has a lot of other amenities. It has water front, the best view. The cap on it is lovely. It is just tighter and has more restrictions. It depends on how a buyer would view the restrictions as compared to another.

R.C. How about fixing the dump? \$300,000 is the repair cost.

J.J. If you would like to continue, continue the hearing to January 12, 2009. Give your advice on the impact of the landfill issue on the approval of the subdivision. J.J. officially closed the public hearing for the evening at 8:55 p.m. Their ANR plan will come when they continue the hearing (do after Jan. 1?).

END OF HEARING

MUIR MEADOW LLC: If any member has any comments for the Board of Selectmen to submit to Mass Housing, submit them to Carol Riches so that she can submit all community feedback to Mass Housing by October 15.

Next meeting date: Since the normal 2nd Monday is Columbus Day, Planning Board decided to meet on the third Monday, October 19.

Suggestions for administrative assistance for TSC at Town Hall: It was suggested by PB members that Town Administrator or Board of Selectmen contact sources to attempt to bring in interns to assist TSC (and others) at the Town Hall. AMC students must have a need to do community service as in the past; Worcester State College has an Urban Planning undergraduate program; and Clark University has two masters in business administration programs.

D.B.? What time are football field lights supposed to go off? The meeting was adjourned at 9:00 p.m. on a motion duly made, seconded and unanimously approved.

Respectfully submitted,

Nancy Wilby

