

**Foxborough Planning Board
Meeting Minutes
May 26, 2011
Town Hall**

Members Present: Kevin Weinfeld, William Grieder, Ron Bressé, Gordon Greene, Shannon McLaughlin, Alternate John Rhoads

**7:05 p.m. Request for extension of completion date
“Durham Park” subdivision
Durham Park LLC**

Kevin Weinfeld recused himself from this matter.

William Grieder read letter received from attorney John Michelmore requesting an extension of the completion date for the “Durham Park” subdivision to July 1, 2013. The Board discussed the request, noting that construction is in progress in the subdivision. The Board noted that there are building supplies at the end of the cul-de-sac and asked that Marc Resnick contact developer Greg Spier to move the materials from the street to one of the empty lots.

Motion by Gordon Greene to approve the extension to the completion date for the “Durham Park” subdivision to July 1, 2013. Seconded by Shannon McLaughlin. Unanimous Affirmative Vote (5:0)

**7:10 p.m. Discussion with Council on Aging Director Vicki Lowe concerning
additional parking and Site Plan Review waiver request**

Vicki Lowe, Director of Council on Aging was present along with Building Commissioner William Casbarra. She stated that they are looking to add 6 new parking spaces at the Senior Center lot. The Board discussed the request and reviewed the plans. Building Commissioner Casbarra explained that the proposed new spaces would be in an area that was reserved for additional parking spaces. He stated that he would like to see the handicapped spaces moved to the rear of the building where there is an accessible ramp and requested that one of the spaces be van accessible.

Motion by W.Grieder to waive the Site Plan Review requirement with the condition that the two handicapped spaces be moved to the existing accessible ramp and one of the spaces be van accessible. Seconded by Ron Bressé. Unanimous Affirmative Vote (5:0)

7:20 p.m. Discussion of permitting software with Intern Tim Cummings

Tim Cummings presented a memo to the Board giving a background of research done thus far on the permitting software. He stated that a sub-committee was formed comprised of himself, Sandra Herrmann and Building Commissioner Casbarra. He stated that Foxborough is comparable to three communities: Lawrence Milford and Medford and he is studying the methods used by those towns. K.Weinfeld stated that he would like to hear the opinion of professionals like engineers

and lawyers that would be using the software. W.Casbarra suggested holding informal presentations with other departments.

**7:45 p.m. Public Hearing – Frontage Waiver Request
28-30 Carpenter Street
Michael Capron**

Motion by W.Grieder to waive the reading of the public hearing notice. Seconded by GG. Unanimous Affirmative Vote (5:0)

Michael Capron was present. He stated that this plan is correct a mistake in plans that were previously approved. He stated that the Zoning Board of Appeals has granted a variance to modify the lots in order to separate a common driveway. He stated that the Planning Board needs to approve a waiver of frontage requirements for 28 Carpenter Street. K.Weinfeld read comments received from Town's departments:

- The Board of Water & Sewer wrote that they have no comments.
- The Fire Department wrote that they have no issues with the request.
- The Board of Health wrote that they have no concerns.

There were no comments from the public.

Motion by G.Greene to close the public hearing. Seconded by W.Grieder. Unanimous Affirmative Vote (5:0)

Motion by G.Greene to grant the frontage waiver. Seconded by W.Grieder. Unanimous Affirmative Vote (5:0)

7:50 p.m. Discussion with developer Michael Intoccia concerning the “Highlawn Farm” subdivision

Attorney Robert Shelmerdine was present along with Bob Hearn. R.Shelmerdine stated that street lights have been ordered and they expect delivery in 3-5 weeks. B.Hearn stated that he spoke with the electrical inspector and most of the inspector's issues were about the depth of the trenches to be filled; concerning fuseable link, he stated that he needs to investigate where the power company wants it placed. He stated that he will complete filling the trenches by the end of Tuesday, May 31st. W.Grieder stated that the conduit question has been long sought and today was informed that there was never any conduit installed. B.Hearn stated that when the road was built out, N.Mullaney asked about the conduit he was told that it would be done later.

M.Resnick stated that he has spoken with electric company and found that they need a letter promising to maintain the lights until the Town accepts the street, plus a letter from the Town acknowledging that the lights will be maintained after acceptance.

G.Greene asked who will install the light bases. B.Hearn responded that his crew would be doing the installation. He stated that the bases are pre-cast and can be delivered in 3 days, but they have not yet been ordered.

Comments from the public:

Jamie McAndrews, 19 Lawton Lane – stated that no calls were received regarding the dry wells. R.Shelmerdine responded that he spoke with Mr. Buckley today about set up a meeting. K.Weinfeld stated that they should poll individual homeowners and explain what needs to be done so they can make an educated decision on whether they want to have dry wells installed or not. R.Shelmerdine stated that he will inform the Board next week as to what can be done about the issue and will email the Board on how they are planning to deal with the situation

J.McAndrews stated that he understood that rocks would be removed from Mann Lane in three weeks. B.Hearn stated that the rocks would have to be crushed. He stated that M.Intoccia asked him to locate a crusher, but can't get one until the end of November and it will take approximately 2 months to finish.

J.McAndrews stated that his home is next to Mann Lane and the rock pile gets bigger and bigger. He stated that he has an 8 year old and needs to keep him away from rocks.

R.Bresseé asked if it is cost prohibitive to move the rocks to a crushing site. B.Hearn responded that it is too costly.

W.Griender stated that the Building Commissioner is faced with a 30-day decision deadline on the Building Permit which expires today. A foundation permit will be issued, however, the Board should not sign a Building Permit. M.Resnick stated that he would not recommend allowing a foundation to be built without a Building Permit since there would be a gaping hole left on the lot.

J.McAndrews stated that there is a rod that comes out of the ground near the bus stop. B.Hearn responded that it can be removed easily adding that he would do it by the end of the week.

The Board discussed a list of outstanding items for the subdivision:

Street Lights:

- Trenches to be backfilled by Tuesday night (5/31)
- Light bases to be ordered and installed – date of order needs to be submitted
- Letter from North Payson Realty Trust to National Grid agreeing to be responsible for lights until Town accepts road
- Letter from Town to National Grid agreeing to be responsible for lights when Town accepts road - (Gaby will coordinate with Selectmen's office)
- Find location of fuseable links and connection made
- After electrical inspector okays installation, report to National Grid for a work order to liven up lines.
- **Note:** if there is a delinquency with National Grid, no work orders will be processed.

Trees for open space land – submit date of delivery and installation

Cellar hole on lot B-17 – to be filled by the end of the week of 5/30

Clearing of Plympton Road – begin work week of 5/30

Dry wells – per Mr. Shelmerdine: will inform the Board next week as to what can be done about the issue. Will email the Board on how they are planning to deal with the situation.

Ground rod by the subdivision sign – to be removed by the end of the week of 5/30

Sequencing of events for street lights:

Light pole bases installed

Light poles installed

Location of fuse and installed

Inspection performed by Electrical Inspector, then report to National Grid to start a work order to liven up lines

The Board asked Mr. Shelmerdine to attend the meeting scheduled for June 9 at 8:00 p.m. to update the Board on the progress.

J.McAuliffe asked how long can this continue. W.Grieder responded that the Board's intention is to pursue the bond revocation until items are finished.

**9:00 p.m. Continued Public Hearing – Site Plan Review
Boyden Library
10 Bird Street**

Attorney Jeff Lovely represented the Library Trustees along with engineer William Buckley. J.Lovely stated that they would like the hearing to be continued. He stated that they met with the Design Review Board on May 19 and sent a response today with new renderings and responses to comments made at their meeting. He stated that they made a presentation to the Board of Selectmen to give them an update on the process. He stated that they met with attorney Mark Stopa on Tuesday, but have not sat with the neighbors to determine what they prefer. He stated that they met with the Smiths regarding fence and how to provide access to the rear of their property and to discuss plantings. He stated that they changed traffic pattern on the parking lot to address concerns and drainage design is being completed. He stated that they received a letter from Historical Commission and from Attorney Stopa and has asked Historic Commission Chairman Bob Hicks to call him to discuss specific issues not mentioned in the letter.

W.Grieder stated that there has been discussion that the Design Review Board process should be 21 days but reminded the applicants that there are extenuating circumstances due to the fact that plans were not provided to the Board on time. J.Lovely stated will continue to meet with the Design Review Board but need constructive approval. G.Greene stated that at the last meeting, the Design Review Board Vice Chairman stated that there won't be a response to the suggestions until the Boards met.

M.Stopa stated that the 21 days for Design Review Board is not triggered until a Building Permit is applied. He submitted a letter on the standards and how they should be applied to the project.

There were no comments from the public.

W.Grieder asked if in the past permission for the Smiths to access the rear of their property through the Library parking lot was verbal. J.Lovely stated that it was in a deed granting permission, and the Trustees will continue to grant access.

Motion by W.Grieder to continue the hearing to June 9, 2011 at 8:30 p.m. Seconded by G.Greene. Unanimous Affirmative Vote (5:0)

9:20 p.m. Review New/Old Business

204 East Street

R.Bressé asked if the conventional plan is buildable without any variances. M.Resnick responded that wetland crossings can be grant if they don't disturb more than 500', but the Rivers Act is very strict, adding that they could get one access but probably not a second one.

PWED Grant

M.Resnick discussed the status of the projects underway. He stated that for budgeting purposes, the crosswalks will be changed from duratherm-style to plasticized crosswalks.

9:45 p.m. Meeting adjourned.

Approved by: Kevin Weinfeld, Chairman

Date: August 25, 2011