

**Foxborough Planning Board
Meeting Minutes
June 23, 2011
Town Hall**

Present: William Grieder, Gordon Greene, Alternate John Rhoads

7:00 p.m. Review of old business

Planner Position

William Grieder announced that the Planning Board has selected Sharon Wason to be the new Town Planner. She will be starting work on Monday, June 27, 2011. Marc Resnick has agreed to meet with her to give an update on the open matters.

PWED Update

W.Grieder stated that the Town received a letter from MassDOT requiring that the Town provide them with a projected drawdown and timeline schedule for the upcoming fiscal year. Sharon's first act will be to meet with Water & Sewer Superintendent, Finance Director, Highway Superintendent and Bill Buckley of Bay Colony Group to coordinate the project. He stated that the installation of the water main on Payson Road needs to go out to bid immediately. Gordon Greene and John Rhoads agreed to attend the meeting in support. He stated that Town Manager Paicos has asked that someone be designated to be in charge of the project. The Board discussed the request and the preference would be to have the Planner in charge, but the Board felt that it would be difficult for her to supervise a project she hasn't been involved. Therefore, the Board agreed that the Highway Superintendent should be assigned the supervisor of the project. W.Grieder stated that a memo will be sent to Mr. Paicos stating that Planning Board endorses the Highway Superintendent to run the PWED II project with stipulation that there are weekly updates from Highway, Water & Sewer and Planning on progress and where they are in the milestones. The Board concurred.

W.Grieder stated that the Board received a letter concerning North Street sidewalks from resident Geoff Burton, who was present. Mr. Burton voiced concern that the rest of North Street be completed due to safety concerns. W.Grieder stated that the sidewalks are part of the ongoing project at North Street. There have been a couple of designs and redesigns of the project. He stated that part of the PWED discussion is that the outstanding items and funding remaining don't match. He stated that when the project was bid originally, all items were done as a single bid, but the costs were too high and the bids were rejected. He stated that the Highway Department has committed to the Town Manager that the project could be finished with Chapter 90 funds. He suggested that all neighbors send letters or send a joint letter with all neighbors to the Board of Selectmen requesting that they support the construction of the North Street sidewalks.

Garrett Spillane Road update

W.Grieder read a memo received from Highway Commissioner Swanson requesting that the Board request funds from the developer to cover the costs of paving the portion of Edwards Road where trenches for drainage, gas and water have sunken and deteriorated. W.Grieder stated that he would discuss the request with Mr. Swanson.

7:30 p.m. "Autumn Valley Estates"

Developer Phil Moore was present with engineer Ken McKenzie. Board Site Inspector Norman Mullaney was also present.

W.Grieder stated that inspector N.Mullaney reviewed the as-built plans submitted and performed an inspection of the subdivision. He read the report submitted by N.Mullaney.

1. As-built plans need to be corrected to show the correct location of the gas main.
2. Water main is not shown on plans, valve at Chestnut St was paved over and needs to be raised.
3. Ladder rungs are missing in three drain manholes.
4. Catch basin may still require cleaning, one grate doesn't match and needs to be replaced. P.Moore stated that the catch basins were cleaned in December, also the mismatched grate is temporarily replacing a grate that was stolen.
5. Grass area and circle area needs to be rototilled to remove weeds, loamed and seeded.
6. Landscape area between Stations 0+00 and 1+00 require 9 arborvitaes for screening. Only three exist, one of which is dying. P.Moore stated that it would be done.
7. 60 street trees were required, only 51 were planted. 31 new trees were required to replace damaged trees or trees that were not planted. 30 trees were delivered and only 25 new trees were planted. Since the inspection of trees one year ago, 4 additional trees show signs of not surviving in the future and need to be replaced. Also, many of the new trees were planted with the root balls too high, an arborist should be consulted. P.Moore stated that he would consult his contractor, John Pisano.
8. Bounds were installed. The 20' drainage easement between lots 13 and 14 is missing one bound due to small rock, can rebar marker. Also, one bound is missing at the point of curvature change of street line at lot 12. K.McKenzie stated that the bound was installed, can show where the bound is located.
9. At the open space access easement, the flagstone walk doesn't extend for the full distance to the open space parcel. Also, the owner of lot 8 has installed a privacy fence that encroaches the access easement. K.McKenzie stated that the homeowner is aware that the fence needs to be moved.

Comments from the public:

Joe Abrams, 23 Sullivan Way – stated that the new trees are stressed and the leaves are changing color, expressed concern that the trees will not survive.

Sharon Kirsner, 29 Sullivan Way – stated that the easement path was supposed to be reloaded and re-graded and should be extended neatly. She asked who would landscape the entrance to the subdivision where the sign is located. She also stated that grass should not be planted in July.

Neil Asnes, 16 Sullivan Way – agreed that the grass would not grow if planted in July. N.Mullaney stated that the best time to plant grass is after mid-August.

S.Kirsner asked that the easement path to open space be reseeded at the same time. Kara Treannie, 7 Keryn's Way – stated that pictures were shown of the path and it looked fine. G.Greene stated that he visited the site and the path doesn't look nice.

Karen Puopolo, 9 Sullivan Way – stated that the street drains towards Chestnut Street and ices up in winter. K.McKenzie stated that this is because Chestnut Street is sloped and there's a super-elevation of the curb.

K.McKenzie stated that he reviewed the files which indicate that the land where the sign is located belongs to the Sheehans on Chestnut Street, but there's a temporary easement in place allowing the placement of the sign. Shelley Abrams, 23 Sullivan Way – asked what will happen to the sign. W.Grieder stated that Mr. McKenzie will look into the easement and what will be done in that piece of land. J.Rhoads stated that there's a slope easement, if the grade was changed then it needs to be restored.

W.Grieder read memo from Marc Resnick stating that most of trees that were required to be planted were planted, but the species were not as required. He stated that the mix of species was slightly modified in letter of October 26, 2010. He also recommended that the street not be submitted for approval until the spring annual Town Meeting to ensure that the trees will survive. P.Moore presented an invoice from Eagle Farms showing that the trees were of different varieties. Regarding N.Mullaney's notation that the trees were not planted properly, P.Moore stated that he will check with contractor John Pisano.

8:05 p.m. Highlawn Farm Subdivision

Attorney Robert Shelmerdine was present. He provided an updated work list and discussed the status of each item:

1. Trenches back-filled – completed on 5/31
2. Light bases – ordered on 6/20, to be delivered 7/11
3. Installation of light bases – two weeks after delivery, before poles are delivered
4. Light poles – delivery estimated to be 7/15
5. Installation of light poles – after delivery, open item
6. Letter to National Grid from North Payson Realty – draft letter sent to National Grid
7. Letter to National Grid from Town – open item
8. Fusible links location – completed, links at poles
9. Trees for open space – ordered on 5/20
10. Trees for open space – delivered 6/9
11. Trees for open space – planted. N.Mullaney stated that he visited site tonight and trees are installed properly.
12. Cellar hole on Lot 17 – completed on 5/31
13. Clearing of Plympton Road – completed on 6/2
14. Dry Wells – an on-site meeting occurred on 6/13, open item
15. Ground rod – removed 5/31
16. Rock crushing – open item, expected to begin in October or November 2011

W.Grieder stated that trenching for conduit when the lights are installed should be added to the work list. G.Greene stated that the list should also include who is pulling the copper to make connection to the conduits.

R.Shelmerdine stated that they are working with developer Doug King and removing all unqualified fill at Congdon Road.

R.Shelmerdine stated that engineer Bill Buckley met with five of the neighbors on June 13 to discussed dry wells and prepared a punch list after the meeting. He stated that Mr. Buckley explained the drainage situation and most of the neighbors expressed an interest in having them installed. He stated that they have not firmed up the details on how or who will be doing the

installation, but hope to have an answer and schedule by the next meeting. He stated that Mr. Intoccia needs to provide a timeframe for the work on the punch list items. He stated that Mike Perry should be working on the punch list items the week of July 5-8. He stated that he would like to email the neighbors to line up what needs to be done and so they can send the existing punch list to residents via email. The neighbors present were requested to provide their emails addresses for better communication.

W.Grieder stated that drainage issue is the Board's purview and may help residents have punch list items resolved. He stated that crushing the rocks will be an imposition; Zoning Enforcement Officer will have to be involved and will have conditions for the procedures.

Comments from the public:

Nancy Condangelo, 19 Lawton Lane – stated that the amount of rocks keeps growing. She stated that they were told that the reason for delaying crushing of rocks until after the summer was dust and noise, but they are still getting dust. W.Grieder stated that the relocation of rocks from lot to lot is a poor use of resources on the developer's part. He stated that he assumes that R.Shelmerdine will share her concerns with his client.

W.Grieder stated that the Board needs to work within the constraints due to status of economy, but wants to make projects livable. N.Condangelo stated that they should try to dress the project and questioned waiting for fall for rock crushing. W.Grieder stated that the Board feels that there would be worse issues if the rock crushing was done during the summer.

Geoff Burton, 25 Lawton Lane – asked if the Board can do something to stop the pile of rocks from growing. R.Shelmerdine stated that the market conditions mean that there won't be many cellar holes dug. W.Grieder stated that the relocation of rocks from digging a new foundation can be discussed when they come for lot releases. G.Greene acknowledged that nobody anticipated the amount of rocks that were in the subdivision.

J.Rhoads stated that crushing onsite was discussed with the abutters who agreed that fall and winter is the best time for crushing. He stated that from this point forward, the Board can condition the amount of fill that can be stored.

N.Condangelo asked how much more rock can be expected. W.Grieder responded that the developer is trying to square away Congdon Road, but there are no more permits for any more foundations to be dug and not expecting any requests for them. G.Greene stated that they are making good progress in moving fill from Congdon Road.

Jason McAuliffe, 20 Lawton Lane – asked if Plympton Road area where there's no development could be seeded to keep dust down. W.Grieder responded that it depends on where they would be building next.

The Board asked Mr. Shelmerdine to attend the meeting scheduled for July 28 to update the Board on the progress.

9:00 p.m. 30 Panas Road

The Board reviewed the as-built plans submitted for 30 Panas Road and asked that inspector Norm Mullaney review the plans.

9:10 p.m. Informal discussion with engineer William Buckley concerning a proposed subdivision on 204 East Street

Engineer William Buckley presented a revised plan, showed the previous plan and discussed the Planning Board's suggestions from the previous informal meeting. He stated that the new design shows 11 lots (9 new), conventional plan has 13 lots. The Open Space is 10.1 acres, which is 55% of the parcel, where 45% is required. The By-Laws require that 70% of the open space should be upland; they are proposing that 9 acres of upland, which is 157%. In the informal meeting with the Conservation Commission, they asked that a lot be made smaller to move away from the riverfront. He stated that they need the Conservation Commission to be able to say that the conventional design could be permitted under the Wetlands Protection Act and the Conservation Commission's regulations. He stated that the Board of Health can determine that due to conventional design the subdivision meets requirements. He stated that the lots could have deed restriction allowing no more than 4 bedrooms.

He stated that the waivers to be requested would be 1,160 l.f. road length; sidewalk on one side of the road, although Conservation Commission wants no sidewalks; waiver of cross-section to minimize activity, could do vertical curbing and sidewalk directly next to it.

10:00 p.m. Meeting adjourned

Approved by: Kevin Weinfeld, Chairman

Date: August 25, 2011