

## **Holliston Planning Board Meeting Minutes of June 6, 2019**

**In Attendance:** Chairman David Thorn, Karen Apuzzo-Langton, Warren Chamberlain, Josh Santoro, and Jason Santos. Also present were Special Counsel Mark Bobrowski and Ali Parand, PE of AP Associates.

**Call to Order:** The Chairman called the regular meeting to order at 6:00 p.m. in the Selectmen's Meeting Room #105 of the Town Hall, 703 Washington Street.

### **General Business:**

#### **Constitution Village Construction Deadline Discussion**

Dale Mackinnon, PE from Guerriere & Halnon was present for the discussion of Atty. Paul Beattie's letter of May 15, 2019, MacKinnon's field notes of May 29, 2019 on Governor Prentice and Hiawatha (including drainage, gas lines, water system and miscellaneous observations) as well as correspondence received from Ali Parand, P.E. of AP Associates, Inc. (dated May 30, 2019). It was noted that the Building Department has 5 open building permits and the 60+ residents continue to be impacted by random road closures and ongoing construction as well as service interruptions for trash, mail and other deliveries. Mr. MacKinnon was reminded that under the provisions of Section 5 of the Planning Board's Regulations, he is responsible for supervision and certification of the work.

After a brief overview of the status of required improvements and the proposed phasing of the project, Atty. Bobrowski suggested the following:

- Construction deadline (Phases I and II) be extended to July 18, 2019.
- No further extensions unless Escrow account is at \$30,000 by July 18, 2019 to account for Mr. Parand and Atty. Bobrowski's time. Mr. Parand has not billed for the quarter and the account balance is estimated at \$3,000.
- Existing performance bond amounts must be increased to reflect 2019 costs before July 15, 2019 utilizing the Board's Form E: Construction Cost Estimate. The two project bonds (International Fidelity - \$2,356,521 and \$1,397,526) were calculated some years ago (2015 and 2017 respectively) and their respective riders are critically approaching the renewal period without a justification for any reductions. Mr. Parand will verify the adjusted Form E amounts.
- Fafard/G&H shall submit a detailed schedule of all remaining items in time for the July 18<sup>th</sup> meeting packets (mailed Thursday July 11<sup>th</sup>). This includes an extension request for Phase III.
- If by November 15, 2019 the items comprising Phase I and II are not completed as outlined and agreed to, he will advise the Board to start the procedure to take the bond for non-performance.

Mr. Santos made a motion to embrace Counsel's recommended approach as outlined above. Mr. Chamberlain seconded with all in favor.

#### **Reorganization**

Chairman & Mr. Santos nominated Mr. Thorn. There were no other nominations. The vote in favor was unanimous.

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Vice Chairman ó Mr. Santos nominated Mrs. Langton. There were no other nominations. The vote in favor was unanimous.

Clerk/Agent ó Mr. Santos nominated Mr. Santoro. There were no other nominations. The vote in favor was unanimous.

It was unanimously agreed that Mr. Chamberlain would continue to represent the Board on the CPA Committee, Housing Trust, and MAPC Metrowest Growth Mgmt.

### Approval of Minutes

On a motion by Mr. Chamberlain, seconded by Mr. Chamberlain, the minutes of May 16, 2019 were approved as drafted.

### Summitpointe Definitive Subdivision ó Field Changes

The members reviewed and approved the proposed final construction of the detention basins with the exception noted below on a motion by Mr. Santos, seconded by Mr. Chamberlain. Plan was prepared by Connorstone Engineering Inc. (dated May 1, 2019). Correspondence was received from Ali Parand, P.E. of AP Associates, Inc. (dated May 31, 2019). It was noted that Mr. Parand recommended against changes to the outlet structure grates. Members concurred with his assessment. A reminder will be sent to the developer regarding the final construction deadline in 2019.

### Liberty Estates ó Field Changes

The members reviewed and approved the proposed field change plans entitled "Interim As-Built" Open Space Development, Liberty Estates in Holliston, MA, prepared by Connorstone Engineering, Inc., (dated 5/28/19) and "Pavement Modification" Open Space Development, Liberty Estates in Holliston, MA, prepared by Connorstone Engineering, Inc. (dated 5/28/19) with project manager Ted Gowdy of the Gowdy Group. Correspondence received from McClure Engineering, Inc. (dated May 29, 2019) indicates that the nature of the changes are not significant for the proposed private road serving three lots. McClure's weekly observation reports indicate that the contractor has not followed inspection protocols on some issues and Mr. Gowdy apologized and noted measures taken to rectify the situation.

Mr. Santos made a motion to approve the request, noting that Item #2 should be modified to reflect raising the grade with an appropriate fill with 6" of top soil over it and verification of Item #7 with the Holliston Water Department. Mr. Chamberlain seconded. The vote in favor was 4-1.

### **Definitive Subdivision Public Hearing: Cheryl Lane Extension**

The Chairman opened the hearing at 7:15 p.m. The notice of the public hearing was entered into the record. Dale McKinnon, PE of Guerriere & Halnon was present along with Kevin Lobisser and Suzette Ferreira, Esq. to discuss the proposed subdivision off an extended cul-de-sac to create frontage for a single lot. Mr. McKinnon reviewed the proposal, noting the request for two lots in the scenario if the requested construction waivers were not granted. It was clarified that there are waiver requests from both the zoning by-law and subdivision regulations with regard to 1. OSRD requirements (Section V-H(2)(B) and 2. Plan submittal and roadway construction

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standards (Articles IV and V). Mr. MacKinnon stated that there will be no water main extension but rather a simple individual service off the existing main. He also noted that the distance between the existing homes and the proposed dwelling is approximately 200ø Members expressed an interest in visiting the site and getting feedback on the quality of any vegetative buffer from the impacted residents. Applicants were asked to provide additional detail on the area of disturbance and size of the proposed home.

The Chairman opened the floor to the audience for questions and comments. The following parties in interest spoke: Cheryl Sullivan of 138 Cheryl Lane, Ray Dunn of 131 Cheryl Lane, and Gary Sencio of 49 Cheryl Lane. Issued raised included the desire for screening and privacy from the existing dwellings. The clear-cut on adjacent lots on Cedar Street was raised as a concern. It was clarified several times that the desired plan is for a single house lot and the owner will agree to a condition of no further subdivision.

Mrs. Langton made a motion to continue the public hearing to July 18th. Mr. Santos seconded with all in favor.

**Adjournment** - The meeting was adjourned at 8:45 p.m. on a motion made and duly seconded. The next meeting was scheduled for July 18, 2019 at 7:00 p.m.

Respectfully submitted,

Karen L. Sherman, Town Planner