

## **Holliston Planning Board Meeting Minutes of January 23, 2014**

**In Attendance:** Chairman Geoffrey Zeamer, Warren Chamberlain, David Thorn, and Associate Taro Matsuno. Ms. Finn and Mr. Patel were absent.

**Call to Order:** Mr. Zeamer called the regular meeting to order at 7:30 p.m. in the Selectmen's Meeting Room (#105) of the Town Hall, 703 Washington Street.

### **General Business:**

1. Approval of Minutes of 1/6/14  
On a motion by Mr. Chamberlain, seconded by Mr. Thorn the Board voted to approve the minutes of January 6, 2014 as drafted.
2. FY15 Budget Request of After some discussion, the Board approved the proposed FY15 Budget Request as proposed on a motion by Mr. Chamberlain and seconded by Mr. Thorn. The request for \$72,977 meets the Finance Committee's guideline of a 1.5% overall increase with a base 1% salary increase. Aggregate line items include personal services - \$68,138, purchased services - \$4,300, and office supplies - \$539.
3. Conceptual Open Space Residential Development (OSRD) Subdivision of 453 Hanlon Road  
Terry Ryan, PLS was present from Applewood Survey on behalf of Bill Bernard of 455 Hanlon Road. Proposed is a 2-lot OSRD with an existing dwelling and barn on approximately 5 acres. The concept plan shows 50.75% open space abutting the Rocky Woods subdivision open space parcel owned by the Conservation Commission. Mr. Ryan discussed potential waivers with the members, including a T-shaped turnaround. Access from Hanlon Road, a designated Scenic Road, was also discussed.
4. Deer Run of Plan and Covenant Endorsement  
Members endorsed the final definitive plan set and Covenant as provided by Connorstone Engineering and endorsed by Paul Croft, Manager. The Town Clerk has also endorsed the plan set and certified the modified subdivision/OSRD and common driveway Special Permit decisions as having no appeals.

### **Site Plan Review Public Hearing**

#### **Brooksmont Realty Trust, OSRP Subdivision**

The Chairman opened the public hearing at 8:00 p.m. Ms. Sherman read the hearing notice into the record. Present with the applicant Dennis Morgan of Brooksmont Realty Trust were Atty. Angelo Catanzaro, Dean Schofield, PE of Schofield Brothers of New England, Inc. and Paul Saulnier, PE. David Talmanson of 81 Dodd Drive asked a procedural question about the Applicant's permitting strategy and filing with the Planning Board before the Conservation Commission. The Chairman noted that the members are aware of environmental constraints on the site, but the permitting strategy is the applicant's choice.

Mr. Schofield provided some history of the site and surrounding subdivision development and noted that the Conservation Commission approved the wetlands delineation in 2007 and that delineation has the benefit of the Permit Extension Act. He noted that the rules with regard to development have changed significantly since the surrounding subdivisions were built,

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especially with regard to stormwater management. He explained that if this OSRD site plan is approved, a Notice of Intent filing will be made with the Conservation Commission, followed by a Definitive OSRD Subdivision with the Planning Board. He added that all filings noted will require public hearings and then each individual lot will require approval by the Board of Health and Conservation Commission.

Mr. Schofield provided an overview of the plan set dated December 20, 2013, beginning with the existing conditions and followed by the conventional "proof plan" and then the OSRD concept plan. He noted that three developable areas have been identified after the wetlands were delineated. Soil testing has been performed to determine locations of septic systems and results are included in the application package. Proposed access is from a constructed stub road off Dodd Drive, located between numbers 89 and 91. A "T" turnaround is proposed which provides the minimum 50' frontage for each proposed building lot. Open Space requirements include: 50% of parcel and greater than 50% of minimum upland. The proposal is that 75% of the site be protected as Open Space with 151,134 s.f. of upland Open Space.

Mr. Schofield summarized comment letters received from the following parties: Planning Board peer review engineer Westcott Site Services (dated 1/20/14), Chief Michael Cassidy of the Holliston Fire Department (dated 1/17/14), and Conservation Agent Chuck Katuska (dated 1/15/13). He also noted receipt of neighborhood comments summarized in a letter dated 1/16/14. Items of note include: stormwater management, Planning Board waivers with regard to pavement centerline, curbing and turnaround (definitive subdivision), NFPA standards with regard to roadway width and turnaround, water supply, wetland buffer disturbance, and access to proposed Lot 2 via wetland crossing. Mr. Schofield noted that further engineering design would likely result in an infiltration BMP design for stormwater because of sandy soils. Also discussed were the OSRD standards of Section 7.4 of the Planning Board Site Plan Review Regulations as well as Sections V-H (OSRD) and VII (Site Plan Review) of the Holliston Zoning By-Laws. By-Law sections 7B and 8 were discussed with regard to perimeter buffering requirements and disposition/protection of the Open Space.

Questions by the members included the issues of Chapter 61A, drainage and curbing, roadway and turnaround grade, snow storage, access to Lot 2. Mr. Schofield indicated that he would provide a plan revision to address the issue of perimeter buffering as well as some changes to the driveway to access Lot 2.

The Chairman opened the hearing to questions from the audience. Asking questions and expressing concerns were David Talmanson of 81 Dodd Drive, Valerie and Charles Camiel of 73 Dodd Drive, Judi Stone and Paul Santoro of 51 Dean Road, Bonnie Conroy of 22 Linden Street on behalf of her parents, Shirley and Harold Thistle of 368 Concord Street, Diane Yovicin of 33 Dean Road, Annie Singh of 129 Westfield Drive, Mary and James Lane of 89 Dodd Drive, Rosalyn Parker and Deborah Pomfred of 97 Dodd drive, Elizabeth Costello and Matt Schutter of 39 Dean Road, and Jacob Kleinberg of 362 Concord Street. Concerns raised included potential impacts on area drainage (especially existing drainage easements from Dodd Drive), impacts on septic systems in the Dean Road area, limitations on on-street parking on the proposed roadway currently utilized by numbers 81 and 89 Dodd Drive, impacts on views, large trees and wildlife in the area, and impacts of elongated construction/disturbance on quality of life. Mr. Morgan

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indicated that he was not looking to build spec houses and would likely begin construction of houses in the 3,000 s.f. range in the fall of 2014 if all goes well.

On a motion by Mr. Chamberlain, seconded by Mr. Thorn with all in favor, the hearing was continued until Thursday, February 6, 2014 at 8:00 p.m. Mr. Schofield agreed to provide supplemental materials by 1/30.

**Continued Special Permit Public Hearing  
Grasshopper Tree, 67 Jeffrey Ave.**

The Chairman re-opened the public hearing at 10:00 p.m. Present were the applicant Jedd Barclay of Grasshopper Tree, Atty. Peter Barbieri of Fletcher Tilton, and Joyce Hastings, PLS of GLM Engineering Design Consultants, Inc. Also present was Attorney Scott Fenton of Bowditch & Dewey, representing Cold Chain Technologies of Everett Street who had provided correspondence to the Board dated 1/15/14.

The Chairman noted that all members had visited the site to review the issues discussed at the January 6<sup>th</sup> hearing including steepness and location of slope, stability of slope and overall outdoor storage of materials and equipment at the site. By poll, it was determined that no peer review of the plan or geotechnical report provided would be required.

Mr. Fenton noted that he was not made privy to the draft Certificate of Action. Discussion centered upon conditioning maintenance of the slope, maintenance of slope vegetation, screening/plantings and no disturb buffer area, and monitoring for overall Special Permit/site plan compliance. Limits on outdoor storage of palletized materials were further refined.

On a motion by Mr. Thorn, seconded by Mr. Chamberlain with all in favor, the Board voted to approve the Special Permit application as modified with conditions as described in the following Certificate of Action which was modified through discussion:

**SPECIAL PERMIT AND SITE PLAN REVIEW MODIFICATION  
CERTIFICATE OF ACTION  
GRASSHOPPER TREE AND LANDSCAPE, INC.**

**Conditions of Approval:**

The Board's decision to grant the Application for Special Permit is subject to the following conditions:

***General Conditions***

1. This Special Permit is not valid until recorded and indexed at the South Middlesex County Registry of Deeds in accordance with the provisions of MGL, c. 40A, s.11. The copy of the Decision to be filed must contain a certification by the Town Clerk that 20 days have elapsed since after the decision has been filed and that no appeal has been filed or if such appeal has been filed, that it has been dismissed or denied. The Applicant shall record this Decision prior to the commencement of authorized site activity and shall submit proof of recording to the Planning Board.

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2. The Applicant shall provide the Planning Board office with the name, address and business phone number of the individual(s) responsible for the activities on site and the date work will commence.
3. During construction the Applicant shall perform daily clean up and disposal of construction debris, including soil, on Town streets caused by the site construction.
4. No outside activity is allowed on-site prior to 6:00 a.m. daily or after 10:00 p.m. with the exception of seasonal snow plowing activity.
5. A copy of this decision and endorsed plan set shall be kept on site and shall be made available to all site contractors.
6. The final plan set shall be endorsed by the Planning Board and presented to the Inspector of Buildings. Unless amended with the approval of the Planning Board, the endorsed plan set shall be the plan of record and construction should proceed in accordance with the plan and this Certificate of Action.
7. No substantial modifications, corrections, additions, substitutions, alterations or any changes shall be made to the final plans or Construction Schedule approved and endorsed by the Planning Board without the written approval of the Planning Board. Any requests for modifications shall be made in writing to the Planning Board for review and approval. Requests shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
8. The Applicant shall submit an as-built plan stamped by a professional engineer certifying that all site improvements are completed in accordance with the approved plan. The Applicant shall submit a statement certifying that all conditions of approval of this decision have been met.

***Special Conditions***

1. Outside storage of materials is limited to areas designated on the final plan (Exhibit A ó As-Built Conditions Plan): a loam stockpile (limited to 15ø in height), 17 open storage bins of stacked concrete block as presently exist (limited to 10ø in height along the property line), no more than 150 4øx 4ø pallets of open palletized storage (limited to 6ø in height) and 5 dumpsters (1 trash and 4 recycling).
2. No outside storage of hazardous materials is permitted.
3. No registered vehicles or equipment shall be stored along the property line of 53 Jeffrey Avenue in accordance with the Off-Street Parking Section V-C(3) Parking Area Location and Design.
4. The final site plan indicates a limited location of palletized storage. The area in back of the top face of slope shall be buffered by a 60ø planted area located in the northeast corner of the site. The slope face will remain stabilized with vegetation, six mature trees will remain and will be supplemented by 17 evergreens (6ø to 7ø tall) as well as a raised berm with 12 arborvitae (8ø ó 10ø tall) against the screened 8ø chainlink fence at the northeast property corner. All slope vegetation and plantings shall be maintained and guaranteed in conjunction with use of the site for outdoor storage. No materials of any kind shall be stored in the designated buffer area.
5. Active usage of the area above the 1.5:1 slope is limited to storage of palletized materials including stone and pavers in back of the guard rail and access path in the designated area in front of the established ø boulder barrier noted on the As-Built Plan; storage of equipment or organic materials is not allowed in the area within 15ø of the top face of slope.

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6. The proposed open stockpile of loam shall be limited to a height of 15ø and shall not contain organic materials such as grass clippings except as expressly permitted hereunder.
7. The screened loam piles shown in bins shall be limited to 12ø in height and shall not contain organic materials such as grass clippings except as expressly permitted hereunder. Screening activities shall occur only in the vicinity of the stockpiles and shall be limited to 7 a.m. to 6 p.m. on weekdays. Noise levels shall be subject to the standards of Section V-N(4)(a) and shall be considered a continuous source of noise.
8. Any chipping shall be limited to that described in the Wood Chipping and Shredding Notification sent to DEP under the provisions of 310 CMR 16.05(5)(e) in November 2012. Noise levels shall be subject to the standards of Section V-N(4)(a) and shall be considered a continuous source of noise.
9. The Applicant shall ensure that any odor, dust, and noise are properly managed in accordance with applicable federal, state and local laws. Employees shall be trained to ensure that no odor-generating or organic materials not specifically permitted hereunder are stored on the site and that no odor-generating management practices are employed.
10. Because of the outstanding zoning violations and the nature of the business and within 90 days of implementation of the final approved plan, the Town will engage a third party expert certifying conformity of required improvements and normal business operations with the standards for environmental protection included in Section V-N(1). The Applicant shall be responsible for payment of said expert advice and shall add funds to the existing MGL c. 44, Section 53G account to cover an agreed upon Scope of Services. Compliance shall be certified twice annually thereafter for three additional years.
11. Terms and conditions of this Special Permit and Site Plan approval shall be strictly enforced by the Inspector of Buildings per the terms of Section VI-G of the Zoning By-Law and MGL. Per Section VII (6) of the Zoning By-Laws, "Site Plan Approval may be revoked by the Board if, after a public hearing, it determines that a site has not been developed or maintained in accordance with the approved site plan."
12. This Special Permit is issued solely to the petitioner and is not assignable or transferable.

Mr. Thorn made a motion to close the public hearing. Mr. Chamberlain seconded with all in favor.

**Adjournment** - The meeting was adjourned at 10:25 p.m. on a motion made and duly seconded. The next meeting were scheduled for Thursday, February 6, 2014.

Respectfully submitted,

Karen L. Sherman, Town Planner