

**Holliston Planning Board
Meeting Minutes of May 1, 2014**

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

Call to Order: Mr. Zeamer called the regular meeting to order at 7:35 p.m. in the Selectmen's Meeting Room (#105) of the Town Hall, 703 Washington Street.

General Business:

1. Approval of Minutes of April 24, 2014 – On a motion by Mr. Chamberlain, seconded by Mr. Thorn, the Board voted to approve the minutes of April 24, 2014 as drafted.
2. Request for Extension of Washington Hills Senior Residential Development
After review of the site plan as well as prior permit and review standards, Mr. Chamberlain made a motion to grant a 1-year Special Permit Extension to June 30, 2015 to Pulte Homes of New England, LLC based on their request of April 25th. Mr. Thorn seconded with all in favor.

Continued Common Driveway Special Permit Public Hearings

126 Residential ANR Realty, 0 Concord Street – Lots 3.2, 3.4, and 232 & 4.5 and 4.6

The Chairman re-opened the public hearing for both proposed common driveways at 8:00 p.m. The applicant's representative, Peter Lavoie of Guerriere & Halnon, Inc., was present to discuss plan revisions dated April 28th and the draft Certificates of Action circulated to the members, as well as the applicant. Mr. Lavoie summarized revisions, including water and utility placement, clarification of easements, and guardrail placement. He explained that Lots 2 & 6 received approval from the Conservation Commission on April 29th and MassHighway application comments have been received and responded to.

Mr. Thorn made a motion to approve the Special Permit for lots 3.2, 3.4 and 232 based on the Certificate of Action as amended through discussion and close the public hearing. Mr. Chamberlain seconded with all in favor. The following findings and conditions were included:

Findings of Fact:

The Planning Board reviewed the application and plans submitted by the Applicant, as well as the variance received from the Zoning Board of Appeals and the Application for Permit to Access State Highway. The revised site plans depict the improvement of the proposed 20' paved driveway, which will provide access to the Applicant's other property at 0 Concord Street. The Board finds that the Common Drive will not derogate from the purpose and intent of the Zoning By-Laws and Special Permit criteria of Section VI-E(5) and Planning Board Regulations Article VIII Regulations for Common Driveways.

Conditions of Approval:

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

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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. Failure to record the Decision or comply with the conditions of approval herein or to act on this Special Permit within two years shall render this Decision null and void.

2. This Special Permit is not valid until the subdivision plan of land depicting the creation of subject parcels has been recorded with the South Middlesex County Registry of Deeds in accordance with the provisions of the Holliston Planning Board Rules and Regulations for the Subdivision and Land and MGL, c. 41, s. 81-P.
3. This decision shall apply to any successor in interest or successor in control of the property and to any contractor or other person performing work conditioned by this approval.
4. The Applicant shall secure any approval required from the MassHighway for work on Concord Street commencement of work. Proof of this approval shall be submitted to the Planning Board.
5. 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.
6. A copy of this decision and endorsed plan set shall be kept on site and shall be made available to all site contractors.
7. During construction the Applicant shall perform daily clean up of construction debris, including soil, on Town streets caused by the site construction.
8. The common driveway is to be constructed within the access and utility easement as shown on the approved plan. The common driveway shall remain private and is not intended now or at any time to be a public way. No petition shall ever be made to the Town of Holliston seeking to change the status of the common driveway.
9. The street addresses are to be clearly marked at Concord Street and along the common drive.
10. Brush and trees are to be cleared periodically so that sufficient sight distances from the driveway onto Concord Street are maintained.
11. The drive shall be kept clear for emergency access. Snow shall not be deposited onto Concord Street.
12. No corrections, additions, substitutions, alterations or any changes shall be made in any plans, proposals, and supporting documents 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 and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
13. Because of the scale and complexity of the project, installation of site roadways, drainage and utilities shall be subject to periodic monitoring and inspections by an agent of the Planning Board to be paid for by the applicant under the provisions of MGL, c.44, s.53G (593 Account) and the Board's Rules and Regulations for Project Review Fees.
14. Agents of the Town shall have the right to enter and inspect the area at reasonable hours to evaluate compliance with the conditions of this Certificate.
15. A pre-construction meeting shall be scheduled through the Planning Board Office with Town staff and the Board's consulting engineer at least 48 hours prior to commencement of work.
16. Hours of construction for required improvements shall be as follows: Monday through Friday 7:30 a.m. to 5:00 p.m., with no work on weekends or holidays.

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17. The Board reserves the right to impose additional requirements in the event that a drainage system is warranted by flooding, erosion and sedimentation or wetland impacts during and after construction.
18. Prior to the issuance of a Building Permit, the Applicant shall submit an as-built plan stamped by a professional engineer certifying that all site improvements associated with the common driveway are completed in accordance with the approved plan or in accordance with Article VIII(10), the Applicant shall guarantee performance of the conditions of this Special Permit with a bond or other security satisfactory to the Planning Board. The bond amount shall be calculated utilizing the standard methodology established by the Planning Board for subdivisions.
19. Proposed documents shall be submitted to the Planning Board for approval demonstrating that, through easements, restrictive covenants or other appropriate legal devices, the maintenance, repair, snow removal and liability for the common driveway shall remain perpetually the responsibility of the private parties or their successors-in-interest. These documents and an Access and Utility Easement and plan depicting the easement limits shall be recorded and presented to the Building Inspector before Occupancy Permits can be issued.

Mr. Thorn made a motion to approve the Certificate of Action for Lots 4.5 and 4.6 based on the draft Certificate of Action as amended through discussion and close the public hearing. Mr. Chamberlain seconded with all in favor. The same findings and conditions were included.

Summitpointe Definitive Subdivision Modification Public Hearing

The Chairman re-opened the public hearing at 8:30 p.m. Based on a written request for continuance from the applicant, the Board voted unanimously to grant a continuance until May 22nd at 8:00 p.m. on a motion by Mr. Thorn, seconded by Mr. Chamberlain.

Adjournment - The meeting was adjourned at 8:45 p.m. on a motion made and duly seconded. The next meeting was scheduled for May 22, 2014.

Respectfully submitted,

Karen L. Sherman, Town Planner