

**Holliston Planning Board
Meeting Minutes of May 17, 2012**

In Attendance: Chairman Jack Donovan, Parashar Patel, Jonathan Loya, and Warren Chamberlain. Geoffrey Zeamer was absent.

Call to Order: The Chairman called the meeting to order at 8:00 p.m. in Room 105 of the Town Hall, 703 Washington Street.

General Business:

Approval of Minutes

On a motion by Mr. Chamberlain, seconded by Mr. Loya, the Board voted to approve the minutes of April 26, 2012 as written. The vote was 3-0-1 (Mr. Patel abstained).

Approval Not Required (ANR) Subdivisions

1. Lambert, Underwood Street

Atty. Peter Barbieri was present with Clem Lambert to discuss the application of Anna Lambert for a four-lot ANR plan along Underwood St., the location of the Deer Run Subdivision.

Atty. Mark Bobrowski was present for the Board to discuss concerns raised by the Chairman regarding the relief granted. By action of the Zoning Board of Appeals (ZBA) dated January 18, 2012, zoning relief was granted for lot frontage on two of the proposed parcels. Atty. Bobrowski advised the members that as labeled on the plan prepared by GLM, the two “parcels” which were the subject of ZBA action are not to be considered “lots” and therefore do not require the Planning Board to waive the frontage under the requirements of the Subdivision Control Law. He reiterated that the Board’s hands are tied under the ANR case law. He noted that the ZBA action was appealable 20 days from the February 6th filing with the Town Clerk.

Atty. Barbieri recounted the Zoning Board hearing, noting that the “cluster” subdivision had some physical and economic issues with construction. He noted the reduction in number of lots and the restricted open space. Atty. Bobrowski stated that the ZBA has leeway in granting relief but that any significant relief would not likely survive an appeal as variance criteria are fairly stringent.

The Chairman expressed his concerns over the ZBA’s action in granting relief for ½ of the minimum required frontage in the zoning district and asked for clarification of the Board’s options. Atty. Bobrowski noted that the Board could disapprove the plan and expect an appeal, do nothing and allow for a constructive grant of the application, or approve the plan subject to placing a covenant on the open space.

Mr. Patel made a motion to allow a mutually agreed upon extension to June 4, 2012 in order for the two attorneys to work on the open space covenant. Mr. Chamberlain seconded with the vote in favor as follows: 3-1-0 with Mr. Donovan voting against.

2. Holliston Residential Realty, Mohawk Path

Paul Atwood, PLS was present from Guerriere and Halnon (G&H) to discuss two ANR plans submitted for lots on Mohawk Path which HRR, LLC is in the process of conveying to Toll Bros. The first plan for lots 83A and 84A was prepared by G&H and is

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dated April 24, 2012, showing an adjustment to the two lots to accommodate final septic design. A second plan for Lots 91A – 96B prepared by G&H dated May 14, 2012 was prepared for the same reason.

Mr. Patel made a motion to empower the Agent to endorse the plans as presented. Mr. Chamberlain seconded with all in favor.

3. Taylor Middlesex County Trust, Prentice and Mill Street

Mr. Patel made a motion to empower the Agent to endorse this ANR plan prepared by GLM Engineering Consultants dated March 23, 2012 showing 7 lots. Mr. Chamberlain seconded with all in favor.

Highlands at Holliston Surety Adjustments

Don Seaberg, PE was present from Benchmark Engineering on behalf of HRR, LLC to discuss the request for a construction extension for the subdivision as requested in a letter dated April 2012. As a result of that request, Mr. Seaberg was directed to prepare adjustments to the existing surety amounts for Mohawk Path Sta. 39+00 to 51+00, Governor Prentice Way Sat. 0+00 to 8+00, and Mayflower Landing Sta. 0+00 to end. In the interim, he submitted estimates for additional sections of roadway, including Mohawk Path Sta. 51+00 to end and Road "A" Sta. 0+00 to end in a package dated May 9, 2012. Those estimates were reviewed on behalf of the Planning Board by Rich Westcott, PE of Westcott Site Services in a letter dated May 14, 2012. Mr. Westcott was present to discuss his recommendations.

After a review of the bituminous base course and drainage line items, Mr. Seaberg was directed to provide revised estimates as well as camera testing of the drain lines to justify any adjustment of those line items. The discussion was continued until May 31st.

Rocky Woods Definitive Subdivision Surety

Chris Nation was present for South Mill Street, LLC to discuss establishment of surety for the completion of Rocky Woods Trail and associated infrastructure. A form E construction Cost Estimate was prepared by Vito Colonna, PE of Connorstone Engineering, Inc. and reviewed by Ali Parand, PE of AP Associates for the Planning Board. Mr. Parand suggested adjustments to the Cape Cod berm, sloped granite curbing, catch basins, manholes, soil erosion and sediment control measures raising the total from \$47,466.25 to \$64,301.

Mr. Chamberlain made a motion to approve the surety amount at \$64,301 as recommended by Mr. Parand. Mr. Patel seconded with all in favor.

Mr. Patel made a motion to issue a Lot Release from the provisions of the Covenant for Lot 1 (5 Rocky Woods Trail). Mr. Chamberlain seconded with all in favor. The members also endorsed pre-prepared performance agreements which will be held until recording of the open space deed and receipt of the surety.

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Hopping Brook Park Phase II

Based on a letter requesting a one-year extension of the construction deadline for Phase II of Hopping Brook Park from Jon Delli Priscoli, Trustee of New Hopping Brook Trust dated May 16th, the Board unanimously voted to grant the request on a motion by Mr. Chamberlain, seconded by Mr. Patel.

Adjournment - The meeting was adjourned at 10:00 p.m. on a motion made and duly seconded.

Respectfully submitted,

Karen L. Sherman, Town Planner