

**Holliston Planning Board
Meeting Minutes of July 28, 2011**

In Attendance: Chairman Jack Donovan, Parashar Patel, Jonathan Loya, Geoffrey Zeamer, and Warren Chamberlain. Also present was Highway Superintendent Tom Smith and Richard Westcott, PE from Westcott Site Services.

Call to Order: The Chairman called the meeting to order at 7:30 p.m. in the Selectmen's Meeting Room of Town Hall, 703 Washington Street.

General Business

Approval of Minutes – 6/9/11

On a motion by Mr. Chamberlain, seconded by Mr. Patel the minutes were approved on a unanimous vote.

Discussion with Highway Supt: Clearview Estates Completion and Form E Amendments

The Board revisited the Clearview Estates bond seizure issues and discussed completion of the project with Mr. Smith. It was noted that the remaining funds do not cover all work shown on the plans. A sidewalk was shown on the plans that Mr. Smith feels is cost-prohibitive. Members agreed that although it would be their preference to complete the sidewalk, loaming and seeding and installation of survey bounds are the priority work items. Ms. Sherman indicated that she had a quote for as-builts but also had discussed a bargain price for these services with Guerriere and Halnon (Note: Additional requirements for the as-builts may be required because the area is Land Court registered.). Members agreed that residents should be provided with notice of work. Ms. Sherman and Mr. Smith agreed to pursue the issue and follow-up with the Board of Selectmen as well.

The members discussed Mr. Donovan's proposal to update the Form E unit prices utilizing the construction means publication. Mr. Westcott suggested use of the site work version of the publication in lieu of the heavy construction proposed. Mr. Smith presented his summary of bids and bidders for FY12, including prices of bituminous concrete, gravel, and loam (per ton) to use for comparison. He indicated that the bidding process occurs every two years and is subject to Mass. Highway escalation factors. He suggested adding a substantial contingency amount to each bond for items such as clean-up. The Chairman added that testing items should be added to the form as well. Mr. Westcott noted that he could complete the work in several hours and coordinate the update with Ms. Sherman and Mr. Smith.

Extension Requests (Covenant Amendments) - Constitution Village and Indian Trails Definitive Subdivisions

Members considered a written request from Scott Miccile, PE of Benchmark Engineering dated June 3, 2011 to extend the completion deadlines for these two subdivisions for a one-year period until June 30, 2012 (Discussion was continued from the June 9th meeting.). Members discussed the potential ramifications of rescinding the subdivisions under the provisions of MGL, c. 41, s. 81W, including zoning and subdivision regulation changes implemented since the approval dates that might change the design of the projects. Mr. Patel was particularly concerned with the Inclusionary Housing By-Law ramifications. Mr. Miccile was directed to discuss the same with the owner but got no concrete feedback. Mr. Zeamer made a motion to extend the two deadlines to 7/28/12. Mr. Chamberlain seconded. The vote was as follows: 4 – aye and 1 – no (Mr. Patel).

Approved: August 11, 2011

**Holliston Planning Board
Meeting Minutes of July 28, 2011**

Highlands at Holliston:

1. Surety Reduction Request – Highlands at Holliston (Old Cart Path, Praying Indian Way, Tea Party Lane and Mohawk Path Sta. 0+00 to 39+00)

Mr. Miccile presented an updated Status Plan (dated July 26th) and Bond Status Plan (dated July 28th). Mr. Patel made a motion to reduce bond numbers 3613 and 4307 for work completed and accepted on Old Cart Pat, Tea Party Lane, Praying Indian Way, and a portion of Mohawk Path. Mr. Chamberlain seconded with all in favor. The members agreed to table reduction of bond no. 4541 Mohawk Path (Sta. 7+50 to 39+50) pending further review of the remaining surety for Mayflower Landing. Mr. Smith raised a concern that oversize vehicles are being used for site work on the recently accepted portion of Mohawk Path between Sta. 7+50 and 39+00. Mr. Westcott noted that there is a substantial pothole developing on Mayflower Landing.

2. Surety Establishment and Lot Release Request – Highlands at Holliston (Lots 59-64 and 97-105 Mohawk Path)

This matter was tabled until August 11th pending further review of the proposed surety.

3. Approval Not Required Subdivisions – Highlands at Holliston (Mohawk Path Lots 96 & 97 and Lots 104 & 105)

Mr. Zeamer made a motion to empower the Agent to endorse the three submitted plans prepared by Guerriere & Halnon of Milford for Lots 96 & 97, 104 & 105 (both dated July 28th) and 61 & 62 (dated July 21st). No net lots are proposed; these are all lot line adjustments on existing lots. Mr. Chamberlain seconded with all in favor.

Mr. Miccile provided an update on the Land Disturbance Permit activity, noting that some sediment had reached the forebay of Basin #7 in an intense rain but water quality in the basin was not affected.

Field Change Request –Balancing Rock

Discussion was continued from May. Jeff Clarke was present from Oxbow Development to discuss his submittal of July 21, 2011 regarding a street tree replacement strategy, cost comparison of approved versus installed plantings, revised plant by plant comparison (installed versus approved), and a project closeout schedule for calendar year 2011. In summary, Bartlett Tree made an assessment of trees and recommended replacement of 54 trees with the addition of drip irrigation, root collar excavation as well as soil & nutrient enhancement now and into the future. Replacement of the street trees is planned for mid-August and further unit landscaping for September and October. Roadway completion is slated for October. After several clarifications on the materials presented and the proposed drip irrigation system, Larry Denman from the Homeowner's Association spoke in favor of the changes and schedule. Mr. Zeamer made a motion to accept the materials as documented field changes with receipt of an update of the 5/18 comparison materials to reflect the street tree changes. Mr. Chamberlain seconded with all in favor.

Approved: August 11, 2011

**Holliston Planning Board
Meeting Minutes of July 28, 2011**

Extension Request – Hopping Brook Subdivision

In response to a written request from John Delli Priscoli, Trustee of New Hopping Brook Realty Trust dated June 13th, the Board agreed to approve an extension to the construction deadline for the remaining work on Hopping Brook Road (southern cul-de-sac) until June 30, 2012.

**OSRD Definitive Subdivision and Site Plan Review Public Hearing
Rocky Woods – Wilson Street**

The Chairman opened the hearing at 8:55 p.m. and Mr. Patel read the notice into the record. Present was the owner/applicant Ron Nation and George Connors of Connorstone Engineering. Mr. Connors provided an overview of the proposal and its design steps as described in detail in the application narrative dated July 6, 2011. He presented a series of figures including Sheets P-1 thru P-4 denoting the overall land area, conventional subdivision scenario (density determination) and proposed OSRD plan as well as Sheets OS-1 thru 9 that comprise the Definitive Plans, regional trail and open space network and several area photos. He described compliance with the requirements of Section V-H of the Zoning By-Laws (Open Space Residential Development) and well as several requested waivers from strict compliance with the Planning Board Rules and Regulations. In addition, soil conditions and proposed stormwater management were described in detail.

The Chairman noted receipt of comments letters from Westcott Site Services (dated 7/22) and Michael Cassidy, Fire Chief (dated 7/27). Mr. Connors provided a written response and plan revision package (dated 7/28) in response. He described a revision to the cul-de-sac radius as well as the potential for an underground fire suppression cistern in response to the chief's comments regarding NFPA standards.

The Chairman opened the floor for questions. Lawrence (Scott) MacDonald of 135 Wilson Street raised concerns about an existing drainage pipe from Wilson Street which discharges into an easement on his property. He indicated that the pipe was not represented accurately on the plan but he understood that the proposal was designed to take water away from that pipe. Mr. Connors was asked to revisit the pipe(s) as described and also one at #111 Wilson. Debbie and John Mark of 112 Wilson Street expressed a preference for passive open space rather than a developed trail, noting existing problems with dirt bikes and other ATV's nearby. Mrs. Mark asked for a clarification of the conventional design and Mr. Connors reviewed the density determination steps. Mr. Westcott verified that he had reviewed the narrative and plans describing the design process and was satisfied with their compliance. Mr. Chamberlain asked about ultimate disposition of the open space to a permanently protected status. Mr. Nation indicated that he was flexible but preferred the formation of a homeowner's association with conservation restriction. Joseph Mark of 100 Wilson Street expressed a concern for drainage in the area of proposed lots 4-6 and also stated that a trail was not preferable.

Mr. Patel made a motion to continue the public hearing until 8:30 p.m. on August 11th. Mr. Zeamer seconded with all in favor.

Approved: August 11, 2011

**Holliston Planning Board
Meeting Minutes of July 28, 2011**

**Special Permit and Site Plan Review Public Hearing
Michael Brumber – Lowland Street**

The Chairman opened the public hearing at 10:00 p.m. and waived the reading of the notice after polling the audience. Present was the applicant Michael Brumber along with Attorney Mark Helwig, Dennis Lydon of Aggregate Industries (owner), Bruce Wilson, PLS of GW Site Solutions, Inc.(surveyor), Russell Waldron of AES Applied Ecological Sciences (wetland ecologist) and J. David Simmons, Esq. of Angle Tree Consulting.

Mr. Brumber and Mr. Wilson provided an overview of the site, its history and proposed operation. The proposed state license (DEP Determination of Need for Site Assignment for Large Recycling and Composting Operation – Recycling Operation processing more than 100 tons per day) was reviewed. Mr. Brumber indicated that any asphalt, brick or concrete rubble (“ABC”) is considered “recyclable” when processed to under 6”. His proposal is to crush and screen primarily cement concrete and asphalt to ½” to 3” material. He described the existing piles of material (processed and unprocessed) as well as “virgin” material. Mr. Lydon added that Aggregate and Simeone Corporation had historically operated this type of recycling facility as an accessory use to the hot-mix asphalt plant that has been removed from the site. The site has not been in operation for several years. Mr. Brumber added that in addition to the crushing and screening proposed, he would like to store and wholesale some virgin earth products as noted on the site plan prepared by GW Site Solutions, Inc (dated June 27, 2011).

The Chairman clarified that the proposed use was not retail but rather wholesale, that is, materials would be collected by Mr. Brumber and/or dropped off by other contractors, processed, and sold or delivered to other contractors and construction sites. Mr. Zeamer expressed concerns for dust control. Mr. Brumber described the existing dust control system, noting the location of the pump house near the sedimentation pond. He indicated that the system is in need of repair in order to provide mounted misters throughout the site. Mr. Wilson and Mr. Lydon both noted that the sedimentation pond provides a dual function of stormwater management and dust control and there is no designed discharge from the pond. Mr. Lydon stated that Aggregate had submitted a NPDES filing for all of its facilities in 2008. In addition he submitted that the site was intentionally surrounded by a substantial berm to prevent any discharges.

Additional information was requested on the proposed equipment inventory and storage locations, number of employees, clarification of seasonal operations, noise information from the manufacturers of the proposed screener and crusher units, signage, and proposed repairs/maintenance to the sedimentation pond.

Mr. Patel asked for a clarification of the existing conditions. Mr. Lydon noted that Aggregate has leased the site to Mr. Brumber for the proposed operation. Aggregate is simultaneously completing a clean-up of a historical liquid asphalt spill. Approximately 500 yards of material will be removed under the supervision of GEI as the Licensed Site Professional. The antiquated plant was removed from the site. Groundwater monitoring is ongoing and will continue for some time. A clarification of the Natural Heritage Program permitting identified by the Conservation Agent was requested. Mr. Waldron

Approved: August 11, 2011

**Holliston Planning Board
Meeting Minutes of July 28, 2011**

indicated that a filing would need to be made. Ms. Sherman noted that she had observed a substantial stump pile near the sedimentation pond. Mr. Brumber stated that he would have it removed or would investigate adding stump grinding to his proposed operations.

Mr. Patel made a motion to continue the public hearing until August 11th at 9:00 p.m. Mr. Zeamer seconded with all in favor.

Adjournment - The meeting was adjourned at 11:15 p.m. on a motion made and duly seconded. The next meeting was scheduled for August 11th.

Respectfully submitted,

Karen L. Sherman, Town Planner

Approved: August 11, 2011