

**PLANNING BOARD**  
**MEETING MINUTES**  
**January 14, 2020**

**7:00PM**

**1130 Holden Senior Center**

**Members Present:** Scott Carlson, Otto Lies, Mike Krickonis, Robert Ricker, John Michalak and Nancy Kielinen

**Town Staff present:** Pam Harding, Director of Planning; Alisha Pollinger, Recording Secretary; John Woodsmall, Director of Facilities Holden DPW; Isabel McCauley, Senior Engineer Holden DPW;

Others Present Jeff Roelofs, Attorney; George Kiritsy, Attorney; Tom Larson, Martelli Construction; Joshua Olson, Greenstone Reality LLC; Isaac Houston, Dan MCFarland, Lara Strittmentter, Chuck Noyes, Timothy Hanson, Maura McSweeney, Jessi Kandsanen, Siew Ong, Lisa Bates, Danielle Davian, Jeff Love, Cora Broskowitz, Asha Pandey, Jack Pandey, Arthur Marin, Jean Siequist, Judith DiFederico, Margaret Daley, James Parker, Paul Campos

J. Michalak called the meeting to order at 7:05 PM

**7:00 p.m.                    2020 ELECTION OF OFFICERS**

Nominate by John Scott Ricker motion, Otto 2<sup>nd</sup> motion

Otto nominate Otto to John, Nancy 2<sup>nd</sup> all in favor

**7:10 p.m.                    PUBLIC HEARING DEFINITIVE SUBDIVISION AMENDMENT  
Greenwood Estates – Union Street - Jacksonwoods Investment, LLC –  
88 Lot Definitive Subdivision**

S. Carlson: The plans are available for review, any persons wishing to be heard. George Karitzky Attorney Greenwood II, representing Clea Blair. This is not an appeal, to amend the subdivision. We want the board to review the plan and reconsider. Establish conditions of the board rules and regulations. The expectations and the expectations fees would be more reasonable and they are higher than the board. We are looking to have the board adopt to the rules and regulations. Clea Blair: We decided in lue of the inspections fees, I spoke with Pam and we agreed that we allowed Quinn engineering to do it. I agreed when it was presented to me. Everything had to be resubmitted in regards to pipes and manholes. We built a wall that will hold the dirt behind the pump station, we had Yankee do all the preparation and made sure it meet the responsibilities. Weston & Sampson reviewed the wall being put up and the cost was out of sight. We put the force main Highland Ave to Highland street and the inspector was there inspecting the work and taking pictures, the cost to complete the inspection are very high. Email from Pam the deposits, DPW said it would cost \$9million, we are at \$143K. For the inspections fees I ask that we cap the total amount. I am asking the board to cap the amount. Condition # 15, asked at the time to be pushed back in a number of permits. 97% capacity in the pipes when the project is complete, we are taking pump stations off line. The pump station itself is only going to cycle

like the other pumps station, wait to be done in the summer time. These pumps can be brought back so they don't have to be cycled. I went to the DPW and they said no. Maintenance of the roadways for Stoney Brook Estates, they wanted the bus to go in Stoney Brook Estates to pick up the kids and I plowed the sidewalk for the kids to stand to wait for the bus. Asked DPW to plow the sidewalks, received an email stating it's the developer's responsibility. I ask when the roads are fully paved with final coat, the people that are living there are paying taxes for plowing and they also want me to pay for the street lights. Why should the developer pay for street lights? I ask that you move that back and the final coat of pavement if the DPW will plow the snow and sand the street. Condition 24 and Condition 32 we went through extensive design, I hired a traffic engineer and they hired one to. They want it completed to the satisfaction of the DPW. #53 the storm water system went through extensive design. I built according to plan and they made me change my design. Why can it be accepted the way it was designed and approved as #75 the same as #15, DPW asked me for 3 people to pick from for inspectors and we picked one. Weston & Sampson prices are through the roof. For #84 their asking money be added to the bond for plowing and maintenance. The courts have gone our way, asking for that to be removed. Morning Side both those subdivisions I want models. The other thing we asked for is the phasing change, I will have Tom Larson go over this. Tom Larson: The reason we want to change the phasing is where the loam and all the stock pile is in phase 2. We would start at phase 3, phase 1 will be completed to 85% the loam will be screened and spread and complete 85%, the drainage goes down Deanna to easement down to Stephanie, this condition would not be in phase 2. This will complete a large portion of the loam, right now the loam is stabilized and seeded. There are pros in changing the phasing the street will be a shorter distance. Phase 2 is up through Gracie's Way. R. Ricker: Are you looking to swap phase 2 to phase 3? S. Carlson: Where is the pumping station? Tom Larson: At the base of Stephanie drive, that is all in phase 1. phase 1 goes 2 lots past Stephanie. S. Carlson: That's only access the utility goes through. How are they going to get in to work without that being part of the 2<sup>nd</sup> phase? The Deanna part will be part of the 1<sup>st</sup> phase. J. Michalak: When phase 1 how will emergency vehicles access? Tom Larson: Stephanie Drive. R. Ricker: How much loam? Clea Blair: A huge pile. R. Ricker: Is it stabilized? Tom Larson: Yes. P. Harding: The concerns, we want it reviews by erosion control and the turnaround for the emergency vehicles. Tom Larson: I can talk about Conservation concerns, they wanted to know if the detention ponds were sized correctly and how we will get the water to them. As long as I show them this they are agreeable. S. Carlson: Nothing in writing? Tom Larson: No. R. Ricker: How is the phasing going to be handled? P. Harding: They are switching a number of phase around and we would request. Do want us to respond to the amendments? One of the differences between this subdivision and other, Conservation asked for erosion control to be on site, that cost is not included on the subdivision. As far as requests, he didn't provide lots for emergency and serve for water and sewer. John Woodsmall: The vast majority of comments are from Isabel, our duty in public works that we are using public resources in a cost effective. They don't impact water sewer and customer. We will accept good construction and the town does not get left hanging in 10-15yrs. We would have an inspector on sight. We developed a part time inspection for ongoing utility work. You can look at the invoices from Graves engineering and they are on sight for 15minutes, they have showed up and no one is there. It's under our control how things are coordinated. We are not called when the 3<sup>rd</sup> party inspector is there, they need to coordinate. The steep slopes we require in depth inspections. We have had cases with the retainer wall failure of walls and slopes. Any failure of slopes, we want to make sure slopes are built correctly. Pump stations we want to ensure they are inspected correctly. Any work that we do in town we have full time inspectors. We do our own inspections ourselves for private roads. Any off site work will be inspected, due to the volume we wanted to work done by a 3<sup>rd</sup> party inspector. With the pump station construction for the retaining wall, the inspector would show up and there is no one there.

In terms of the design, throughout the design process we would ask for the design, they would say they would give to us under construction. We have no control of the quality of those submittals. There is a lot of reputation that not in control of the town. Based off the size we do not have enough public resources for town staff to inspect. This is why we requested 3<sup>rd</sup> party inspectors. Especially for condition #5, large scope of work per the capabilities. Inspector will be on site and frequency of inspections monitored by DPW. The applicant is being asked to provide the same information the design. Condition #15 bottle neck, there was a request in the meeting and if you look at the minutes, 85% is considered full. We have a risk for the system, reason for the construction, the towns do not suffer the sewer. It would be irresponsible for us and we want the bottle neck fixed. We do not recommend changes. Condition #22 we are legally prohibited for snow removal on a private way. This is the board to decided, the developer is in charge of the project. It's not the DPW responsibility to main a private development. Legally the board of selectman cannot approve this waiver. Condition 24 the developer is enlisting, recognizing that public flows and fully constructed to start and we have to start accepting flows with Highland Ave has been down. The developer will have a working pump station on his property and we will be taking over the pump station after being built, we maintain the pump stations on a daily basis, we have access to Union street for us to maintain. If you do not maintain this road for us to access the pump station, we do not pay for any damage, the developer will pay the damages. Condition #32 that is all reviewed and approved, Condition 53 the town will be required after the fact. The developer conforms with the fed and state standard. No action necessary. Condition....we rarely have inspectors all hours. Graves is acting as the 3<sup>rd</sup> party, erosion control not infrastructure inspections, regards to Saturday work it is allowed. Not easy getting an inspector to work on Saturday. Condition 94 prevent public safety concern for emergency vehicles, the developer should be maintained until approved by the town to maintain. P. Harding: We propose it's the applicants responsibility to maintain the roads, I proposed the amendment for 84, recognize maintain the roads is a violation, it would requires opening of the public hearing. Clea Blair: We picked Graves engineering. John Woodsmall: They sat with me and made adjustments. Weston& Sampson is there every day watching the wall being built and they do not take responsibility. Graves has been realistic. Pump station 74 house, the pump will turn on when the wet well fills up. It will not make any difference and will not add ant sewage. We picked Graves engineering their prices are reasonable. Dan Swartz (resident) 180 highland ave, on pipes there is no ground water. Flattened metal pipe not connecting to storm drains. Clea Blair: The DPW asked us to. Tim Hanson 52 Harrington Drive I would ask for a delay for the residents to review and make comments. P. Harding: The phasing is different and correcting the order. Clea Blair: Can we get an extension? P. Harding: We need time to review the phasing plan. S. Carlson: How much time do you need to look at this? I. McCauley: A month will be fine.

Motion to continue made by R. Ricker, seconded the motion O. Lies and J. Michalak. All in favor.  
Unanimous.

**7:30 p.m. PUBLIC HEARING – DEFINITIVE SUBDIVISION EXTENSION OF TIME  
AND AMENDMENT – Wachusett Valley Estates – Greenstone Realty, LLC**

S. Carlson: Chapter 81 will hold a public hearing for 325 Boullard St. P. Harding: Need an extension we don't have a meeting until May 2020, which depicted 60ft after the applicant submitted a variance. S. Carlson: The Planning board has to approve, P. Harding: To make it legal we have to grant the waiver. S. Carlson: This house does not have a clear title. P. Harding: All the PE, frontage over 60f. S.

Carlson: No one did a tape. P. Harding: During the asphalt, no additional lots were created. The same number of lots under the subdivision. Builder speaking went through variance and approved.

Motion to approve R.Ricker, seconded the motion J. Michalak. All in favor. Unanimous.

Motion to approve the Waiver Requested to be granted R.Ricker, seconded the motion O. Lies. All in Favor.

Unanimous

**8:00 p.m. PUBLIC HEARING SPECIAL PERMIT CONTINUING CARE RETIREMENT COMMUNITY – VILLAGE AT WESTMINSTER PLACE – Newell Road Realty, LLC**

S. Carlson: Extension of time for existing permit 125 units located off Mill Road, plans can be review at the Town

Hall 1196 main St, published on the Telegram. Jeff Roeloff: We are looking for an extension, maintenance has

improved, as-builts details proved to DPW on going work. Lighting goes part way up Tea Party Circle, there is a stretch of where there is not lights and the lights should be in place. There is a trailer that they are

going to move, as they move forward with the development they will move the trailer. The next phasing, last year

we submitted a phasing plan and we not changing the plan, finishing phase one and start with phase 2.

There is not a strong demand. Modifying the apex and met with the trustees and didn't come in for modification.

They are on the market now and there is not strong market and did not construct them. Jim Parker 62 Tea Party circle

I am the newest owner in the development, drainage issues in the back of my unit where it freezes.

Leakage in the tiebacks in my basement and was told it will be fixed. It's important for the town to understand the area of

drainage it should continue down into the marsh. S. Carlson: Are there raised manholes for the water?

Jeff Low 66 Tea party circle, retention pond should be for an overflow and it doesn't drain. We put it in our contract. S.

Carlson: Surface water not coming off the road? Jeff Low: It's not draining towards the drainage pipe. P. Harding: Part of the problem there is no curb everywhere the final storm water design is not

working because it is not finished. S. Carlson: Is the water is their back yard? Jeff Low: Goes along the back and behind. P. Harding: There is no easement. S. Carlson: This will be diverted into the pond. Jeff Roelof: Sounds like grading issues. Jeff Low 66 and 68 Tea Party Circle: There is a question about plowing. S. Carlson: Public ease way first 10ft? Jeff Low: Yes. Jeff Roelof: Is concerned it's not marked. Jeff Low resident very close to the driveway and too low to grade against, its needs to be raised. Jeff Roelof : Is it the same location? Jeff Low resident: Just to the left. Jean Siequist 82 Tea Party: Since they put in the new well the fence I put up turned yellow. I have to pay contractor to clean

to get it white, I talked to the Fadfort about getting a filter. They could put in different sprinkler heads or irrigations, it would be a cost to me.. I am willing to negation half the cost, everything outside is not my domain, if they want to pay for it, it shouldn't be my issue. R. Ricker: What is the well used for? Jean Siequist: Irrigation, if I shut off my irrigation lower my HOA fees I will water my own lawn. S. Carlson: Between the association and the developer and the we have no control of the water for the public system. Jeff Roelofs: I will communicate to my client. Jean Siequist: He doesn't answer emails and voicemails. He refers my emails and voicemails to Mark Billiard. Jeff Low 68 Tea party circle: It's a waste of water, the sprinkler system, most of water going to driveway and next door neighbor. Mark Billiard Professional property management Inc Providence, RI, it was turned over to us to maintain, I will ask to tweek. Cora Broskowitz 72 Tea Party: In my toilet there is the pink ring and what is the pink ring? Are we drinking that water? S. Carlson: You do get the deposits from iron. John Woodsmall: All our water meets all the standards. Margaret Daley 78 Tea Party: Will there be illumination for walking the dog? Jeff Roelof: The lighting goes pass the multi-unit building, there are light fixtures in place and need to do the wiring. They will get the wiring done this spring. Michael Poulias 1 Explorers Way: Our development was supposed to completed in 2 phases, it seems like he's getting extensions for the permits and looks like there are 25 more to be completed. He is not putting the final coat of pavement. Looks like Tea Party will be in poor state. Jeff Roelofs: This is the phasing plan that was submitted last year (referring to handout) we are not looking the change the phasing from last year. Look at phase one it only included the outside of Tea Party the single families being done now. Phase 2 included another single family. N. Kielinen: What if you do the whole exterior? Jeff Roelofs: I know my client does not like to put a top coat in front of those areas where the construction vehicles to drive over them. R.Ricker: 1 year extension, we are requiring the base coat has to be replaced and will be an inconvenience. R. Ricker: When will it be done? Jeff Roelofs: They build to the demand and build as fast as they can. R. Ricker: 3 items that need to be addressed and do you plan on addressing and fix the damage to the grading issues and the electrical issues. Jeff Roelofs: This is the first I am hearing about the grading issues. M. Krikonis: Is there issues with lighting timeline? Jeff Roelofs: They gave me the timeline half way to single family unit done and operating in the next few months, they are expecting to get it in and done this spring. P. Harding: I would like to discuss for a timeline. M Krikonis: How many light posts. Jeff Roelofs: I don't know how many light posts. N. Kielinen: Are these lot numbers on the map? Jeff Roelofs: These are unit numbers on the original site plans. J. Michalak: Previous meetings we agreed to a 1 year extension. Michael Poulias 1 Explorers Way: The pavement needs repairs. R. Ricker: Is this a public way? P. Harding: There is not requirements to replace. Jeff Roelofs: He's still responsible for what he has not been finished. P. Harding: Does it go to number 98? Jeff Roelofs: Currently maintained by a trust, his responsibilities is tied into. P Harding: The development is not constructed by roadway. S. Carlson: Phase 1 goes around the dotted line (referring to hand out). My question is when we pass this we allowed that to be done. P. Harding: It can be amended. S. Carlson: Can we ask for this to be done, I want phase 1 paved and done. Jeff Roelofs: That is going to end when you get in phase 2. There is a market and demand for the single family homes. As they work their way through phase 2 they will have to make a decision and build the multi units before going to phase 3. N. Kielinen: Can you have the construction go in the other end. Jeff Roelofs: They will drive over the top coat. J. Michalak: It is a condition to keep safe. If the pavement deteriorates they would have to repave. Jeff Roelofs: Before the top coat goes on and they have to re-do the binder. O. Lies: Houses are usually built on a street, phase 2 starts houses built on Tea Party Drive, there are a lot of houses not being built. Temporary access road crossing phase 2 going to phase 3. S. Carlson: There is a sign already there. Jeff Roelofs: There are wetlands through the property. N. Kielinen: Why can't they split phase 2 into separate and pave it and finish the back

end. Jeff Roelofs: My client perception of the market for those interior units they don't see a strong enough market to build those. The temporary access come in through phase 3 access. I don't have a problem having a continuance. S. Carlson: Extension? R. Ricker: I think it would be an extension. I. McCauley: As-builts to review and discuss and provide comments on 2/11.

Made the motion for extension until February 11th for a detailed schedule and propose conditions  
R.Ricker, seconded the motion M. Krikonis. All in favor. Unanimous.

#### **APPROVAL NOT REQUIRED**

##### **58 Kendall Road – Silver Tree Realty – R-1 Zoning District Reconfiguration of lots**

Motion made M. Krikonis, seconded the motion J. Michalak. All in favor. Unanimous.

##### **410 Malden Street - Roger Berube – R-1 Zoning District Creation of 1 buildable lot**

Motion made R. Ricker, seconded the motion S. Carlson. All in favor. Unanimous.

##### **477 Reservoir Street/20 South Road – Larson/Simoneau – R-1 Zoning District**

P Harding: 6 and 7 are common ownership.

Motion made M. Krikonis, seconded the motion R. Ricker. All in favor. Unanimous.

##### **267 Brattle Street – Mangsen – R-2 Zoning District**

Motion made R. Ricker, seconded the motion M. Krikonis. All in favor. Unanimous.

#### **ZONING BOARD OF APPEAL RECOMMENDATION**

##### **Variance – 24 Fairchild Drive – Darryl and Nancy Gagne Sideyard Setback – construction of shed**

S. Carlson: Set backs on sheds. P. Harding: It's by size, if you have a recommendation I can send it to ZBA.

R. Ricker: I recommend that we deny and send a letter to the board of appeals. Scott don't approve because of

size. S. Carlson: We can give it to them and say that we did not approve.

Motion made by O.Lies made motion to deny, second the motion S. Carlson. All in favor. Unanimous.

##### **Special Permit – 81 Greystone Drive – Marie and Jacqueline Tremblay Accessory Apartment**

Motion made by R.Ricker, second the motion N. Kielinen. All in favor. Unanimous.

### **DISCUSSION OF APPEAL - APPROVAL NOT REQUIRED – FISHER ROAD**

P Harding: The town council filed a response, did a sight visit. O. Lies: I disagree, they will be developed regardless, we are spending money for legal representation. The Amazon truck got stuck. The public safety would say it's unsafe.

### **APPROVAL OF MINUTES**

Motion to approve the October 29, 2019 R.Ricker, seconded the motion J. Michalak.  
Otto wanted to add an amendment and will send me the notes.

Motion to approve the November 12, 2019 M. Krikonis made motion, otto 2<sup>nd</sup> motion. Mike and Scott abstain were not at the meeting

J.Michalak motion to adjourn 10:18PM, second the motion M.Krikonis. All in favor. Unanimous.

### **NEXT MEETING**

January 28<sup>th</sup>, 2020