

PLANNING BOARD
January 10, 2017
Memorial Hall

Members Present: William Ritter, Otto Lies, John Michalak, Robert Ricker, Scott Carlson, Tina Stratis

Members Absent: Jeff Head

Staff Present: Pam Harding, Director, Liz Fotos, Town Recorder

W. Ritter called the meeting to order at 7:03PM

ELECTION OF OFFICERS

Motion by R. Ricker, seconded by S. Carlson, it was VOTED TO ELECT J. MICHALAK AS CHAIRMAN OF THE PLANNING BOARD FOR 2017 BY A VOTE OF 5-0-1. (O. Lies: no).

Motion by O. Lies, seconded by J. Michalak, it was UNANIMOUSLY VOTED TO ELECT R. RICKER TO THE POSITION OF VICE CHAIR OF THE PLANNING BOARD FOR 2017.

Motion by O. Lies, seconded by S. Carlson, it was UNANIMOUSLY VOTED TO ELECT T. STRATIS TO THE POSITION OF SECRETARY OF THE PLANNING BOARD FOR 2017.

The Board thanked W. Ritter for being such a great Chair over the years.

RECREATIONAL MARIJUANA

P. Harding stated that there were still lots of questions surrounding this topic. She stated that what she recommended was a one year moratorium to be voted for at Town Meeting to allow time for the Cannabis Control Commission to form and have questions answered surrounding the legislation. She stated this time will let the Town meet with Town Counsel as well and form a bylaw based on those recommendations.

R. Ricker asked if during the moratorium the Town could zone an area that the establishments could be allowed.

P. Harding replied that was what they were looking at. She stated the Cannabis Control Commission had not been formed yet. She stated the legislation had already been delayed six months so it may happen that there would not be regulations in place to establish a decent bylaw. She stated if this happened and the town did not feel that there were sufficient regulations or interpretations in place they may be able to be extended it further.

She stated something similar was done when medical marijuana was approved. She stated a one year moratorium was put in place and there zoning was approved to allow establishments in the industrial district of the Town.

T. Stratis asked about the six month delay.

P. Harding replied that because of the delay of establishing the CCC, six months were given to issue regulations.

J. Michalak asked if they could use a Special Town Meeting if necessary.

P. Harding replied that they should vote for the one year moratorium at the Annual Town Meeting.

W. Ritter asked if a public hearing would be required.

P. Harding replied it would be.

W. Ritter asked if the Chief of Police was on board with the one year moratorium.

P. Harding replied he was. She stated that no one really knew what they were dealing with and the ballot was very confusing so Town Counsel recommended that a one year moratorium was put in place.

P. Harding stated that once the Planning Board was in agreement, they would come up with a draft of the bylaw and then hold a public hearing. After the hearing, it will be moved to Town Meeting for a vote. She stated the state is currently coming up with a template and as per Town Counsel, much of the state is expecting to use the same moratorium language.

Motion by R. Ricker, seconded by T. Stratis, it was UNANIMOUSLY VOTED TO HOLD A PUBLIC HEARING FOR RECREATIONAL MARIJUANA.

SUBDIVISION CONTROL REGULATIONS- Section I-VI

The Board discussed the definition of different streets; minor, local, collector etc and the acceptable width that should be in the Subdivision Control Regulations for developers to follow. They discussed specific streets in Town and their widths in order to get a feel for what they wished to see in subdivisions going forward.

S. Carlson stated that he felt that with bigger developments there should be a standard width. He stated that he did not agree with the 24FT recommendation in a bigger development because you lose some of the radius on a corner and it makes it difficult for large trucks or emergency vehicles to get around. He stated that he thinks in larger developments everything should be 26FT.

O. Lies agreed with S. Carlson. He stated that he did not think there should be any 24FT wide streets in Town other than by special permit.

R. Ricker asked about curbs.

I McCauley stated that the request Cape Cod curbs in order to allow vehicles to be able to get up on the curb if needed.

S. Carlson stated he felt that the Fire Chief should have to sign off on narrow streets.

J. Michalak suggested having developers come before the Planning Board if they wanted to utilize 24FT by special permit.

T. Stratis stated that the topography of the developments of the future was going to be an issue.

P. Harding stated that the road grades would be the same although the house lots may be steeper.

J. Michalak stated that these changes would tie into the 'Complete Streets' initiative. He stated that they would want to make sure that the widths that the Board was discussing fell into the Complete Streets regulations as well.

P. Harding stated that the Complete Streets was for collector roads.

R. Ricker stated that based on the land that was left for development, they needed to look at the width of streets and what was being built with a different approach.

P. Harding stated that 24FT for minor streets, if limited to 10 housing units seemed reasonable.

J. Michalak stated that 26FT for local streets seemed to be the Boards preference. He asked if something could be added that indicated the Town would follow Complete Streets design criteria whenever possible.

P. Harding stated it was unlikely to see a collector street in a subdivision.

J. Michalak stated that he felt a collector street should be 30FT. O. Lies agreed.

P. Harding stated that they could have collector streets be 30FT with a bike lane and 28FT without and they could add the language that whenever possible, the Town will follow Complete Street design criteria.

O. Lies asked how that would impact any roads being rebuilt. He asked if the Board changed the language in the Subdivision Control Regulations would it impact any possibly rebuilt roadways in Town.

I McCauley stated that it would be addressed on a case by case basis. She stated each street would be looked at and addressed by a needs basis along by looking at what made sense and what was available. She stated DPW would look closely at roads, curb cuts, ramps and sidewalks and then make a determination.

J. Michalak stated that it was his understanding that the Town would be required to look at the options and while they would not be required to do change it, they would have to justify why they were not.

J. Michalak asked about arterial roads. He stated that they are usually 36FT but it would depend if there was parking on them.

P. Harding stated that DPW wanted 44 for arterial roads.

I McCauley stated that they thought to leave it at 44FT.

P. Harding stated that as per the Boards conversation they wished to have 24FT for minor roads, 26FT for local roads and 30FT for collector roads and to leave the arterial as it is at 44FT.

J. Michalak asked if there were any other changes that P. Harding wished to point out to the Board.

P. Harding replied that they were still working on design standards and that the changes in section 2 were mostly administrative things such as copy fees and that type of thing.

P. Harding stated that another big change was with regards to retaining walls. She stated the changed would indicate they were not to support public ways and restricted the slopes that support them to not be greater than 2:1 ratio. She stated that would protect the Town from liability and from long term maintenance to the walls in addition to preventing them from being maintained by HOA's.

P. Harding stated another change was with regards to the concrete ramps at intersections.

I McCauley stated they were detectable warning pads and regulations follow MA DOT.

R. Ricker asked what the pads were for.

J. Michalak stated that it was with regards to the ADA and it let you know you were changing from a safe roadway when you cross a street and the other side lets you know when you are safe again by using a textured roadway.

S. Carlson asked about the methods for subgrading; he stated he was surprised the town did 6" on the roads when the state standards were 4". He stated that you had to be 4" minus on anything once you disturbed it.

P. Harding stated that they would review that with DPW and let the Board know.

S. Carlson asked about road paving in developments that were several hundred feet long. He stated that in other Towns when you pave the road you have to pave it as one piece. He stated that when it was done in sections, there was often road failure where the seam was. He asked if the Town could require the top coat to be all in one piece.

P. Harding stated they had to phase it out.

C. DeMoranville, DPW stated that they could not do that because the developer is not allowed to leave the binder exposed for too long.

P. Harding stated that the Town has a phase growth bylaw so if they were to implement that they two bylaws would almost be conflicting.

S. Carlson stated that other towns make it so that developers have to get roads accepted, they don't care about the houses. He stated he was asking this because some roads in Town were failing.

O. Lies asked about curbs in Town. He stated that after some time they start to look bad and beat up because they are hit. He wanted to know how DPW felt about curbs.

P. Harding stated they were vital to the drainage system.

I McCauley stated that depending on what the engineer in a subdivision designed, they were important to drainage because they guide water.

O. Lies stated it was not a big deal he just bought it up because he sees a lot of damaged curbs in Town.

T. Stratis asked if the Town fixed asphalt curbs. I McCauley stated that the Town does have a berm machine.

J. Michalak asked about shade trees. He stated it did not mention anything about planting of trees.

P. Harding replied they had not gotten there yet but that planting before occupancy is what was agreed on.

J. Michalak asked if they were still working on bridges.

P. Harding replied that they were.

J. Michalak stated that anything over ten feet was now considered a bridge. He stated that MA came up with a new program that 10-20 FT was considered a small bridge and that anything over 10FT would need to be inspected.

I McCauley stated that the government has specific regulations and design standards for bridges over 20FT. She stated that there is a large cost associated with maintaining these structures. She stated they were starting to inventory the crossings in Town.

S. Carlson stated that on page 34 of the Subdivision Control Regulations under Street Lights/ LED and HMLD, he would like to take out sulfur lights if possible.

O. Lies suggested that the section be rewritten by HMLD.

J. Michalak asked about the grants for the lights.

P. Harding stated there is a pilot program HMLD is looking at.

T. Stratis asked if the Board was going to talk about cluster subdivisions.

S. Carlson asked if they were going to define what low impact meant.

J. Michalak stated that it was an agenda item for the Planning Board goals so it was on the 'To Do' list.

T. Stratis asked if it could be reviewed before another big subdivision was presented.

P. Harding stated that it would need to go to Town Meeting because it was a zoning change.

T. Stratis asked if they could do it before this years Town Meeting. P. Harding replied they could.

J. Michalak stated that the next step would be to take what the Board discussed and come in with another draft of the Subdivision Control Regulations in the future.

COMPLETE STREETS POLICY

C. DeMoranville, DPW stated that Complete Streets was a program that was started last year that offered towns \$50,000 for design and \$400,000 for construction of complete streets to improve roadways for better use for all users; sidewalks, bikers, accessibility for pedestrians, commercial traffic and more. He stated that they wanted a written policy in order to apply for funding.

J. Michalak stated that the policy was supposed to be incorporated into Town.

R. Ricker asked if the Roads in Jefferson Village would be able to take advantage of this program.

J. Michalak replied that it was a state road and that Complete Streets funds could not be used on main streets.

O. Lies asked if they can request the state to do the work. He stated that Jefferson Village was one of the worst areas in Town.

J. Michalak stated that the state has two forms, project information and project notification. He stated that the Town justifies to the state that there is a project that needs to be done by submitting it to MA DOT. If the state thinks it's feasible, they would accept it and the Town would be responsible for hiring someone to do the design. After that the town would try to get it on the tip for construction but it is several years before the start of a project. He stated this is outside of what C. DeMoranville was discussing with Complete Streets though.

J. Michalak stated for Complete Streets, they came up with three tiers, the Town accepts the policy, then they can move to tier 2, which allows the town to get \$50,000 from the state to hire consultants and come up with a prioritization plan that lists all the projects in town. After your list is submitted the state will decide on the first 22 or 24 communities that are approved for the \$400,000 for construction.

R. Ricker asked if any vote was needed. P. Harding replied this was for information purposes only.

I McCauley stated that they recommended that the Town Manager adopts the policy.

2017 PLANNING BOARD GOALS

- Review of Open Space and Residential Design Bylaw
- Update of Subdivision Control Regulation
- Jefferson Village Zoning District
- Recreational Marijuana

Jefferson Village Zoning District

R. Ricker stated that Jefferson Village had been around for a long time, he suggested coming up with a conclusion this year.

P. Harding stated that CMRPC did a report on Jefferson Village. She stated that the Town did not receive the funding to work with them to expand the report but that CMRPC wishes to come back and work with the Town in a limited capacity.

Update on Subdivision Control Regulations

S. Carlson stated that his concern with the new subdivisions was with regards to pump stations. He stated that he thought they were not going to allow new pumps to pump to old pump stations.

P. Harding stated that the Town does not have a policy on that.

S. Carlson asked how they would make a policy on it. P. Harding replied that was more to do with sewer extension than Subdivision Control Regulations.

S. Carlson stated that without the sewer the site would not happen.

P. Harding stated they would have to speak with DPW as she felt this was outside the scope of the Subdivision Control Regulations. She stated they don't get into that much detail and that would be in the water/ sewer regulations. She stated they can talk about it more in the future but she does not believe they regulate that.

T. Stratis asked about common driveways for houses.

P. Harding stated they were allowed by special permit and that it fell under zoning bylaws not under the Subdivision Control Regulations

T. Stratis asked if there was a maximum allowable length for the common driveway. P. Harding replied there was not.

S. Carlson asked about using switch backs for these situations.

P. Harding replied that Driveway Regulations may be a better place to put these. She stated that if the Board wanted to add something, it may be appropriate but it was a DPW regulations so the Board would need to approach DPW about it.

O. Lies asked if the Board could discuss the Open Space Bylaw before Town Meeting. P. Harding replied yes.

O. Lies stated he was happy to see members of the Board of Selectmen attend the Planning Board meeting. He stated he would like to see that continue and that it would be nice from time to time for the Boards to come tighter in interdepartmental cooperation.

O. Lies stated that when time allowed, he would also like to take a look at the master plan. He stated it was now about eight years old and that it would be nice to look at that as well.

O. Lies stated he would also like to see the meeting minutes posted 30-60 days after approval.

W. Ritter stated he felt that the review of the Open Space Residential Bylaw should be the Boards priority. He stated that as of yet, they had not generated a great consensus and

that it would require the most work as a Board. He stated that they may want to look at reducing the density bonus granted.

T. Stratis agreed and stated she would like to see that at Town Meeting.

P. Harding stated that they could hold a public hearing as late as April and then do a place holder for the warrant.

J. Michalak stated that the Open Space Bylaw was different than low impact and maybe they could tie them together and spell out what they wanted to see for low impact developing.

T. Stratis asked if they could also look at the number of permits that had been given out over a two year period.

R. Ricker stated that they were allowed 200 in 2 years and they never exceeded that.

T. Stratis asked if that could be looked at in terms of sewer capacity and schools and if the number could be revisited.

R. Ricker stated that he did not disagree that there were issues but that developers had rights as well.

P. Harding stated there was a limit per project per subdivision in addition to the amount of permits. She stated it was part of the phase growth.

APPROVAL NOT REQUIRED// R-1 Cutler Road- Holden Realty Inc.

P. Harding stated that they did an ANRAD to delineate and update the wetland lines. She stated they also did some testing and changed lot lines. She stated there were now 7 lots that they were adjusting lot lines to and laying out in accordance to that.

R. Ricker asked if engineering looked at it. P. Harding replied they did.

Motion by W. Ritter, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO APPROVE THE ANR FOR R-1 CUTLER ROAD, HOLDEN REALTY INC.

APPROVAL OF MINUTES

Motion by R. Ricker, seconded by W. Ritter, it was UNANIMOUSLY VOTED TO APPROVE THE NOVEMBER 29, 2016 PLANNING BOARD MEETING MINUTES AS PRESENTED.

Motion by W. Ritter, seconded by T. Stratis, it was VOTED TO APPROVE THE DECEMBER 13, 2016 PLANNING BOARD MEETING MINUTES BY A VOTE OF 5-0-1 (R. Ricker: abstain).

NEXT MEETINGS: January 24, 2017, February 14, 2017, and February 28, 2017.

MISC.

P. Harding stated they had received a citizen petition for the sale of used cars in Town. She stated it did not specify where and was a general petition that will go to Town Meeting.

O. Lies asked about the Mountview sign being lit up.

P. Harding stated that they will turn the sign off in the evenings.

S. Carlson asked when the Blair Development was meeting.

P. Harding replied that they were due a status report on February 1, 2017 and the public hearing was set for March 14, 2017. She stated she spoke to Mr. Blair today to remind him of the 53G funds that were needed in order to set up the peer review. She stated that they had not received any funds as of yet.

Motion by O. Lies, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO ADJOURN THE JANUARY 10, 2017 PLANNING BOARD MEETING AT 9:19PM.

APPROVED: _____