

Town of Sharon Planning Board
Meeting Minutes of 4/10//13
Amended and Approved on 4/24/13
Sharon Community Center
Filmed by SCTV

Planning Board Attendees

Eli Hauser, Chair	Anne Bingham
Rob Maidman, Clerk	Pat Pannone
David Milowe, Vice Chair - absent	Peter O'Cain, Town Engineer

Other Attendees

Mr. Hall	Tom Houston
Cindy Amara	Alice Cheyer
Bob Shelmerdine	

Opening

Chair Eli Hauser called the meeting to order at 7:30 PM and read the Chair's Report.

Signs

1. Sign for NEB Mortgages was not presented.

2. Sharon Market - Mr. Hall owner of Sharon Market presented his plan for new signage on the glass windows of Sharon Market.

Mr. O'Cain said he reviewed the sign by laws and cannot find anything specific for window use. Mr. Hall said the window signage will be vinyl pressed letters that adhere to the window. A discussion ensued.

Ms. Bingham moved to approve the sign request to be placed to the right of Sharon Market doors with the condition that the revolving advertisement signs be limited to one window. Mr. Pannone seconded the motion and the Board voted 4-0-0 in favor of approval.

Marijuana and Adult Entertainment Bylaw

Topic was not discussed.

Waste Water Overlay District and Professional District B Discussion

Mr. Hauser began the conversation by stating that the applicant has presented to the Board of Health and Finance Committee.

He read an email from Mr. Ed McSweeney of 68 South Walpole Street that asks the Board to find a solution to the request that works for all parties and wants the Sharon residents protected.

Mr. Hauser then stated that the MOU was signed by the Board of Selectmen. He stated that payments within the MOU were discussed and the questions regarding the number of units were answered.

Attorney Amara, Town Council said that at the Selectmen's meeting a discussion ensued about the Board of Health concerns about permitting. She said the BOH and DEP have joint ability to permit. All waste water treatment will go through both the BOH and DEP. If the property were to be sold anyone who takes over is subject to these rules.

A discussion about gallonage and permitting ensued.

Attorney Shelmerdine said two questions were raised. The first is the bylaw for the overlay district was drafted with a maximum gallonage of 64,000 gpd. The usage on this property will be less he said. They are actually considering reducing it to 48,000 gpd as the combined used for up to 88 assisted living units on the south parcel and 139 units on the north parcel. The second general concern raised by the BOH is whether the BOH rules and regulations would be impacted by the zoning change. They were assured by Town Council it is a zoning bylaw which would not supersede rules of the DEP or BOH rules. They have not been impacted.

Ms. Amara said the zoning authorizes use of the facility and needs requisite permitting requirements from the BOH and DEP.

Mr. Hauser said the first point is that the site was written for 64,000 gpd but the northern parcel of 139 units is the same today and the southern portion is coming down to 48,000 gpd.

Mr. Shelmerdine said the zoning bylaw functions independent of the MOU.

Mr. Pannone discussed the number of units being built.

Mr. Shelmerdine said they presented three times to the finance committee.

Mr. Hauser asked how much money will be generated for the town.

Mr. Shelmerdine said that assisted living will generate anywhere from 150-225K per year in cash after expenses.

Mr. Hauser asked if they anticipate school children and Mr. Shelmerdine said no.

Mr. Hauser asked if there would be an age restriction on the northern parcel and Mr. Shelmerdine said no.

Mr. Shelmerdine said he would come back to discuss the plan for the northern parcel.

Mr. Houston, consultant for the BOS said that 64,000gpd has received a lot of attention. This number is just a fail safe number for unintended consequences. Actual waste water is to be determined by permit uses in Professional District B and northern parcel. They will generate less than 50,000 gpd.

Mr. Pannone said he is not thrilled that the site access for the southern parcel is off South Main Street and not Old Post Road.

Mr. Maidman asked if the access from South Main is to be its own dedicated entrance or on the road network.

Mr. Houston said the MOU is an overview subject to final site plan approval by the Board of Appeals. He said he recommend a right turn only access on South Main Street.

Mr. O'Cain asked if they need a permit from the State.

Mr. Houston said yes from Mass Dot. They have to follow MEPA notice of project change.

Ms. Bingham said that she went to the BOH Meeting and is glad the flow issues are discussed. She commented that she is glad the gallonage issue got worked out. She said of the BOH members there, it is fair to say they were upset that this topic was brought to them so close to Town Meeting. It is complex and could have a far reaching impact. She thinks it should be kept in mind that under single zoning you wouldn't get more than 15 houses. She is also concerned the cemetery will be isolated. She is considered with its historic obliteration. She thinks that the proposal for traffic needs to be kept in mind.

Mr. Houston said traffic lights will be installed at the mall.

Ms. Bingham said she feels the economic justification is barebones. It's a wasteland and they are looking for approval to make it more of a waste land. She thinks the MOU is not valid until the Town Meeting ratifies it. She does not like contracts between the Selectmen and private parties.

Mr. Hauser asked if the MOU will be on the website and Mr. Shelmerdine said it would.

Mr. Hauser said to review, the top portion of the property is the same, the bottom portion is different. He likes the idea of the MOU.

Mr. Shelmerdine said the MOU is on the commercial side, 10 acres were donated, 11 acres have a conservation restriction, there was \$300,000 given to National Heritage and the cranberry bogs will go to the town.

Ms. Bingham says she feels like blood money is being used for dense development.

Mr. Hauser said he likes assisted living.

Mr. Pannone asked how pharmaceuticals will be handled.

Mr. Shelmerdine said that on the education side they have education classes and outreach on how to dispose of personal care products.

Mr. O'Cain said the EPA has not determined minimum standards. He asked how the treatment plant will address nitrates and personal care products.

Mr. Houston said it is a balancing act with respect to waste water in general requirements of BOH and DEP effluent has to be clean and meet drinking water guidelines. It is probable with personal care and pharmaceuticals there is a component into ground water. It happens in every system in the state. There are waste water processes that remove medical products. He is not sure if the DEP or BOH would require this. The aquifer is of concern. The BOH and DEP has the discretion on requiring treatment processes, in absence of guidelines and scientific evidence of human thresholds that should not be exceeded.

Ms. Cheyer said that medical offices would add medical wastes to the water. She understands from the BOS meeting there is no plan for the northern portion, it's a vision. She said that nothing is made clear by the developer to buffer the neighboring house. She thinks the residents should benefit from the waste water plant.

Mr. Hauser said buffering was discussed and included in the treatment plant.

Mr. Houston said the waste water bylaw has a 150 foot buffer between residential property and the property line to any component of waste water treatment plant. There are 25 foot buffers required adjacent to the property of shrubs, tree and fencing within the new zoning.

Mr. Shelmerdine said the zoning has the ability to tie neighbors to the system on a case by case basis, with the cost to be determined.

Mr. McSweeney spoke and said that the Selectmen are sponsoring a project to destroy his home. He feels this is a land deal.

Mr. Pannone moved to close the public hearing that was not closed at the last meeting on the waste water district article. Anne seconded the motion. The Board voted 4-0-0 to close the hearing. Ms. Bingham moved to close the Professional District B public hearing. Mr. Pannone seconded the motion and the Board voted 4-0-0.

Mr. Pannone said we are not changing the zoning. The waste water overlay district is being reconfigured.

Mr. Hauser said there is no zoning for articles on the northern parcel as relates to use.

Mr. O'Cain said the waste water article allows non 40R district to be connected. The bottom parcel is being changed under zoning change to be connected to the treatment plant.

Ms. Bingham said we are the Planning Board. We have a vision to adjust accordingly and should look at this with fresh eyes.

Mr. Shelmerdine said in the existing 40R overlay district there is capacity to establish a new facility. There is no limit on sewer capacity. The underlying zoning change is capped at 63,000gpd but will be recapped at 48,000gpd.

Mr. Maidman moved the Board vote in favor of the waste water overlay district article. Mr. Pannone seconded the motion. The Board voted 3-1-0 in favor.

Mr. Maidman moved to vote in favor of the Professional District B warrant article. Mr. Pannone seconded the motion. The Board voted 3-1-0 in favor.

Minutes

Review of the minutes was postponed until next meeting.

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Adjournment

Mr. Pannone moved to adjourn at 10:00 PM. Mr. Maidman seconded the motion. The Board voted 4-0-0 to adjourn.

Attachments

Multiple