

Town of Sharon Planning Board
Minutes 2/26/14
Amended and Approved on 3/12/14
Sharon Community Center
Filmed by SCTV

Planning Board Attendees	
Pat Pannone, Chair	Ben Pinkowitz
Anne Bingham	Peter O'Cain, Town Engineer
Rob Maidman - absent	
David Milowe	

Other Attendees	
Tom Houston	Bridget Sweet
Kyla Bennett New England Peer	I Apse
Eric Hooper	Alice Cheyer
Michael Pierce	Myron and Elizabeth Essex
Paul and Judy Bookbinder	Paul Lauenstein
Linda Callan	Jeff Spagat
C Levine	Rita Corey
David Lewis	Frank Holmes
Cindy Amara	

Meeting Initiation

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

The ANR for tonight was cancelled.

Meeting Minutes

Acceptance of the meeting minutes for 2/12 and 2/26 was deferred to the next meeting.

Zoning Regulations

The *Public Hearing on the Zoning Regulations* from 2/26 continued. Mr. Houston stated that the substantive items were changed. He reviewed and clarified the bonding section. He thanked Ms. Cheyer for providing numerical cross-references and identifying typos. The changes were incorporated. The Board discussed section 3.3.6.1.e. Mr. O'Cain had suggested wording changes, the Board reviewed and then a discussion ensued.

Mr. Milowe moved to close the public hearing and Mr. Pinkowitz seconded the motion. The Board voted 4-0-0 in favor.

Mr. Milowe moved to approve the amendments to the Sharon Planning Board Rules and Regulations to include scribal corrections by the Town Engineer. Mr. Pinkowitz seconded the motion and the Board voted 4-0-0 in favor.

Mr. Milowe moved to adopt the Sharon Planning Board Technical standards and fee schedule so it can be modified by a majority vote of the Board. Mr. Pinkowitz seconded the motion and the Board voted 4-0-0 in favor.

Brickstone informal discussion

Dave Lewis representing Brickstone began the discussion by stating that they heard the Planning Board's comments and they are here to answer the questions and state their position. Mr. Davis said that they met with Mr., O'Cain to discuss technical questions. They have commissioned a financial impact report, which is not yet ready. A traffic report is underway. He said the objective is to go to Town Meeting in May to allow for an overlay district to allow them to proceed by rite. He said there had been a long history to the project. It was put on hold for a period of time due to litigation. They first thought about an assisted living development but then with the recession they had to think of a new strategy. They want to build a single-family cluster project with a gift/sale of land to the Town. The goal is to give back a sizeable chunk of land to the Town. The project will be a 98 unit single-family subdivision with an on-site wastewater treatment plant, pumping station and 220 acres being given to the Town. It will connect existing open space.

The steps to be followed include:

1. Zoning amendment to be voted at Town Meeting
2. The development agreement with Brickstone and the Selectmen
3. Site plan review – as of right basis after the zoning is approved. The benefits he said are the transfer of the land to the Town, improved access to Rattlesnake Hill, better connection to open space, easements to habitats and vernal pools, minimization to impervious surfaces.

The on-site wastewater treatment plant, Mr. Lewis stated, is an improvement over an individual septic system. The water pumping station will improve water pressure. It will end the 40B project and close the door on the litigation, no high rises and as mitigation component Brickstone will make a 250K contribution to the Affordable Housing Fund.

From the fall discussion, they understood the need for more maps: topography, natural resources, zoning. The new layout avoids wetlands and vernal pools. The gift of 220 acres is up to the town to decide which acres. Mr. O'Cain said that the appraiser is still working on the value.

Mr. Lewis showed pictures of houses that could be placed on the property but it was not an actual layout of the property that the Board wanted to see. He said that there is a 3.85 bedroom limit per unit.

Ms. Bingham asked to see a copy of the development agreement and Mr. Lewis said it is with Attorney Gelerman. Ms. Amara said she just received it and they are working toward getting a copy to everyone. She will request input before the document is finalized.

Mr. Lewis said he met with both Mr. O'Cain and Mr. Hooper regarding the water issues.

Mr. Pannone asked about the financial impact statement and Mr. Lewis said it will be ready in two weeks and its been commissioned. He also said the traffic study is not ready. It will come out as a part of the development agreement.

Ms. Bingham said she wants to see a designed out plan with the homes planned out. Mr. Lewis said that would come after the zoning is approved. Mr. Pannone suggested LEED certification for neighborhoods and energy star homes. Mr. Lewis talked about greenness. He is sensitive to how the market place will accept this. They will be selling the development off in chunks and it will not be LEED certified.

Mr. Pannone asked if paving Mountain Street is on the development agreement. Mr. Lewis said the unpaved portions will remain unpaved. He thinks all the traffic will go towards the north and there is no reason to pave the unpaved part. Houses will be kept off of Mountain Street. They are respecting sensitive areas. It is a low-impact design. In the development agreement, the town can purchase to preserve additional lots around Rattlesnake Hill. He said a concept in the development agreement is for the Town to purchase 11 lots to reduce the 98 homes. Mr. Pannone asked if it could be purchased at a discount and Mr. Lewis said it could be purchased at market value.

Frank Holmes of Stantec Engineering, spoke about water distribution. His company did analysis to understand the water pressure along Mountain Street and what improvements need to be made to the infrastructure. They found low pressure at the higher elevation. He said a booster pump station is needed for fire-flows and domestic use. He suggests it be located near Mountain and Hampton and it is still being reviewed.

He said they heard the concern about the water storage tank on Hampton, as the tank is known to drop. He said the booster pump station would improve service on Mountain Street. There is no detriment to the water tank. He said there would be a phasing of the water main; it will be done as the market can bear with the absorption of the lots. He said homes on Mountain Street would be offered to tie into the water main. This is still in development. Mr. Pannone expressed his concern of how the main will affect homes with wells. A brief discussion ensued. Mr. Holmes said they would comply with DEP storm water management standards. He said that there is a need for a pump station to pump to the wastewater treatment works. The effluent will be disposed in a leaching disposal

area. The design flow is 42K gallons per day. This requires ground water discharge permit from the DEP. It's a permit process. The ownership of the treatment apparatus is through the HOA with oversight of the DEP. The HOA is responsible for the treatment plant. The DEP would require monitoring procedures.

Mr. O'Cain asked if a mounding analysis was done. Mr. Holmes said Haley and Aldridge previously did a soils test. He said that Stantec reviewed the previous work and is comfortable with their findings.

Mr. O'Cain said that he is concerned with the flow path and impact to wells and basements of abutters. He suggested a hydro geo study.

Ms. Cheyer said that we have local regulations from the Conservation Commission and the Board of Health and questioned if the project will meet the local regulations. Mr. Holmes said it would meet state regulations.

Ms. Bingham said that the Board of Health has the authority over the wastewater treatment plants. She thinks the Board of Health needs to be front and center. Mr. Holmes said the Board of Health would review the design.

Judy Bookbinder of 738 Mountain Street said she is concerned with who is responsible for the wastewater treatment plant and who is accountable when the developer and individual builders are gone.

Mr. Holmes said the ownership belongs to the HOA. As part of approval of the system the DEP requires seed money which is funding from the developer. Kayla Bennett of NE Peer said the information is not online and would like it online. She asked for clarification on the phasing of the wastewater treatment plant.

Mr. Holmes said that Brickstone would build the treatment plant with full technology before any house is occupied and this included the leaching field being fully built out.

Ms. Bingham asked if the full build-out of the treatment plant is in the MOU. Mr. Holmes said yes.

Mr. Lewis said the overlay district mimics provisions in the CSD bylaw. They are proposing an alternative that works for this site. He said the Town is getting a sizeable chunk of open space. The existing CSD contemplates the area for storm water.

Ivers Epps of Coach Lane asked if the private roads would be gated. The Brickstone reps said no, no town planning, no maintenance by the Town and streetlights would be part of the subdivision plan.

Mr. Pannone commented that Brickstone keeps stating that connectivity to open land is better. He stated you should not say better but its connectivity.

Mr. Lewis said they are working proactively with the Natural Heritage on the State level. He said their next steps are the BOH meeting on 3/5 and then Fin Comm the following week. The CPC is on the radar screen. The Development Agreement, traffic study and water mitigation are still open items.

Mr. Milowe asked if there is a plan for phasing of home building. Mr. Lewis said they might build/might sell; this is still to be worked out.

Mr. Pannone said we need to see a traffic study, financial impact report and the development agreement.

Michael Pierce of Bay Road said he hopes they do not bulldoze the whole area, if being done in phases. He wants to protect the runoff. Mr. Lewis said they do not plan to do clear-cutting. It is in Brickstones interest to preserve the value.

Judy Bookbinder of 738 Mountain Street asked if some homes would have 3 and some 4 bedrooms. She feels it is unusual to build three bedroom homes. Mr. Lewis said he does not know the mix of homes. There will be 377 bedrooms in total over 98 units that is the agreement.

Paul Lauenstein of 4 Gavins Pond Road said there is an overlap in the CSD bylaw and the special permit they are contemplating. Mr. Lewis said difference is mainly the water protection district requirements.

Kyla Bennett of PEER said they are trying to exempt from the Mass Wetland Act, how will DEP like it? Mr. Lewis said they would file a definitive subdivision plan.

Mr. Houston stated that the new zoning permits 98 proposed units. They are subject to BOH and Planning Board Regulations.

Mr. Pannone stated this was an informal hearing. He said he wants the fiscal impact report, traffic study and the development agreement by 3/12/14. The Public Hearing for Brickstone is scheduled for 3/26.

Mr. O'Cain asked Brickstone to put the presentation to line at the Town website.

Next Meetings

3/26, 4/9, 4/30.

Adjournment

Mr. Milowe moved to adjourn. Ms. Bingham seconded the motion. The Board voted 4-0-0 in favor of adjournment at 10 PM.