

Town of Sharon Planning Board
Minutes 3/26/14
Amended and Approved on 4/9/14
Sharon Community Center
Filmed by SCTV

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

Michael Pierce 1959 Bay Road	Richard Mandell 580 Mountain Street
Kyla Bennett Box 574 Easton	Cheryl Weinstein 4 Coach Lane
Ivars Apse	Cindy Amara
Richard Gray 756 Mountain Street	Marlene Chused
J and P Bookbinder 738 Mountain St.	Tom Houston
Chris Ranier	Ken McKenzie
Scott Thornton	Paul Lauenstein, Gavins Pond Road
Rita Corey	Frank Holmes

Meeting Initiation

Chair Pannone called the meeting to order at 7:41 PM and read the Chair's Report. He then stated that due to a technicality, the Brickstone Public Hearing scheduled for tonight is not open but will be on 4/9/14.

ANR Edge Hill Road and Mont Fern

Mr. O'Cain said that he reviewed the ANR plan and it meets all requirements. There are 4 buildable and 1 non buildable lots.

Ms. Bingham asked that the ANR review be postponed. She is concerned with access and says that the road is steep and narrow.

Mr. O'Cain said that we made an agreement in the field for minimum widths. This developer owns enough land to widen the road. He said Mont Fern exists. It is 33 feet wide which will accommodate 18 foot pavements and utilities.

A brief discussion ensued.

Chair Pannone asked the Board if there are any additional questions. Mr. Pinkowitz, Mr. Milowe and Mr. Maidman said they had no further questions.

Mr. Milowe moved to accept the ANR for 175 Edge Hill Road according to the plan of 3/26/14. Mr. Maidman seconded the motion and the Board voted 4-1-0 in favor of the ANR.

Sign replacement for French Memories

Mr. O'Cain explained that the sign for French Memories was being replaced with a sign entitled Angel's Café as ownership is changing.

Mr. Maidman moved to authorize Town Engineer, Peter O'Cain to sign as agent for the Board and to continue the investigative process to ensure the sign colors chosen match to the historical color palette. Mr. Milowe seconded the motion and the Board voted 5-0-0 in favor of the sign replacement.

Minutes

Mr. Maidman moved to accept the minutes as presented for 3/12/14. Mr. Milowe seconded the motion and the Board voted 4-0 -1 (Pinkowitz).

Brickstone

Chris Rainer of Guiliston and Storrs representing Brickstone said we will meet back on 4/9 with a new zoning amendment. He provided an overview by stating that they are looking for an overlay zoning on the land on Rattlesnake Hill for a 98 home subdivision and conveyance of land to the Town through a gift and sale.

Scott Thornton from Vaness and Associates, Transportation Engineers in Andover provided a preliminary traffic report and recommendations. He handed out a traffic impact report prepared in accordance with the State and local guidelines. In essence it identifies the project, traffic generation, impact of traffic on critical intersections and quantifies on seconds of delay at various intersections. They looked at 9 intersections around town – morning and peak hours. For 98 homes, they estimated there were 78 trips during the morning and 103 during the evening trips.

He said there was no change in the level of service, the overall impact of the project and the ability of the intersection to accommodate the traffic. He did not see an issue that the project would exacerbate any intersections. They will create a construction management plan for smaller trade type vehicles. In terms of the overall construction traffic they will encourage carpooling amongst the workers.

In terms of the overall impact, Ms. Bingham wants to challenge the 78 trips in the morning and is concerned that the number of trips is too low.

Mr. Thornton said he used an IT Trip Generation manual counts conducted on single family developments. They are categorized and compiled trip rates developed per unit. Its standardized basis for trip generation calculations.

Mr. Pannone asked how often are assumptions for this trip generation tested.

Mr. Thornton said when you do actual testing it is usually higher than the actual. In this study, there is a process to review the generation, once built.

Ms. Bingham is concerned with the curve near the landfill in terms of traffic impacts.

Mr. Maidman asked if the traffic report addresses any construction traffic and he was told it did not. He asked if Mr. Thornton could project the number of semi-trailers to access the property for supplies and materials. Mr. Thornton said he does not expect many due to the nature of the project. Mr. Maidman asked for additional information on the number of projected trucks. Mr. Thornton said this will be provided.

Mr. Milowe was also concerned with the low number, 78 cars leaving in the morning from 98 homes which are only 30%.

Mr. Pannone asked if the average age of the residents they expect was considered.

Mr. Thornton said within their database it could be 1-4 bedroom homes, It does not distinguish age.

Mr. Maidman asked if school buses were taken into account and Mr., Thornton said they were not.

Judy Bookbinder of 738 Mountain Street asked if the standard study used consists of homes of seniors. This development will have young families

Mr. O'Cain said the traffic plan is on the Town website.

Paul Lauenstein of 4 Gavin's Pond Road wants peak numbers for standard deviation. Mr. Thornton said he can get this information.

Rita Corey asked who will pave the remainder of Mountain Street and Mr., Ranier said there are no plans to pave Mountain Street.

Michael Pierce of Bay Road said it is hard to believe the 98 home residents will not want to travel on Mountain Street.

Chris Rainer said the synopsis of zoning is that they are compressing the lot size for a clustered more compact development surrounded by open space. It is a product people will like, the minimum lot size is 20K square feet; minimum lot width is 50 feet. It is a more compact development. They would still need a definitive subdivision review. This development will have a shared waste water system.

Ms. Bingham stated if you do not get 98 permits then we do not get the land. Mr. Rainer said yes. He also commented that the waste water filtration will be outside the surface water protection division.

Chery Weinstein of Coach Lane wants clarity as to what occurs if they do not get the 98 homes.

Chris Rainer said the goal with the overlay district allows Brickstone to build 98 homes and donate land and allow some to be purchased

The Board requested clarity as to what happens if not all 98 lots were permitted; what happens to the land to be given to the Town. Can they then develop the senior overlay district?

Mr. Pannone said it is odd to keep both overlays in place. Mr. Houston said that in Section 4392 it says only one overlay district is allowed once built.

Mr. Pannone expressed that he wants this language clarified.

Ms. Amara said in the draft language of the development agreement the intent upon approval of the project, prior to the building permit process is when the land conveyance is transferred.

Ms. Weinstein of Coach Lane asked what their current objection is to the current cluster zoning.

Mr. Rainier commented they want an as of right process, under the existing subdivision rules they need 100 feet, 2 acre zoning. This would restrict their zoning. They want a smaller footprint development with less lawn but convey open space to the Town.

Mr. Houston said no residential project is subject to site plan approval. Once they commit to this project the senior overlay district goes away.

Mr. Milowe asked how the homeowner's agreement relates to the waste water.

Mr. Rainier said there is an HOA and there will be a cost to homeowners.

Frank Holmes stated there is a cost of 75k – 100K for operation and maintenance of the waste water plant yearly. This averages \$750 - \$1,000 per home per year once built out.

Mr. Rainier said the developer is responsible for the balance of the waste water maintenance costs until all homes are sold.

Mr. O'Cain said they talked about selling off lots to other developers and wants to know how this will work. Mr. Holmes said that its part of the BOH and DEP who monitor this.

Mr. Maidman asked what is the administrative structure for maintenance of the treatment plant. Mr. Holmes said it is typically third party maintenance. Funds are set up that are contributed to HOA to replenish. They contract with a company to do maintenance and repairs. The HOA sets up the operation maintenance.

Mr. Maidman said he does not want the town to have any liability for this treatment facility. Mr. Rainier said there is a reserve fund in the HOA to pick up large expenses. He said the DEP has continued oversight.

Ms. Bingham said this is iron clad on paper but in reality this will have an effect on the Town to maintain.

Mr. Milowe stated that part of the development agreement discusses performance bonds as to form set by Town Counsel. He is concerned that as Brickstone is not building all of the homes, we would not have protection as a Board as we would want to have. He wants protection upfront as we need to make sure the Town is protected. He wants sufficient bonding for the entire time period.

Ms. Amara commented that you are talking about specifics of a subdivision proposal you have not yet seen.

Mr. Milowe said he wants built in protection with legal leverage so at the end we can make sure the project is completed.

Mr. O'Cain said he wants the infrastructure done before the lot permits are released.

Ms. Amara said this can be built into the subdivision approval.

Mr. Ranier commented that there will be a loop for school buses and that multiple building phases can occur at the same time.

Mr. .Pannone said that due to the abundance of caution the Public Hearing is postponed until 4/9/14.

Cheryl Weinstein of Coach Lane asked the Board if they feel they have enough information to make a decision.

Mr. Pannone said he did. Mr. Milowe said he wanted to review the fiscal report; Ms. Bingham said she did not yet feel prepared. Mr. Maidman said there is an enormous amount of information and more clarity is needed.

Ms. Bingham addressing Town Counsel said the development agreement is in flux and has hopes that comments will be welcomed.

Mr. Pannone asked if the intent was to have the development agreement signed before Town meeting and Ms. Amara said the intent was to have it signed by 4/9.

Next Meetings

4/9, 4/30, 5/14, 5/28, 6/11 and 6/25.

Adjournment

Ms. Bingham Milowe moved to adjourn the meeting at 10:00 PM. Mr. Milowe seconded the motion and the Board voted 5-0-0 in favor of adjournment.