

Town of Sharon Planning Board  
Minutes of 7/31/13  
Amended and Approved 8/14/13  
Sharon Community Center  
Filmed by SCTV

**Planning Board Attendees**

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

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**Other Attendees**

None	
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**Opening**

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

**Minutes**

Ms. Bingham moved to accept the minutes of 6/19/13 with a small amendment. Mr. Milowe seconded the motion. The Board voted 3-0-1 (Milowe was absent and abstained).

**Bella Estates Discussion**

Mr. O'Cain began by stating that the Town, Town Counsel and the developer of 155-157 Main Street met to discuss the upcoming schedule for work completion at Bella Estates. There are many outstanding items and they are working on a schedule to complete the tasks. It was mentioned that Town Counsel is working on an alternate credit method, possibly bonding. They are trying to determine an alternative to pulling the bond but yet have access to the funds without waiting two years due to the permit extension act. During the meeting, the stormwater issues on the six lots were reviewed. They agreed to immediate action to prevent erosion. They will have a structural engineer meet with the building inspector to review the home with structural issues.

Ms. Bingham said she attended the meeting and it went well. She said they agreed to everything but she did not see what they were getting back. They only own one lot. They agreed to a lot in the past but have not done any work in the past six months.

Mr. O'Cain commented that if the Planning Board revoked the special permit then that would force the Town to take over doing the work.

Ms. Bingham said that 155-157 bought the lots after Mr. Mirrione sold the lots to Mr. Intoccia. She said Mr. Intoccia got into issues with the Attorney General and then the property was auctioned and the six lots were sold to Camlin Corporation but Mr. Intoccia is still connected. She is curious if the Attorney General knows about Mr. Intoccia's involvement.

Mr. Milowe stated that 155-157 had made commitments before and did not follow through. He asked why we should believe them now.

Mr. O'Cain said he does not believe them until funds are put up. He said the special permit can be

revoked but that will stop all building.

Mr. Pannone said that the Board has the power to revoke the special permit and to stop the contractor but we have to wait two years as per Attorney Gelerman. This will also force the residents into a construction site for another two years.

Mr. O'Cain stated we should wait to see what comes out of Gelerman's office.

Mr. Pannone asked if they gave any explanation as to why they did not finish the work.

Mr. O'Cain said it was because they were not liquid. He said the Town side made it very clear that nothing will be approved without readily available money in an account. They are in negotiations now and determining a schedule of dates.

Mr. Milowe asked about the issue of safety. Mr. O'Cain commented that is why the building inspector pulled the permits. The sidewalks, lights and erosion are all on the list of to do's.

Mr. Maidman said it is premature for the Planning Board to take action until they hear from Attorney Gelerman.

Mr. Pannone will send an email to Attorney Gelerman to determine the status of the negotiations.

Mr. O'Cain said they have an October 30<sup>th</sup> deadline.

Mr. Milowe said his confidence level in 155-157 developer, is zero.

Mr. Pannone stated that if they have a liquidity issue then how can they be a participant in Sharon Commons? He said the Board should hold off until the next meeting before voting on whether to pull the special permit. He wants to know the consequences to the residents of Bella.

Mr. O'Cain said the Board should take it one step at a time.

#### **Mangia Application**

Mr. O'Cain said that Mangia, under new owner Mark Hoffman is proposing to add a deck on the right side of the building which is handicap accessible. Mr. O'Cain said the Building Inspector, Jim Andrews was on site already. They want to build a 16x24 foot deck which is pressure treated with one foot of gravel. They need to use Benjamin Moore paint. He said there will be no change in seating.

Mr. Maidman asked if there will be garbage cans. Mr. Hoffman said yes.

Ms. Bingham moved to approve the deck plan dated 6/7/13 and the site plan dated 7/30/13 subject to the approval of the building inspector and receipt of the official application.

Mr. Milowe seconded the motion and the Board voted 4-0-0 in favor of approval of Mangia's application.

**Next Meeting Dates**

8/14, 8/28, 9/11, 9/25, 10/9, 10/25

**Other**

1. Mr. O'Cain said the Town is getting money from MAPC to retrofit all lights to LED's.
2. Mr. O'Cain said he is completing a grant for bike way finding for the creation of way finding kiosks and bike signs.
3. Mr. O'Cain said with reference to Mr. Houston, he is creating new documents.
4. Mr. O'Cain said the Congress Group is out at Sharon Commons.

**Adjournment**

Mr. Milowe moved to adjourn the meeting at 8:30. Mr. Maidman seconded the motion. The Board voted 4-0-0 in favor of adjournment.

**Attachments**

1. None