

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
November 8, 2018**

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PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)

The meeting began at 7:00 p.m. in the Selectmen's Conference Room.

**ANR – Barbara Capuano – Center Street/Bondsville Road/Piney Lane
(Assessors' Map 39, Parcel 23)
(Split 53-acre parcel with frontage on Bondsville Road & Piney Lane into 3 lots)**

Barbara Capuano and Dana Steele – J.R. Russo & Associates, were present for the appointment.

Mr. Steele explained that the ANR is to create three building lots out of the 42-acre parcel. He said that one of the lots will have access off of Bondsville Road, with the other two lots having access off Piney Lane, and that two of them are being proposed as Estate Lots.

Mr. Coelho read the ANR checklist:

1. *Property owner's name, date of plan, and scale of plan.*
2. *A space for endorsement by the Planning Board.*
3. *The names of all abutters.*
4. *The lines of existing streets, ways, property lines, and easements. Indicate whether streets and ways are public or private.*
5. *The approximate distance from the property to the nearest street intersection, town line, or other definable physical feature.*
6. *Sufficient data to determine the location and length of every property boundary line in the new parcel and to establish these lines on the ground. Indicate the area of the new parcel.*
7. *The location of all property corner monuments and whether they were found or set.*
8. *The location, frontage, and area of the land remaining in the original parcel after establishing the new parcel.*
9. *The north arrow for bearing system used on the plan and whether it is true, magnetic, or assumed north.*

10. The location of all existing buildings and the distance from the existing buildings to the new property lines.

11. If a building lot is intended, the frontage requirement at the setback line must be shown.

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SUBMISSION: Two (2) Mylar's plus four (4) sets of prints (dark line on white background) shall be submitted to the Board for endorsement.

Mr. Phoenix: So, as far as the ANR, it meets all the criteria, I think the only option that we really have is to make a MOTION in the standard form to endorse the ANR.

SECOND Mr. Coelho.

5-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Documents included: Master application; Estate Lot Plan prepared for Barbara Capuano, Executrix of the Will of Jay C. Capuano – Bondsville Road & Piney Lane, Ludlow, Massachusetts (10-17-2018)

PUBLIC HEARING – SPECIAL PERMIT/ESTATE LOT – Barbara Capuano - Center Street (Bondsville Road & Piney Lane) (Assessors' Map 39, Parcel 23) (2 estate lots)

SEE ATTACHED MINUTES

PUBLIC HEARING – SITE PLAN – Town of Ludlow - 766 Chapin Street (Assessors' Map 11C, Parcel 49-2) (construction of a new elementary school)

SEE ATTACHED MINUTES

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- ◆ FILE Mail Item 63. - Legal Notices from surrounding communities
- ◆ APPROVE/SIGN Minutes of October 11, 2018
- ◆ APPROVE/SIGN Bills – D. Stefancik (reimbursement for mileage)

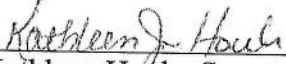
File Mail Item #62 - Legal Notice – Ludlow Conservation Commission – 766 Chapin Street

Mr. Coelho **MOVED** to adjourn.
SECOND Ms. Houle.
5-0 in Favor.

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Meeting adjourned at 8:58 p.m.

APPROVED:



Kathleen Houle, Secretary

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(All related documents can be viewed at the Planning Board Office during regular business hours.)

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**TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – ESTATE LOT/SPECIAL PERMIT
Center Street (Bondsville Road & Piney Lane)
(Assessors' Map 39, Parcel 23)
(2 Estate Lots)
Barbara Capuano
November 8, 2018**

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PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix - Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)

Hearing began at 7:21 p.m. in the Selectmen's Conference Room.

In attendance: Barbara Capuano, Dana Steele – J.R. Russo & Associates

Mr. Queiroga read the legal notice gave Mr. Steele a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: 2 estate lots.

Mr. Queiroga: Comments, the Department of Public Works: *extension of Piney Lane would be a private way as it does not have a fifty-foot right-of-way to be accepted as a public way. No issues with the estate lots if allowed, Jim Goodreau Assistant Town Engineer. From the Planning Board: site plan meets all the requirements for an estate lot. Is the Board fine with the extension of Piney Lane as a private right of way? The Board will have to grant a waiver for a private way. No more than two consecutive estate lots may be located on a public way. From the Fire Department: no issues with the two proposed lots. And from the Conservation Commission: no comments at this time, new owner of lots will need to file with Conservation.*

Mr. Coelho: Mr. Chairman.

Mr. Queiroga: Mr. Coelho.

Mr. Coelho: We met, the Safety Committee met this evening, and I need to enter this into the record; there's no safety issues as described.

Mr. Queiroga: Thank you.

Mr. Phoenix: And Mr. Chairman?

Mr. Queiroga: Mr. Phoenix.

Mr. Phoenix: I know this issue is tied closely with our prior appointment, and we already had some discussion about the matter as part of that, but I would ask that we could have the discussion kind of re-had during the public hearing so it's part of the official record. If we could have the explanation of the project and so forth again.

Mr. Steele: Sure, again, for the record, Dana Steele, I'm a professional engineer and principal at J.R. Russo and Associates, 1 Shoham Road, East Windsor Connecticut, representing Barbara Capuano who is the owner of this 52-acre piece, roughly, that is being divided into three building lots. The existing parcel has frontage on both Bondsville Road and Piney Lane. The frontage on Bondsville Road is a 50-foot access strip, existing 50-foot access strip, and the frontage on Piney Lane is sufficient for a frontage for an estate lot except if we were to divide it without extending the right-of-way, then the frontage lot's frontage would be within wetlands, and you wouldn't be able to construct the driveway without disturbing wetlands. And so, by extending the right-of-way, we're able to move the location of the driveway for Lot B, which is the large remaining parcel to the east beyond the wetland limits which are delineated on the plan. So, when we met some time ago with Public Works Engineering about this proposal, they felt that two lots was acceptable. They didn't want to see more than two lots. They actually liked the idea from a snow plowing standpoint to have this extra leg here for the plow trucks to be able to turn around and to push the snow, so I think that there's a benefit to the Town for that sake, and so, we are requesting an estate lot for two of these three lots. The largest lot will have legal frontage on Piney Lane, the required frontage, --- have a lot of area, about five-acres of usable land area with access off of Piney Lane through this private right-of-way extension. As I mentioned, when we submitted the application we did not specify whether it would be public or private, but that was, we anticipated it might be public, but you've gotten comments back that public works engineering would prefer that it be private. They think that the fact that it's 32-feet wide is an issue. We note that existing the Piney Lane is also, has a 32-foot right-of-way in an 18-foot private section. So, it's consistent with the rest of the road, but their preference is it be private, and we are agreeable to that. The only complication is that your staff is indicating that because it's private and not public, that you need to waive your estate lot requirement which says that it's, you know, it's allowed on a public way, to allow it on a private way instead. So, the estate lot, that 50-foot right-of-way, is actually a 100-foot wide strip --- provide to Lot A. But, the frontage there is off that extension and so that would be a waiver that we would request you to make based on engineering, comments, but we're certainly willing to discuss if you have different ideas about how you think it should be done. I mentioned previously that the parcels have been flagged for wetlands and delineated. They were flagged by a soil scientist and delineated in the field by our land surveyors. We have done that; the boundary survey, and identified the flood plain limits as well. We've done soil testing out at the site to determine that these three lots have suitable areas for septic systems, and all of that's been confirmed. So, we feel that these are viable lots, and they're oversized lots beyond your minimum requirements, and so we respectfully request approval of the special permit.

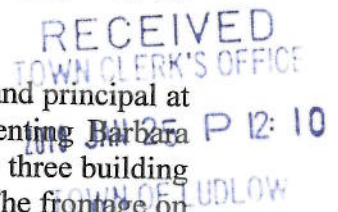
Mr. Coelho: So, that extension goes south?

Mr. Steele: East, right?

Mr. Coelho: Goes east.

Mr. Steele: Yeah, the north is pointing left on the plan, so ---.

Mr. Coelho: Ok, so that's coming off, alright, I see.



Mr. Queiroga: Is that the Piney Lane, that 32 feet is consistent with the entire Piney Lane?

Mr. Steele: Yeah, it's the same width. In fact, there is another right-of-way, see, it's owned by Freedman et al, up above there, that's, technically with that combined it is 50 feet but that's also privately owned, so it's not a town right-of-way.

Mr. Queiroga: So, you're not setting a new precedent there?

Mr. Steele: We're just extending, we're being consistent with what's already there. And it would be private, so the Town wouldn't incur any, if that's the direction you go, then the one advantage you probably, why engineering likes it, is they don't have to maintain it.

Mr. Queiroga: Ray or Ralph, any comments, questions?

Mr. Phoenix: I'm gonna, I said a little bit before, I have some issues as far as the way being there, and how we're treating it, but I'm interested to hear from the rest of the Board, and any comments that we have from the public on the matter before I continue on that track.

Mr. Queiroga: Kathy, any questions? Chris anymore? I hear the grinding.

Mr. Coelho: Where's that extension going?

Mr. Steele: Right at the bend there.

Mr. Coelho: Ok.

Mr. Steele: See how the road is straight...

Mr. Coelho: Right.

Mr. Steele: ...and then it bends, so it'll keep going straight.

Mr. Coelho: Ok.

Mr. Steele: This line, it'll keep going straight.

Mr. Coelho: And how close is that gonna be to the house here when all is said and done?

Mr. Steele: That house?

Mr. Coelho: Doug, can you zoom back down a little bit please? ---

Mr. Steele: Alright, so I don't have that house shown on here. But, the plan is at 100 scale, one inch equals a hundred feet, so if the house is roughly in the center, it's almost 200 feet to, it's almost 200 feet to this property line.

Mr. Coelho: Ok.

Mr. Steele: That's a lot of room for that house can be set back quite a ways.

Mr. Coelho: Ok.

Mr. Steele: They're not gonna build it right there.

Mr. Coelho: It's 200 feet to the property line.

Mr. Steele: Yeah, just to the property line. From the...

Mr. Coelho: And then there's still probably another...

Mr. Steele: ...this right here is 100 feet wide, so the house is here, and so this lot's way up here, so even to you get to the building, the buildable envelope here, you're about 300 feet away from the house.

Mr. Coelho: Ok. I just, I'm having trouble getting scale here, north, south, and east ---. But, I got it now, I got it now.

Mr. Steele: Because of the shape of the lot, it worked better to rotate it.

Mr. Queiroga: Ok, any additional comments Ray?

Mr. Phoenix: Like I said, I want to hear from the Board and the public before I continue.

Mr. Coelho: Is the Board allowed to ask something of the public?

Mr. Stefancik: It's a public hearing.

Mr. Phoenix: Yeah, the Board can do what we want.

Mr. Coelho: Who lives on the corner lot, right as you come over the bridge, straight ahead?

Mr. DiCarlo: ---

Mr. Coelho: What's that?

Mr. DiCarlo: Myself and my wife.

Ms. DiCarlo: Right here.

Mr. DiCarlo: 55 and 61 Piney Lanes.

Mr. Coelho: And that, there's like three or four little houses kind of right there?

Mr. DiCarlo: There's two actual residents, and then there's garages and...

Mr. Queiroga: And what is your name, sir?

Mr. DiCarlo: Michael DiCarlo, and that's Julie DiCarlo.

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Mr. Queiroga: Thank you.

Mr. Coelho: Ok, I just wanted to know.

Mr. DiCarlo: And the right-of-way, we caught you on tv, if you don't mind, can I speak?

Mr. Coelho: I don't know that we're open to the public.

Mr. Queiroga: You will be able to speak.

Mr. DiCarlo: The right-of-way that you were talking about there, that 18-foot wide right-of-way that goes from the bridge up about 200 and something feet, that's the access to my back property according to the, you know, the original plans, ok, and that goes out, somewhere in the middle of the bridge, I guess, in there. According to the DPW that's a 500-foot point from the center of Alden Street down, is where, that's, part of it's public way, and I own most of the driveway on that end.

Mr. Queiroga: Ok, if you don't mind, we'll get back to you if you have some more comments, and the, did you?

Mr. Coelho: No, I just wanted to hear who lived on that corner. That's all I wanted right now. Thank you.

Mr. Queiroga: Ok. You mind if we open it up to the public at this point?

Mr. Phoenix: Go for it.

Mr. Queiroga: We'll open that up to the public. Please go through the Chair here, and just identify yourself, your address, ok? Anybody have any questions? Yes?

Ms. Hodgman: Elaine Hodgman, 1475 Center Street. After, if those two estate lots are established, will there be any frontage left for the remaining parcel. Does that make sense?

Mr. Steele: Shall I answer the question?

Mr. Queiroga: Please.

Mr. Steele: So, on Piney Lane there is, it's currently one parcel being divided into two parcels. So, there'll be an estate lot and the remaining land will be the second lot. So, there won't be any additional frontage for any further subdivision, if that's, if that's the question.

Mr. Queiroga: On the 42-acres.

Mr. Steele: --- if in the future there could be additional lots, is that the?

Ms. Hodgman: --- yes.

Mr. Steele: Essentially that's the question? No, there'd only be these two lots. No more, off of Piney, and then a third lot off of Bondsville, right. But, that lot is completely separated from

Piney Lane by Broad Brook. It's not even, there's no way you could even get from one to the other, 'cause it's wet.

Mr. Queiroga: You had your hand up?

Mr. Phoenix: Well, just one quick question, first, and it's just for a number. What is the total combined frontage between Piney Lane existing and the proposed extension as it were along that edge of Lot B?

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Mr. Steele: We have 187 feet of frontage along Piney Lane to the property corner, and then another 32 around the corner till you get to the property line. And so, that's 187 plus 32, 210, 219. So, that's existing, and then we're adding another 184 plus 32 to it, so. Add those numbers up, 184, 206, so 206 and 230, over 450 feet roughly, but the reason for that is because the first 300 feet or so is all wetlands, so you can't use it.

Ms. Hodgman: So that is all on Piney Lane you're talking about, correct?

Mr. Steele: Yes, on Piney Lane.

Ms. Hodgman: Alright, so is there any remaining frontage off of Bondsville Road, Knollwood, Timberidge, anywhere there?

Mr. Steele: There is a 50-foot access off of Bondsville Road, and we are creating a separate lot and cutting that access off from these Piney Lane parcels, these remaining parcels will no longer have any frontage on Bondsville, and they won't have any frontage on any other lots. So, it'll be, that's essentially taking this and separating it so there is no physical connection between Bondsville and Piney with this division.

Ms. Hodgman: I understand that. I'm talking about frontage on any of the other streets that the land is touching.

Mr. Steele: No, there's no other frontage on, you mean like Knollwood?

Ms. Hodgman: Knollwood, Timberidge.

Mr. Steele: No, there's no frontage on Timberidge and no frontage on Knollwood.

Ms. Capuano: For this part.

Mr. Steele: Right. This parcel.

Ms. Hodgman: With this parcel.

Mr. Steele: Right.

Ms. Hodgman: One parcel at a time. Thank you.

Mr. Queiroga: Yes.

Mr. Persson: Rich Persson, 40 Bondsville Road.
Public Hearing – Capuano
November 8, 2018

Mr. Queiroga: Yes.

Mr. Persson: You're looking to propose two estate lots?

Mr. Queiroga: Two estate lots.

Mr. Persson: And the estate lots right now in Ludlow are only allowed on public land, is that what I'm getting? --- looking for an easement --- to be on private land?

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Mr. Queiroga: No, the ---.

Mr. Steele: Sure, the lot that we're creating on Bondsville is, already has the required 50-feet of frontage for an estate lot, and Bondsville Road is a public way. So, the question about private versus public only applies to the two lots on Piney, not to the lot on Bondsville. Bondsville's already a public way.

Mr. Phoenix: Realistically, only one of the ones on Piney, 'cause the other one has...

Mr. Steele: The other one, right.

Mr. Phoenix: ...adequate frontage.

Mr. Steele: It's really just that one lot, you're right. ---

Mr. Coelho: It's not public or private land, it's public or private way. So, our decision is whether or not to allow to put in an estate lot on a private way. On a public way we can.

Mr. Persson: Right, that's what I was saying. Bondsville Road is a public road right now.

Mr. Coelho: Correct. So that one's not a question.

Mr. Persson: Now, the property on the back of Bondsville, I'm on Bondsville, and this is going between our house and their house, where the 100-yard flood plain is on this drawing, I think, was before the beavers dammed it all up, because we actually have water that goes on to that pipeline frequently, and this drawing doesn't show indicate that at all. 'Cause the 100-yard flood line is one this drawing isn't accurate to that property at all. 'Cause like where the 50-foot, where the pipeline leaves Quabbin to go to Chicopee, the water actually goes on that frequently in my backyard. If you want me to take pictures I can.

Mr. Steele: That could be. This is taken from the FEMA flood maps, so they may not have been updated and obviously they don't get updated with every beaver dam that is constructed, they wouldn't be able to do that, so we're required to report what the official flood plain is. But, just to be clear and be fair, the actual flood plain could be different from the official flood plain.

Mr. Phoenix: And to go with that too, one of the comments that we did get in was from the, from Conservation Commission, that whoever ends up with these parcels, before they can build on them, they do need to go to Conservation and have the wetlands reviewed. So, that's a separate issue where they will delineate where those wetlands actually are.

Mr. Persson: 'Cause it actually runs right across that pipeline at times.

Mr. Phoenix: And for that matter, Conservation can, if we approve something tonight, Conservation can overrule whatever we decide, if there is a Conservation issue. Their decision takes precedence over what we allow. Their denial is stronger than our allowing.

Mr. Persson: How many dwellings are you looking to put on that lot behind Bondsville? Just: 10
one house?

Mr. Steele: Just one, just one.

Mr. Queiroga: Just one. Given what you have to work with there, and quite a bit of wetlands that you have to deal with. I know you have to do a lot of, make a lot of turns to get some usable land ---. But, at the same time, it's a plus in the sense that you're talking about something that can only have one house, ok, as opposed to something much more ---.

Mr. Persson: The other question is, like on the back south east corner of mine, it's got a right-of-way, existing right-of-way where it crosses, is that a proposed right-of-way Dana, or is that existing now?

Mr. Steele: You're talking about the aqueduct right-of-way?

Mr. Persson: No, no, you have a shaded area, it's with diagonal slots, you have two of them going across the pipeline. One of them is currently there, but the one to the west, in the middle of this drawing here, is there. That right-of-way is there. Actually, they used that to travel, bring gravel back thirty years ago when my house was built. But the one on my back corner, when I built my house, that right-of-way is not there.

Mr. Steele: You mean it's not physically on the ground if you go out and look at it.

Mr. Persson: There's nothing there now.

Mr. Steele: It's just a paper. It's just like property lines. It's like an easement is all it is. It's not something that's physically located on the grounds, you wouldn't see anything out there, it's just that there's an existing right-of-way providing access that aqueduct. There's two of them; there's one on the estate, the estate lot, providing access to the other side of the estate lot, and there's a second one to the east that I think you're referring to.

Mr. Persson: Yeah, that one there, I've never seen that one on my plot plan when we built the house.

Mr. Steele: Right, well it's not on your property, it abuts your property.

Mr. Persson: Correct. Like I'm saying, the overall layout of my property line, I've never seen that, even though I have stuff of the swamp.

Mr. Queiroga: Any other questions from, Mike?

Mr. DiCarlo: I just have some questions on what they're using for frontage on Piney Lane, and where they're seeing this frontage.

Mr. Queiroga: Can you move that over Doug?

Mr. DiCarlo: Can I stand up there, so I can see?

Mr. Queiroga: Sure.

Mr. DiCarlo: You'll have to excuse me, I have a little problem with eyesight.

Mr. Queiroga: No problem. Take your time.

Mr. Steele: The frontage on Piney Lane starts down at this property corner and extends up to the existing corner of Piney Lane. We said it's 187-feet. There's another 32 feet here. We're extending the right-of-way, the private right-of-way here, an additional 186 to here, and then an additional 98 feet, and another 32. So, that's the frontage along the lots.

Mr. DiCarlo: Is this my property pin that's out in the rock near the brook?

Ms. Capuano: No ---.

(conversation between Mr. DiCarlo and Mr. Steele regarding location of pin)

Mr. DiCarlo: And how much frontage do they need for the estate lot?

Mr. Queiroga: Minimum fifty.

Mr. DiCarlo: Minimum of fifty.

Mr. Steele: This one has more than that ---.

Mr. DiCarlo: The mailboxes should be somewhere right in here.

Mr. Coelho: And you're not adding this right-of-way to create the fifty, you're adding this right-of-way to allow access around the wetlands. So, if even if they own this land and that was dry, they'd be able to do this regardless, but because it's wet, they're adding that to access the land.

Mr. Steele: Right.

Mr. Coelho: So, it's not, they'd be able to do this regardless if it was wet.

Mr. Steele: Right. ---

Mr. Coelho: They have enough room.

Ms. DiCarlo: Right, it's on the other side of that right-of-way.

Mr. Coelho: Right.

Ms. DiCarlo: She on her own property line, correct?

Mr. Coelho: Yes, exactly.

Mr. DiCarlo: --- I own ---.

Mr. Steele: Right, right.

Mr. DiCarlo: That's how it goes, yes.

Mr. Steele: So, there'll be just one driveway connecting onto Piney Lane.

Mr. DiCarlo: ---

Mr. Steele: ---

Ms. DiCarlo: --- honey.

Mr. DiCarlo: Along the pine grove --- pines --- there, not in the dirt road, where the dirt road goes in?

Ms. DiCarlo: No.

Mr. Steele: This is paved.

Mr. DiCarlo: That's paved yes.

Mr. Steele: --- right up to the pavement.

Mr. DiCarlo: Ok. So, it would come up to the pavement?

Mr. Steele: Yes ---. Like if you're coming up Piney Lane, coming up into this site from Piney Lane, just keep going straight. You don't bend to the right, you just keep going straight.

Mr. Coelho: He'd be asking where the driveway to the house would be coming in to the, I think.

Mr. Steele: Oh, these would be the two driveways ---.

Mr. DiCarlo: Ok, wait a minute now.

Mr. Steele: So, this is your house over here, you're over here, and these would be the two driveways.

Mr. DiCarlo: The driveway would be in the middle of the pond?

Mr. Steele: No, the brook is here, and the pond's over here.

Mr. DiCarlo: Oh, ok, alright. So, this is, this is my property here.

Mr. Steele: No, this is your property over here.

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Mr. DiCarlo: Over there.

Ms. DiCarlo: It's beside the access road honey.

Mr. DiCarlo: Yeah. Because there's a dirt, this right of way here is actually the access to my back property which used to be known as recreation park.

Mr. Steele: Yeah, it continues up to here, yup.

Ms. DiCarlo: They're on the other side of it. ---

Mr. Steele: We're just paralleling it, right along side it.

Mr. DiCarlo: Ok, I'm just trying to, I've been up there for over forty years and my big concern is that no matter what goes in there, is we have enough problems with the pond, keeping the pond, you know, it's a pristine pond fed by the reservoir. But, the other problem is I also own the 200 foot of beachfront, plus or minus, the beachfront, and I have enough problem now keeping public off my property, and that's what I'm afraid of. These people that are building here should not have any right to the pond or my beach. That's my concern.

Mr. Steele: No, they wouldn't have any access, it's a private road.

Mr. Queiroga: Thank you Mike.

Mr. DiCarlo: And the other thing is, is with this estate lot is, runs up along my property line or along that 18 foot where it goes back, right?

Mr. Steele: Runs along your property line, yup.

Mr. DiCarlo: Ok, will there be a buffer left there or anything?

Mr. Steele: We've got 100 feet here, in order to put the driveway, so it doesn't have to hug your property line, and up here there's a 20-foot side yard. But, you can see there's a lot of room to build a house. They're not gonna build it ---.

Mr. DiCarlo: No, I understand that, yes.

Ms. DiCarlo: So, the house is gonna be set back further?

Mr. Steele: I would think so. Doesn't technically have to be, but if you were building a house on this lot, you wouldn't put it right on the property line.

Mr. DiCarlo: My pasture basically goes just about to the edge of the ---, goats, small barn.

Mr. Queiroga: Alright.

Ms. DiCarlo: Alright Mike? Is that enough?

Mr. Queiroga: Thank you Mr. DiCarlo.

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Mr. DiCarlo: They will still have on that, they will still be, there is a road that we use, not actually in the right-of-way, there's a dirt road that goes up at an angle, that's the road that we use to make the access to the backyard, other than my driveway.

Mr. Steele: Right, yeah we're not changing that.

Mr. DiCarlo: 'Cause if you can't get up my driveway, alright, so we'll still have that dirt road there, it'll be our access.

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Ms. DiCarlo: Ok.

Mr. DiCarlo: 'Cause technically all the deeds say access by cart road.

Ms. DiCarlo: Ok, is that enough questions?

Mr. Queiroga: Thank you Mike.

Mr. DiCarlo: Thank you.

Mr. Queiroga: Yes?

Ms. Hodgman: Elaine Hodgman again. If you're not leaving any frontage around this 42-acre remaining parcel, is that land locked then?

Mr. Steele: No, it does have frontage. The, yeah, so this 42-acre parcel will still have this 200 plus feet of frontage, and it goes to 300 feet of frontage on the public portion of Piney Lane portion, and then also an extension of a private portion. So, that lot, this lot will have frontage on Piney Lane, as will the estate lot through the private easement.

Ms. Hodgman: So, when I just asked you if there was gonna be any frontage, you said no, you said...

Mr. Steele: There's not gonna be any frontage left on any other streets, just Piney Lane.

Ms. Capuano: For this parcel.

Mr. Steele: You asked about Knollwood, and Bondsville, and Timberidge. So, none of those streets will have do currently nor will have frontage to this lot.

Ms. Hodgman: But Piney Lane will.

Mr. Steele: Piney Lane will.

Ms. Hodgman: It's not landlocked.

Mr. Steele: It's not landlocked.

Ms. Hodgman: Could possibly do something down the road?

Mr. Coelho: Once they do this estate lot, that's all they can do, right? Am I wrong?

Ms. Hodgman: ---

Mr. Coelho: You can't make an estate lot an estate lot.

Mr. Steele: It's just gonna have a single house on it. That's it.

Mr. Coelho: Or you can't ANR an estate lot? And if you can, you shouldn't be able to.

Mr. Steele: Well, this one's not an estate lot.

Mr. Coelho: Oh.

Mr. Steele: But, it's only got access at this one point here, so there's no way you could have, you couldn't subdivide it, if that's your concern. You couldn't subdivide it later on.

Ms. Hodgman: What are you gonna do with that remaining 42-acres, just let it sit there?

Mr. Steele: Build one house on it.

Ms. Hodgman: 42 acres, you'll have one house on it?

Mr. Steele: One house, yup. It's, there's only about five acres of it that's usable.

Mr. Coelho: The rest is wetlands?

Mr. Steele: The rest is wetlands and floodplain.

Ms. Hodgman: Just making it clear in my mind. Thank you.

Mr. Steele: Ok.

Mr. Queiroga: Ok, we've allocated a lot more time, but at least we got a lot of questions out on this issue. We're gonna, we have a couple of checklists we have to go through, too, and then we will be voting. And thank you all for your comments.

Mr. Phoenix: Mr. Chairman, you ready?

Mr. Queiroga: Yes.

Mr. Phoenix read the Estate Lots Criteria Checklist:

SINGLE FAMILY DWELLINGS ON ESTATE LOTS CRITERIA CHECKLIST

The purpose of this regulation is to allow for the creation of lots for single-family dwelling units only, with less than the required frontage, in exchange for increased square footage, for the purpose of preservation of open space and decreasing density in given areas.

Single-family dwellings on estate lots shall be permitted in the Agriculture and Residential A districts only upon the issuance of a Special Permit from the Planning Board as specified in Section 7.0 of this bylaw, and in accordance

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with the additional requirement specified herein, unless waived by the Planning Board.

1. No more than two consecutive estate lots shall be located on a public way.

Mr. Phoenix: That one requires a waiver on the word public way to allow for private. We're fine on the number, but the private is the sticking point. But, there's probably an argument that could be made that nothing says there's a limit on the number on the private way either, which is the argument I would make. But hey, that's fine. We've been asked for the waiver, I'll make a MOTION that we waive the requirement that this particular estate lot be located on a public way and allow this to be built on a private way if it meets all the other criteria.

SECOND Mr. Coelho.

5-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

2. The estate lot(s) shall have a minimum street frontage of not less than 50 feet and access width of not less than 50 feet from the front lot line to the principal structure. The front lot shall meet all the zoning dimensional requirements normally required in the district.
3. An estate lot(s) shall be double the minimum lot area normally required for that district inclusive of the access strip.
4. An access strip that is accessible having a maximum length not exceeding four hundred (400) feet.
5. The width of the lot where the principal building is to be constructed shall be equal to or exceed the distance normally required for street frontage in the district.
6. Front, rear and side yards must equal or exceed those normally required in the district.
7. The Planning Board may require that there be maintained or kept a naturally occurring or a planted vegetated buffer strip between estate lot(s) and adjacent lots to provide effective visual screening between the buildings at grade level.

Mr. Phoenix: I believe we heard that the plan is that that's all going to be staying along that edge as it is, correct?

Mr. Steele: It's existing wooded and can maintain whatever buffer you want to.

Mr. Phoenix: Ok, I think just for our own comfort level we might make that a requirement that there is a visual buffer between the house and the abutting land. Is that acceptable?

Mr. Steele: Like a 20-foot buffer? What did you have? Want to specify a distance?

Mr. Phoenix: How about, just use the setback line?

Mr. Steele: The setback line, yup.

8. The estate lot entrance/driveway shall be clearly designated with a house number sign. Mailboxes shall not suffice.
9. The driveway is to be located, constructed, and maintained a distance of no closer than ten (10) feet to any abutting property line.
10. Plan submitted shall include the statement " Lot (fill in the Lot #) is an Estate Lot; building is permitted only in accordance with the Special Permit Estate Lot provisions of the Ludlow Zoning Bylaw."

11. Permit shall run with the property and not with the applicant.

Mr. Phoenix read the Special Permit Criteria Checklist:

SPECIAL PERMIT CRITERIA

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- a. The proposal is suitably located in the neighborhood in which it is proposed and/or the total town, as deemed appropriate by the Special Permit Granting Authority;
- b. The proposal is compatible with existing uses and other uses permitted by right in the same district;
- c. The proposal would not constitute a nuisance due to air and water pollution, flood, noise, dust, vibrations, lights, or visually offensive structures and accessories;
- d. The proposal would not be a substantial inconvenience or hazard to abutters, vehicles, or pedestrians;
- e. Adequate and appropriate facilities would be provided for the proper operation of the proposed use;
- f. The proposal reasonably protects the adjoining premises against any possible detrimental or offensive uses on the site, including unsightly or obnoxious appearance;
- g. The proposal ensures that it is in conformance with the sign regulations of the bylaw. (See Section 6.5)
- h. The proposal provides convenient and safe vehicular and pedestrian movement within the site, and in relation to adjacent streets, property or improvements;
- i. The proposal ensures adequate space for the off-street loading and unloading of vehicles, goods, products, materials, and equipment incidental to the normal operation of the establishment or use;
- j. The proposal provides adequate methods of disposal and/or storage for sewage, refuse, and other wastes resulting from the uses permitted or permissible on the site, and methods of drainage for surface water;
- k. The proposal ensures protection from flood hazards, considering such factors as the following: elevation of buildings; drainage, adequacy of sewage disposal; erosion and sedimentation control; equipment location; refuse disposal; storage of buoyant materials; extent of paving; effect of fill, roadways or other encroachments on flood runoff and flow;
- l. The proposal is in general harmony with the general purpose and intent of this bylaw;
- m. The proposed use complies with any and all additional Special Permit Criteria or special use regulations imposed on individual uses in Section VI of this bylaw.

Mr. Phoenix: Unless there's anything else from the Board or the public, I do have a motion I will make.

Mr. Queiroga: One last, I noticed you had your hand up.

Mr. Hangasky: John Hangasky, 20 Bondsville Road. When you were talking about the easement between properties, what's presented here is 40 feet from the front of the building to the property edge. In your discussion, you reduced that to 20 as you were talking about it. There's an interchange here.

Mr. Queiroga: I said twenty?

Mr. Hangasky: When you were reading it, then you had a discussion here and changed it to 20 feet.

Mr. Steele: Yeah, I was referring to this side here on Piney was 20, but on Bondsville, the front yard of that is a 40-foot setback.

Mr. Hangasky: It's 40 foot, ok. Just want to be...

Mr. Steele: Just say to the yard requirements, I think you got it covered.

Mr. Queiroga: That's the front 40, yeah, the other one was ---.

Mr. Steele: It would be in some cases 40, some cases 20.

Mr. Hangasky: Just didn't.

Mr. Queiroga: Ok, no problem.

Mr. Hangasky: Thank you.

Mr. Phoenix: I would **MOVE** to approve the estate lot in the standard form with the additional criteria that the estate lots provide a vegetated buffer between the estate lots and the adjacent lots as provided under number 7 of the single-family dwellings on estate lot criteria, and that that buffer be the width of the setbacks.

SECOND Ms. Houle.

5-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

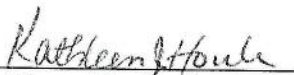
Mr. Phoenix: **MOTION** to close the public hearing.

SECOND Ms. Houle.

5-0 in Favor.

Hearing ended 8:00 p.m.

APPROVED:


Kathleen Houle, Secretary

su

Documents included: Master application; Estate Lot Plan – Barbara Capuano, Executrix of the Will of Jay C. Capuano, Bondsville Road & Piney Lane Ludlow, Massachusetts (10-17-2018); Comments from Town Boards/Departments

(Documents pertaining to this hearing are available for viewing in the Planning Board Office during regular business hours).

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**TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SITE PLAN
766 Chapin Street (Assessors' Map 11C, Parcel 49-2)
Town of Ludlow
(construction of a new elementary school)
November 8, 2018**

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PLANNING BOARD MEMBERS

Joseph Queiroga - Chairman (Present)
Raymond Phoenix - Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)

Hearing began at 8:22 p.m. in the Selectmen's Conference Room.

In attendance: Chuck Samiotes – Samiotes Consultants Inc, Michelle Kayserman – Samiotes Consultants, Inc., Evan Warner – STV/DPM, attendees

Ms. Kayserman reviewed the plan and the locations of the proposed school, playgrounds, parking areas. She noted that there have been minor modifications to the plan since the first time that the plan was presented to the Planning Board. Mr. Warner explained that a separate building for the school district offices is now proposed to be located in the footprint of the basketball court as shown on the plan.

Mr. Coelho asked what the geology under the proposed school looks like. Mr. Samiotes responded that there is some fill material, with some sand for the most part, and that it is a well-draining material. Ms. Kayserman said that all of the soil test logs were submitted as part of the Stormwater Report as an appendix.

Mr. Phoenix remarked about the missing components of the plan and said that he hopes that when the revised plan comes in to the Board, it is complete.

Mr. Coelho read the comments from the Safety Committee which noted that there were concerns about the fence height around the soccer field, and that they are requesting an updated traffic study using the new school traffic plan. Mr. Warner responded that there are plans for netting to be installed to fix the grade changes in the fence height.

The public hearing began at 8:22 p.m.

Mr. Queiroga read the legal notice and reviewed the application. The legal notice included the description of: construction of a new elementary school.

Mr. Queiroga: From the other boards, the Department of Public Works which you're probably familiar with, do you have a copy of?

Mr. Samiotes: Yes, we do.

Ms. Kayserman: Yes.

Mr. Queiroga: Ok. Also, you have a copy of our Ludlow Planning Board with the items that Doug thought were needed some updating space for Planning Board approval, and that you've already heard, circulation, etcetera. The, I see the Department of Public Works had the same issues of traffic study.

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Mr. Phoenix: Well, there was one other thing, number two on their letter Joe.

Mr. Queiroga: Number two, on the Department of Public Works?

Mr. Phoenix: Yeah.

Mr. Queiroga: It is noted that no illicit discharge...

Mr. Phoenix: Traffic study number two.

Mr. Queiroga: In the trip generation section, it's mentioned that the number used for dropped off/picked up students is 43 students. In the executive summary and recommendation section it states that currently 109 students are dropped off/picked up.

Mr. Samiotes: Right. We are not the traffic engineers. But, the traffic engineers have been duly noted.

Mr. Queiroga: Noted.

Mr. Warner: I was gathering information from both schools relative to pick up and drop off to confirm numbers that we were previously given, so those correct and updated numbers will be included in the updated traffic study.

Mr. Queiroga: Ok, you have copies of all these, correct?

Ms. Kayserman: Yes.

Mr. Samiotes: Yes, we do.

Mr. Queiroga: Board of Health, it's approved by the Board. The Conservation Commission, I'm sure you're familiar with them.

Ms. Kayserman: We were there last night.

Mr. Samiotes: We were there last night.

Mr. Queiroga: All parties, in regards to the school project, have requested a continuance until new information is disseminated...

Mr. Phoenix: Disseminated.

Mr. Queiroga: ...disseminated to all boards. We have granted them the continuance and await comments from respective boards.

Mr. Samiotes: We've been working with the ConCom and we're actually gonna be providing an exciting, a planting along the waterfront.

Ms. Kayserman: Within the 25 no touch, along the wetland area.

Mr. Queiroga: Is that a little brook there?

Ms. Kayserman: Yes, there is.

Mr. Samiotes: Yes, stream.

Ms. Kayserman: There is a stream here, it's also a pond, and there is wetlands here, so we are doing additional plantings within this area between the wetlands and no touch, and it's going to be utilized as an outdoor classroom for the students with signage.

Mr. Queiroga: No other comments. Ray, you had some other?

Mr. Phoenix: No, it was basically number two under the traffic study. Just that the numbers were inconsistent because I hadn't heard that yet, but it's been brought up so we're good.

Mr. Queiroga: The, did we actually, I don't mean to ---, but did we actually pick a date for the continuance?

Mr. Stefancik: Speaking with Chris Leblanc, from the Mount Vernon Group, he suggested he would get plans in here mid-December and they would go out to review again by everybody --- engineering, all the committees --- January 10th.

Mr. Queiroga: They'll come back.

Mr. Stefancik: They would come back.

Mr. Queiroga: Yeah, does that give you enough time?

Mr. Samiotes: If not, we will duly notify Doug.

Mr. Phoenix: I'm sure you're gonna be asking public comment in a second, but before you do that, do we have a time for the 10th?

Ms. Urban: 7:00.

Mr. Phoenix: 7:00?

Mr. Coelho: At least next time you don't have to be behind a very complicated ANR.

Mr. Samiotes: Well, I actually thought that we were on time, 'cause isn't daylight savings time change next week?

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Mr. Coelho: No, that was Sunday.

Mr. Samiotes: Oh, it was.

Mr. Coelho: ---

Mr. Samiotes: Well, I do want to comment on one thing that I noticed last night, and I mentioned this last night to the ConCom, and I feel obligated to mention it tonight. I was very impressed, last week was my 40th anniversary of being a civil engineer, professionally, and it was the first time ever I had to stand up and say the Pledge of Allegiance, and I think it's a great touch, and I appreciated it last night, and I told Michelle, go back to your ConCom and tell them to do that too.

Mr. Phoenix: It's actually part of the general bylaws for the Town.

Mr. Samiotes: I heard, but I also felt...

Mr. Phoenix: Yeah.

Mr. Samiotes: ...you know, it's a very nice touch.

Mr. Coelho: The boards don't typically do the Pledge of Allegiance?

Mr. Samiotes: I've never seen it in 40 years.

Mr. Phoenix: I will say the one sticking spot with it, is that when you ask you have to be careful because you can't ask for people to stand and join you, because not everyone can stand, so you just have to be careful with the wording. A lesson we learned along the way.

Mr. Queiroga: Does the Board see any reason to do the checklist on this at this particular meeting?

Mr. Coelho: Why are we gonna waste time with a checklist?

Mr. Phoenix: I think for right now, Doug already ran the checklist and got comments from DPW. Let's get something in for us to look at that might pass everything before we go through it.

Mr. Queiroga: Ok.

Mr. Phoenix: We do have some people here.

Mr. Queiroga: Ok, is anybody interested in comments or questions as far as?

Mr. Wrona: I am if I may.

Mr. Queiroga: Can you just identify yourself and your address?

Mr. Wrona: John Wrona, 784 Chapin Street.

Mr. Queiroga: Ok.

Mr. Wrona: Over here, Michelle, you said this was gonna be a basketball court or you were gonna do away with it?

Ms. Kayserman: It, currently it's proposed as a basketball court depending on funding awarded, it may be then an administrative building.

Mr. Wrona: Ok.

Ms. Kayserman: But the building would be not set a little bit more forward.

Mr. Wrona: This way, forward and then going towards.

Ms. Kayserman: I have, let's see if I can, the building would then be, would come forward compared to this basketball court, it would come forward, and it would meet the setback of the side yard setback requirements.

Mr. Wrona: Ok, how high would that building be? ---

Ms. Kayserman: I believe it's one story.

Mr. Warner: Well, it's two floors, but it's set into the hill.

Mr. Wrona: Ok, entrance here on Chapin Street, is that an exit and an entrance or just one entrance, that you had pointed out earlier? Someone had mentioned that it as an entrance.

Mr. Samiotes: It's both.

Mr. Wrona: Chapin Street. Both, ok, so here, at the intersection of Fuller Street and Chapin Street, it's probably less than 500 feet, and you did say there was 109 students gonna be brought in and picked up?

Mr. Coelho: That loop is on the south side of the building.

Mr. Phoenix: Well, I would also say we don't know the number that are going to be. As of yet, that's still to be determined, I think, by the traffic engineers.

Mr. Wrona: Ok.

Mr. Phoenix: The 109 is a current number I believe, and the estimate and the traffic study was in the 40's.

Mr. Warner: Yeah, so...

Mr. Phoenix: So, we don't know where any of these numbers are coming from, but I wouldn't lock on...

Mr. Wrona: Forty students for a \$60,000,000 school?

Mr. Phoenix: Well that's why we were saying there's a big inconsistency that needs to get taken care of.

Mr. Wrona: ---

Mr. Phoenix: But, that whole report's getting redone.

Mr. Wrona: Right, and the reason I'm asking this is because my property is here all the way down, ok? And I travel back and forth. I've lived there for thirty years. And there are so many parents that pick up and bring their kids to school every day, and the fight between the buses and the cars picking up the students, to get out or get in is notorious, I mean, really bad. You don't have to take my word for it, go sit in the parking lot in the morning or in the afternoon when they get out. The other thing is, this is a heavy traveled road for a lot of the construction companies that are right behind us here now on Carmelinas Circle. They all tend, not all of them, but a good percentage of them, probably 40 to 50% of them, travel that way to get onto 291 to go to Springfield, 91 North, 91 South, and so forth, all the surrounding towns which they all work at. So, it is quite a congested area. They should put a traffic light there, which would be a great thing, but it would make it even worse. And then they're proposing the housing development on the other side of the street here, which is, I forget how many units, I don't have it at my disposal right now, but it's gonna be quite a few units there, with children and families, cars and traffic, which is gonna be on the Fuller Street side. Which a lot of people come from Granby, come up Fuller Street to go to the Ludlow areas that we have downtown here and into the Orchard. And I know this for a fact that, and I'm not saying it happens every day and all the time, but I drive tractor trailer for a living, and I know what this is all about, and I see what happens there. And it gets quite a gridlock. I mean, it's not nothing that's great. And if you get all these students being picked up, and the buses, if you sit there and look at the buses, sometimes there's only five or six kids on a bus. A whole big bus...

Mr. Warner: It is. There's a...

Mr. Wrona: ...probably 10, 15 parents behind with those kids on the route that that bus is traveling.

Mr. Phoenix: I would say, the way those buses are currently routed in Ludlow, they go from school to school picking up kids and then dropping them off...

Mr. Wrona: Ok.

Mr. Phoenix: ...so they're hitting all three elementary schools in a row before they finish up. So, it's, they'll do all of their picking up of the kids, and then they drop off at each of the schools in succession, and then when they're picking up, they pick up all three schools and then do all the drop offs. I'm not sure what the order is for which one's get picked up first...

Mr. Wrona: Right.

Mr. Phoenix: ...but, I know that's one of the reasons why it takes a while for my daughter to get off the bus in the afternoon is because the bus has to hit all of those schools before they get her home.

Mr. Wrona: Right.

Mr. Phoenix: So, it could be by the time the bus goes through the whole circle, they might have more kids on there.

Mr. Warner: So, one of the things that we're trying to do to address the traffic and congestion, just in general at the site, 'cause we know we're increasing number of students and so, pick up, drop off and whatnot. So, we've actually created three different exits or entrances off of...

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Mr. Wrona: Here or down here?

Mr. Warner: Off of Fuller Street.

Mr. Wrona: Off of Fuller.

Mr. Warner: Fuller is the ---, we're completely separating the bus loop. So, currently at Chapin, right, the buses come in off of Fuller, drop off or pick up in front of the school, and then they're out to Chapin Street, very close to the intersection...

Mr. Wrona: Right.

Mr. Warner: ...'cause that's that, that's the bus lane there, and then the parents, right, it's a loop or they're parking, and then they're coming out there. So, you currently have both the buses and the parent pickup drop off all coming off of Chapin Street. So, we're separating and segregating that so that the buses, right, and it's the 19 buses, and it's the same buses that go to each school are coming in. So, those have the ability to, kind of, do their own thing as well as any visitors and staff also being able to come in and out and off of Fuller Street and both the bus loop and the parent pick up and drop off are, have extending cueing, right, so that more of that actually happens 'cause it is, I was there this morning trying to double check these traffic numbers and whatnot, and it's an inordinate amount. Basically, about a third of the students are getting picked up and dropped off, and two thirds are coming by bus, and that's actually both at Chapin and Vets. So, we'll have that combined piece. So, we are well aware of that and have arranged things to be able to mitigate that as best as possible.

Mr. Wrona: So, you say you sat there and watched traffic yourself today, or?

Mr. Warner: Oh, I absolutely did, yes.

Mr. Wrona: Ok, another thing I'd like to point out to you, while you were there, to go back and spend some floor time there if you could, when you get a, 'cause at the intersection of Chapin and Fuller, that whole intersection needs to be addressed because that intersection has, since I was this high, that's how old it is. I'm 71 years old. So, that tells you how long that intersection has been that way. Get a truck to try and make a turn there. This is gonna create a problem because they have a problem now. Not even a tractor trailer, but a straight job or school buses. I see it all the time. They try to come around the corner, they can't because the road is not wide enough for them to make the turn when the traffic is sitting there. And even if the traffic is not sitting there, a longer vehicle has a harder time getting around those corners. There's a telephone pole on one corner there on Fuller Street.

Mr. Warner: Right.

Mr. Wrona: It needs to be addressed, that whole intersection needs to be addressed if you're gonna have this kind of traffic, in my eyes.

Mr. Phoenix: I believe that goes to Chris's point that some of that could get cleaned up if we were to get that corner and be able to use that as part of the engineering for this site, 'cause we'd be able to widen at least part of that.

Mr. Warner: But that is, and that does appear to be the issue, 'cause the roads are narrow --- sidewalks ---

Mr. Wrona: --- intersection.

Mr. Warner: Right.

Mr. Wrona: Or even if you're taking a right off of Chapin Street where the police officer lives on the corner, but I can't think of his name right now, but Leo, everybody cuts the corner, runs up on the sidewalk 'cause the curb comes right out. You can even do it with a car. Take your car and drive there and stop at the stop sign heading this way here from the school, try and make that corner here when there's a car sitting on Fuller Street, everybody's over on the curb, so it needs to be addressed or looked at in some way or fashion. And down here, this is the field, or actually, I'm gonna say here because --- none of this is done, do you know what the core tests revealed on that part down there?

Mr. Samiotes: What they revealed?

Mr. Wrona: Yes.

Mr. Samiotes: I mentioned it earlier. It was fill. It was an old peat excavation mining operation prior to, then it was fill brought in. We went down 12 to 14 feet. We submitted all that material.

Mr. Wrona: Well, I couldn't hear you because you spoke very softly. Nothing against you, but, sitting back there.

Mr. Samiotes: Oh ok, I don't usually speak softly, I'm Greek, so I tend to, you know, speak loud.

Mr. Wrona: Yeah.

Mr. Samiotes: But I can speak louder.

Mr. Wrona: What were the water levels?

Mr. Samiotes: I didn't hit ground water, ground water was...

Mr. Wrona: How far down?

Ms. Kayserman: It was below ten feet down.

Mr. Samiotes: ...below ten feet.

Mr. Wrona: I don't believe that, because I'm gonna tell you why, my property here, right here, I got 125 feet from the back of my house to the water. The whole back here is all grass, and every one of you are invited to take a walk over there today or this week, tomorrow, whenever, the weekend, you can't walk back there.

Mr. Samiotes: But you also have the peat back there probably

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Mr. Wrona: No, it's all sand.

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Mr. Samiotes: Is it all sand?

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Mr. Wrona: It's all sugar sand like they took out when they took all the fill where the soccer field is now, that was all prime sugar gravel, the best you can get in this part of the state.

Mr. Samiotes: So, our methodology of establishing ground water, we did not hit, in any of the places, any ground water coming in. We were there during the summertime.

Mr. Wrona: Yup, I remember 'cause I walked out there.

Mr. Samiotes: Ok, but it was a local excavator who grew up in the neighborhood and he filled me in on a lot of things. Our methodology is based on Title V of looking at modeling, which is staining of the soils.

Mr. Wrona: Right.

Mr. Samiotes: And that's how we establish the high ground water. So...

Mr. Wrona: I know the water table's very high there. It has to be because, I mean, there's a lot of water back there, and like now when we get the rain, it's even worse because you see now all the streams and rivers around us locally that you pass by on a daily basis, they're way above their peak.

Mr. Samiotes: Right. Honestly, it's my professional opinion that, and I was the one that did it.

Mr. Wrona: Yup.

Mr. Samiotes: I was on the Title V committee when they changed it in 1994. I was one of the first people that was assigned, I was in the first group as a soil scientist, and I was representing Title V or DEP all over the state on the most difficult issues regarding ground water and well locations and things like that. As a professional registered engineer since 1984, I feel that my logs are adequate and represent what I found on the field. Your site may be different. And I know that on my personal ---.

Mr. Wrona: ---

Mr. Samiotes: Right, my personal house, I have, you know, I have 2 ½ acres and I wish I could subdivide it, but I can't because I have all clay on one side, and I have beautiful sand ten feet over.

Mr. Wrona: ---

Mr. Samiotes: So, you know, I can only say what my professional opinion is, and how comfortable I feel with what I tested personally out there. It wasn't one of my employees, it was me personally. I picked the short straw that day.

Mr. Coelho: Would you put your house on this lot?

Mr. Samiotes: There you go.

Mr. Coelho: Would you build your house on this lot?

Mr. Samiotes: Would I?

Mr. Coelho: For your family?

Mr. Samiotes: Oh sure.

Ms. Kayserman: It's beautiful. You have waterfront.

Mr. Wrona: On the top you could, down at the bottom you couldn't. ---

Ms. Kayserman: Fourteen acres, I'd take it.

(multiple people talking)

Mr. Queiroga: So, I gather John, you'll be back on January 10th?

Mr. Wrona: I would love to, yes. Just, you know, I mean, just curiosity, you know. And like I say, on this property here where this building's gonna go, say from back here down, how far are they gonna, or what's the toe gonna be on the pitch of the property, from the fence?

Ms. Kayserman: So, from the fence to here.

Mr. Wrona: --- existing fence, what's the toe of the slope?

Ms. Kayserman: So, within here, it's gonna be a one to one slope with some riprap, but it's being pitched not towards your property, but into the school property, so any water that hits along that fenced line will come down the hill into our parking lot and be treated by our stormwater systems. So, nothing is graded towards the away properties here.

Mr. Wrona: How far down is the riprap gonna come from the fence?

Ms. Kayserman: It's going to come fairly close, right up to the fence line to keep the ---.

Mr. Wrona: I realize the fence, but down towards the school.

Ms. Kayserman: It's going, so the riprap slope here is going to come right up to here, there's a wall holding the parking lot, and this will be a parking lot. So, it'll come right around the back, and this building will act like a retaining wall, so up to the building there's a wall here because there is a secondary egress out, and then within here it starts --- further away, so it's just right in

this area where it's ---, and then again, within here, and then the wall --- back, so the rock doesn't just slide.

Mr. Wrona: So, the riprap will be here and over here.

Ms. Kayserman: Right.

Mr. Wrona: How big is the riprap?

Ms. Kayserman: It's...

Mr. Samiotes: We haven't designed that yet. I mean, that's a combination of us and the landscape architect and how we specifically attack, not attack, but how we design that particular part and others throughout the site. I mean, it's with the excavation that was done prior, and you know, with the peat mining operation, it's a challenging site. You know, there aren't too many...

Mr. Wrona: Oh, it is, it is.

Mr. Samiotes: There aren't too many sites that aren't challenging, but, you know, we've dealt with this, we've been in business for 31 years and we've been doing schools since the 90's.

Mr. Wrona: Well, I'm sure you've done this in other locations in other towns --- buildings. What is your professional opinion guessing as to what the size of the riprap would be. Just a ball park, I mean, nothing we're putting stone in. I mean, it is stone, but we're not gonna ---.

Mr. Samiotes: Well, you know something, we do look at riprap, but we also look at other alternatives of slope stabilization.

Mr. Wrona: Such as?

Mr. Samiotes: Such as tying in filter fabric into the slope, and...

Ms. Kayserman: There's also jute mesh, --- and then being able to stabilize it naturally with vegetative grass growing through, so it would be sometimes riprap can be the stone to hold it back. It can be the jute mesh in a mix with some stones to kind of hold it in place and then grass coming through, so there's also plastic --- that has, it's a plastic mat with large holes and it's pinned into the ground and the grass, you put it right over sod and it holds it.

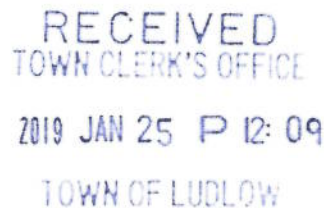
Mr. Samiotes: They've been doing that along the Mass Pike actually more and more. A lot more natural and, I mean, that's our hope, but I'm very hesitant to give you a number of the size of the riprap.

Mr. Wrona: Ok, and the reason I ask...

Mr. Samiotes: Sure.

Mr. Wrona: I'm gonna tell you why ---...

Mr. Samiotes: You sell riprap.



Mr. Wrona: ...is I'd rather see the grass and the mesh that Michelle just talked about, because I know they're young kids and they're small, but it's the big kids that are small, understand what I'm saying? They pick them up and they throw them over the fence. And they will do that. They'll throw them down in the parking lot. They'll throw them on the driveways where the school buses go through, and unfortunately, maybe somebody's car will get damaged with the windshield or something because at night when the kids go over there, and the school's closed, they do havoc over there, and that's everywhere.

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Mr. Samiotes: I think it's ---.

Mr. Coelho: Mr. Chairman, point of order. I don't think we need to get into project specifics at this point too. I mean, that's gonna be taken care of with a spec book, right?

Mr. Phoenix: I mean, some of that's gonna just be called out on ---. 'Cause, I mean, they're pretty exhaustive sheets on the details for this thing.

Mr. Wrona: Well, I'm done, I just, you know trying to follow ---.

Mr. Coelho: I don't want to argue about what kind of wood 2 x 4's we're gonna use even though we're gonna use metal ones, but you know.

Mr. Phoenix: But, what I would like to get at, two things before hopefully we can have the motion to continue this unless anybody else has something. The first one is pretty straight forward, and that's this being the school. There's a waiver in front of us on the table, being that it is the school we typically do waive the fee for submittal, to that end, I would make a **MOTION** to waive our fee which I believe in this case would be about \$21,000 for a project this size? And...

SECOND Mr. Coelho.

5-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Ms. Houle – yes; Mr. Queiroga – yes.

Mr. Phoenix: The other thing as far as that issue with the tennis court or the building depending on funding, do we know when that's going to be finalized with what's going to be there. Will that be something that's finalized before this comes back in January?

Mr. Warner: No, that would all, it has to do with favorable bids. The expectation and the intent is to have the district offices on this site. That's been the desire with what we've been charged to do. So, we have that as a bid alternate, so that we'll know on bid day if we get some favorable bids and we can stay within the \$60,000,000 total project budget and include the district offices that would be the intent.

Mr. Phoenix: I thought the district offices were gonna be in the main building anyway.

Mr. Warner: No, they were in a completely detached.

Mr. Phoenix: Detached?

Mr. Queiroga: --- Chestnut Street.
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Mr. Samiotes: It has to be because of the MSBA. The MSBA will not, in my understanding, fund the offices, and that's a distinct no, no on this, on every project.

Mr. Warner: Right.

Mr. Queiroga: Is it your plan to try to go to bid sometime in March?

Mr. Warner: I think the end of February right, beginning of March.

Mr. Quiterio: For the project to go out to bid?

Mr. Warner: Excuse me?

Mr. Quiterio: For the project to go out to bid?

Mr. Warner: Correct.

Mr. Coelho: So, I suppose we present the two plans, one with a basketball court and one with a building.

Mr. Phoenix: And...

Mr. Samiotes: And probably have just an insert.

Mr. Coelho: Or an insert.

Mr. Samiotes: Correct.

Mr. Quiterio: Shows it right here.

Mr. Coelho: I can live with that.

Mr. Phoenix: Normally, we don't get either or plans. We got a plan of what's going in. Sometimes it might show that a grass area might get a building on it or something like that as a proposed future building. But, this is not just grass being replaced, this would be either a tennis court or the building. Out of the two, the one that would have tougher requirements to meet would be for there to be the building there. Would it be possible to get a plan that shows the building, and then if that's not going to happen we can do an amendment to put the tennis court there in its place?

Mr. Quiterio: Basketball.

Mr. Phoenix: Basketball court, whatever it is.

Mr. Warner: That shouldn't be an issue.

Mr. Samiotes: I think, you know, we can do what's more convenient. I think the...

Mr. Warner: So, the bid documents will be a separate issue.

Mr. Samiotes: The bid documents will be a separate issue ---.

Mr. Warner: In terms of your submission that can, shouldn't be a reason that we can't tailor that submission to be, in essence, the full project that we hope and expect, and then come back and amend if something's to the lesser basketball court if on bid day that doesn't come to fruition.

Mr. Samiotes: From a hydrology perspective, the building is the probably slightly, I mean, it's infinitesimal. But, it's the lesser of the impervious options.

Ms. Kirakosyan: And it's, with the building, the runoff from the roof is considered clean, so it requires less treatment, theoretically, where the basketball courts can have the sediment, so it would need to show the TSS train, but we're treating both the same, so they would have the same both level of treatment. So, even though the roof runoff is clean, it is treated through infiltration, but in terms of the remainder, the other utilities, the building has more than just the basketball court.

Mr. Phoenix: No, I think we're looking at it from two different perspectives based on our positions at the table. The way that I'm seeing it is the building would have associated number of employees, and things like that that would need to be shown on the table.

Mr. Samiotes: We can do that. I'm sorry.

Mr. Phoenix: The building would have to have some kind of parking that's supporting it. If we're gonna be modifying the plan after it's been approved through just an amendment. I think it's easier to amend those numbers down that it is to amend them up. So, I'm looking at it from that perspective, and I think from the neighborhood's prospective, if they were asked would you rather the court be there or a building, I think most people would prefer the thing that's flatter and you can see through it better. So, if we're gonna be looking at which one we're gonna have on the submission, I'd rather have the one that is the tougher sell, and then if we need to swap it out later, I think that's something that we can do pretty simply.

Mr. Samiotes: I will tell you that the parking count does not change, we're at the increase of the thing. We could do, and I'm not trying to...

Mr. Warner: In other words, the drives and parking are designed to accommodate our worst case scenario.

Mr. Samiotes: Worst case scenario. And if, we will do what you're looking for, it's just a suggestion we're making, a respectful suggestion, we can do two tables and make sure that everything's sorted out and you have the right information.

Mr. Queiroga: Michelle you had...

Ms. Kirakosyan: Would the Board like to see two tables for the two buildings, or one table with just a secondary line item within the table for the second building.

Mr. Phoenix: Usually the table is for everything that's on the chart, and then if you've got multiple buildings or multiple occupants within a building, then there'd be a breakdown of, you know, Unit A has these, has this requirement, Unit B has this requirement.

Ms. Kirakosyan: So, separate line items.

Mr. Phoenix: Yeah.

Ms. Kirakosyan: Ok.

Mr. Phoenix: But it's, I mean, if the Board's agreeable to having the breakdown of both on the plan, I mean, I, I'm not necessarily hard set that it needs to be one way or the other, I'm just thinking we normally don't do choose your own adventure plan.

Mr. Coelho: We normally don't do \$60,000,000 build outs either. So, there's a lot more moving pieces in a build out like this, than a \$10,000,000 manufacturing facility.

Mr. Phoenix: I get it.

Mr. Coelho: Which we don't even do that either, so.

Mr. Phoenix: There's also, there's questions as far as the funding, and then I kind of go back in my mind to, we've got Westmass that has a lot of stuff with grants and everything for funding, but they're moving pieces all seem to come together before the planning comes to us, but this is a different funding agency. There's a lot of things outside of the scope of what we normally deal with. So, I'm trying to just find a path forward that's appropriate and is still gonna get everybody where we need to go.

Mr. Queiroga: Is funding still influx since Ray mentioned, in terms of what you're?

Mr. Warner: No, and that's, the MSBA will not be participating in the district office end of things. They would participate in the basketball court portion of that site, of the site development.

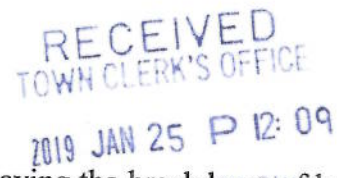
Mr. Phoenix: No, I get that, but the whole picture you're talking about, whether there's funding leftover after the bid ---.

Mr. Queiroga: I'd be looking for the results on the bid.

Mr. Phoenix: I get that.

Mr. Warner: So, if we get good pricing the school project itself right, 'cause what we can't do is do the project with the district offices and have it cost more than \$60,000,000 'cause that's what the Town voted on and what was appropriated, so this is our mechanism to stay within that, and in essence reduce the scope of the project. If money was no issue, we wouldn't have an alternate for a building. It would be part of the base bid and, you know, we wouldn't be in this situation, so.

Mr. Samiotes: Not that you've ever come across it, but if you're working inside the building and I worked for a developer for a year and a half, you know, we had alternates on using granite versus tile in bathrooms and things like that, and it all was relative. The add alternate was relative to how the pricing came in.



Mr. Phoenix: 'Cause the closest thing that I can think of for us, would be like the, some of the subdivisions that have come in where we've had ANR's done afterwards to move things around a bit, or the parcel that's still only half developed by the Turnpike that Colvest owns, where we signed off on the plan knowing that as they got tenants in they were probably going to be coming in looking to change the site plan to a site sketch after the fact, once they knew for sure what was going in there. They seemed to have locked themselves in a little bit by putting a foundation, but that's their business, not mine. So, I mean, we've seen things like that where, you know, it comes in as this is a plan that you guys can look at and approve, and then if we're changing things, we come in with the amendment and, you know, normally that's a cheap date anyway, but for you guys that's a freebee again.

Mr. Samiotes: I think it's our ability to try to lock in the bid too, at that point in time and have all approvals and you know, contractors depending on their availability. If they see something that's all approved and stuff like that, it's just, I think it'll make life easy for, not just our side of the table, but your side of the table, if we present it in the appropriate way. I think it's up to us to present it to you in a way that's acceptable to you.

Mr. Phoenix: Ok.

Mr. Queiroga: Ok, any other comments ---.

Mr. Quiterio: No, I think what she said before, keep it all on one page.

Mr. Phoenix: And I think that might work. I mean, I'm not saying I'm against that, you know, I just, like I said, I want to just get all of us ---.

Mr. Warner: And it needs to be clear. Right?

Mr. Quiterio: Whatever it is, yeah.

Mr. Warner: Option A, option whatever it is, it needs to be crystal clear.

Mr. Phoenix: I know you said a lot of the numbers are worst case scenario. I know you were also going out to get the traffic study cleared up.

Mr. Warner: Right.

Mr. Phoenix: So, I mean, if you are looking at worse case scenario, obviously take into account that the office is gonna take a few more trips than the courts.

Mr. Warner: Right.

Mr. Phoenix: I just, I don't want to have more stumbling blocks if we don't have to.

Mr. Warner: Understood.


Mr. Queiroga: Ok, do I, do we need a motion to continuance?

Mr. Phoenix: I'll MOVE to continue until January 10th at 7:00 p.m.
SECOND Ms. Houle.
5-0 in Favor.

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Hearing is continued until January 10, 2019 at 7:00 p.m.

APPROVED:



Kathleen Houle, Secretary

SU

Documents: Master application/Site Plan Review; Traffic Impact Study - Chapin Elementary School (December 29, 2017); Stormwater Report – Chapin Street Elementary School (19 October 2018); comments from Town Departments/Boards; Plans: Existing Conditions Plan of Land EX-1.1 – EX-1.2 (09.01.17); Phasing Plan L-1 – L-4 (October 19, 2018); Demo & Soil Erosion Plan C-1.1 (10/19/18); Drainage Plan (Base) C-3.1 (10/19/18); Drainage Plan (Alternate) C-3.2 (8/24/18); Civil Utilities Plan C-4.1 – C-4.2 (10/19/18); Civil Details C-5.1 – C-5.3 (10/19/18); Overall First Floor & Second Floor Plan A0.01 – A0.02 (10-19-18); Overall Exterior Elevations A4.01 (10-19-2018); Site Plan Lighting Photometric ES.1 (10/05/18)

(Documents pertaining to this hearing are available for viewing in the Planning Board Office during regular business hours).

