

Minutes of the Planning Board Meeting held on October 1, 2002 at 7:30 P.M. in the Council Chambers of Town Hall

Present: Paul Dillon, Chairman, Paul Hurley, Scott Curry, Mary Akoury and Walter Flynn

Staff: Rod Fuqua, Principal Planner

Meeting called to order at 7:30 P.M.

CAPITAL BUDGET

Mr. Fuqua explained the Capital Budget information contained in the packets. The information will be updated as the process moves along.

The meeting schedule for Capital Budget as follows:

October 29th, November 12th & 26th and, if needed, December 3rd & 10th.

FORM A PLANS

SEAVER ROAD– 55 Seaver Road encroaches into the right-of-way. The 20 foot wedge will be transferred to 80 Seaver Road.

Motion by Mr. Curry seconded by Mr. Hurley to endorse the Form A. SO VOTED.

WEATHERVANE – the lot line has been adjusted.

Motion by Mr. Curry seconded by Mrs. Akoury to endorse the Form A. SO VOTED.

PARIS STREET – before the Board for roadway conditions. Mr. Fuqua would like the Board to take this under advisement.

Motion by Mr. Curry seconded by Mr. Hurley to take this under advisement in order to receive the comments from the DPW with regard to the utilities layout. SO VOTED.

PUBLIC HEARING – 7:45 P.M. – Kenneth Ryder, Ryder Development

Samantha Way (off Summit St.)

Sheet 20, Block 207, Lot 11 and Sheet 16, Block 306, Lot 3

Zoning: R-1

Definitive subdivision plan for a two (2) lot single family subdivision and one (1) existing lot.

Motion by Mr. Curry seconded by Mr. Hurley to open the Public Hearing. SO VOTED.

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Mr. Dillon read the notice of Public Hearing.

Mr. Kenneth Teebagy, Teebagy Associates presented the following information. A special permit request was filed with the Zoning Board of Appeals. The decision was favorable and the sub-division of the lot was allowed.

There is a shallow depression along the back of all the houses that abut the property. Over the years, drainage has been an issue and flooding occurs during periods of heavy rain. The subdivision will provide a suitable solution to the existing drainage conditions. The proposal is to construct a drainage outlet across Summit Street and down Gibbons Street which will be connected into the existing drainage system

Sole access to the cul-de-sac will be from Summit Street. A new roadway with a turn around is proposed according to the town's requirements. Sewer service to Gibbons Street will also be provided. The water line connects from Summit Street through the cul-de-sac to Prospect Street.

Mr. Fuqua stated that there are significant changes between this plan and the prior plan.

Mr. Hurley stated that the profile shows the drainage below the sewer.

Mr. Teebagy stated that in order to accommodate the two-stage system and provide as much volume as it was practical to do, we were required to drop the bottom of the drainage system. The sewer is only as deep as it needs to be to service the three (3) houses in the sub-division.

Discussion ensued between Mr. Hurley and Mr. Teebagy with regard to the drainage.

Mr. Hurley asked if there was a maintenance plan to access the underground storage basins when they get filled with soil, leaves, etc?

Mr. Teebagy stated that each basin will have a sump and would be cleaned once a year. There are access points for the chambers.

Lengthy Discussion ensued relative to backfilling, road access, blasting and the right-of-way.

With regard to the above, Mr. Fuqua stated that the Board of Appeals had approved lots 1 & 2. He would have to ask if the applicant's intention was to have that portion of the existing right-of-way abandoned and become a part of the Lot or, does Lot A and Lot 2 stay outside of the right-of-way.

Mr. Teebagy said the end of the cul-de-sac stops and goes down to the center of the existing way ending at the corner of Lot 2. Lot 2 would end at the center of the right-of-way. The intent is to make the irregular shape part of Lot 2.

Mr. Fuqua read the comments received from Town Departments.

Mr. Fuqua asked if the applicant was going to use the existing right-of-way between 87 and 95 Summit Street and if there would be a slope easement required on those two lots?

Mr. Teebagy said that they did not anticipate a slope easement.

Based on the fact that it is in a basin, Mr. Fuqua asked if a sill elevation review of the three lots was needed?

Mr. Teebagy said they have not set the sill elevations as yet.

Mr. Fuqua asked if any consideration had been given to the grading of the lots to make sure there is no ponding of water that drains off from any of the houses fronting Phillips, Webb, Summit or Prospect Streets?

Mr. Teebagy said 80% or more of the surface drainage that used to drain into the depression will be removed and will drain off the site.

The deed will be re-written and any reference to the rights over the existing way will be dropped.

With regard to the new drainage system, Mrs. Akoury asked if they would be going through the neighbors property? Mr. Ryder said all drainage will be contained on the property.

Mr. Flynn requested that Webb and Commercial Street be looked at as part of the study.

Councilor Lacey wanted to make sure that the concerns of the residents abutting the property are addressed. One concern was that the Planning Board address the flooding piece to ensure that the neighbors would not have to live with this problem after the development was completed.

A lengthy discussion ensued with questions from the audience relative to storm water run off, blasting, drainage, traffic and the ecology of the area.

Mr. Hurley asked if a waiver would be needed as the 30-foot private way will not meet the Board's Rules and Regulations? Would modifying the Cape Cod berm to squeeze out 1ft. on either side affect the drainage?

Mr. Teebagy stated that it would not affect the drainage.

Motion by Mr. Flynn seconded by Mr. Curry to continue the Public Hearing to October 29th at 7:45 P.M. SO VOTED.

PUBLIC HEARING – 9:05 P.M. – David Kelly, Jr.

Elwood Drive, Off Hollis Street

Sheets 48, 49 & 52, Block 549, Lots 12 & 22

Zoning: R-1

Definitive sub-division plan for a six (6) lot single family subdivision.

Motion by Mr. Curry seconded by Mr. Flynn to open the Public Hearing. SO VOTED.

Mr. Dillon read the notice of Public Hearing.

Mr. Scott Arnold of Arnold Associates stated that this plan was before the Board on a preliminary basis in December of 2001. There are two parcels – Lot 3 which is 1.4 acres and an existing residential rear parcel (78 Hollis St.) which is 4.3 acres. The property is zoned R-1 and is within the watershed.

The property is near Great Pond and there is a 40ft. distance between Mr. Kelly's property and the pond. There is a 125ft. water easement going across the property and within that is an 18" gravity water main. There is a paved 10-12 ft. access from Hollis Street. The 100ft. buffer zone encroaches onto the Kelly property.

Along with the existing lot (78 Hollis St.) there will be five (5) other single family lots making a total of six (6) lots. Each lot meets the zoning requirements. The proposed layout is 40ft. in width terminating into a 100ft. cul-de-sac. Four (4) parcels along the northerly and westerly sides of the roadway range from 1,600 to 4,000sq.ft.

With regard to the wide water easement, they have met with Brad Hayes and have agreed to relocate the 18" water main within the easement and the easement would be abandoned. The construction of Lots 4, 5, & 6 would be further away from Great Pond.

With regard to the roadway, they are proposing a standard 40ft. layout with 12ft. travel lanes and a 24" Cape Cod berm on either side. There will be a sidewalk on the left hand side of the layout terminating at the end of the cul-de-sac. The water main will be extended into the site with hydrants at two locations. The grade of the road is coming upgrade to 2% & 8% to the high point at station four.. The negative grade is 3% to the low point.

The proposed drainage system is catch basins and manholes. The infiltration basins are sized to handle a 10 year storm. Extending the sewer into the cul-de-sac 150ft. would allow Lots 4, 5 & 6 to be serviced.

There is not a lot of change in the existing grade. The drainage system consists of the water quality inlet and infiltration basin at each of the three catch basins. Each field would be 50ft.x 25ft. in size. The water quality inlets would allow sediments to be trapped.

The infiltration basin consists of an excavated basin . There will be a piping system header with four (4) sets of perforated pipe installed in the storm field.

Mrs. Akoury asked for some clarification with regard to Elwood Drive.

Mr. Arnold stated that it was a private way. The right-of-way was created to provide access to two lots.

Mr. Curry asked about the streetlights.

Mr. Arnold stated that there are lights on the existing poles. The intent is to go underground for the last pole to service four lots. Lots 1 & 2 are above ground.

Mr. Hurley asked several questions with regard to the re-routing the water main, access to Lakewood Road, the right-of-way, the infiltration basins and Hollis Street elevation.

Mr. Fuqua read the comments from the Town Departments.

The Department of Public Works is requesting a connection between Lakewood and Elwood. Mr. Fuqua is concerned that once Elwood is paved and Lakewood is developed that this could create some traffic issues. There are two (2) very sharp reverse curves together and the underground drainage system could be impacted. He would request the Board eliminate any use or access over to Lakewood Road.

Mr. Fuqua asked if Parcel A on the west side of the road was going to be part and parcel of Lot 1? Mr. Arnold said "Yes". Mr. Fuqua recommended that a notation be made on the plan and also the deed that those two parcels have become one.

With regard to the utility lines, Mr. Fuqua asked if they could come down off existing poles or would additional poles for the electric be needed? Mr. Arnold stated they have not met with Mass. Electric.

Mr. Flynn asked if it was possible to depress the utilities into #41 & #55 Elwood Road? Mr. Arnold said it does not seem feasible.

Mr. Hurley said there should be some restriction of large plantings along the drainage easement so as not to compromise the integrity of structure. This is something that should be looked at or change the design.

Mr. Arnold said it was a good point

Mary Smith of 55 Elwood Drive stated that there is a major problem with traffic.

Mr. John McKay is opposed to any continuation of a connection to Elwood. Rd. He also said that Parcel A would be a collect-all as it is a very narrow area. Any change of elevation would have to be graded away from his property.

Mr. Fuqua requested the hearing be continued in order to obtain further information for discussion.

Motion by Mr. Flynn seconded by Mr. Curry to continue the Public Hearing to October 29th at 8:00 P.M. SO VOTED.

REQUEST TO SET ROAD CONDITIONS

John Kennedy – Wampum Street
Sheet 48, Block 541, Lots 8 & 9
Zoning: R-1

Scott Arnold was before the Board with a revised plan. There was an issue with regard to the retaining walls on either side of the roadway. A slope easement has been obtained from the new owner of 50 Samoset Street. By shifting the roadway, there is 9ft. on the west side to do the sloping.. The new plan reflects the change.

The Dept. of Public Works had commented that an overflow pipe should be provided to the existing system on Samoset Street. The plan has been designed with the overflow pipe which would work in a 10-year storm.

Mrs. Akoury had suggested the applicant meet with Mr. Harrington to go over the plan. Mr. Arnold stated they met with Mr. Harrington and he had no concerns and is satisfied with the plan.

Engineering had requested details of the catch basin. The plan has been changed to reflect the changes.

Discussion ensued with regard to the retaining wall and the shifting of the road.

The lawyer representing Mr. Breen asked the Board to approve the plan. He also stated they will be getting a letter of agreement for an easement for the use of the roadway and accessing the utilities. He hopes to have this agreement within a couple of weeks.

Mr. Dillon said he would like to have the agreement by October 29th..

With regard to the hammerhead turn, Mr. Hurley stated that typically the whole area would be paved. The plan shows a driveway coming through the middle and it compromises the intention of the turnaround.

Discussion ensued relative to the above.

Motion by Mr. Curry seconded by Mr. Flynn to take this under advisement. SO VOTED.

MEETING DATE

The next meeting will be held on October 29, 2002.

Motion to adjourn. Meeting adjourned at 10:15 P.M.

Respectfully submitted,

Annette M. Cignarella
Recording Secretary

APPROVED Paul M. Della