

Approved December 28, 2005

**Minutes of Public Hearing
December 14, 2005
Town House 7:00**

Members in Attendance: Joseph "Charlie" Dolben, Chair, John D. Flynn, Melissa Reeves, Joseph Kruzel, Anthony Bongorni, Associate Member

Members Absent: Robert E. Majkut

Meeting opened at 7:00 pm.

Tall Pines 2005-B – Joseph Dolben called the meeting to order to continue the meeting from November 30, 2005. This continuation Dolben explained was for Anthony da Cruz, Tighe and Bond to review the plans for the Town and give his report.

da Cruz told the Board he went back to the original plan and continues onto this plan and a lot of the issues were the same even though the road changed. In the report Tighe and Bond submitted to the Board the commits that are in bold type are the outstanding issues. The issues are as follows: On the current design there is no thirty foot (30') buffer strip along Stony Hill Road. There are still five (5) perc test that have not been provided. There is no legend on the plans. There were no perc tests done on the area where the underground galleys are proposed. The drainage pipe velocities do not appear on the Definitive Plans. More information should be provided regarding the easement to the south of the entrance of the access road. The plans should identify the plantings and they should screen Greenleaf and Brian Court. The design does not include an ingress or egress (not anticipated to be a problem as the access road is considered a common drive and not a public way). The curbing at the entrance should be sloped granite. The overflow weir should be identified on the plans. The four hundred fifty foot (450') buffer should be identified on the plans. Da Cruz explained only two (2) or three (3) of these issues are significant the rest are minor but everything should be in accordance with the bylaw.

There is fifty nine percent (59%) usable land remaining undisturbed.

John Flynn thought the Board should discuss a waiver for the granite curbing.

Dolben presented a report from the Board of Health agent Lorri McCool. It stated the perc tests were done at the site for the six (6) units. The soils were sand and gravel and there was no evidence of groundwater to a depth of ten feet (10') and the perc notes were all under two minutes per inch. Flynn asked da Cruz if this test was good and da Cruz stated it was very good, there should be no problem.

Dolben asked if there were any questions from the Board. Melissa Reeves asked if the had the tree buffer on the plan. da Cruz said it was on the list of needed information. Dolben opened discussion up to the public.

Frank Watson, 66 Greenleaf Drive, first wanted to apologize to all for his anger earlier in the day. He explained the backhoe did come in ten feet from the line but the percs were done at the thirty foot (30') mark. Watson also stated that looking from that property onto his there is no vegetation after that thirty foot (30') buffer he asked what type of planting would be done. da Cruz told Watson the same question was asked by

Tighe and Bond. Flynn stated the applicant must have a landscape design before they can get approval.

Watson asked about approval on the driveway. John Masuck, Ecotec Environmental, explained Natural Heritage has still not approved the area of the driveway that shows the red circle on the plan. Dolben reiterated there will be no construction until the driveway has been approved. da Cruz stated if the driveway does not get approved by Natural Heritage this project is dead.

Gordon Phelps, 63 Greenleaf Drive, asked about the sluice at the end of Greenleaf asking if there will be more of a water problem after the road is in. Masuck explained there are a series of catch basins where the water will be collected and the roadway will have a Cape Cod berm.

Phelps asked if the vernal pool would be affected. da Cruz stated the roadway will not affect the vernal pool or the area near Phelps barn. da Cruz went on to say the water going to the vernal pool cannot be altered.

Phelps asked if fill will be brought in for the road. da Cruz said eth road would be shaped but not filled. Some fill must be put down to shape the road however.

Phelps asked how far from the vernal pool is the road. da Cruz answered it is more than one hundred feet (100')

Watson suggested maybe all problems will be solved if a manhole was installed at the end of Greenleaf. Flynn said they would need an easement to take care of the water. da Cruz assured all there would be no more water problems created from this project.

Watson asked what happens in the future, who takes care of maintenance? Masuck explained that is what a homeowners association does. Flynn said the homeowners association sets the rules and if eth rules are not followed and it creates a problem for the town the town can then take them to court.

Phelps asked why the units by Watson's house were placed there instead of at the end of the road on the Camp Sun and Fun property. Masuck explained the original plan called for more concentrated housing. When Natural Heritage came in and made the access different they had to change the layout. Natural Heritage wants as little construction in that area as possible and they liked this plan. Also the road would be to long for the bylaws.

Watson asked for more evidence the septics will not be to close to his well. da Cruz stated that is a Board of Health issue da Cruz went on to say they do fit.

Watson asked if this plan still has to go before the Conservation Commission. Flynn said yes.

Flynn asked if the red barn was down and Phelps said the red shed is down but the garage still stands. Flynn said the garage must go or be moved away from the buffer.

Gordon was concerned with not having enough frontage. Flynn explained any frontage can be used it does not have to be contiguous.

da Cruz felt the easement should be looked over and codify them. Flynn agreed and felt they should be codified.

Flynn explained to all present da Cruz is not only the Town Engineer but also on the DPW Board in Ludlow so sees things from both sides.

Phelps asked if there is a maintenance schedule. da Cruz explained that is entirely up to the homeowners association. Phelps just wanted to explain he is trying to protect the land. da Cruz said it is a private development the town has no recourse until a problem

develops. Watson asked if the Association is responsible for the maintenance. da Cruz explained the covenant will be submitted and it should cover maintenance. Dolben explained the Planning Board will review it. Mike Hyland, 1 Southwood Circle, explained in Southwood the covenant is registered in the Registry of Deeds. The residents must comply with the covenant. Flynn said the covenant, the planting plan and all of the requests from Tighe and Bond will be satisfied before anything is signed.

Dolben asked if there were any other questions or comments, before the hearing is closed. Flynn stated anything else will be addressed at a regular meeting.

Reeves made a motion to close the Public Hearing, Joseph Kruzel seconded it. The vote was unanimous 5-0 to close the hearing. Vote- yes: Kruzel, Dolben, Flynn, Reeves and Bongiorni No: 0

Meeting adjourned 8:15

Submitted by: Jane m. Budynkiewicz, Clerk