

**DRAFT**  
**Town of Framingham Planning Board Meeting**  
**January 6, 2004**

In attendance are Helen Lemoine, Chairperson, Larry Marsh, Vice Chairperson, Ann Welles, Clerk, Tom Mahoney and Carol Spack. Also present is Jay Grande, Planning Administrator and Carol Pontremoli, Administrative Assistant.

Meeting was called to order at 7:35 pm

I. Miscellaneous Administrative

Jay gave an update on Doeskin II – they are waiting to meet with the banker for the funds. Jay doesn't feel they will be ready for meeting on January 20, 2004.

a. Review of Decisions

79 Concord Street  
46 Morton Street

b. Occupancy Permits

**517 Worcester Road** has sent a letter requesting an occupancy permit. The applicant has not put the landscaping in and Jay feels if they coordinated their schedules better they could have completed this. They are at the 90% completion level. Tom noticed that they have the binder coat down and have striped it. Jay feels that going on in the future to keep in mind a 593 review for performance review for site improvements. Ann asked what the value of the landscape would be. Jay couldn't remember. Ann has asked if there was some way they could keep on top of this type of thing by maybe requiring double the bond.

Tom noted if you have a disincentive contract there should also be an incentive.

Helen asked if there was any action needed from tonight's meeting. Jay said no.

**405 Cochituate Road for Ken Lewis** has sent a letter requesting an occupancy permit but was unable to be present at this meeting. Jay noted we are waiting for a contract and Jay has asked Patty Morgan to try to expedite the payments.

Planning Board doesn't give occupancy permits without a conformance review.

**741 Concord Street**, owner would like to clean this area up. This property is on the corner of Concord and Aberdeen just before Route 9. Jay is concerned with traffic coming off Aberdeen. Helen noted that the left hand side is office professional and the right side is residential. Helen feels it is all Business Zoned.

Jay would like to set up a meeting to talk to the Finance Committee regarding the proposed budget. Helen suggested that the Planning Board members give their thoughts to Jay and Helen and Larry will be the spokes person to represent the Board.

Helen suggested Jay put something together to show the Board so they and review it. Ideally the Board would like to meet on January 20 or 27<sup>th</sup>.

Helen and Larry will not be attending the February 3<sup>rd</sup> meeting. It is up to the rest of the Board as to whether they want to continue to meet or not.

Jay spoke about GZA and Ford's Meadow.

Ann asked Jay to ask Donna to get the by-law information out ahead of time for the Board's review.

Sue Bernstein asked about whether the Planning Board received the PWED money and if not has the Board decided on sending a letter to them. Art Scarneo will send a letter from his office. This has been in the process for years. Jay asked Peter Sellers to be consulted first concerning any recommendations. Jay would like to have Peter involved in how far they should go with Mass Highway. Jay would like to move forward on the High Street issue.

Larry asked about document #120-04 Traffic Signal Control.

## II. Public Hearings

Continued Public Hearing for Definitive Subdivision Plan Approval and Public Way Access Permit, Brookbury, 97 Brook Street

The applicant has asked for a continuation and rescheduled for Tuesday, January 20, 2004 at 7:35 pm

Continued Public Hearing, Special Permit for OSRD, Definitive Subdivision Plan Approval, Modification to a Scenic Road, and Public Way Access Permit, Ford's Meadow, 45 Nixon

In attendance is Paul Galvani, Stew Mayer Nexum Development, Jay Billings, NorthEast Geo Science

Jay gave a brief update review- the major presentation will be on well water supply – there are 23 new units and Jay Billings has been working with the Town

departments. Documents #122-04, 113-04, 110-04 were submitted. Jay would like to revisit the Scenic Road modifications. He also noted there is another meeting scheduled for January 20, 2004. Jay would like the applicant to go first to set the stage.

Stew Mayer would like to explain Jay Billing's concept. He would like to note that Doeskin II is not a complete system by ground water and would like to note the changes since there has been a comparison between them.

Jay Billings will take the Board through their process. There is only one system other than the municipal water supply. The regulations that govern these are federal EPA. The system requires two permits. The pump test design is for 48 hours and 11 gallons per minute. In order to get approved they have to stabilize at 9.2 gallons per hour. There is a 6 inch diameter pipe that is 1265 feet deep. After two days of pumping they had a stabilized draw-down condition. During the test they pumped about 50,000 gallons. DEP requires a safety factor in case of drought conditions. They would like to prepare their DEP submittal by cutting back a little and appears to be at 8,000 Gallons. When all the documentation comes in, Nexum will put together information for submittal. A UV disinfecting system will be attached. The access road will be improved and maintained in case of emergency during the winter months. They have agreed to have an extra pump on hand in case of emergency. At the peak times there will be booster pumps with a flow rate of 1000 GPM to refill the wells. The concerns raised by the Town Engineer suggested reading two times (2X) the flow rate. Jay Billings feels this is a very heavily regulated pumping system. There will be a maintenance person on site.

Jay noted he has asked DEP to come out but they haven't. Jay has not been able to identify with another town with the same level of time and geology. He would like Jay Billings to identify some town. Jay Billings noted there are over 1000 of these systems in the country.

Larry asked if Jay Billings could translate this into the numbers of bedrooms. He noted there is 90 bedrooms. What is the impact on the project if the Board takes a conservative approach? It would reduce it by 33%. They are talking about 23 new units and one existing house. This is an average of 3.24.

Ann asked Jay Billings about the 60-80 gallons. Jay Billings noted the peak demand could be lower in a 24 house development whereas every home using the same amount of water at the same time.

Larry noted the 4 bedroom septic system but with 3.5 bedrooms for water.

Stew noted they are using a lesser amount and comes out to 3.2 bedrooms.

Stew also noted there is a cap of 10,000 gallons but wanted to stay lower.

Jay Billings noted the bedroom count will be less but the water flows will be regulated by the State. When they exceed their withdrawal rates there are fines, and you are regulated and if they exceed frequently the certified operator could lose their licenses.

Jay Billings also noted that flow meters can be regulated. Ann asked if Jay Billings knew how many wells are out of compliance.

Tom noted he is not familiar with flow conditions but he is with Title 5. What is the demand or size of the system? DEP regulates this.

Tom noted three items that DEP looks at. There is a well on 25 Dartmouth Drive and ??????????????. Jay Billings noted there was a change in both wells.

Tom noted on the graph – the recover was 4 days after the test was shut down.

Carol asked about the DEP letter under adequacy- does fire emergency. What water will be used in case of fire. Jay Billings noted each house will have a sprinkler system. The Fire Chief would like to have a fire protection storage which would be an extra well that would not be potable.

Carol had a question about the water quality particularly the radon which is in excess. Jay Billings. The state is developing a standard but they don't know what the standard is. Carol is concerned there could be a radon problem in the homes. Jay Billings noted they will deal with this when the standard is set. Adding aeration will help eliminate the problem.

Carol would also like to ask why just the two wells? Jay B. noted the impact is based on the yield. Carol asked if Jay B is familiar with the testing.

John Bertorelli, Director of Engineering noted the DPW is present at the testing. Ann wanted to know about the toluene and chloroform Both can be removed by aeration.

Stew noted that John Bertorelli asked them to take a hard look at this.

Ann wanted to know if they have a final plan of the location for the well. Tom asked about the wells being monitored regarding the fluctuation. Is it safe to say the wells in the neighborhood, with the pump running will the homeowners note any impact. The difference would be the borrowing the water at peak times so there will not be any impact on the homes. Carol wants to have clarification on the pumping system. That is why they did a four day pump test.

Helen asked where they go from here? Ann would like to hear from Engineering and Board of Health.

John Bertorelli is not in favor of a closed system. He feels this is a straw in a rock. Similarly on Doeskin, over time the higher the pumping rates will pick up chemicals. The lower the rate will lessen this. He and Bob Cooper want to take a conservative approach.

Kathy Vassar noted Doeskin and its neighbors who have concerns and feels there are red flags. She asked, if they are out of compliance, who pays the fines? The Homeowners? She would also like to asked if it is fairly common to only have one well.

Jay Billings answered yes. In the event if there is a yield problem down the road, the remaining acreage will be used to add another well.

What happens when there is a drought? Doeskin folks need to go to motels.

Stew Mayer would like to address the problems with the plan and does not want to field innuendoes regarding Doeskin.

Sue Bernstein, Kathy is referring to the Doeskin wells where some folks have needed to replace pumps. She also noted that when this project came up they were for over 55. She also would like to note that if there is leakage, there will not be a lot to do to tighten the system. She would like the Board to be conservative.

Carol noted they mentioned a sand & gravel water source to bedrock.

Jay Billings noted the sand & gravel wells are better but can be prone to contamination because they are shallow.

Ann would like to get a plan and she still has some reservations in two areas. One is when you talk about permitting the homeowners to police themselves. But 20-30 years down the road they are very active but through the years the homeowners association has a tendency to go away.

Rita Thatcher, 51 ?????????? road. Has the board discussed a stage development where they build a certain number of homes and monitor the wells? Then go on to the next stage the while monitoring the water systems.

Stew noted the financing would be an issue, the Board would not know what they would be building. She has put in a picture window and now finds the detention basin will be close to her property by cutting down the trees. She doesn't feel there will be enough of a buffer zone.

Stew is working with Conservation Commission and they will go tree by tree. She would like to see if there is some way for her to get a buffer.

Stew would like to make two comments. He feels that Ann's what if questions were right on. The suggestion is that they have an unusual animal here and suggests that GZA make their assessment.

This public hearing will be continued until Tuesday, January 20, 2004 at 9:00 pm

Continued Public Hearing for Mixed Use Complex, Building 1, 300 Howard Street  
(to be continued)

Continued Public Hearing for Definitive Subdivision Approval and Public Way Access Permit, Derby Street Extension, 0 Danforth Street and 133S Meadow Street

Documents 114-04 and 121-4

In attendance is Mike Tucker VHB, Doug Strauss and Peter Barbieri

In Item 8, Helen noted the curbing and noted the DPW does not want the curbing change but would like to keep the existing curbing and only change

In item 7 ????

In item 5 ????

Helen asked if there were other outstanding issues. Landscaping and light poles were issues

Andrea Carr-Evans, Town Meeting Member. Has issues with Streetlights and feels there should be more lighting. Lt. Trask has approved plans and if the Traffic Commission has issues, they need to present them to the Board.

Tom Mahoney noted he has been in the subdivision and the lights on the personal property is enough.

Greg Doyle, 126 Meadow St – gave the board a handout that was brought before the Board and follow the black dashed line. He would like to make sure the Board is aware of his issues. He noted that Mr. Ellingwood would be extending the ????????

Meadow street carries 600 cars a day.

Carol read from the subdivision regulations regarding land use planning and the regulations 7.B.2.e. Mr. Ellingwood is potentially going to build 11 homes Peter Barbieri noted there are no undeveloped parcels of land. And they can't speak for him on what his intentions will be.

Helen referred to the decision that the Board requested the developer change his plans.

Carol suggested the Board treat the gate differently.

Helen asked the Board if they would like to reconsider the plan on road layout different than proposed. Carol would like to see a street as opposed to a cul-da-sac.

Larry asked if there is a reason why there was not any more lights.

The Board will review the changes in the Decision documents.

There are not notations on the changes so Jay will guide us.

Page one should be changed to *Brustlin*. Second paragraph left open a reference for the overlay district. Bottom of page memorandum should be changed to memoranda.

Page two should say updated detailed sheet for January 6, 2004. Page 3 there are a few words missing agreed "to" has been added. Discussion on waivers for curbing means the stating of the waivers and due to the letter by DPW regarding Granite curbing should be changed. Second Paragraph should end at the end of the words Fire Department. The rest of the sentence should be deleted.

Page four they want to delete the words “of New England”. In Paragraph 8, remove the comma. Page five no change – Carol asked about Paragraph 14 regarding easement.

Peter noted the existing roadway as the emergency roadway. After the word easement should add the words public way.

Page six – no changes. Carol asked about no cut zones and wondered if paragraph 17 is the proper place to add this. Ann noted that is stated in paragraph 18.

Larry asked for a point of order that Carol has gotten off on the right of way topic but Larry feels that process the Board is in now is to discuss the changes made are included in the revised decision.

Carol continues to talk about the ????????????

Larry made another point of order to stop discussing this any further.

Page 7 added paragraph 24

Paragraph 30

Page 8 no changes

Page 9 – remove two waivers - # 3 and #5

Sue Bernstein, on the entire length of Derby Street would be 964 feet. Historically the Board has had lights at 250 foot intervals. She would like to put in one final request for a second streetlight at the beginning of the new section of Derby Street.

Larry feels the same and agrees with Sue. Helen feels the light should be at the crosswalk and so does Tom.

Carol questions 7.B.2.e and asked if this is a waiver or not. The first sentence refers to adjacent property that is undeveloped. The second sentence refers to developed property. She feels the Board needs to acknowledge that they are waiving the requirement in the second sentence.

Helen asked the Board if they want to call this out as a specific waiver. She deferred to Jay. He explained this a dead end street and feels this is where it should stop.

Carol feels this doesn't fit either of the two sentences. Peter Barbieri feels this should be added to the waiver and subject to 7.B.2.e. Jay feels the Board should rewrite that section to avoid confusion.

Jay went on with the changes to the last page.

Last page – removed the “s”

Carol is questioning waiver 4 and supports concrete sidewalks. She notes there was no discussion on sidewalk material. She would agree the cement sidewalks are safer because you can see it at night.

Doug countered by asking should this not be consistent with the rural characteristics. Tom feels when they instituted the concrete sidewalks which is a recent addition to the regulations. He would prefer a bituminous sidewalk and should be consistent with the rest of the area. Jay feels the wording should be changed to say bituminous concrete in lieu of concrete.

**Tom made a motion to approve waiver 1 for the requirement of reduction of right of way by 40 feet**

**Larry Seconded**

**Voted 5 approve 0 oppose**

**Tom motion to approve waiver 2 for the requirements for the length of the roadway to extend a dead end roadway of 964 feet.**

**Larry Seconded**

**Voted 4 approve and 1 oppose (Carol Spack)**

**Tom made a motion to approve waiver 3 for the requirement to allow the sidewalk on the westerly side of the street only and reduce the grass strip to two feet and allow the sidewalk to be made of bituminous concrete in lieu of cement concrete.**

**Larry Seconded**

**Voted 4 approved to 1 oppose (Carol Spack)**

**Tom made a motion to approve application of National Development for the Public Way Access point to extend Derby Street, Document #123-04 as amended on January 6, 2004.**

**Larry Seconded**

**Voted 4 approve to 1 oppose (Carol Spack)**

**Tom made a motion to approve the application of National Development for Definitive Subdivision approval titled Derby Street Extension, Document #123-04 as amended January 6, 2004 to allow the Administrator to make the modifications.**

**Larry Seconded**

**Voted 4 approve and 1 oppose (Carol Spack)**

Jay asked for the Board to go over the Decision for Kendall Building, document 115-04 Jay will point out where the changes will be.

Page 3 Sub E inserted wording

Page 4 Site Construction- added dates to letter received and under parking changed language

Page 5-13 b

13 c Vehicles will not block dumpster

16a added exceeded the cost at that time

**Tom made a Motion to confirm the language as entered into the decision dated**

**Larry seconded**  
**Voted 5 approve and 0 oppose**

Document 116-04 Special Permit

Page 1 – cited police dept

Page 2 – 2<sup>nd</sup> paragraph they agreed to 4 parking spaces and also added the word abuts

Page 3f – land bank parking spaces

Page 4 –

Page 5 – Fire Dept

Page 6 – additional decisions they added 24,25 & 26

Tom made a motion to approve changes and have site plan

Voted 4 approve and 1 abstaining

Document 117-04

Tom made a motion to approve for signature

Ann Seconded

Voted 4 approve 0 abstaining

Tom Motion to Adjourn

Larry Seconded

Voted 5 to 0

Meeting adjourned at 12:15 am

Respectfully submitted,

Carol A. Pontremoli

Recording Secretary

**\*\*THESE MINUTES WERE APPROVED WITH AS TRANSCRIBED BY THE  
PLANNING BOARD MEETING OF FEBRUARY 8, 2005.**

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Thomas Mahoney, Chairman