

**NORTH ATTLEBOROUGH PLANNING BOARD  
RULES AND REGULATIONS MEETING  
TUESDAY, JANUARY 9, 2007  
NORTH ATTLEBOROUGH POLICE STATION**

The North Attleboro Planning Board held Rules and Regulation Meeting on Tuesday, January 9, 2007 at 7:00 P.M. at North Attleborough Police Station, North Attleborough, Massachusetts. Board members Donald Cerrone, Richard Houle, Joan Marchitto, Christopher Sweet and Raymond Payson-chairman.

Mr. Cerrone, We left off on page 61 somewhere around there.

Mrs. Marchitto, I have 35. Last notation was 34E ordinary...(inaudible) infill area.

Mr. Payson, Reading in hearing notice. 5.1.5

Mr. Cerrone, We had problem there is one Remington Dr. be completed bottom paragraph.

Mr. Houle, Yes we were going to go by ASHTO standards.

Mr. Payson, Board of selectmen shall accept the streets and I think we should come back to that. John was supposed to e-mail he's sick he said he would put together did we get any e-mail?

Mrs. Marchitto, No.

Glenn Ofcarcik, I think Ray what happened is when Don put this together things that are highlighted in gray are suggestions or recommendations from this board or other regulations. The ones that are underlined come right out of Christina Estates conditions. Reading this I think 2/34rds. of it is what you want to talk about. About binder coarse, the structures operational within 72 hours.

Mr. Payson, I talked to John Lavin today about the curb going along with this. I think what we're trying to do is put the base down and within 72 hours the curbing.

Mr. Ofcarcik, You want the curbing in right after the base.

Mr. Payson, That is primarily for stormwater phase II. What we've been experiencing is that base gets down and that is it. You keep washing it down into drainage system and silting it up.

Mr. Ofcarcik, That part of your rationale with next section go vertical granite?

Mr. Payson, It is curbing.

Mr. Ofcarcik, But if you put the slope granite down right after you do the base course it is going to get all beat up.

Mr. Payson, Right I think we're going to go with 5" vertical.

Mr. Ofcarcik, I just wondered if that was the reason because the catch basins don't work if the water goes behind them.

Mr. Payson, Right we're trying to keep the water in the road and curbing. Vertical granite curbing applied to both sides of the roadway, granite curbing shall be filled with material...(inaudible). Transition curbing.

Mr. Ofcarcik, The underline section should come out. The figures work in the handout the regulations are in existing book that is cross section 5" you said.

Mr. Payson, 5" rather than 6" is in our book now. If you read our book vertical curb is 6" we're going down to 5".

Mrs. Marchitto, Just for clarification at some time John Lavin did submit some figures what is to go with this that is in our package.

Mr. Payson, 5.3 driveway. I think you should show cross section with figures. It's been a problem with the full granite curbing wasn't very difficult.

Mr. Ofcarcik, It would help if you had detail because if you draw it up without the grass strips it is almost impossible to meet the regulations. That is why you need to have grass strip next to curb line, which you starting requiring as a condition. It is on page 38.

Mrs. Marchitto, You're saying you want figure added on cross section.

Mr. Cerrone, For driveway section are you going to add grass strip in between?

Mrs. Marchitto, Yes like Glenn said it is on page 38-grass strips.

Mr. Cerrone, What are you going for grass strip?

Mr. Sweet, It's on 5.5

Mrs. Marchitto, On driveway 5.3 do we want underline taking out driveway apron shall be built 6"?

Mr. Payson, Yes.

Mrs. Marchitto, Above the gutter line finish course of pavement. Handicap have to make it?

Mr. Ofcarcik, ADA.

Mrs. Marchitto, Should we put that in here at some point?

Mr. Cerrone, ADA standards you have to meet that somewhere.

Mr. Ofcarcik, It's on the next page under sidewalks. Make that a standard now all the straight aways are going to have sidewalks when we get to the cul-de-sac.

Mrs. Marchitto, Since I've been sitting on the board we wanted sidewalks on both sides of the subdivision no waivers on the sidewalks.

Mr. Payson, Usually stop at the radius.

Mrs. Marchitto, It says here sidewalks not to be constructed around cul-de-sac.

Mr. Ofcarcik, Next one says in opinion of the board. If we propose them and you determine it's not necessary.

Mrs. Marchitto, That was B. In subdivision was single resident district as define NA Zoning By-laws sidewalks shall be constructed on both sides of the roadway as indicated in figures 1,2,3, and 4 unless in the board's opinion it is not warranted.

Mr. Payson, I want to go back to the curbing transition curbing shall be provided ending vertical granite curbing it's A,B,C.

Mrs. Marchitto, Page 36.

Mr. Payson, I don't think we want to get into driveways access to the sidewalks want to be located.

Mr. Ofcarcik, The problem is you get different regulations for sidewalks as opposed to ramps but they don't apply to public sidewalks along public street they can exceed. You don't want to make it so they have to put handrails on the sidewalks. I think what you have is it has to be in compliance with AAB, which is the Mass. regulations and ADA, which is the federal regulations and leave it at that don't be to specific. I still think you would need to show and maybe John would give you one a detail of how to do these driveways showing that it's 6" and it seems pretty straightforward to us.

Mr. Payson, It's a little easier with the vertical but in case you may exceed ADA percentage of slope. I don't think we should mix and match ADA access with driveways.

Mr. Ofcarcik, You just want it 6" difference from the gutter of the road to the back of the sidewalk and pushing the sidewalk back another foot and half grass strip.

Mrs. Marchitto, Concrete sidewalks we don't have any changes. We then we go to 5.4.2 shall be laid in two courses 1 1/2" to a final depth after loom of 3". Page 38 grass strips A; shall be provided on each side of the road as indicated between the curb and the sidewalk where the sidewalks are required. B; the finish grade of such grass strip shall have a slope towards the roadway where unusual physical land characteristics or condition exists. Board may approve the condition the construction of the grass strip on grade of slope with finished slope not projecting.

No trees or other obstructions shall be plant or retained within the grass strip except those approved by the planning board. The 6" of grass strip shall consist of good quality loom extending to the right of way the loom shall be seeded grass. C; provide sufficient quantity to ensure adequate coverage.

Mr. Ofcarcik, The other one says the same thing.

Mr. Payson, Doesn't tell us how you construct the grass strip. It says the top 6" of grass.

Mr. Ofcarcik, But it's within the road right of way here gravel.

Mr. Payson, It doesn't say that, that is where we have a problem right now. The grass sidewalk doesn't seem to have any gravel underneath they're not doing that. You have to make sure there is 12" of gravel.

Mr. Cerrone, You have to do the same thing do road layout carry the road layout underneath the sidewalk. Whatever that layout if it's 40ft. layout you carry 40ft. of gravel.

Mrs. Marchitto, You want an F after the construction of how to construct that sidewalk?

Mr. Payson, Either can do it in the top 6" of grass should be good quality loom. Sub grade shall be.

Mr. Sweet, It's required in the figures.

Mrs. Marchitto, When we waiver a sidewalk the board's wishes are still to have 5ft. of it leveled along with gravel along the road.

Mr. Ofcarcik, If the sidewalk is waived you want them to construct a base strip just don't leave it grass. What I'm getting at they should be excavating the full 40ft. they're doing is 28ft.

Mr. Cerrone, Then they come back with sidewalks on top of junk that is what's been happening. Go back to the layout excavate 40ft. whatever the construction you're doing Type 1 you go 40, doing Type 2 do 50ft.

Mr. Ofcarcik, In the figure you have to specify how you show the process gravel and different thickness.

Mr. Cerrone, If it's 26ft. pavement they go 28.

Mr. Payson, They have to go the complete layout.

Mr. Cerrone, Even if you waive the sidewalk at least the gravel is there.

Mr. Ofcarcik, Then if they need a sidewalk later take the 6" off and put some process.

Mr. Cerrone, Right you don't have to prep it just clean it up.

Mr. Payson, It's 5.1.5 pavement structure.

Mr. Ofcarcik, Just add in C gravel base course full width of layout.

Mrs. Marchitto, 5.1.4 C says the entire area within the right of way line shall be cleared.

Mr. Ofcarcik, Yes that is what they take out.

Mrs. Marchitto, You want in under pavement construction okay gravel base course full width of layout.

Mr. Payson, On the cul-de-sacs we've been looking at three different other subdivision in town.

Mr. Cerrone, Cul-de-sac standards 5.1.1 D.

Mr. Payson, Just make a note of it that in the cul-de-sac turn around standards I don't know where we put it but be know access they explicitly say that you cannot go and access another lot in the cul-de-sac. Easement going off of that someone buys a lot there are three lots and all of sudden two years later someone gives someone else a 20ft. easement there is some more land in back of him puts a driveway.

Mr. Ofcarcik, I know what you're talking about but I don't think you can do it under subdivision control.

Mr. Payson, I don't know if it's in zoning it was in subdivision control I saw it.

Mr. Ofcarcik, Some towns have regulations that you can't access your lot over then across the frontage. Towns that do that usually say if you do it's by special permit so you can across the side yard there are other instances where you need to do that zoning limitation.

Mr. Payson, You have to prevent that happening you lose 20ft.

Mr. Cerrone, You're saying your frontage when you create a lot on that cul-de-sac you have to keep that frontage cannot take easement away from that frontage.

Mr. Payson, No access to other land if they want to do that then what they use to leave at end of cul-de-sac a strip for future roadway.

Mr. Ofcarcik, Remember we had that discussion on Christina, which went away but we had a cul-de-sac and I think we had six houses around it because only three of them had frontage and the other three had driveways. When I met with Chief Lamb and I think it was Mike Rousseau there solution was that because of the enhanced 911 as long as those addresses were there when we get the call that pops up they get there but I understand what you're saying.

Mr. Payson, It's going to be the same with Westwood where is his frontage. Frontage isn't on the easement frontage is half mile around down the road.

Mr. Ofcarcik, Yes but according to zoning and common driveways and all those things that are allowed.

Mr. Payson, That is fine we have a common driveway by-law that is different we don't have a pork chop lot by-law.

Mr. Ofcarcik, We have letter from former building inspector saying that common driveways are not prohibited in North Attleboro. I think it's a zoning issue not a planning issue but I understand.

Mr. Cerrone, I don't think you'd be able to use the easement as frontage.

Mr. Houle, Maybe we should put something in there saying frontage.

Mr. Payson, I'm going to find the by-law I think it's Franklin.

Mr. Ofcarcik, That is why I think North Attleboro needs if you want to call it flag lot or state lot or that type of by-law.

Mr. Payson, I have no problem with a pork chop lot or a residential compound that is okay because you regulate it.

Mr. Ofcarcik, The planning board is special permit granting authority.

Mr. Payson, Regulate it through subdivision control we can refer sometime back to that.

Mr. Ofcarcik, As a resident although and maybe Chris hasn't had the benefit of seeing some of my plans, which I'm working on more of. The current North Attleboro Regulations require me to do things as a taxpayer are a burden to me because the town is going to end up accepting 200ft. long streets that this prior board doesn't like that service one house lot and have to be plowed and maintained when it's really just a driveway. The town has to overcome the mentality that developers get labeled something that he's saving money by doing this. When we were talking about Kelly Blvd. I have an official cul-de-sac that is 250ft. long that gets frontage for one house.

Mrs. Marchitto, Grass strips.

Mr. Payson, It could be after grass strips neighborhood mailboxes.

Mrs. Marchitto, Individual mailboxes shall be installed within grass strips between the sidewalks, curbing or adjacent to curbing on the cul-de-sac parallel.

Mr. Payson, Every subdivision is different to where that box is going to be.

Mr. Ofcarcik, Individual mailboxes I think should be in that grass strip and I think what we did was turn them sidewise. If you're talking about a cluster box .

Mr. Payson, I'm talking about neighborhood box.

Mr. Ofcarcik You want a cluster drop box for subdivision maybe that is not the spot for it because you don't want people in the road.

Mr. Payson, I'd like to see them placed parallel with the street.

Mr. Ofcarcik, Yes that's what we did on Christina they're all individual boxes in grass strip but they're turned sideways so the homeowner is not standing in the street.

Mr. Payson, Why didn't they go with neighborhood cluster boxes?

Mr. Ofcarcik, It was the developers choice I talked with John King post office he said they could do either he gave me the brochures on the cluster boxes. You don't have a requirement so the developer selected.

Mr. Payson, My personal feeling is we have to create that. We have to meet with the postmaster he is totally in favor of cluster boxes. The preference is and if there is unique situation this can say in there.

Mr. Ofcarcik, If you want to just say where individual mailboxes are installed. The post office likes it because he makes one stop for forty deliveries but you need a turn out then, place to stop in the road. We talked about the ability and used them in other towns where they actually have a building some of them closed some of them can be turn out but they issue we have here was at the intersection because of the phasing.

Mr. Payson, It should be on full build out plan when you do it in phasing.

Mr. Ofcarcik, I'm working with the school supt. on where the school bus stops are for phase I and them might change in phase II and things like that so it's an ongoing process. You don't want the cluster box 12" off the road. If it is individual mailbox should be within the grass strip parallel with the road if it's cluster box planning board needs to review the design and turn out. Did they do that on George Weston where they come in with a double road and kind of cul-de-sac they talked about having a mail-stop there or if you had a cul-de-sac less than 900ft. maybe you put the cluster box in the cul-de-sac.

Mr. Payson, You don't want to have somebody go all the way down the cul-de-sac turn around and then come back. They come in it depends on where that house.

Mrs. Marchitto, I brought up that a lot of these subdivisions frontage of subdivisions are Form A's and what has occurred in some subdivisions you take right or left into it on the far right. They put cluster boxes there and it is actually abutting a Form A home who has nothing to do with the subdivision. There are three up in my neighborhood like that I think it should go further in the subdivision.

Mr. Ofcarcik, One of the comments we had from the mobile home park. Maybe it's like what Ray was saying if the development is big enough to be phased that is part of what should assess in the phase. The school dept. wants to know where school bus stops; planning board wants to know where the mail stops are going to be.

Mr. Payson, I think it can be anywhere you have to make the by-law that it's the preference and that we have to have some latitude where it's going to be. Some standards are Joan is on right track I said one or two houses in because you don't want to go traveling all the way down the street.

Mr. Ofcarcik, But you want to pick up your mail on your way home.

Mr. Houle, I also think there should be a little turn off.

Mr. Payson, Yes 6 or 7ft.

Mr. Ofcarcik, Just enough so that the car is not blocking the lane. 40ft. is just too tight for everything.

Mr. Payson, The 50ft. allows you. If you do that sidewalk you just go right around and out that pedestal stays right there you open your door and step on the sidewalk it's right there.

Mr. Ofcarcik, You just don't want somebody standing at the street getting their mail.

Mr. Payson, Depending on how many houses you're going to serve my little street I can pull over.

Mr. Ofcarcik, You can park in the street probably and then the cluster box I think come in units of 18 and 36 so you're not going to have one that has 110 at the end. In Plainville they have little building and they have newspaper thing so you can buy a paper.

Mrs. Marchitto, My neighbor maintains mailbox cluster and he has his separate own mailbox because it's on his side of the property he wants to maintain it the residence up the subdivision aren't.

Mr. Payson, I think are we in agreement that cluster boxes have a service area? ( yes). We'll get a standard of how it should be. Side slopes.

Mrs. Marchitto, 5.6 side slope that hasn't changed. Street names? We want it flat and level.

Mr. Payson, Abutting lots a lot can be down the hole somewhere.

Mr. Ofcarcik, I think what your intent is you don't want anything steeper than 4 to 1 within the right of way. If you have a road that has no sidewalk you don't want a steep right out there at the pavement you want 4 to 1.

Mr. Payson, The whole layout has to be the layout as it's portrayed there and then 4 to 1. I'm not sure that says that.

Mr. Ofcarcik, What happens if they have real steep lot you have to use retaining walls or something once you get out of there that is a different story.

Mr. Payson, We don't care what they do outside the layout other than right now it's going to be 4 to 1 slope. After that it should be a wall.

Mr. Ofcarcik, Once you get on private property once you get on the lots themselves it is whatever.

Mr. Payson, Whatever they want.

Mr. Ofcarcik, But now if you go to 50ft. layout you're going to have more space on either side but you're going to have 12ft. on either side to play with. If you have sidewalk and grass strip you're still going to have more room in the layout that is part your concern you don't want it more than 4 to 1.

Mr. Payson, I have one here on the standard thing it's goes 3ft. out and then goes down 2 to 1. What they give you is 2ft. beyond the layout do your transition.

Mr. Ofcarcik, I don't think we've got to it yet but talking about some street trees. Current regulations talk about number of trees per lot but they don't say they have to be street trees. I know that has been this board's condition what you're really looking for is shade trees along the street.

Mr. Payson, I think we covered that. If you have a slope downhill you want two more feet beyond that layout before you transition. When you go up there is no 2ft. I know why because you don't want to erode.

Mr. Ofcarcik, Yes you don't want that slope to break down and then come back into right of way. That is a good idea especially if you only have 40ft. layout.

Mr. Sweet, In that first sentence instead of area back of say area outside of.

Mr. Payson, Outside the layout.

Mr. Houle, And you're going to say 2ft.?

Mr. Ofcarcik, Just say to a point where it coincides with the...(inaudible) such a manner that no portion will project above plain slope four horizontal to one vertical within 5ft. of the layout line. That is all you're really concerned about. Once you get far enough away whatever that is if they want to put a wall or do something that you don't want it to effect the roadway. Grading within 5ft. of the right of way outside of the sidewalk shall be no more than 4 to1 or steeper than. If it goes downhill it is going to break down the slope.

Mr. Payson, And whatever you have in there if you have electrical, etc. it is not as critical as going up.

Mrs. Marchitto, Going back to the driveways we've been having problems slopes in the driveways. Driveways the grade in back of sidewalks shall be 6" higher than the grade developed and I think you're saying that. Then it says the maximum cross slope of 1 ½ shall be maintained on the ...(inaudible) required sidewalk width across the entire driveway opening. Should we be specific?

Mr. Payson, Yes.

Mrs. Marchitto, So we don't get those humps.

Mr. Ofcarcik, But that says is continue the sidewalks to the driveway apron. What is easier and softer is if you slope it all across but then you lose the sidewalk as you go across that apron. By adding the grass strip and going for a wider layout you're able to accomplish that.

Mr. Payson, You have more of a transition but you have to be careful we found out over on Stonebrook that you exceed the ADA percentage is it 4%?

Mr. Ofcarcik, Yes it goes over to 5%.

Mr. Payson, That was more prevalent on the slope granite than the vertical.

Mr. Ofcarcik, The vertical is going to make it easier.

Mrs. Marchitto, We shouldn't be running into the problems we've been having?

Mr. Ofcarcik, No not with the wider layout with the grass strip being next to the curb.

Mrs. Marchitto, Adding more verbiage would confuse it?

Mr. Ofcarcik, I don't think it confuses it but I think it may take care of itself. The planning board's review engineer will look more diligently at the cross sections engineers provide to make sure it conforms. Page 39.

Mrs. Marchitto, Street names the only thing that changes ...(inaudible)

Mr. Payson, Street signs shall be installed prior to occupancy.

Mrs. Marchitto, 5.8 monuments and markers okay.

Mr. Payson, These bridges are guardrails are a disaster. I think we have to create a design of guardrails. You have nightmare at Tolls Brothers of maintenance they're wooden.

Mr. Ofcarcik, People don't like the steel beam ones.

Mr. Payson, I think we have to look at some standard of guardrails.

Mr. Ofcarcik, They have three beam one, some of them have wood posts. Planner board has been approving plans with wooden guardrails and DPW said we're not going to accept them.

Mr. Payson, Maybe we should get together with public works to discuss it.

Mr. Ofcarcik, I think if you go to 50ft. layout you don't have those hazards as close to the road and won't have the need as much as right now.

Mr. Payson, I've been battling with Marie over the 2 to 1 slope trying to save the wetlands but now when you do that 2 to 1 slope you need a guardrail.

Mr. Houle, Maybe we have bonds kept there so that if they have to be replaced.

Mr. Payson, I think we have to look at bridges and guardrails.

Mrs. Marchitto, Norfolk has section on guardrails, culvert crossing and then it goes material and structures.

Mr. Sweet, Page 50 there is guardrails.

Mrs. Marchitto, One place on bridges they same thing we do addition is the foundation shall be prepared by geotech engineer based on sites sub surface expiration. Bridge design document shall be signed and sealed by structural professional engineer registered in Mass. Design of bridge shall be approved by the commission of water way Mass. Dept. of Public Works. Bridges we'll add Norfolk description unless someone comes up with something better.

Mr. Payson, 5.10 street lighting shall be installed along all streets, lights standards subject to approval by planning board. Location of streetlights shall be...(inaudible) shall be in conformance with the pole locations as shown on plan.

Mr. Houle, Should we add these in for cul-de-sac?

Mrs. Marchitto, They usually are at the end.

Mr. Cerrone, Whose going to put them on?

Mr. Payson, Sometimes someone will determine they have enough money. I don't think we can get into that. Sometimes who is on the board of selectmen they want the lights on right now they don't think we can afford the lights.

Mr. Cerrone, Had problems in the past neighbors call up our street lights aren't on and we still haven't released the subdivision.

Mr. Houle, That is our responsibility.

Mr. Cerrone, They turn it over to the town after that it is up to them the developer has to put the lights on.

Mr. Payson, Developer has to pay for that I think it should be in there. I think that is in the electric light standards I think we need it in ours.

Mr. Cerrone, Lights have to be on until the town takes over the road and after that it's up to the town. Some of these subdivisions are so dark. Go to Hickory Woods are their lights working?

Mr. Houle, No.

Mr. Payson, Developer will be responsible for streetlights until town takes over road. Cedar Ridge is he the developer?

Mr. Ofcarcik, He's the developer of half of Hickory Woods he owns the roads whoever owns the roads.

Mr. Cerrone, Who ever came in for the approval.

Mr. Houle, That is a perfect one it is pitch dark at night and you have people living there.

Mr. Ofcarcik, But you have two different Fred owns some.

Mr. Cerrone, The guy who applied for the permits he should be responsible he sold it, it's his responsibility.

Mr. Ofcarcik, If you say the applicant then if he sells it he has to make sure that someone else. What if the applicant sells the whole?

Mr. Cerrone, The other guy is responsible.

Mr. Houle, It runs in for perpetuity that doesn't go away.

Mrs. Marchitto, This one says the applicant shall deposit.

Mr. Sweet, Call to your attention in back of blue book sheet 8 of 25.

Mrs. Marchitto, See the electric depts.

Mr. Payson, I have one here that says street light shall be located in rear of grass pile but shall not be any nearer than 25ft. intersection.

Mr. Cerrone, That is specs put up the light you have to follow them. I'm talking about putting them on.

Mrs. Marchitto, Each subdivision in all these subdivisions make reference to the lighting but not as specific as North Attleboro Electric Dept. then you go back to the electric dept. how to construct them.

Mr. Sweet, I'm concerned about location.

Mr. Cerrone, They have to give them the location.

Mr. Payson, I don't think so I think we locate them on plan I don't think they get into location. They get into the specs. of what they're going to be.

Mr. Sweet, This is so wide open anyone can interpret this differently.

Mr. Ofcarcik, We bring it to North Attleboro Electric they draw everything on it we add it to our plan and before you sign it we show all the street lights and lighting. What about on page 51 where it talks about street maintenance; it says the developer is responsible for snow and ice removal, street sweeping during lot construction and street maintenance within the subdivision until accepted that road is public way at town meeting we could add something in there.

Mr. Cerrone, Yes street lighting should be in there.

Mr. Payson, They're supposed to be in grass part number one and shall not be nearer than 25ft. from the intersection.

Mr. Ofcarcik, You don't want the pole right at the intersection but close enough to light the intersection and you want it in grass strip so it's not contingent on the sidewalk.

Mr. Payson, I think what's been happening they've been putting them at end of cul-de-sac and it lights up the cul-de-sac. I think there should be at least one at end of cul-de-sac nobody has been squawking except that one person.

Mr. Cerrone, At least if it was in our book says developer has to put it on.

Mr. Ofcarcik, Someone can come with a petition to waive that you want to require that cul-de-sac has a light and developer is paying for it until the street is accepted and then if the selectmen don't want to pay it. It is safety and security thing houses at end of the cul-de-sac are the quietest place on the street less passed by traffic so security they want it lit.

Mrs. Marchitto, This one says the applicant shall be responsible for furnishing the rectangle streetlights at location approved by planning board. Street light fixtures and standards shall conform to fixtures and standards as most recently installed by the town at time of application within district. Basically they same the thing.

Mr. Ofcarcik, At end of your regulations where you say the developer needs to pay for the plowing and maintenance and the lighting of the street lights until town accepts street at town meeting.

Mr. Payson, Plowing is an issue.

Mr. Sweet, I like what Joan just read about street lighting, which would go in street lighting section then to general maintenance.

Mr. Ofcarcik, 5.2.2 it says street maintenance but you can just call it general maintenance and then talk about developer's responsible for those expenses until it is accepted by the town.

Mr. Payson, 5.11.1 fire protection. 5.12 utility installation.

Mr. Ofcarcik, This was a carry over condition from Christina. What it says is you're requiring dry sewers in every subdivision I'm not sure.

Mrs. Marchitto, Water and sewerage system shall be built according to planning board rules and regulations governing subdivision land. On site sewerage disposal system if any shall be built according to board of health specification. No septic system shall be installed without board of health approval and certification soils and such installation on any lot. Dry sewer main to said main shall be installed through out the entire ...(inaudible) street of any subdivision if on site.

Mr. Ofcarcik, I think if you leave the first sentence water and sewer to be built according to planning board rules and regulations and all site septic if any are board of health. You talk about sewer further in and you talk about water.

Mr. Payson, I agree.

Mr. Ofcarcik, This is part of where we start getting the area where you have regulations, DPW has regulations.

Mr. Payson, I don't think dry sewer main should be mandatory in all subdivisions.

Mr. Cerrone, I think great example right now with Cobblestone these people are going to buy these houses and sewer is less than 900ft. or whatever our by-law is. I think they should be made put dry sewer lines in there.

Mr. Ofarcik, But is that a case by case bases. My understanding if you leave a dry sewer more than five years it will deteriorate, it will be corroding and won't work and you'll have problems later.

Mr. Payson, We have a 1200ft. to tie into sewer. I don't know if you can tie up to a master plan, if you're going to have sewer within 5 years then you have to put dry sewers in.

Mr. Ofarcik, Three years is us.

Mr. Cerrone, Maybe developer should get something in writing from public works how soon sewer is going down that end.

Mr. Payson, They have a master plan and they have capital plan we never abide by it. I think the 3 years.

Mr. Ofarcik, It is on page 46. I think 5.12 should basically say sewer, water in accordance with planning board rules and regulations and if septic it's board of health.

Mr. Houle, What if there is sewer within 1200ft.

Mr. Payson, They have to tie in.

Mr. Houle, What if there is some sort of situation you can't tie in or what? I think he's got a point.

Mr. Cerrone, We have that now one with Christina and Cobblestone.

Mr. Ofarcik, The issue was sewer in Christina Estates was 200ft. away this board said you must tie in according this. We went to DPW and they said there is sewer manhole it says North Attleboro on it but guess what you can't tie in because it is really Attleboro sewer. But because of this board's mandate and approval DPW is now coming around and saying okay you're able to tie in. Cobblestone is the one coming down Quinn St., which is going to go in private sewer so does that one. It doesn't say public or private that is the issue you're having with them.

Mr. Houle, I think the issue was whether or not the dry sewer line should go in.

Mr. Cerrone, Let's say the developer starts that project two years down the road all of sudden town approves the sewer line. The developer should have to sewer line that subdivision.

Mr. Ofarcik, It should have gone in first before the water. 5.12 on page 46 it says if a public sewer system is located within 1200ft. There is probably sewer within 1200ft. of Cobblestone it's not public that is the problem. Is it the Norton Rd. pump stations?

Mr. Cerrone, That becomes a big question.

Mr. Payson, This private sewer line has to come to a head I think it will come with Jill Marie. There is probably going to be court suit over it.

Mr. Cerrone, The town maintains it what do you mean it's not public. They take all the revenue those people are paying town of North Attleboro that is what I'm saying.

Mr. Houle, I think if there is sewer within 1200ft. I don't care if it's private that dry sewer line should go in. Eventually something is going to go up.

Mr. Ofarcik, Then when I switch to the developer's side your regulations say public and I have letter from DPW saying there is no public sewer there. Now they're going to tell me I have to pay betterment I understand. I think just leave the first sentence.

Mr. Houle, I do think that dry sewer should go in if you're within that 1200ft.

Mr. Ofarcik, Absolutely it's required.

Mr. Cerrone, Maybe we should make it public or private.

Mr. Payson, I don't think you can force someone into a private line.

Mr. Cerrone, At least the developer is doing the dry line.

Mr. Ofarcik, Most towns don't have private sewer.

Mr. Cerrone, Plainville did it 30 years ago School St. Bedard had to put 1000ft. of sewer dry line and had to put septic.

Mrs. Marchitto, Norfolk has a separate utility plan.

Mr. Cerrone, Then when the sewer line they worked out deal with North Attleboro sewer line was there.

Mr. Ofcarcik, Maybe John Lavin can check how long a dry sewer can be put in.

Mr. Payson, It's three years.

Mr. Ofcarcik, Here is scenario I have another piece I'm coming in and you require a dry sewer everywhere how deep do I put it?

Mr. Payson, You have to have master plan of what the elevations are.

Mr. Ofcarcik, West side might not be done for two years. What if I put it 8ft. deep and I should have put it 12ft. deep I can't use it the town has to buy another pump station.

Mr. Payson, This is what happen on Burton Ave. they made them put the sewer line in. Sewer is foot higher you have to look at elevations. Cobblestone is little different because downhill to mandate it totally is kind of complex. I think the time frame some master plan.

Mr. Ofcarcik, What is your starting elevation if maybe if the new DPW master plan is comprehensive enough.

Mr. Payson, Mansfield is three years they have 400ft. not 1200ft.

Mr. Ofcarcik, I think the only issue in North Attleboro is the private sewer Wal-Mart all the way the Fireside and east side.

Mr. Payson, The town took that over and you take the gallonage you could over-capacity that line. You're going beyond design of that sewer system.

Mr. Cerrone, I do a subdivision I put sewer lines in; I want to keep the lots. I build the road do all the infrastructure town doesn't pay a penny the town should be paying me to turn over those lines.

Mr. Payson, You could do that then you pay the town for the gallonage.

Mr. Ofcarcik, You have to be a private water and sewer system regulated by the state.

Mr. Payson, You could go into the system if you paid the town. We have a recommendation from our consultant is that all municipal and water systems shall be built according to the plan and will include regulations govern subdivision control of land. All on site sewerage disposal systems shall be built according to board of health specifications. Dry sewers mains and lot connections of lot lines shall be installed throughout the entire street. Then if on site sewer systems are used for any lot in subdivision or otherwise active mains shall be installed receive permits to tie into municipal sewer system.

Mr. Ofcarcik, What if you said dry sewer lines shall be provided unless waived by the planning board but then the question is...(inaudible).

Mr. Payson, You have to go back to elevation, there has to be some threshold. You have to prove it's feasible.

Mr. Cerrone, If public works won't give them the elevation they don't have to do it.

Mrs. Marchitto, Subdivision rules and regulations once they're set and once you approve it they're supposed to be applicable without the waivers.

Mr. Ofcarcik, The problem is your asking your approval to be contingent on getting letter from DPW. What if we get it and they say no and you still want it is that grounds for us to appeal your decision?

Mrs. Marchitto, Right now we state if you're within 1200ft. applicant shall connect all lots to public sewer.

Mr. Ofcarcik, Or if within three years the DPW is committed to install a sewer if it's in the plan within three years of date we file the definitive we have to put the dry sewers in. Didn't you do that with Fred's Chauncey made him get an easement so he could run sewer and come in?

Mr. Payson, No that was his house. I don't think we can make anyone run sewer.

Mr. Ofcarcik, The question is if it's never going to be there why do I have to pay extra fee to install it?

Mrs. Marchitto, I think that is beyond the scope to ask them to put dry because there is no sewer nearby nor is there a plan to get sewer there.

Mr. Payson, You have another problem Quail Creek is by pumping station. Toll Brothers is limited because the 8" line coming up to Bayberry. How much capacity for what is it going to be Pioneer or the whole upper High St. There is no master plan out there. Master plan really has to come up Rte.120.

Mr. Ofcarcik, If there is sewer within 1200ft. I'm going for it. Maybe John Lavin can say maybe that three years of time can be lengthen because of new technologies and new type of pipe, new capping systems or something they can use so that maybe a dry sewer can last longer.

Mr. Payson, I think if you had master plan for sewers and had capital plan then it is appropriate you're working for that goal.

Mr. Ofcarcik, Maybe if it's ten-year plan the developer makes a contribution to the capital improvement to bring the sewer closer. Maybe what to do now that you have a 50ft. layout is make sure that center section of road is kept clear so even if sewer goes in 15 years from now they can trench it in.

Mr. Payson, Is that a legal condition to require dry sewers? Length of sewer went from 900ft. to 1200ft. On the end of it a maintenance we don't have one do we?

Mr. Ofcarcik, I think unfortunately it has to wait until the master plan is done because then you'll know what you can tie into.

Mr. Houle, Why can't we go from 1200ft. to 1600ft.?

Mrs. Marchitto, I guess the problem is where is public sewer and what undeveloped land is near there.

Mr. Ofcarcik, If you're going 1600ft. you might open another 40-acres for development.

Mr. Cerrone, You can open it up with septic it's not going to make any difference. Hickory they made the crossing on Kelly Blvd. subdivision up the street that is why we changed this bylaw. It was more than 900ft. was 925ft. the guy put all septic and that is why we went to 1200ft.

Mr. Ofcarcik, Developer can always propose going further 1200ft is reasonable distance for water. Maybe John Lavin can answer the question is three years appropriate for when the sewer is coming by. Should it be 10 years?

Mr. Cerrone, The new stormwater policy.

Mr. Payson, I think you're going to see sewer up on hill within 5 years.

Mr. Houle, That is even more reason to put dry sewer in.

Mr. Payson, If public sewer system is planned to be installed within 1200ft.

Mr. Cerrone, It should be public and private both.

Mr. Payson, Let them buy it.

Mr. Cerrone, People on Quinn St. they have to put up with all the noise, all traffic, all development and they get nothing. Then if the sewer goes up there the people have to pay betterment.

Mr. Payson, I don't think they're going to put sewer in Quinn St.

Mr. Cerrone, No but at least the people have the opportunity to do it.

Mr. Payson, Maybe don't know what the elevations are. I don't know what you open up when you do that you could pump that into system up Draper Ave. take the whole 60-acres up there.

If you allow subdivision off of Old Post Rd. they're within 1200ft. they could buy into the gallonage.

Mr. Ofcarcik, When you require me to tie into a private sewer no negotiation in the price who owns New England Development or Carpionato owns all those gallons. You're making me tie in his prices are going to sky rocket. I know it's not a problem for you but ultimately...(inaudible).

Mr. Payson, When you put all the senior housing up there on 60-acres that's really bad.

Mr. Ofcarcik, Problem is like Ray said everybody on Rte.1 is going to tie into that private sewer but what if up Dave Cash there is not enough capacity in the line to handle all that stuff. Who fixes that?

Mr. Cerrone, You have to get approval from public works.

Mr. Ofcarcik, Dealing with public authorities is different than dealing with private authorities.

Mr. Payson, I don't think you can force that under subdivision control.

Mr. Cerrone, We're not forcing anything we're just saying private or public they have to tie in, it is up to them how they handle it.

Mr. Ofcarcik, I think the statue really doesn't speak to private utilities. There is not supposed to be private water systems but there is in this town.

Mr. Sweet, Just leave the word public and private off.

Mr. Ofcarcik, If sewer is available within 1200ft. That way if I go to the private sewer owner and he says no you can't have it and I get that in writing that means it's not available.

Mr. Payson, What we have has worked.

Mr. Ofcarcik, The only question is dry lines.

Mr. Cerrone, We'll ask John.

Mrs. Marchitto, Make a motion to continue the subdivision control public hearing on another night. We have field trip on Monday.

Mr. Cerrone, Not next week towards the end of month.

Mrs. Marchitto, Tuesday January 30, 2007 at 7:00 P.M. at police station.

Mr. Houle, Second motion.

Mr. Payson, All in favor 5 to 0.

Mrs. Marchitto, Make a motion to adjourn, seconded by Chris Sweet.

All in favor 5 to 0 adjourn at 9:12 P.M.

Respectfully Submitted,

No Agenda.

NORTH ATTLEBOROUGH PLANNING BOARD  
REGULAR MEETING  
TUESDAY, JANUARY 9, 2007

Senior Housing:

Glenn Ofcarcik-Tilton & Associates, Senior housing with no definition how can you deny it?

Mrs. Marchitto, Make motion to go into executive session to discuss the application and interview of the town planner and financial aspect.

Mr. Houle, Second.

Roll Call;

Donald Cerrone- Yes.

Dick Houle- Yes.

Ray Payson- Yes.

Joan Marchitto- Yes.

Chris Sweet- Yes.

Mrs. Marchitto, 10:45 make motion to come out of executive session, seconded by Chris Sweet.

Donald Cerrone- Yes.

Dick Houle- Yes.

Ray Payson- Yes.

Joan Marchitto- Yes.

Chris Sweet- Yes.

Mr. Sweet, Make a motion we adjourn at 10:45 P.M., seconded by Joan Marchitto.

All in favor 5 to 0.

Respectfully Submitted,