

NORTH ATTLEBOROUGH PLANNING BOARD  
REGULAR MONTHLY MEETING  
THURSDAY, OCTOBER 4, 2007

The North Attleboro Planning Board held its Regular Monthly Meeting on Thursday, October 4, 2007 at 6:30 P.M. in the Planning Board Office located at 43 South Washington Street, North Attleborough, Massachusetts. Board members Christopher Sweet, Richard Thimot, Richard Houle, Joan Marchitto and Mary Burgess-town planner.

Planning Board Business:

1) Approval of Minutes;

Ms. Burgess, We needed Joan last time to approve minutes.

Mr. Sweet, Make motion we approve minutes 8/30/07, seconded by Dick Houle.

All in favor 4 to 0.

Vouchers;

Sun Chronicle zoning articles add.

2) Review Bond Expiration Dates;

Windchime due 10/31/07;

Ms. Burgess, I was going to ask board if they would like me to call Dick Burton and send letter saying we need to see him on the 18<sup>th</sup>.

Hoppin Hill;

Joan Marchitto left table at 6:35 P.M.

Ms. Burgess, It is up 11/1 if we vote to approve it I guess we just have to wait and see what happens. Have him come in on the 18<sup>th</sup>. either for bond extension or bond reduction.

Joan Marchitto returned at 6:37 P.M.

Bally Heather;

Ms. Burgess, Mr. Fitzgerald can talk about that when we get to it on our agenda tonight.

Everything else is 08.

3) Review Status of Engineer's Current invoices and Inspection Reports;

Mrs. Marchitto, I did talk to John at 4:30 regarding these he said that most of them would be in. We can talk to him when he comes in. There are couple he wants to clarify dates with Linda regarding they were setting bond verses inspection reports.

Staff Report;

Mrs. Marchitto, Christina Estates?

Ms. Burgess, According to the planning board there is lot of activity. I did have construction meeting with DPW and I did enclose memo in package of what was happening.

Mrs. Marchitto, They're meeting all conditions of planning board at this time.

Ms. Burgess, There was some talk on whether or not the water line being able to tie into town water line. Anything that has to do with planning board everything is going smoothly.

Low Impact Development;

Ms. Burgess, They had some ideas especially for areas with high water tables, etc. Shannon went to it last week so her and I are basically on the same page in trying to look to move it forward somehow.

APA Conference;

Ms. Burgess, Next Thursday and Friday is the APA conference in Hyannis. They are handing out the new smart growth tool kit they just created.

Dept. Head Meeting 10/1/07;

Ms. Burgess, Talking about budget. We're going to have MUNIS workshop so we're going to have to close the planning board office for couple hours on 11/2/07 at 9:00 A.M. so Linda and I can get better at it. MUNIS is the software they use to do the accounting for the town and we have to use it to control our budget. There are a lot of flaws being worked out. Right now Linda is the only one who basically knows how to do it and I would like to know how to do it just in case any time Linda is not here.

Mrs. Marchitto, MUNIS is not friendly so I don't have issue of you two going together if it behooves you two to work together on it to get it smoother than it has been in last year/year and half. I know Linda has had difficult time it doubles her load. Would the office actually be locked? Just let the chair know.

Ms. Burgess, I'm not sure yet.

CIP;

Mr. Sweet, Do we have any items?

Ms. Burgess, If you can think of anything, I think it is anything over \$5,000. I can't think of anything. I will look into new tape machine tomorrow we can probably get something down at Staples. Zoning map is being taken care of SRPEDD is starting it.

Meeting with Roger Ferris;

Mrs. Marchitto, We need to discuss with mitigation with him.

Ms. Burgess, He had gotten the same question from DPW so he just forwarded the same response regarding mitigation. It was basically what we had discussed before putting it back into general fund and then having an article to take it right back out. We will have to work with DPW in order to facilitate that if it is road improvements, sidewalks, etc.

Mr. Thimot, If you're going to propose that you have to move quick or else DPW will have their hands on all of it and you'll never see it again.

Ms. Burgess, He approved the rules and regulation changes so we can put them in the new book print it starting tomorrow. We haven't heard of any court dates or anything else regarding legal. Linda did enclose the permit new residential she did that herself it isn't from the building dept. She went through town reports for past ten years. I will put it in graph form for you I just wanted to wait until we got the official from building dept.

New Business:

1) Form A: Cushman Development Corp. ( Tilton & Associates, Inc.) Final Action due 10/18/07; Ms. Burgess reading in application.

Glen Ofcarcik-Tilton & Associates, In 2/2006 NA Planning Board approved a Form A plan for house lots on Cushman Rd. right across parking lot for Chemawa Golf Course. There was an existing house at 383 Cushman, which has since been torn down new residence has been constructed there. Subsequent to that Tilton & Associates has permitted a house at lot 367 on lot B, which is currently under constructions. As part of lot B construction there was a wetland delineation done substantial portion of the south end of the approved lot B is in wetland resource area. As part of real estate transactions to try and sell these new homes the potential buyers have asked if their yards could be expanded because wetland area to south of lot B is not accessible or useable. There is tree lot to rear of lot B. The house which sits on 383 Cushman they asked if they could have more room in back. Basically what we're doing is reconfiguring the lots that were previously approved by adding a strip of land we call parcel C-1 to existing lot A about 25ft. wide in front, 15ft. in the back. Parcel B we're adding 10ft. strip to rear of that lot and cutting off the land on the opposite side of the wetlands and combining that with the piece in the back. There are no new properties being created it is basically internal transfer none of the house lots are sold yet it is all under the ownership of Cushman Development. It is all going to be combined into one large parcel.

Mr. Sweet. South parcel it looks almost like an easement doesn't have enough frontage for a road and you're saying it's in the wetland areas.

Mr. Ofcarcik, It is a 50ft. strip just for virtue of getting the area in because of the wetlands it wouldn't serve as a road. It is proposed to be connected to larger parcel. It is wetland parcel on the south end there is small upland at corner but homeowner couldn't access it just keeping it with acreage rather than selling it they will never be able to use it he's just keeping it with the large lot. Minimum lot size is 20,000sq.ft. Existing lot they have is 27,908 and when they're done they end up with 23,000sq.ft. but it is more useable land because we're giving them the 10ft. strip behind the house.

Mr. Houle, You're giving them 10ft. why not just give them 10ft. right across?

Mr. Ofcarcik, Because Cushman Development as the owner requested to keep that piece in with rear for sale of the lot. It is a residential real estate question it's not creating any parcels it is just reconfiguring shape of the property still having adequate frontage and adequate area and all the other requirements. Lot C it is 120.90ft. of frontage and width is several hundred feet when you go back. Commonwealth Engineers I believe submitted preliminary plan for this piece of property prior to Tilton's involvement on the property.

Mr. Thimot, Make motion to approve Form A, seconded by Chris Sweet.

All in favor 4 to 0.

2) Form A: Bellavance, Catherine ( W.T. Whalen Engineering Co.) Final Action Due 10/18/07; Ms. Burgess reading in application.

Mark Whalen-W.T. Whalen Engineering, You have two existing lots I think criteria was 1930 and other one has been there over 100 years, frontage of 150ft. The access area in rear they're selling it to neighbor parcel A to create new lot 1.

Ms. Burgess, Lot is pre-existing, non-conforming to begin with we're not making it more non-conforming by changing lot line.

Mr. Houle, Make motion to accept Form A proposed for Catherine Bellavance, seconded by Richard Thimot.

All in favor 4 to 0.

Old Business:

1) Review current status of John C. Porter Way;

Shaun McCormack and Allyson Huntington present.

Ms. Burgess, In your packet you will find couple letters from Shaun. He did submit the last set of asbuilts to me with all the revision also I did receive letter from his engineer stating that the basin was constructed substantial in accordance with the approved plan. Volume of basin as constructed is greater than the designed. I went out there yesterday and the grass is growing.

Mrs. Marchitto, Board did take field trip and we saw the grass growing it looked much cleaner. We'll do an overturn.

Mr. Sweet, Make motion we vote to endorse Stonebrook John C. Porter, seconded by Dick Houle.

All in favor 4 to 0.

2) Review current status of Hoppin Hill Farms Subdivision;

Joan Marchitto left table at 7:08 P.M.

Ms. Burgess, Did receive letter from engineering co. regarding detention basin it says that what was on the plan. Received letter from Mr. Hall regarding two trees that he has purchased from Tropical Tree for Mr. Doherty's house. He did go back out and cleaned and seeded the temporary cul-de-sac and also went along the grass strips and reloaded.

John Lavin, Last letter I sent I haven't seen it.

Jim Doherty-12 Westcott Dr., Don Cerrone came out to the subdivision on Saturday and was in agreement that there was deficiency on my lot and on lot next to me. He said that he was going to make recommendation to the rest of the board either you guys get bid on some trees or we could go and pick some trees out and then get them installed on our property by a landscaper co.

Ms. Burgess, I spoke with Don that is kind of why the two trees have been ordered and the seeding of the cul-de-sac and other things that he saw while he was out there. All he said that he was missing two trees and you agreed that you wanted them. They've been order and they're 2 ½ to 3".

Bob Hall, I have 2 ½ to 3" maples being brought in tomorrow and I will drop them off at your house you didn't want me on your property.

Mr. Doherty, The conversation I had with Don was we could get someone to install them at developer's cost.

Mr. Hall, I'm certainly qualified to install a tree I'm just trying to satisfy my conditions.

Mr. Doherty, We had six trees originally planted three of those six died he replaced one. My concern is in conversation I had with Don we ordered them, had them installed and they would be responsible for them and then there would be no issue if there was problem with trees being installed. Who is going to guarantee them for year and what am I going to have go through if there is an issue?

Mr. Thimot, Who would guarantee those trees would be there a year later if you bought them somewhere else?

Mr. Doherty, They guarantee them for a year.

Mr. Sweet, I personally have issues with that because people that I've bought trees from guaranteed them for a year. Some of them didn't last and I had to go to hell and high water to get replacement and even that was at a discount so they weren't free replacements. You're not going to get anybody to guarantee that even though they say they do.

Mr. Doherty, We have in the past we've dealt with good firms.

Mr. Houle, If he has some people come on not Bob would that be okay with you? The issue as to whether somebody is going to guarantee these trees for year that is not an issue for this board and nor can we do that. Bob bought the two trees you did request that last meeting if he does have someone install them is that okay?

Mr. Doherty, Depends on who it is if it is the landscaper that did the originally stuff I would say no.

Mr. Hall, It's not and if you want to supervise I don't have a problem with that.

Mr. Doherty, Okay. Second thing was the reseeding and it consisted of throwing grass seed on top of weeds there was no additional loam put in there is no even scratching of the surface. If doing it right qualifies it wasn't done right. I'm talking about across the street.

Mr. Hall, I did put some grass seed down and I one of the reasons why it's not really growing is his sprinklers don't hit that area. I've totally reseeded and went all the down behind the sidewalk on part of John Westcott and Vernon Darrah. I don't think it looked that bad.

Mr. Thimot, Is that property across the street is that yours also?

Mr. Doherty, No but when Don was there he looked at it and I said mine was worst that just as comparison he said it needs to be addressed. He's not here I'm just telling you what my conversation was with him.

Mr. Houle, Your neighbor is not here to talk for himself.

Mr. Hall, They've been in the house since last November and it's not an issue to them.

Mr. Thimot, With all due respect Mr. Hall has indicated he's going to see that you have some trees delivered to your property and someone else is going to stick them in the ground for you.

Mr. Hall, We'll give him enough notice and he can supervise how they go in to his satisfaction.

Mr. Doherty, I had one other thing on retention basin was there any calculations with depth on that being not what it was as to how many gallons that equated too?

Ms. Burgess, The original hydrology report was not done in gallonage. We do know that it is off by .2 that is all the Mr. Cerrone had requested that we had it in writing, it might get the 98-year storm.

Mr. Doherty, How many square feet does that equate too?

Mr. Houle, John do you think the drainage pitch is more than sufficient for what is there?

John Lavin, It's .18 is 2" of water over an acre if pond is ¼ acre it is 8" to meeting the standard. Key is where does it go in his case it goes to a wetland and goes further down before it crosses over. In this case it goes to wetland in practical terms I don't think it would be major consequence at all it is for the 100 year storm it doesn't meet the standards I don't think you'd have problem in this case because of where it's going too.

Mr. Thimot, Make motion to endorse the subdivision.

Ms. Burgess, John Westcott and Vernon Darrah.

Mr. Sweet, Second motion.

All in favor 3 to 0.

Mr. Doherty, The only thing is we were thinking about oaks.

Mr. Houle, Bob could that be done?

Mr. Hall, I will check tomorrow.

Joan Marchitto returned at 7:23 P.M.

3) Review current status of Sheldonville Preserve Phases I, II and III;

Ray Loughlin, I have new asbuilts with all corrections guardrail and stop sign.

Mr. Lavin, That should be addressed in your regulations, it's not mentioned but recommend it because of Sheldonville Rd.

Mr. Loughlin, I do have one in office for St. Lawrence his sign is over to the right so would have to move sign too. We have grass growing, have sidewalks, curbing, trees also guardrail on Barth.

Mrs. Marchitto, All the letters came in September.

Ms. Burgess, We didn't get letter for detention basins.

Mr. Loughlin, Three of my retention ponds are greater than the design, two of them are not. I don't have the letter we have about five ponds three are fine. We have a situation where the hydro system was way over designed to begin with estimate from original subdivision. It was short notice I just found out today that they're not right we worked on it all day today. Doolin and one between Ringuette and Riordan, Doolin is off about 11% smaller the other one is about 30% under. Riordan from about intersection of Barth probably up another 100ft. intersection of Doolin down and drainage along Riordan up to Doolin after the culvert it goes the other way.

Mr. Lavin, That comes in and goes right out.

Mr. Loughlin, Pond has been in about year now you have design and theoretical and engineers can only work with what they think can be done or what is going to happen. We've had actual experience we have had 6" events that have not caused a problem. As mentioned earlier about Meridian's property where they didn't have their drainage functioning we were taking 4ft. of water through that pipe, which goes right along side one of these ponds.

Mrs. Marchitto, Right and your subdivision is handling it.

Mr. Loughlin, I don't think there is anyway in the world before this town meeting I can get Tilton to redo this hydro and say based on what is actually on the ground it is about double the amount that they estimated was impervious area of the home and the driveway. We've had

actual events that are near 100-year storms that have not been an issue there. It was Queens Grant not Meridian.

Mr. Lavin, It does take Windchime, Hoppin Hill, Queens Grant and Springhill.

Mr. Loughlin, Springhill is completely uncontrolled.

Mr. Lavin, It all went through that one pipe and at the time it moved down the railroad all way down to 295.

Ms. Burgess, Reason for the letter was so we could say how much it was off that is what Don had said.

Mr. Lavin, We've had three 100-year storms in last four years something like that.

Mr. Loughlin, We had agreed we were going to put guardrails in lieu of fence. Guardrail on Barth and across 4ft. pipe on Riordan at steep slopes I think fence issue has been resolved to board's satisfaction.

Mr. Lavin, They apparently over designed if you did conditionally approval with the letter and held the bond money?

Mr. Loughlin, Something like conditionally to an engineer's satisfaction.

Mrs. Marchitto, You have done everything the board has asked as long as I've been on the board.

Mr. Sweet, Make motion we endorse conditional to having a letter signed off by our inspection engineer to approve streets Barth, Ringuette, Riordan, Riordan Ext. and Doolin.

Mr. Houle, Second for discussion. What exactly would the condition be?

Mrs. Marchitto, Is that reasonable from an engineer?

Mr. Lavin, It is huge one so it's a matter of how many inches is it 6" or 2ft.? It's relative acre-foot percentage wise how deep is it? Worse case scenario you would have to add to top on one side on house side it goes up forever he's right next to wetlands the way it was designed.

Mr. Loughlin, That is part of why it's smaller because we started working on the wetlands. We probably had situation where we got it approved here then we went to Conservation and it didn't come back so we're moving it to satisfy them that makes it smaller. Now we're caught in this thing trying to protect the wetlands by moving it.

Mrs. Marchitto, Would there be paperwork to satisfy that if we went to Conservation? How about going back on private property?

Mr. Loughlin, These are just things that effected it we have an easement to go on private property.

Mr. Lavin, Also they put an additional sub drain, which was called on the plan. Basin they threw in a foot of stone so any water comes in just goes out it's helped a lot to keep that land dry. There is not much road there is not much impervious that goes into that thing.

Mr. Loughlin, If my professional engineer can prove to John that this is an acceptable design and he's happy. We'll leave the bond until we get it resolved.

Mr. Thimot, He has to leave it until we say he can have it back.

Mr. Sweet, Make motion conditional to a letter submitted to our engineer and signed off by our engineer on detention basin to approve the streets Ringuette, Riordan, Riordan Ext., Doolin and Barth, seconded by Richard Thimot.

All in favor 4 to 0.

4) Completion of Bally heather Subdivision;

Richard Thimot left table at 7:38 P.M.

Tom Fitzgerald, I had meetings with Mary and John previous to April 2007. We have everything as far as the memorandum of April 2007 resolved except two issues. I have road scheduled to be grinded and paved. We've worked out all the easements with the neighbors on water shut offs there are four or five I still have to pick up they're just being reviewed. Mary

made some calls to water dept. it did get resolved. I still have one problem the sub drain we've gone around on this for two years. I put it in, we took pictures, we reviewed it, it works they system has been in since last June or so and we have no problems with any real water problems on people's property. We're picking up a lot of sub drain and it works. The issue has been it was never completely approved at the board.

Mrs. Marchitto, Was it stamped by an engineer?

Mr. Fitzgerald, Yes Neponsit Valley came out and did the drawings they're in the asbuilts. We said don't stamp them until they are finally approved by John and the board then they put their stamp on that is how it was left at last meeting. They had incorporated on Massand Dr. the sub drains were applied to the drawings.

Mrs. Marchitto, I just recall that you did leave some drawings but they weren't endorsed.

Mr. Fitzgerald, We had some drawings that Mary had when were at out meeting that were all colored and designed showing everything to scale and engineer was transferring them onto the asbuilts. I'm just trying to close that out before we pave the road. I've gone through the whole punch list most of it is just paperwork now with water dept., etc. We have stonewall on last lot on Massand Dr. this fellow doesn't want me on his property to just move wall it is foot off. It's 1ft. on right of way we put the wall there.

Mr. Lavin, Sub drains weren't inspected they were installed without inspection. If you want to keep this standard to Mass. Highway like we're doing with Hickory Woods it's totally different. We didn't do a final yet I haven't done anything here since we talked here last.

Ms. Burgess, Is there a resolution to sub drains?

Mr. Lavin, Depend on standards you want to hold. They're in right of way yard drain you want off so you don't maintain it. Several water gates are 7ft. back you have to bring to it back to right of way because you can't turn water off.

Ms. Burgess, Water dept. proposed an alternative.

Mr. Fitzgerald, The ones we couldn't get the easement we had to put in new gate box but we got all the easements so we resolved that problem.

Mrs. Marchitto, We have sub drain on right of way.

Mr. Lavin, Side slopes.

Mr. Fitzgerald, There are two parcels and fellow doesn't want me back on the property I don't know if there is waiver or how we handle that.

Mr. Lavin, The idea behind the slope is more for removing snow.

Mr. Fitzgerald, We've been in touch with electric, postmaster, we've contacted everybody to resolve issues that could be resolved.

Mrs. Marchitto, Sub drains should be on private property they shouldn't be on right of way if we allow it on this subdivision we have to allow it on all subdivisions. They went in without inspections. They were placed in right of way without any specifications or any drawings at the time he came in after the fact I don't think DPW wants them in the right of way. I'm glad you're working on John's list from 4/26/07 it is now October 4<sup>th</sup>. You were here a year ago doing paving. We're still talking about the same issues that you discussed with former chairman/ two former chairmen ago.

Mr. Fitzgerald, I go back further with previous chairman when Larry Tilton designed a drainage system that they took out and then after the fact they added it back in new chairman comes in and says by way we have to do this.

Mr. Lavin, Everything is by plan I don't go outside the plan.

Mr. Fitzgerald, Wall we were trying to satisfy the 4 to 1.

Mr. Lavin, Yes because what happen there the whole yard was into right of way 8ft. into the street they had to pull it back and yard is already done and septic system is in now you have a wall you need retaining wall.

Mr. Fitzgerald, We didn't build the houses or landscaping.

Peter Larson, The excavator had graded over 8ft. out into street.

Mr. Fitzgerald, I spoke with fellow who has wall in front of his house he said he would write letter to the board.

Mr. Lavin, Maybe if he can write letter saying he'll maintain it and be responsible for it that is the whole thing.

Mrs. Marchitto, I think you had plenty of time to resolve issue of sub drain as long as I've been on this board it's been an issue. A system that is working that is not supposed to be on right of way.

Mr. Lavin, Wall is 2ft. on right of way he did 5ft. sidewalk and then the wall. Drainage runs in right of way driveways so it is still town owned. I met with Peter out in the field went over plan went back and sent that letter.

Mrs. Marchitto, We can't allow them in right of way you were put on notice 8/06 and I know you were put on notice before I'm not going to allow it. I think I have backing of board.

Mr. Sweet, You do.

Mr. Houle, We can't allow it we've already said no to other people.

Mr. Fitzgerald, Let me see what I can figure out.

Mrs. Marchitto, We sent you letter you know where we stand you know what our partial list is you know how to build this road and you know how to do it correctly. I think you're just wearing the board down until we give you a waiver. Drains are on right of way, board has not wanted drains on right of way for at least year and half you have letter from 8/06 saying no. Work with John get the road done. We have letter from 31 Millard Rd. right before his piece of property last year the asphalt trucks were parking there and made grooves.

Mr. Larson, We did take care of it once but it happen again the power co. was parked there.

Mr. Fitzgerald, We'll address it. Paving is all set to go in three weeks.

Mr. Lavin, Water line you put in you have to get letter from water dept.

Mrs. Marchitto, Why don't you come back 10/18/07.

Ms. Burgess, If you decide to dig up and redo it and all that stuff make sure you call John for inspections.

Mr. Fitzgerald, I will.

Steve King-45 Chipping Stone Rd., I just wanted to know status and if there was any resolution. My wife and talked to Mary I guess she's talked to developer approving an estimate?

Ms. Burgess, The King's dropped off an estimate for dry stream and when I met with Mr. Fitzgerald two weeks ago I gave it to him and he agreed to it.

Richard Thimot returned to table.

Board taking 10 minute break.

5) Completion of St. Lawrence Way;

Ms. Burgess, Last meeting Mr. Cerrone asked me to talk to DPW Highway Supt. regarding patch. Gist of letter from Bob McGhee patch is acceptable to DPW. There are other deficiencies he has noted and he's forwarding them.

Fred Bottomley, Is deficiencies in other parts of the roadway?

Ms. Burgess, Not that he has illustrated. We're not at point for asbuilt yet. When it does come up for acceptance DPW did have couple things they wanted to add.

Mrs. Marchitto, Which are what only because I've walked it with Bob McGhee couple years ago and came to resolution and I think Fred was there and former chairman.

Mr. Bottomley, The only thing we had to hold over Lynch I know there were curbing issues, driveway issues on the aprons. Patch was our biggest thing because we never wanted it patched we wanted new roadway put in. If patch is acceptable to you and DPW that is fine but if there are other DPW issues dealing with the roadway that Lynch did I think it behoove us to all know what those are. We had numerous site inspections and they had said everything was fine.

Mrs. Marchitto, We walked it we went into negotiation what will it take so I'd be very interested in seeing that list.

Mr. Bottomley, Bounds are all in, we have stop sign for it. We couldn't put stop sign on street sign we have to have separate sign because of where town had placed street sign. We wanted to get invoice for streetlights of Harold Bishop, William Thorpe, Jon C. Barry and three at St. Lawrence all at one it is \$11,800 we only got an invoice for one. Mary had told me today that they are running short again this year on lights, which is what they did last year. We ordered last November and when we went to get them in December they were all gone. Now that they've changed their process all electrical has to be prepaid. I told Mary I would contact Gene Allen tomorrow morning. I guess you're looking to vote to accept roadway of St. Lawrence that Lynch had done.

Ms. Burgess, Just the patch.

Mr. Houle, Make motion we accept the patch on St. Lawrence for patch work that has been done, seconded by Chris Sweet.

All in favor 3 to 0 to 1 abstain Richard Thimot.

Ms. Burgess, Someone mentioned that streetlights are back ordered I haven't confirmed that.

Mrs. Marchitto, We could actually get this article going for street acceptance at next town meeting providing lights come off of backorder.

Mr. Bottomley, After I speak to Gene Allen tomorrow I will call Mary and let her know.

Mrs. Marchitto, I want to say it was almost three years ago we did that walk there was almost ten of us, DPW, Fred & Allen, I think Mr. O'Neil couple from planning board and Earth Tech was there. To be in communication of what Fred needs to do to accomplish this road for street acceptance and here we are three years later and DPW is saying there are other deficiencies.

Richard Thimot left table at 7:31 P.M.

7) Update on progress of Hickory Woods Subdivision;

Fred Bottomley, You had asked for an engineering report Chris White PE from Tibbets was hired. We also delivered a proposed report based from a consultant Eastern Windwater. Eastern Windwater proposed a zurn system where John had showed the concerns and Allen and I had witnessed it between lots 21 & 22 is where all the water from Fales Rd. comes down. The gully is sufficient width that conventional yard drain will not work it's too wide. Water comes down we already have functioning drain between lot 19 & 20. You have pull box, pad mount transformer and another pull box the preponderance of water comes to the pad mount. What Eastern Windwater has proposed for us to install is a surface drain that is 12" wide. A cut sheet was handed in and the location markups using this drainage plan. Drain between Streets and Cerrone both yards have wide swale, which is all landscaped grass. We picked a point approximately 8 to 10ft. behind the pad mount you have to intercept water before it gets to pad mount and to left of it is the location that Earth Tech had placed for the surface drain prior to grading. That drain fortunately is a pit drain already tied in to the drain away, which you had previously approved. This zurn drain system would span the whole valley 16ft. long and it is 12" wide and the invert is on the bottom, which would take a 4". We measured the invert depth of the zurn system and scheduled to tie right into existing drain, which would then go into this drain system. 16ft. one is between lot 21 and 22. One above they don't have landscaped swale

they have a higher elevation, which is all their woodchips, etc. and water flows down. We've proposed higher up in the elevation to intercept the water with an 8ft. across that is the pull box that starts all the problem it gets the water first. We've already tapped into the pull box with 4" PVC and that way if there is any sub-surface water that comes up it would be intercepted inside the pull box that would then dump into drain away system, which is tied into municipal drain system. We would put surface zurn system across and intercept almost all of the surface water so that it could never get to the pull box. Pull box below would be 4" tap into pull box into drain system we'll eliminate surface water as well as sub-surface, surface water at the pad mount and throwing that into surface drain that is there now, which is already piped no additional digging.

Mr. Lavin, Is this in lieu of drain that has to be installed that was approved last year?

Theresa Munley- 14 Jon C. Barry, Is that between 20 and 21?

Mr. Lavin, Yes.

Ms. Munley, I will say we really don't get water there, we will get a puddle that might last a day but there is not water running through there it's dry now between 20 & 21. Only time you will see puddle is early spring.

Mr. Lavin, I've been out there many times where it's a river.

Mr. Bottomley, We looked at 8ft. at edge of their natural landscaping their yard has a severe curvilinear cut to it and then it goes back uphill into the trees. We would behind that pull box just with an 8ft. it would be flush with the ground to collect the minimal amount of surface water but we have seen a few instances John, Allen and I where it is more than just minimal thing. Biggest problem is the water that comes from Fales Rd. and goes between lot 21 and 22 that is where we feel a 16ft. is needed of that particular system. It is structural unit you can have side venting we felt that we wanted to create some volume so that we would have a bottom venting coincidentally it's elevation ties into the drain that is already there. With your approval we would like to start that immediately. Additionally what was dropped off for review was Tibbet's Engineering report as to the conditions of Jon C. Barry and following their recommendations if it meets with John's satisfaction.

Mr. Lavin, I only had an hour to do it you explain it you talked about 4".

Mr. Bottomley, That was from one engineer. What Tibbet's Engineering did and Chris White is a PE they analyzed the soil. Allen and Fred had nothing to do with preparation, digging holes or anything we wanted complete hands off of it. What they have found is what the report says. According to them sieve and proctor analysis in many instances exceeds North Attleboro standards. The gist of this is they recommend that we take out roughly 150ft. of roadway that had been previously approved and replace it with 12" of common burrow and 3" of dense process or some combination thereof. I've heard other things come about. What we would like to see tonight or in very near future because we were asked to present a schedule, which has been handed in. We would like to do Jon C. Barry and Harold Bishop at the same time. The report I've never assumed to be an engineer I know my limitations I've read this. Their recommendation from a PE is what it says there are three or four pages of written documentation and then numerous pages of proctor and sieve data, etc. To accompany that you have a schedule if you were to elect to go forward work could commence as soon as October 5<sup>th</sup>. which I thought was optimistic with you just getting the report and John just getting it last night and having short term to review it. Maybe these dates are all off by a day or two. I only received the work schedule from the contractors this evening. If we don't agree or don't approve that engineering firm's recommendation I think we're back to potentially them meeting with your consultant. What I had said to Mary when I read John Lavin's report and his comments on right hand side I mentioned this at last meeting and then having an opportunity

to review this report today. Why a contractor would put in for instance 24" of gravel when he only needed to put in 15? Why has he got 9" more than he needed? There are certain things that just don't make sense.

Mr. Lavin, That could have been he had to fill that area if he didn't have to cut it and he had to fill it 24".

Mr. Bottomley, It could have been filled and he could have used gravel instead of something else. I think the thing I get out of the report is what John had said previously that the road is hard as a rock if we'd intercepted most all of the sub-surface water coming onto the roadway.

Mr. Lavin, All of it because that is what this is designed a design is based on a guarantee.

Mr. Bottomley, Correct so if we had intercepted by your plan that you previously approved.

Mr. Lavin, And it's your design.

Mr. Bottomley, That is correct their recommendation is to do X. The only thing on Jon C. Barry that needs to be done to permanently protect that roadway is the installation of the drains at the two pull boxes and at the pad mount transformer. John and I and Allen and I have seen the water, we've walked up in the yard. We've seen the back sprinkler heads for instance behind the pad mount sprays water onto the pad mount, which was soaking wet when there was no rain. There are a host of things pad mounts aren't a solid unit there is a pad then a mount and if the water is getting into that resting area that is just contributing so another reason we need to have drainage.

Mr. Lavin, Are you looking for waiver for the thickness, is that what you're trying to get at of the gravel? There is 5" of gravel burrow, which meets spec.

Mr. Bottomley, I don't know what I'm looking for all I know is what I've said all along we had town engineers approve what went down and we were ready to pave back in July and we got stopped. I don't know what waivers entail I don't know anything about it. The only alternative to get it in I would presume a non-waiver position would be to remove everything that is out there.

Mr. Lavin, Report doesn't say you have to remove everything if you want to meet spec as far as thickness?

Mr. Bottomley, I don't think you can easily do it as a patch work quilt. I've read the report I don't claim to be an engineer. He's made certain assumptions based on data that he's done.

Mr. Lavin, You need 12" of material it calls on the spec one area they were looking at sub-base first as far as virgin material that was there and from what I gather there is certain amount of area that is unsuitable material. Suitable means stable goes from station whatever 200 to 400 there is only 5" of gravel.

Mr. Bottomley, I don't think anywhere in report I didn't read that it was unstable material. What they're saying if it was done properly to begin with they would rather have seen a different material uniformly. Obviously when the cut was made they made a cut that was 15" and what was ever below it was what was there. They suggested that there should have been deeper cuts made.

Mr. Lavin, If I read this right the intersection of Bishop and Barry they cut it just below pavement it wasn't cut 15" below to bring it back up. Then it goes along to 150ft. for sub-base material, which in essence is poorly graded more than 35% passing 200 that is per ASHTO. In looking only at stability as far as what a road can take then it goes from station 200 to about 430, which is type A1B, which is certain type of silt content, which is acceptable it's medium. Again it's just stability of what you can drive on and that is only 5" of gravel burrow. From 430 it goes into 24". So really from 0 to 430 this is proposing to go to 150 maybe 200. From 200 to 400 would be the only area in essence you're requesting a waiver because you're only putting 5" gravel. In that one area 200ft. or so it's 5" the other area recommended to take out because

of the sub-base because you have nothing there right now as far as thickness you're really only talking about 200ft. that is missing the thickness so to speak of the gravel. In July when you were ready to pave before that you did two weeks worth of work without anybody there to look at it not that you had to but you cut the road down too.

Mr. Bottomley, But clarify why if the board has forgotten it was to put it back in line with the approved plan.

Mr. Lavin, The way the asbuilt that you gave showed the elevations and you submitted that to the board and they said it was fine and that was the way the road was before you cut it down.

Mr. Bottomley, No that wasn't fine the asbuilt that the board received was off as much as 8 1/2" in 50ft. We've said it's been wrong from day one. The asbuilt that we submitted of the road of Jon C. Barry we have said it's been wrong from it's installation. What we did is we did that as a comparative analysis to show what the approved plan was and what it was and in 50ft. down in front of Mr. Cerrone's house we were off 8" in the crown. In other areas we lost the crown.

Mr. Lavin, I thought you were just going to leave it as it is because if you cut it down you're going to be short.

Mr. Bottomley, But the drainage wouldn't work because it needed to be regraded the whole thing.

Mr. Lavin, You could have regraded it without really bringing it down you could have added someplace just make grading go because you have to do the driveways. From what I see here is they're asking for waiver for 200ft. it is 5" of gravel roughly it say 5 to 7 in 200ft. area because first area they recommended taking out from 0 to 150 possibly 200 they just said keep on going until you find it. Really up to station 400 then it goes into 24, 8" then it says type of material that was 24" down was gravel burrow. Report says to take out 200 it is really the area that would just not have 12".

Mrs. Marchitto, Then 200 to 500 it varies I see 5 to 9.

Mr. Bottomley, It was 95 and better in compaction.

Mr. Lavin, Which it will be now.

Mr. Bottomley, As report clearly says there are many areas where it couldn't penetrate the base at all. I think in the final analysis the side drains are going what they were meant to do. I said for weeks it's up to the board if they want the whole thing ripped out we're prepared to do that we understand the inconvenience it would be to the neighbors to remove 15" because right now it's graded at what would be it's finished grade barring the asphalt going on top.

Mr. Lavin, It doesn't sound like you have to do the whole thing.

Mr. Sweet, I thought you were going thicker with the asphalt?

Mr. Bottomley, That is ruled out.

Mr. Lavin, That is why they were doing this 5" you'll get 4" of mix. It says from cul-de-sac to 450, which is intersection of Thorpe. What it comes down to this has to come out if you could just do the other one you really hit spec. with the other 200ft. The stability is there, gravel is there, they did the design. I think if you took out 400ft. and then you would hit spec.

Mr. Bottomley, We're prepared to do it for the residence's convenience we have to allow driveway access and do one side of the road at a time.

Nicole Riel, I want the road accepted.

Mr. Lavin, 400ft. takes you to before Thorpe. It's almost like if you were paving you have to give notice so you can move your car out.

Mr. Houle, Let's say you do half and half what type of time frame?

Mr. Bottomley, We're looking to start immediately.

Mr. Lavin, I'm just guessing it might take three days.

Mr. Sweet, I'm in favor of the whole drain proposal.

Mr. Lavin, Electrical boxes you probably have to talk to the electric dept. because you're going inside in a sense it's their area.

Mr. Bottomley, We did piping about month ago.

Ms. Burgess, It was about two weeks ago.

Mr. Lavin, The only thing I've seen on zurn system seen them installed in grass areas when water comes down it scours and all of a sudden goes down doesn't get into trench. This is what is happening at Bally Heather they installed this and water doesn't get into the drain.

Mr. Bottomley, Only thing that changes it is setting it concrete I don't have problem setting it in concrete. I talked with their consultant the reason we need to be far enough back is twofold the residence on that plan you can see how their electric lines come out. We need to be far enough back so we're not interfering with their electric, cable or phone service, which follows all the same trenches as it comes out of the post and pad mount or pull boxes.

Mr. Houle, John as our engineer.

Mr. Lavin, One hour that was given me I just tried to do what I could do. It is really kind of also field conditions. Sampling is one thing maybe some places are good. Maybe in the field if it's shorter you could go shorter that type of thing.

Mr. Bottomley, What about using gravel as part of the fill?

Mr. Lavin, As I told Arthur Hickory Woods or Harold Bishop we have enough depth 18" you can take 3" there and bring it over here if you're going to grind the road that is fine.

Arthur Amaral, There is only an inch there if I'm going to steal material off the road it is going to be mixed in with first 4 or 5" of gravel I don't think that will hurt it.

Mr. Lavin, No it's just like reground.

Mr. Sweet, What I'm hearing is going ahead with working on Bishop as well?

Mr. Houle, That is what he's proposing.

Mr. Sweet, Do all three streets get it done.

Mr. Lavin, There is drainage issue in front of Riel's house.

Mr. Bottomley, On Riel's property it is where their water service is. We want to put in a 4" drain that would be a pit drain, which would also encompass surface. It has the 4" surface has the cone going in whatever we need to intercept the water that is bubbling out of the curb stop. The homeowners of property told us they're not changing water service to front of house.

Mr. Riel, There is no legal reason to change it.

Mr. Lavin, Is it over 100ft. you have to put meter in.

Mr. Bottomley, We've supplied photos to DPW, planning board and board of health. Their water service comes right off the corner out to the street and then makes 90 degree. It is not in any violation of Title V but they do need to work out with their contractor who installed their water line that they need a meter pit because it exceeds 100ft.

Mr. Riel, Are they going to do that with every house in town?

Mr. Lavin, If it's 100ft. because it should be in front of house.

Mrs. Riel, They should have inspected it they can't come back now and say rip out my irrigation system, rip out my electrical conduit.

Mr. Sweet, Issue is this isn't an accepted street.

Mr. Riel, You're going to have to get together with contractor to figure out what they're going to do with that box. As far as I'm concerned they turned the water on the water dept. turned it on. Am I wrong that line should have been inspected at some point?

Mr. Bottomley, I would have thought it would have been inspected. It met all the regulations I agree with Glen town turned it on if there was problem somebody should have known three plus years ago not October 4<sup>th</sup>.

Mrs. Riel, Kevin Joyce and Peter Darble are not easiest people to deal with and we're not chasing them to put in the meter.

Mr. Lavin, Another issue that happens whoever put the water line in ran the stub over there and wherever the stub is it is really the people who put water line in too.

Mr. Bottomley, What happen is their house turned it was supposed to face Harold Bishop.

Mrs. Riel, They wouldn't even know if I hadn't insisted that Kevin show me it wasn't a foundation drain because board of health insisted is was foundation drain that is the only reason why DPW now knows about water line being there.

Mr. Bottomley, We've agreed that we will correct the drainage issue even though we didn't create the issue. We want to take care of their property for their sake as well as for well being of that roadway.

Mr. Riel, As far as planning board is concerned you're concerned with that water coming out of that curb stop and that it's not in violation of Title V correct? You have nothing to do with meter pit?

Mrs. Marchitto, It's water coming out to road it's not even Title V it's not our jurisdiction.

Mrs. Riel, That doesn't prevent you from doing the road?

Mrs. Marchitto, No.

Mr. Lavin, Whatever you said you were going to install is it going to be on town right of way?

Mr. Bottomley, It has to be the curb stop we've already surveyed it curb stop is where it's supposed to be it's right on property line so the drain is going to be within town layout to catch the water from their water line. Trench is approximately 4ft. deep fill with sand and it fills with water and it is running crosswise to hill itself as it comes off their house back to road where it makes it 90-degree turn.

Mrs. Marchitto, Do we need a design on that is it a field change?

Mr. Bottomley, It's just going to be a 4" drain hook it into street when we rip up the street.

Mr. Lavin, For the file you need something.

Mr. Bottomley, It will show up on our asbuilt.

Mr. Lavin, It should show up before that when you go in the field and do what you said you were going to do. Yard drains are going in and then this other drain? Yard drains that were approved a year ago for Barry you have to get across the electrical lines to put yard drain in. You're doing it in lieu of the yard drain?

Mr. Bottomley, The zurn system 16ft. Yard drains will serve no function the zurn system will pick that whole valley. The 16ft. zurn system will connect to the existing drain that is already installed it is different type of yard drain.

Mr. Lavin, They haven't crossed electric yet.

Mr. Bottomley, The drain that is already in is crossed the electrical.

Mr. Lavin, You still have two you have to cross and ran into design problem of diameter of the pipe.

Mr. Bottomley, Which is the reason that 16ft. zurn system would go behind the pad mount intercept all of the surface water coming down and that is going to be piped into the existing yard drain, which is piped into the drain away system. The 8ft. zurn system is going to be piped into the drain away system crossing the electric.

Mr. Lavin, Two crossings you need to do and one is existing.

Mr. Bottomley, We're using a 4" pipe. If you feel it's needed to be set in concrete we'll do it.

Mr. Lavin, It erodes down below that is what's happening at Bally Heather.

Mr. Bottomley, 4" PVC that is what is out there now. It is spelled out what we want to do it may not be in engineering terminology because I did it. It is 12" wide surface grate model they

come in 8ft. sections and 9 and 12. We feel that we need the 12 we didn't want the chance of the water jumping the top you and I have seen a river between lots 21 and 22.

Mr. Lavin, It is going to be somewhat regraded as opposed to sitting right at existing so it comes down?

Mr. Bottomley, We're going from upgradient of the valley that is out there we're going to cut into that and lay this right across the base of the water course if it's 16ft. wide we want to pick up as much as we can.

Mr. Lavin, It's going to come down both sides and then go back up to the curb.

Mr. Bottomley, I think as John had told board at last meeting the homeowner at lot 21 has already done a substantial amount of regrading to his backyard because he was getting pockets of water due to the way builder did not grade his backyard. It was pocketing towards the foundation. I'm not worried so much between 21 and 22 because it can be mowed right over right now it's all lawn.

Mr. Lavin, Do they have precast units?

Mr. Bottomley, We haven't found one.

Mr. Lavin, Concrete will help stabilize it throw some stone there it might help keep the mulch out. It is really the 400ft. and I guess what I would ask if it's shorter you can do less work, etc. It appears to be at Thorpe.

Mr. Bottomley, We have a D3 available with dual heads lazer mounted automatic blades so we can set that it is all lazer graded if we have to bring that in we will.

Mr. Lavin, Making sure 12" is there so you get spec. grind up Thorpe on cul-de-sac side and two hydrants.

Mr. Bottomley, I think John is doing a very good job and I think Earth Tech did a terrible job and I think they should still be held accountable not just with our project but with almost every project in town it is sad what happen.

Mrs. Marchitto, And the board removed them.

Mr. Houle, Fred since you did just say that will there be funds available for inspections of what is going to happen?

Mr. Bottomley, Right now it's current.

Ms. Burgess, We're even but we'd like to have little something extra.

Mr. Bottomley, You have \$315,000 I can sign it over anytime I'm serious. I think what is fair quite honestly is that in a timely manner we get an invoice for inspections and we pay it. I wanted to be paid in full we were \$1400 and some odd dollars short I brought that money in and I gave it to Linda I think that is more than reasonable where you're holding so much of our cash.

Mr. Lavin, What I can do whatever the schedule based on that kind of break it up roadway have to be there.

Mr. Bottomley, We welcome any assistance that anybody can give us.

Mr. Houle, Fred brought up a good point and lets make sure he gets invoiced for it in timely fashion.

Mr. Bottomley, Is everybody okay with Bishop? Can we go in can we rip it up can we finish the roads?

Mr. Lavin, There are still some pipes you have to put in as far as that plan some of the stubs, not putting stone around them.

Mr. Bottomley, There are some we can't put in. One at people's driveway.

Mr. Lavin, You already came in front of the board and had that removed. I'm going by the plan.

Mr. Bottomley, That is title V issue.

Mr. Lavin, It is in 50ft. area if you have solid pipe going through with impervious material surrounding it not stone you can still do it. If someone wants to hook their roof drains in if you have solid pipe going in you could bring it out.

Mr. Bottomley, This one drains to the back, their foundation drains are already in.

Mr. Lavin, Maybe if you could tell us where all the drains are we don't know that.

Mr. Bottomley, That was never shared from board of health back to planning board?

Ms. Burgess, They said they were still looking for them.

Mr. Bottomley, We supplied a plan months ago when we did a walk around with Cedar Ridge for everybody on Harold Bishop, everybody on Jon C. Barry and everybody on William Thorpe. I marked it on a plan myself and I handed it in. I will make it a point to deliver to this board the same plan that board of health has had for 6 or 7 months. Lot 53 has drains going out in back and next one does the next house doesn't.

Mrs. Marchitto, Does that mean we don't need drains even though they're shown.

Mr. Lavin, Whole thing was Mr. Bottomley was concern with sidewalk he was going to put stubs it was assuming it was to get it underneath the sidewalk and keep on moving. Once we find out where the pipes are he can come back and say we don't need that.

Mrs. Marchitto, Can that be a field change John when you're out there?

Mr. Lavin, Yes that's fine as long as we know where the pipes are.

Mrs. Marchitto, Mary tomorrow you can call Bob Davis and get copy of plan so I know for sure that those drains are there and I can give them okay it's a field change.

Mr. Bottomley, On Bishop we would like to fill the whole in front of Mr. Achin's house. I don't know where we stand on those drains. His neighbor's foundation we know is in stone it is within the 50ft. I have not heard that board of health has made a ruling or told them to remove it. Mr. Achin did say his could be cut off that is sub-surface and it falls within that 50ft. In this proposal it is written that if the contractor comes across any form of drainage coming from any homeowner's property that is tied into existing drainage system it will be eliminated at this time.

Mr. Sweet, That is to say cut off and plugged it's your property you can cut it off and plug it.

Mr. Achin, Do what you have to do they're not here.

Mr. Bottomley, Our only concern on one home is just cutting it off at the street the water is still going to go out and find it's way into the gravel of the road.

Mr. Lavin, There is sub-drain already that still somewhat works.

Mr. Houle, Can you tie it into that?

Mr. Bottomley, We could it does across Mr. Achin's front yard. The drain from that house is what is illegal.

Mrs. Riel, Has board of health issued any violations?

Mr. Bottomley, Not that I'm aware of.

Don Achin, That pipe he's talking about that comes off of neighbor's house the whole has been open now for year and half I have never seen an ounce of water. If you were to block that I don't think there would be any kind of issue at all.

Mr. Bottomley, I don't have problem cutting it off as long as the board is aware that something may happen in the future. The concern is not so much the foundation drain because there may not be any water at the foundation. The concern in the future is it goes under septic system so that anything that is perking down liquid waste has the potential. Eventually liquid waste could get into the pipe then into drain system, which would then go into wetlands. I'll be more than happy to plug it off at your direction. Don's needs to be plugged but he has already said cut it off and plug it.

Mr. Achin, Do what you have to do.

Mr. Lavin, Mr. Achin said he went down to DPW to get permission to tie in.

Mr. Achin, Mine isn't even close to the septic system but I am within 50ft. of their septic system I'm 42ft. DPW would not give you permits to hook into pipes because it's not a town accepted road.

Mr. Bottomley, What John is bringing up is the drainage issue with the electric dept.

Mr. Lavin, Also the repair or whatever you're going to do for the drain in the cul-de-sac.

Mr. Bottomley, Same product it's going to be drain away.

Mr. Lavin, 12" gravel burrow and field modified. It doesn't need a motion because it's already been approved just talk to electric dept.

Mr. Houle, The only thing we need a motion on Harold Bishop I with Chris I'm ready to make a motion.

Mr. Sweet, I'd like to make a motion that we allow developer to proceed with regrading and paving of Harold Bishop Blvd. with the conditions any drains going onto street be cut and plugged, any pipes.

Mrs. Marchitto, Second for discussion I'm just concerned with 51 it seems 50/50.

Mr. Sweet, I'm going with what Mr. Achin has said not one drop of water has come out of that.

Mr. Achin, I have seen water come out of my pipes but I've never seen anything come out of that particular one.

Mrs. Marchitto, I don't have concern necessary plugging up due to resident my concern is if you don't plug it up it might be affluent if I do plug it up like Fred has stated it's the build up of the water it might at sometime under mind the roadway. That is my concern under minding the roadway that is a town issue.

Mr. Achin, If it is plugged if you're looking at left front corner of the house if it comes out of there and it's plugged it's just going to run towards my property, which has the other two pipes are there, which also going to block off. It's only water.

Mr. Houle, Second motion.

Mr. Lavin, You can almost bring the things to surface and just put a yard drain in they have the elevation you don't let it flow in the middle put a yard drain.

Mr. Achin, That is exactly what I'm going to do to replace the pipe is put a yard drain in.

Mr. Houle, The only one that is not going to help is the one going over or under the septic.

Mr. Lavin, There is valley they could come out put it to surface. We really talking about title V goes to seasonal high groundwater.

Mrs. Marchitto, How do we ensure that?

Mr. Lavin, See where the pipes come out too it is on private property something neighbors take into consideration and you can work with them.

All in favor 3 to 0.

Mr. Bottomley, One last thing Mary and I had discussed cleaning up your outstanding agenda issues such as The Pastures, Raymond Tatro, Jackson St. As you know they have all been done we've discussed them before the board numerous times.

Ms. Burgess, I'm just going to do some research if there are any outstanding issues and if possibly there could be a waiver or fixed.

Pastures;

Mr. Bottomley, We came before the board with the neighbor who didn't want his front yard cut he wanted a wall we paid to build a wall. Board approved it from that point on I've never asked for a release of bond money or anything like that. The other ones that are still outstanding hydrant on Raymond Tatro got changed and you have asbuilt that was done over three years ago.

Mrs. Marchitto, Detention ponds fine?

Mr. Bottomley, Yes that was all done and I still have money sitting there.  
Cliffs Landry Ave.;

Mr. Bottomley, I think there is like \$6000 over there.

Mr. Sweet, Wagon Wheel all the 13 patches.

Mr. Bottomley, That issue came about at direction of DPW. I was talking about the bond for doing the sidewalk on Landry Ave. in lieu of sidewalk in the Cliffs and granite curbing on one side. Those are still outstanding.

Ms. Burgess, I'm going to be working on that.

Mr. Bottomley, I'm more than happy to work with Mary to help clean up your schedule.

Planning Board Business:

3) Review Status of Engineer's Current Invoices and Inspection Reports;

Mrs. Marchitto, He said that he's getting everything to Linda and he's up to date and he'll have it all by town meeting. Not sure which dates Linda is looking for or missing they're not reports it's setting the bonds.

Richard Thimot returned to table at 9:53 P.M.

Old Business:

8) Update on status of on-going subdivisions;

Ms. Burgess, I wanted to let you know I sent letters to remaining stuff that was on our last agenda asking them to contact the office to let us know where they're at for the end of season what we can expect for the spring.

ZBA Decision;

Ms. Burgess, Decision has not been issued yet so we can probably hold off on that and then have discussion on that when we have decision on hand. It is 20-day appeal period.

Upcoming meetings;

Meeting with Mark Fisher regarding Economic Development Community about getting grants, façade upgrades for downtown, etc.

October 29<sup>th</sup>. for Adult Housing Community By-law.

Mrs. Marchitto, By-law we submitted at town meeting we rewrote it got disputed on town floor for zoning, planning board be special granting authority. We resolved all that it's been rewritten now we're meeting for the final draft. We'll have to have public hearing on that it will probably be ready for the spring.

APA Conference;

Next Thursday and Friday Mary will be at conference in Hyannis.

Mrs. Marchitto, When do you start your certification?

Ms. Burgess, I was one day short for my certification of two year minimum. They wanted applications by 7<sup>th</sup>. of August and my two years was on 8<sup>th</sup>. of August they would not extend it so I have to wait until May.

Board is okay with Mary closing office for MUNAS.

Ms. Burgess, I will send letter to all the board on what happen if you'd like.

Mrs. Marchitto, Okay.

Mr. Houle, Make motion to adjourn at 10:00 P.M., seconded by Richard Thimot.

All in favor 4 to 0.

Respectfully Submitted,

Attach Agenda to Minutes.