

**NORTH ATTLEBOROUGH PLANNING BOARD  
REGULAR MONTHLY MEETING  
THURSDAY, SEPTEMBER 3, 2009**

The North Attleboro Planning Board held its Regular Monthly Meeting on Thursday, September 3, 2009 at 6:30 P.M. in the Planning Board Office located at 43 South Washington Street, North Attleborough, Massachusetts. Board members Richard Thimot, Scott Weymouth, Richard Houle-chairman and Mary Burgess-town planner. Donald Cerrone arrived at 6:33 P.M.

New Business:

Review Bid Packages for Queen's Grant and Hickory Woods Subdivisions

Hickory Woods;

Ms. Burgess, I'll tell you my methodology and why I did things the way I've done them. I took everything that needs to be done out there and I put as optional items the things that we can opt if we have enough money. Our biggest concern out there is the binder, topcoat, some type of curbing whether cape cod berm or slope granite or vertical granite and loam and seed it.

Mr. Houle, When you say some type of curbing I'm still assuming that we're going to have some type of curbing not cap cod berm.

Donald Cerrone left table at 6:34 P.M.

Ms. Burgess, Going through items 1 to 8 and options 1 to 6.

Mr. Houle, Why are we doing options?

Ms. Burgess, We have to look at how much money we have the things we definitely want to get in there that they need to have are the roadway and basically the loam and seeding. As option when they bid on these you can use this still but they are not included in the overall bid.

Mr. Weymouth, It's an add not an option.

Ms. Burgess, Right you can add, alternate or option.

Mr. Weymouth, You get base bid on items 1 to 8 and then add alternatives 1 to 6 if you want to spend the money to get slope granite curbing in place it is going to cost you X amount it is like menu you want some take one you don't want one you don't pay for them but they're not included in main scope of work.

Ms. Burgess, This is so we don't get in over our head and can't pay contractor.

Mr. Weymouth, Essentials then if we have money left over we do then question is of those add/alternatives or options are high priority and what is low priority. Did you list them in order of priorities?

Ms. Burgess, No.

Mr. Houle, I think if you do it that way rather than spell it out what is to stop them from coming in high on other stuff so they won't have to do it?

Ms. Burgess, You have to have lowest bid on items 1 through 8 period. We can choose these and they have to prove to us how they came to that price materials etc.

Mr. Weymouth, Other way of doing it is to include all those options in base bid and then ask them to deduct each one of those options from their bid so you can do better apples to apples. Your point Dick might be we get low bidder for items 1 through 8 but same guy is high bidder for options 1 through 6. You run that risk.

Ms. Burgess, We don't have to use them for options 1 through 6 we can put it out to bid for another one.

Mr. Cerrone, No you want everything included in your bid.

Ms. Burgess, We don't have enough money.

Mr. Cerrone, Have them itemize each one then elimination.

Mr. Houle, We may eliminate everything we have here we may not have any choice but I think I'd rather see a bid including everything then just take it out. I think you did great job here do not misconstrue what I'm saying.

Ms. Burgess, I'm not its just all the other people that are professionals and do this everyday told me to do it this way. John Lavin says this is best way, Mark Hollowell said it is best way. I'm just apprehensive to go with deduct because I don't know how to word it I don't know how to get that in and I don't want to get caught in contract that I can't pay for it or board can't pay for it because then we're in trouble.

Mr. Weymouth, Either way you're left with the same analysis at end of day no matter how bid is set up.

Mr. Cerrone, Have them do addendum with all these things included let them give us cost that is how we did Middle School then board chooses what they want to do.

Ms. Burgess, I didn't think al-carte bid was appropriate here.

Mr. Houle, I think it is just opposite by doing it other way I don't think it is al-carte.

Mr. Cerrone, They're going to tell you what they're going to charge you right up front.

Mr. Houle, For everything then they will have itemized bid for everything. If we're over we'll deduct from whatever we have to.

Mr. Weymouth, Going to get you to same place either way you go.

Mr. Cerrone, But at least you know up front what items cost.

Mr. Weymouth, It doesn't matter whether you have items 1 through 10 and then you want to deduct or you have items 1 through 6 and then you want to add it is going to be same math either way. If you're worried about contractor who is the low bid then you have situation where you have contractor is low bidder then you take away some of his deducts and he might not be low bidder anymore because other guy might be low bidder.

Ms. Burgess, He's proving my point where if you take away 1 through 3 out of original contract and it turns out he's not lowest bidder then we have problem. You get all items 1 through 14 then you deduct 10 through 14 and it turns out he's not lowest bidder anymore that is when procurement law infringement.

Mr. Cerrone, Option 1 should be part of contract granite slope curbing.

Mr. Weymouth, What is bond we have on this?

Ms. Burgess, Estimate I've got for granite curbing is \$65,000 in place. Bond is \$154,000.

Mr. Weymouth, Engineer's estimate was produced to create that number?

Ms. Burgess, Originally yes 5 years ago and problem being is that was without binder so now we have to reclaim and put binder down.

Mr. Weymouth, How many linear feet?

Ms. Burgess, 4100.

Mr. Weymouth, Is that both roads?

Ms. Burgess, For granite curbing yes it is.

Mr. Weymouth, I'm talking road.

Ms. Burgess, Road is 1800 something 4100 is for curbing 48.20sq.ft. of reclamation. Basically at the rate including everything we have in this bid it will come to about \$197,000 including add ons.

Mr. Houle, Items 1 through 8 if you look at options and doing as options in the plans the granite curbing is in the plans my problem is catch basins curbing 6" vertical if they don't do that what is going to happen?

Ms. Burgess, That is the other thing you see what is there right now there is no curb there.

Mr. Weymouth, Dilemma is that you have \$200 plus thousand dollars worth of work and \$154,000 to work with .

Ms. Burgess, Other problem being is we haven't factored in engineering services. By keeping them as options we have our basic price for reclamation, casting, binder, top coarse and loam and seeded.

Mr. Weymouth, Those are essentials.

Mr. Cerrone, You have to put granite curbing.

Ms. Burgess, We can't afford it.

Mr. Cerrone, You have to put granite curbing that should be part of the contract. You have to get bid and you go after people who posted bond for difference.

Ms. Burgess, That would hold up this project two years.

Mr. Houle, There is chance granite curbing maybe given to us it hasn't been ironed out I understand that. Lets just say we could get granite curbing for nothing or slight price. Is granite curbing full price way you're looking at it right now part of that \$154,000? In other words you don't have any of that in that price you think that is all going to take that?

Ms. Burgess, No I think 1 through 8 is going to take depending on who we go with lowest bid I'm going to say about \$115,000 right now factor in about \$15,000 for John Lavin for engineering services and that is just estimate it would take to do all this. It could be over estimate but I would rather be over than under and go on town meeting floor and ask for money to pay for it. This is how it stands right now all this is public knowledge we're going into preconference trial on 21<sup>st</sup> of September with Cedar Ridge Development. Best case scenario we'll get entire bond and interest the interest is almost \$20,000. When we go after him for civil suit that is obviously going to take longer. We're doing the 154 and the interest as speedy trial because we need to put road on now. We can't assess the additional money until we have actual numbers.

Mr. Cerrone, I want to put curbing as part of item not option that should be part of the base bid.

Ms. Burgess, I can't make it part of base bid.

Mr. Cerrone, Why, I want to see the bids come in and then board decides what they want to do.

Ms. Burgess, \$65,000 for curbing.

Mr. Cerrone, I don't care what you're telling me I want to see that part in because that neighborhood has granite curbing and we're not doing cape cod berm that is part of subdivision rules.

Ms. Burgess, Cape cod berm would be temporary until we got civil judgment.

Mr. Cerrone, Granite curbing should be part.

Mr. Weymouth, This is municipal law I'm little fuzzy. What happens if you only have \$154,000 worth of bond money and bids come in at \$250,000?

Mr. Houle, We'll have to keep going out to bid.

Mr. Weymouth, What happens if you do it her way the way she is suggesting and the bids only come in at \$100,000 then you can choose what you want to do after that?

Mr. Cerrone, I want bids including granite curbing.

Mr. Weymouth, What does municipal law say if bids come in at \$250,000 and you only have \$150,000?

Ms. Burgess, I have to go out to bid but I'm never going to get them to come in under \$154,000.

Mr. Cerrone, Do you have something from engineer as to what this is going to cost us?

Ms. Burgess, Yes I do from DPW they said it was going to cost \$110,000 labor not included that includes granite curbing but labor is not included.

Mr. Weymouth, It would double its always been that way usually 60/40, 40/60, 50/50.

Ms. Burgess, I'm trying to protect our interest so we don't have to go on town meeting floor and ask for money just in case contract doesn't get awarded.

Mr. Cerrone, We don't have to award the contract we can say we don't have the money. We can refuse the contract when we see the bids we've done that before went back out twice with Martin School addition.

Ms. Burgess, We're never going to get a bid for all the work that needs to be done up there to come in under.

Mr. Cerrone, I'm saying granite curbing should be part of that I can see sidewalks being option but granite curbing should be part of that contract. You don't even know what cost will be until you get the bid.

Ms. Burgess, \$65,000 I've been quoted for installed in place.

Mr. Houle, There is chance we may get curbing we don't know.

Ms. Burgess, As an option.

Mr. Cerrone, I don't want to depend on a chance when you go out to bid this is what the project is those people deserve what they bought.

Ms. Burgess, I completely agree and they also deserve a binder coat that they can drive over and that is my end goal right now is to get them a road. I know they would like granite curbing and I know I would like to have granite curbing I know it would be great to have the whole subdivision cohesive but if you can find somebody who can come in at \$130,000 with all of this included then god bless them because they're not even working at minimum wage.

Mr. Weymouth, With your thought Don the risk you run is all bids come in higher and we can't accept any of them.

Mr. Houle, We'd have to do it all over again, which takes time which is what we don't want to do we're trying to get some of this done before end of year.

Mr. Weymouth, Other way is you can still get what you want and bids don't have to be rejected if items 1 through 8 come in less than \$154,000 and you can still tack on top of that

slope granite curbing should be somewhere near that \$154,000 number. You can still get what you want it's just different means to the end.

Mr. Cerrone, You play games with the bid when you're doing bids. If I know I'm going to get job and I have to bid this job and these are going to be my options I'm going to come in low on other stuff and go high at that it is part of game these guys play. I want to go in and out.

Mr. Weymouth, If the bids come in higher and you have deducts why can't you still accept the bids?

Mr. Cerrone, That's right that's the way it should be.

Ms. Burgess, Reason why I don't like that because we don't have the money period. We don't have enough money to finish this with all the bells and whistles. With having options the way they are and I understand what you're saying where they can put all their money in those options but that also as an option we don't have to use them it is an option.

Mr. Cerrone, What are you going to go back out and do another one?

Ms. Burgess, Yes.

Mr. Cerrone, We'll never get the numbers nobody is going to do that.

Mr. Weymouth, Piece meal would be more expensive than bidding it as lump sum.

Mr. Cerrone, You want to get it all at once.

Ms. Burgess, Lot of these people are hiring sidewalk guys/granite curbing guys they're subbing it out.

Mr. Cerrone, You have some companies that can do it themselves.

Ms. Burgess, Tell me what you want to do. I'm going to voice it I think that is bad option we don't have money to put everything we'd like in the bid that is why we have options that is why people do this like this. You tell me what you want to do because if all the bids come in at \$300,000.

Mr. Houle, Then we'll just put it in different papers.

Ms. Burgess, We're never going to get anything to come in any lower.

Mr. Houle, I'm not saying add all of these.

Ms. Burgess, Thing is when you're doing this the only thing you can take out would be gravel sidewalk base, the sidewalk and obviously cape cod berm was just and option. You're still stuck with \$65,000 worth of granite.

Mr. Cerrone, There is 1800ft. of road there is not 4100 of curbing. I bet it is 3000/3200.

Mr. Houle, For sake of argument say there is 3500.

Mr. Weymouth, \$65,000 installed.

Mr. Houle, We're looking at slope or vertical?

Ms. Burgess, Both the plan calls for that is much more expensive I think it is going to be \$18.00

Mr. Houle, Verses what for non-slope/vertical?

Mr. Weymouth, Vertical is more expensive. You can't slope it at a catch basin that is why she has vertical.

Mr. Houle, When you're putting down the road is that the ideal time to put vertical curbing in?

Ms. Burgess, Before topcoat.

Mr. Weymouth, Some people put it in before binder some put it in after binder.

Mr. Houle, What is ideal?

Mr. Cerrone, After binder this way you concrete it/cement it.

Mr. Thimot, With all due respect this is one of the reasons why I was never in favor of taking bond you get all these headaches that go with it.

Mr. Weymouth, That number of \$65,000 for 4100 linear feet of slope granite is not far fetched. It can be done for that but that is \$15.00 linear foot that is a low number. You have enough quantity here that you could probably justify it by it but it won't be less than that.

Mr. Houle, There is good chance I don't want to say definite a chance that we may get curbing.

Ms. Burgess, We'd be getting vertical not slope.

Mr. Weymouth, Installing vertical is lot more difficult than installing slope.

Mr. Cerrone, Lot of times guys have this stuff that contractor got denied and they hold onto curbing and want to get rid of it you never know.

Ms. Burgess, I'm just telling you what we have money for and what we don't. I don't feel comfortable putting things in the bid that we don't have money for and consciencly knowing we don't have money for it.

Mr. Houle, We haven't been awarded anything as of yet we can always take out from that point. Mary have very good point how many times do we want to do this?

Mr. Weymouth, You might have to rebid it that is Mary's point. If it comes in over what we have I don't know what law says.

Ms. Burgess, This already cost me \$500.

Mr. Weymouth, What is sense of rebidding what does that accomplish?

Ms. Burgess, I guess my mind set was what is important right now to me what is important right now is to get the road in. If you remember at the public hearing when we took the bond I said the same thing to the neighbors. It's not like by putting on as options it doesn't mean it is not going to happen.

Mr. Houle, I think we mentioned to them that sidewalks may come later we're going to do what we have the money for.

Mr. Weymouth, Mary you don't know that if we included everything in it and then did the deducts whether we could accept those bids if they came over the bond amount or not?

Ms. Burgess, I can't accept anything that I don't have money for.

Mr. Weymouth, Only reason to do it as deduct is when contractors bid a bigger

Mr. Weymouth, For what its worth I do think you will get better scope they bid better numbers. My point is when the volume of work is more the cost is usually better.

Ms. Burgess, This is what's going to happen if we do it as deducts we will be here until midnight because I have to do it for every single bid we get.

Mr. Cerrone, You're not going to award the bid that night anyway we're just going to take them and you just do that during the week. We're going to open up bids that night we're not going to award that night. When we did Middle School we accepted bids then architect reviewed them all.

Ms. Burgess, I'm not going to argue with you guys if you want to do it as deduction we'll do it that way lets move on prices if you do it as deduct. If that process still avoids the rebidding then I think you're getting more bang for your buck doing it as deduct but if you're still in rebid mode it doesn't get around the rebid situation what are you doing.

Ms. Burgess, Problem being also is we have to do this all in public it takes time. I'm thinking of the people up at Hickory Woods.

Mr. Houle, We're trying to get it done before end of season I hear where you're coming from we're losing little bit of time.

Mr. Cerrone, We've been waiting 2 to 3 years how long have you been waiting what is 2 weeks?

Ms. Burgess, Residents have been waiting doesn't effect us on daily bases it effects them. I'll include all these items and then you can deduct what needs to be fixed lets move on to content.

Mr. Houle, Lets do it as deduct and we'll go from there.

Ms. Burgess, To let you guys know we are now getting charge any time after 9. We just found out about it 4 or 5 days ago. Bid deposit not less than 5% of value of proposed. Surety

performance bond 100% of contract labor and material payment bond 50% of contract. Insurance coverage is required.

Mr. Weymouth, Are we required to bond work?

Ms. Burgess, No they are required to give us bond.

Mr. Weymouth, Are we obligated to get bond from contractor?

Ms. Burgess, Yes to insure the work they do.

Mr. Weymouth, I know what bond does but are we obligated?

Ms. Burgess, I think that is right way to do it.

Mr. Cerrone, I don't think so.

Mr. Houle, If we don't get bond somebody doesn't finish or walks away for whatever reason.

Mr. Cerrone, You haven't made any payments.

Mr. Weymouth, What is time frame to complete the work?

Ms. Burgess, This one is 12 months I think with extension of year. Binder topcoat year difference. It depends on when it is intalled. If binder was installed and got through winter and wet spring you could probably put it in end of summer. It is completely up to you guys if you don't want to put deposits or bonds I'll will take it out.

Mr. Weymouth, Deposit definite bond I didn't know it was going to be 3-year process because if work was going to only take 30 to 60 days.

Mr. Cerrone, Road is not going to settle.

Mr. Weymouth, Contract is going to be done with his work before you pay him in full so what is the sense of paying 10 grand for bond.

Mr. Cerrone, Its been there for 5 years it is not going anywhere when you reclaim and regrade it so you can put binder in within 6 months.

Mr. Weymouth, Do we have compaction results from what was done out there? It all meets compaction right material?

Ms. Burgess, Most of it yes also if you reclaim it in place get 12" you're pretty much fine too. If you reclaim 12" and then compact it.

Mr. Weymouth, If you can get this work done in 30 or 60 days I wouldn't bond it because bond is going to cost you money where you could spend that money someplace else.

Ms. Burgess, I agree 30 to 60 days but we're talking 6 months and it depends when we hit the season. If we get binder in now in 30 to 60 days we're not going to get topcoat on.

Mr. Weymouth, It behooves us to make sure that whatever the value of uncompleted work is isn't paid so you get back at money question what is sense of bonding it.

Ms. Burgess, I'll take that out.

Mr. Houle, Do you need to ask Roger that before we make decision like that? I'm not comfortable with not having bond.

Mr. Cerrone, We do have bond it is contractor's bond you're using his money.

Ms. Burgess, Technically yes.

Mr. Cerrone, John Lavin's inspection is going to be one to release money when John gives report to the board.

Mr. Weymouth, I do 50 million dollars of work a year I don't bond any of it. I'm always ahead of that contractor, contractor is always ahead of me in terms of payment.

Ms. Burgess, Because this is private money we're not involved in lot of same things that town is involved in. I don't have problem taking that out.

Mr. Weymouth, Suggestion add for cost of bond so we can evaluate do it as add to the bid. Just say another add performance bond 100%.

Ms. Burgess, We're not doing options we're not doing anything like that we're doing full shaboom.

Mr. Weymouth, Do full shaboom with deducts and then full shaboom with deducts and add.

Ms. Burgess, Basically I'm changing word option to deducts. Are they going to be award that we're deducting these?

Mr. Weymouth, Options 1 through 6 are going to be incorporated in items 1 through 14 now then you're going to have deducts whatever number above is deduct and then bid is going to be an add.

Richard Thimot left table at 7:10.

Mr. Houle, I thought we were going to do all the items get bid then we were going to deduct from what they give us on price.

Mr. Weymouth, They're going to do work for you don't want to go through every bid and subtract. Bid form is going to come in will have all the work and then it's going to have deducts then it's going to have add now for bond.

Ms. Burgess, Go to bid sheet page 6.

Mr. Weymouth, Where did quantity come from?

Ms. Burgess, Came from plan Bill McDowall did them.

Mr. Cerrone, We didn't have John do it?

Ms. Burgess, John didn't do it because I don't have any money to pay him and this is based on court settlement so I wouldn't be able to pay him in timely fashion. I asked for assistance from DPW. 1 through 6 is getting added in so we're taking out optional bid items. I'm getting confused where you're saying that we can still deduct them.

Mr. Weymouth, Take optional bid items and add them into bid sheet and then draw thick line and then deduct those same items then you don't have to do the math.

Ms. Burgess, You don't think they will over bid that way knowing they're going to be deducted anyway.

Mr. Houle, Put it on bid sheet period each one of these is going to have price associated with it then we will say what is optional when we see bid packages. We deduct from that point we don't have to tell them that up front.

Ms. Burgess, I know what you're saying so I'm going to do the math.

Mr. Houle, To decide the bid I think it is easier the other way what total is for everything then we see price and then have to take off whatever amount it is.

Ms. Burgess, They know how much money we have.

Mr. Weymouth, I'm not familiar enough with municipal law but I would think you'd want your bids set up in a way that it's defensible. If you don't put line items in for deduct then you deduct from somebody's bid.

Mr. Cerrone, They're going to say that is not what you asked.

Mr. Weymouth, Exactly you didn't follow the bid form.

Ms. Burgess, Other thing too you're in violation of law we have to take lowest bid with respect to references and stuff like that.

Mr. Houle, This board has right to receive any bid.

Ms. Burgess, You can't receive it because it is higher or lower. I'm just saying you would violate by deducting and it coming out lower than if you deducted it from somebody else. I think putting cards on table voids us getting into trouble if we put whole thing out as one contract one bid. DPW calls it options, John Lavin calls it alternatives you're calling it deductions.

Mr. Weymouth, Difference is that if it comes in higher than bond amount then all bids want to throw them away according to what Mary is telling me. I don't know what municipal law is but that seems to make sense to me that if it comes in higher than bond amount throw them away. This way you get option.

Mr. Houle, Either way you get option of taking something out because you're going to see what each line item is and cost is and you're going to say we're going to award you bid based on not doing whatever.

Mr. Weymouth, That is not how bid form was set up though you veered away from getting lump sum bid for all the work then choosing what you want to do after that.

Mr. Cerrone, Pick and choose you can't do that you have to put it as alternate or option.

Mr. Weymouth, As private developer or builder you can do whatever you want.

Ms. Burgess, Even though this is private money we're still accounting and we have to follow...(inaudible) act.

Mr. Houle, We're still doing this as inclusive bid.

Ms. Burgess, Possible deductions and that way we cover all our bases.

Mr. Weymouth, If you put in bid without putting deduct in say that certain items contained herein certain scope certain work items contained herein can not be reduced at discretion of NA Planning Board.

Ms. Burgess, Problem is when you give these numbers it could go up and down by unit price but to exclude it all together you'd still run into same situation when your bid would be. I completely agree that sentence would do wonders except we would run into same problem of the lowest bidder.

Mr. Weymouth, You're going to have that problem no matter what you do.

Ms. Burgess, I think if we do them as deductions they may load up on them but we still don't have to use them for those if they load up on them. Prices will be lower because lot of these people are going to sub out and they mark up what 30%. We're not subbing out we're going directly to the source so we don't have that 30% markup. Other thing is that if it is under \$25000 it doesn't have to go out to bid. If we decide not to exercise any of these options because we don't have the money at time or it is not in best interest of the town then we can wait. If we include them in whole thing cut them out without giving notice like as deduction I think we would be in trouble.

Mr. Weymouth, I think if you did it as deduct added sentence that said at discretion of NA Planning Board the following items might be deducted from contractor's bid. I think you will have all bases covered.

Mr. Cerrone, I think if you do as alternate have them give you priced and it is up to the board to pick the alternate.

Mr. Weymouth, It has to be alternate add or alternate deduct it can't be both.

Ms. Burgess, I think we need to be specific on what we may take out also when people are bidding on these things they're bidding because they know they're getting \$200,000 worth of work next month now I see they may have some deducts I may only get \$150,000.

Mr. Houle, We're agreeing that we're going to put it all inclusive but we're not agreeing on the verbiage is it add on, is it optional.

Mr. Weymouth, I thought we agreed it was going to be deduct.

Mr. Cerrone, Agrees.

Richard Thimot returned at 7:24 P.M.

Mr. Cerrone, My concern is these numbers.

Ms. Burgess, The thing is that is why we're asking for unit price if we come over then we just add on unit price to what was coming over and if we come under.

Mr. Weymouth, Do you have to put quantity in the bid?

Mr. Cerrone, I think you're going to get in trouble that way.

Ms. Burgess, How are you going to get an accurate bid?

Mr. Weymouth and Mr. Cerrone, By the plan.

Mr. Weymouth, You risk by including the quantity is if it comes in higher you're going to be paying for it.

Mr. Cerrone, Then you don't have the money.

Ms. Burgess, I'm paying for it per unit price.

Mr. Weymouth, There are two ways of doing it way Mary has it set up and that is put down quantity/unit price the risk of doing that is your quantities are wrong. Whereas if you outline scope of work on the plan it is up to the contractor to figure out what quantities are and if they mess up it is their problem not ours.

Mr. Cerrone, That happens everyday.

Mr. Houle, Do you have problem taking those out?

Ms. Burgess, I don't agree with it because we have solid numbers. I completely understand where you're coming from but that is why we're asking for unit price. You're never going to get anything perfect.

Mr. Weymouth, Suggestion you say these are based on engineer's estimate and it is up to contractor to ensure the quantity to cover our butts.

Mr. Cerrone, They're going to say who is the engineer do you have letter with these numbers?

Mr. Weymouth, To me you have to do something to protect yourself.

Ms. Burgess, I can just say these are estimated from the plan.

Mr. Weymouth, I just think you need something in there to cover our butts in event one of these numbers might be slightly off but if contractor didn't do his do diligence before he put bid in it is his problem.

Mr. Houle, We put little disclaim that these are estimates and actual quantities need to be determined.

Mr. Weymouth, Need to be verified.

Mr. Cerrone, By plans go by plan.

Ms. Burgess, Plans are included in bid package. We've done away with security bond.

Mr. Weymouth, That was alternate add you wouldn't have unit price but just scope surety bond and then alternate add with line dollar amount on line.

Ms. Burgess, In the descriptions basically description of the project but important line is all specifications are from rules and regulations governing subdivision Mass. Highway specs. originally approved plan dated April 26, 2007 with conditions done by Tilton. That basically covers us for theft that covers us for all the specifications and details.

Mr. Weymouth, Is there any portion of the road out there that has binder down and has had binder down for period of time and just going to do topcoat?

Ms. Burgess, No. They have in the package conditions, have plans and have details so basically covers all our bases for details and specs. Proposal just says how they're supposed to turn proposal in.

Mr. Cerrone, How are we going to do bids when they come in? Is Linda going to receive them all put them in filing cabinet and have people sign in?

Ms. Burgess, We've already created form actually going on top of all these bid packages before you get bid package you fill out the form rip it off that is for if they have any questions. I said written questions can come in and all written questions will be answered so I can reply to all of them.

Mr. Cerrone, Linda should keep notebook with all the companies Linda is going to in charge of all that when it comes in?

Ms. Burgess, Linda and I but we do have way of doing setup of it. Top page they're going to fill it out then they get bid package when bid packages are given to us it also says name and address of company on the letter and what project it is for.

Mr. Cerrone, Another thing if it is more than 50% of pavement out there it should be pavement company not a guy that does paving once in while. Should be paving company like Aggregate, Lynch all these big companies.

Ms. Burgess, That will also exclude lot of people.

Mr. Cerrone, Sometime you get small guy they say we can do it ourselves. We want company that all they do is road paving.

Mr. Houle, If it is not done right we could have bigger problem. I agree 100% Don.

Mr. Weymouth, Does the town have approved roadway pavers?

Mr. Cerrone, Yes Lynch has the contract.

Ms. Burgess, We don't have list.

Mr. Cerrone, Should have start and completion date.

Ms. Burgess, I did put deadline 20 days after it is awarded they have to start and then depending on work and how schedule goes depending on the season I think Queen's Grant was lesser time but because of the year between binder and topcoat I gave them year. Their start date is 20 days after awarded contract only difference in Hickory Woods is if it falls between November 15 it is all based on when we get settlement.

Mr. Cerrone, Paving more than 50% should be paving contractor. When you come to road it is very difficult.

Ms. Burgess, By saying that they have to have 10 ton roller.

Mr. Cerrone, All the equipment have to have some guys can do it if they have the equipment you have to have rollers, sweepers, etc.

Ms. Burgess, Paving contracting company with all associated Mass. Highway equipment is required.

Mr. Thimot, Asking about Walsh.

Mr. Cerrone, He doesn't do paving you have to have right guy for that. You should get unit price for additional work like this equipment, labor and materials. Hourly for equipment so you know what your cost is if it is add on they have to make change.

Ms. Burgess, I think in here we mentioned that unit price has to have all the equipment even police details, etc.

Mr. Cerrone, All of sudden they have to go out and dig up gate valve.

Mr. Weymouth, Simple form all they have to do is attach standard hourly equipment charges and labor charges. Fee schedule for equipment and labor.

Mr. Cerrone, And material if they need gravel, process how much they're going to charge for ton or yard. If it isn't in contract you have no control of what they're going to charge you.

Ms. Burgess, Go back to page 3 insurance everybody has insurance, traffic control it is their responsibility if policeman is needed or any cones are need they are responsible for that.

Mr. Weymouth, You have town may order additional safety measures if insufficient safety devices are being employed. Who is going to pay for that if that is ordered?

Ms. Burgess, It should be at their own.

Mr. Weymouth, You're asking them to take the risk that you're not going to tell them instead of having one police officer they need three. You're asking them to take that risk I'm okay with that.

Ms. Burgess, When Hickory Woods was originally being paved Fred's side they were all fine and dandy until one person complained next thing you know they had police detail.

Mr. Cerrone, I think neighbors should be notified before paving or binder.

Ms. Burgess, Yes private property notification. I put in that I would assist with that just because it may become problem.

Mr. Cerrone, You'll get the calls.

Ms. Burgess, Normal work hours 7 to 4 Monday through Friday no work on Saturday/Sunday or holidays. Material disposal.

Mr. Weymouth, Suggestion if you say that it is disposed of off site at pre approved location. You have know idea where they going to take it where they're going to put it and I think we want to know.

Ms. Burgess, Where would I consider pre approved location?

Mr. Cerrone and Mr. Weymouth, They have to tell you.

Mr. Thimot, Why would you stop work on Saturday?

Ms. Burgess, If I find out they're working on Saturday we'll go down and close them down.

Mr. Thimot, Allow them to work on Saturday if they want and they have weather.

Mr. Cerrone, Especially when you get to this time of year. On Saturdays you can't start anything until 8 A.M.

Ms. Burgess, 8 to 4 I think we just instituted 4 Christina Estates.

Mr. Cerrone, This is town bylaw how can you institute it?

Ms. Burgess, It's in our conditions of approval.

Mr. Cerrone, What's been approved on this you might be right 8 to 4.

Mr. Houle, I have no problem with them working on Saturday.

Ms. Burgess, We need hours of operation we don't want them working Sunday mornings. Will put in Saturday 8 to 4. Dig safe, private utilities, public utilities.

Mr. Houle, How about clean up do we have to say anything about that?

Mr. Cerrone, That is up to inspector when he goes out there.

Ms. Burgess, When they're closing up for end of day it is their responsibility make sure if anything needs to be swept, etc. With Hickory Woods I need term contract of 16 months that is only because of the year give or take. Option if needed to extend it for 1-year contract.

Mr. Weymouth, Did you set it up that way because you thought binder would have to be down for year?

Ms. Burgess, Also depending upon if we can get settlement and get rest of money before then. I was just kind of working that in just in case. It is up to you if you want to do 12 months and leave it at that?

Mr. Houle, I don't think we have to worry about street settling.

Ms. Burgess, No court settlement.

Mr. Cerrone, They're going to give you price then 12 months from now asphalt price might be different.

Mr. Weymouth, Nobody is going to hold asphalt prices right now.

Ms. Burgess, What would you suggest 12 months?

Mr. Weymouth, Doesn't really matter with price of asphalt people are going to hold it firm for month or two.

Ms. Burgess, I got it for 1 year to hold asphalt.

Mr. Cerrone, Go 9 months get it done before the summer by June everything should be done. You have winter then they can bind in spring.

Ms. Burgess, Worse case scenario we don't get it in fall don't put binder down this fall.

Mr. Cerrone, I'm saying topcoat give them 9 months total. October or November get binder down.

Ms. Burgess, I'm saying if you can't get it down because we don't have money yet the settlement comes in spring.

Mr. Cerrone, If you're waiting for that you're not going to get this project done forget about it because no one is going to wait. I thought we were going to use money we had in bond.

Ms. Burgess, We are but we have to get it first because it is over \$100,000 we have to go through the court.

Mr. Houle, It is on fast track but we have to get approval from the court.

Mr. Cerrone, You're never going to get it done.

Ms. Burgess, What town council has told me is that we're on fast track and we should have it have we have pre trial conference on the 23rd. and it would be couple weeks after that.

Mr. Thimot, Asking who their lawyer is.

Ms. Burgess, This whole contract it says in it that this is anticipated on a settlement agreement. So when they're bidding on it they realize that this has to do with settlement.

Mr. Houle, We're hoping on fast track we are going to get money.

Ms. Burgess, Put 9 months and leave option to extend for 1-year contract. Before any contract is awarded ... (inaudible). I was thinking instead of "may" "will be" because John is always saying he needs to know when materials are coming in. Response time I just said obligated provide service within 20 calendar days if court settlement was within April through November. If settlement comes between November 15 and April 15 contractor will be obligated to start within 20 days after April 15. If by chance we get settlement December then when plants open they will be obligated within 20 day after that.

Mr. Cerrone, This is not going to go anywhere.

Mr. Houle, That is out of our control.

Mr. Cerrone, I would get the money first before you go out to bid so you know what you have.

Ms. Burgess, Other thing was if I get the money tomorrow I still have to put this out for 2 weeks and things like that and it still has to go to town meeting. I'm doing all this in anticipation I have my town meeting article I have everything in place for when we get it. If we get it say September 22 we can roll if we get it October 1st. we can roll and we don't have anymore hang-ups. If we get it December 15th. we can roll minute plants open.

Mr. Thimot, What happens the town all of sudden says there is no money?

Ms. Burgess, They can't take it not court settlement. Money will go into separate revenue account for Planning Board.

Mr. Cerrone, It should be under that project.

Ms. Burgess, They're going back to court September 21st. Their defense is that they were told that they couldn't put topcoat in until other side was done. But I have evidence to the contrary.

Mr. Houle, Other side was done last summer so how is that a defense?

Ms. Burgess, Everything is well documented \$200 worth of certified mail. I guess before I came was certified by constable. Companies by references, certification non-conclusion attached to plans and then I have conditions of approval and the plans.

Queen's Grant;

Don Cerrone returned at 7:53 P.M.

Ms. Burgess, If any of you are going to attend the prebid walk through on September 10th. there is one at 8 and 11. If any of you are going to attend just let me know ahead of time so if I have quorum I can post it.

Mr. Houle, I intend to be there.

Ms. Burgess, John Lavin will also be there. This is one I had John Lavin do the bid sheets for because there weren't definite numbers there wasn't quantifiable way of going about this because so many of the items are kind of miscellaneous, Item 1 retention basin stormwater discharge #2 water gates, sub granite curbing bituminous concrete paving, yard drains clean up final. Also have to have on this is engineering surveying services and miscellaneous loom and seeding.

Mr. Weymouth, What is bond amount?

Ms. Burgess, \$75,000.

Mr. Weymouth, What is rough estimate to complete the work?

Ms. Burgess, \$30 depending on what they have to do to detention basin right now we can't even see detention basin we can't get to it might be functional but they also have to provide engineer letter, etc. All the other things are the same I will ask for additional fee schedule and clip it later in this material. We have to wait for town meeting to have article to get money.

Mr. Houle, You're going to get performance bond on this too?

Ms. Burgess, Yes.

Mr. Weymouth, She's going to take same boiler plate we just went through apply it here.

Ms. Burgess, What do you want to do for time frame on this it isn't lot of work?

Mr. Weymouth, There is time to get this done this year.

Mr. Cerrone, I would put down 15 days after bid is awarded to start.

Ms. Burgess, How long would you like contract?

Mr. Cerrone, 3 months.

Ms. Burgess, Depending upon weather or if we get early snow or something like that?

Mr. Cerrone, We can extend the contract too.

Ms. Burgess, Do 3 months with topcoat extension for 3 months?

Mr. Cerrone, You're going to need more than 3 months we're coming upon the winter put 6 months.

Ms. Burgess, Bid sheets item 1 is detention basin first one is one on Amy Lane second one is on cul-de-sac. Basically overall they just need to be cleaned and repaired where needed to be repaired. We need 10ft. perimeter around it be mowed. To repair areas of erosion around basin where required and to install grates because there are no grates there. Basically these are just lump sum bids. When they see at walk through they will get more of idea of how it is supposed to be.

Mr. Weymouth, How are disturbed areas in detention basin taken care of? If they go in and excavate out silt in bottom of basin are they just going to leave it dirt or are they going to have to seed it. What treatment for disturbed areas?

Ms. Burgess, They didn't have to reseed it first time around it is really naturally.

Mr. Cerrone, What are conditions you have to know what the plan called for?

Ms. Burgess, I don't think there was one.

Mr. Weymouth, They're going to disturb plenty of area.

Mr. Cerrone, Ask Conservation if there was plan whatever conditions for Conservation were.

Mr. Weymouth, I just think you need to have some protection in there for taking care of disturbed areas on any of this stuff that is not handled within paved way if you will.

Ms. Burgess, Stormwater discharge swale this is part of Conservation I included in here because it attaches catch basin 1 & 2. They needed discharge swale right now it is overgrown. Plans for it are in here and our package as well. Gate valve, water curb meter pit, slope granite curbing it is only in front of one house that has two driveways. House that wasn't sold yet there are two driveways I think one was supposed to be for one on corner it ended up on cul-de-sac instead so that 1 driveway needs to be covered up. Yard drains per the plans and street signs, clean up final. Alternate items we had were engineering surveying services and.

Mr. Weymouth, Suggestion on detention basin be add whatever conditions ConCom had on those basins.

Ms. Burgess, I talked to Shannon I don't think they have any. I asked her if they had file or anything NOI, RDA anything like that but I will double check in case there are. There is situation I just received letter from Whalen Engineering Rick Bessette owes them \$23,000 for asbuilts. We have copy of the asbuilts. I don't know if there is anything we can do about that I have suggested to Whalen that they put hold on bond so that any extra money we have will go to Whalen.

Mr. Cerrone, I don't think you can do anything with that only thing the asbuilts he can take them back.

Mr. Houle, I think they can put lien on bond.

Mr. Cerrone, I don't think you can put lien on bond.

Ms. Burgess, Town gets it first any left over money he gets.

Mr. Weymouth, I would think having lien on bond would prohibit any of bond money from being released. They didn't release letter of credit right?

Ms. Burgess, They did. It is not Planning Board issue.

Mr. Cerrone, Not town issue, only way they can do it is we can rescind asbuilts. Now we can go after Bessette for asbuilts.

Ms. Burgess, That was one of the things I was going to ask you guys if we could rescind them.

Mr. Cerrone, He owns the plan it is his stamp he owns everything.

Ms. Burgess, Everything else is the same certification, taxes, conditions of approval, plans they are all in here. Problem being is remember when mylars were signed for project and letter came along saying this is property of the engineering firm. I'm going to make these changes.

Mr. Weymouth, One more suggestion for Hickory Woods that is same comment about all disturbed areas will be returned to then current existing conditions.

Ms. Burgess, I will put it in both of them. These will be available at noon tomorrow and also online.

Special Permit for Savers;

Ms. Burgess, Have decision written up. Addendum A applications they were all statements put in previous decision.

Mr. Houle, On the conditions letter they got from traffic study committee and police dept. and fire dept. didn't it also say they wanted some new markings on the road? I think one of them said that road would be remarked.

Ms. Burgess, Fire Lane they have contradictory in the letters at traffic committee they ended up saying fire lane, no tow, and couple other things then they came back and said leave it as fire lane. Police Chief said to restripe it and put no tow zone. I don't know if you recall at site meeting they said we put no tow zone there we can tow anybody who gets over the line and then they said just say fire lane. Because there is no plan for fire lane with 6" out they're just leaving it as is.

Mr. Weymouth, There were traffic markings to be painted in drive aisle.

Ms. Burgess, Yes per the plans.

Mr. Weymouth, Is there reference we had talked about referencing plans and decision?

Mr. Houle, We were going to put something in there referencing that any future signs and/or that they be made by Police Chief for public safety if it would have to be done.

Ms. Burgess, Reading conditions (Insert).

Mr. Weymouth, Does all of that take into consideration the traffic committee's recommendation as well? I think if you reference the plans because I know plans have pavement markings.

Ms. Burgess, Yes they do. I will reference the plans. The things Dick requested are 6 & 7 curbing shall remain, existing storefront remains, parking shall remain.

Mr. Thimot, I told them I wanted it flat.

Ms. Burgess, It is that is why we're asking them to remain.

Mr. Weymouth, Plans show new speed bumps, show new design of drop off area.

Ms. Burgess, I will make those changes when that is done Linda will call you and you can come in and sign them.

Review RFP;

Ms. Burgess, I left this in changes so you guys could see that I made changes you asked for. Newspaper ad I changed on that I said "to aid Planning Board with reviews and assist the Conservation and BOH when applicable". The fee schedule I included and North Attleboro Planning Board reverts the right to accept or reject any proposal. Those were the items you asked me to change.

Mr. Cerrone, Couple questions should be Town of North Attleboro Planning Board is seeking qualified consultant engineering firm.

Ms. Burgess, That's fine.

Mr. Cerrone, Headline on top should be Planning Board.

Mr. Houle, Then leave the Planning Board with review and assisting Conservation and BOH.

Ms. Burgess, 2nd. page you asked me to do something about sub-contractors. I wrote in " if sub-contractors are used for any aspect of this work provide resumes and references within proposal". I deleted DPW specifications and put Mass. Highway Specifications page 4.

Mr. Houle, I have something it says Town of North Attleboro and/or Planning Board that has to be changed.

Mr. Cerrone, There was something else.

Ms. Burgess, I did monthly meeting thing. I did Planning Board generally meets twice month at 6:30 or as needed and consulting engineer is required to attend. I changed it from in accordance with Planning Board approved plan and design of Mass. Highway specifications. Last one attendance at meetings where applicable I took out monthly. Everything else was just the other boards.

Mr. Houle, We didn't change anything they wanted did we?

Ms. Burgess, No I haven't changed anything on what they gave me. I had originally added couple things to the BOH.

Mr. Houle, On heading Town of North Attleboro Planning Board.

Ms. Burgess, We're going to take Conservation and BOH out it will just be Planning Board. On second line of ad it says "aid with review and assist Conservation and BOH when applicable". Header is just going to be changed to just Planning Board.

Board agrees on heading.

Mr. Cerrone, We're in charge under subdivision control if someone else is in charge let me know I'll give up my seat.

Board agrees RFP is good to go to other boards with changes made.

Mr. Houle, Then we're going to have meeting here with other boards.

Ms. Burgess, I'm staying out of it now I've done as much technical support as I can.

Mr. Houle, Once you send this to them I think our next step is the Planning Board is going to ask to have other boards come in for meeting.

Ms. Burgess, Just be aware that the selectmen they want to be involved in this.

Mr. Houle, I'll put it this our liaison is Chris Sweet and...(inaudible) maybe during that meeting when we have other boards here we invite one of them if they want to come or both.

Mr. Cerrone, Dick you're the chairman you can discuss it with Mr. Sweet tell him what is going on.

Mr. Houle, I think I would rather Mr. Sweet come here when we're all here and we can discuss it together.

Ms. Burgess, How much time should I give them to get back with their revised copies?

Mr. Cerrone, Couple weeks.

Ms. Burgess, Month I'll try and set something up in mid October.

Mr. Houle, Maybe first week in November if they request it sooner we'll see what we can do.

Mr. Cerrone, Or have them give you dates of when they want to meet.

Review Draft By-Laws;

Sign and possibly assisted living facility;

Mr. Cerrone, You did good job Mary. There are couple things I was looking at zoning book. I think you want to stay same, as zoning book all the context you have in here is perfect. You have assisted living.

Sign By-Law;

Ms. Burgess, Biggest problem I found in our sign by-law technically we do prohibit animated signs but we don't have definition for animated signs. I was putting in definition "animated sign which includes flashing, action, motion whether electronic action, mechanical action, color or methods change by way of prearranged electronic or mechanical means".

Mr. Houle, What about people who have current signs?

Ms. Burgess, They're pre existing non-conforming they are grandfathered.

Mr. Weymouth, What are we trying to accomplish here to eliminate animated signs you're not going to get me in favor of this one.

Ms. Burgess, Other thing I was considering and I wanted to run by you was the exceptions of banks and gas stations may have numerical signs stating price, time and temperature as long as they are not flashing, moving or scrolling and comply with above mentioned regulations.

Mr. Houle, I don't have problem with that.

Mr. Weymouth, What is difference between CVS wanting to put up gallon of milk for \$1.69 and gas station putting up price of \$2.49 gallon?

Mr. Houle, I think they have right to do that I don't think she is taking that right away from them.

Ms. Burgess, I just said banks and gas stations.

Mr. Weymouth, I agree with you the Las Vegas pylon animated signs that have rolling waves and color flashing is too much it is way over top. Would you rather have manual read board are they allowed in by-law? ( Yes). Would you rather have manual read board or nice electronic read board?

Ms. Burgess, That is kind of why I was going with old gas stations. I'd rather see the nice digital verses changing of numbers.

Mr. Weymouth, If CVS wanted to take their manual message board down and put up electronic one that didn't flash that only changed once every ten minutes or something wouldn't that be better than looking at ugly message board?

Mr. Cerrone, What happens when Mall wants to put all kinds of stuff?

Mr. Houle, How about when these car dealerships want to put in all kinds of stuff that is what I'm worrying about.

Ms. Burgess, I think there should be some middle ground. I can see where you're coming from I was thinking along those lines for gas stations but I didn't think CVS did them anymore.

Mr. Weymouth, Personally I would rather see electronic non-flashing non-whatever than I would manual read board. One color no more than one change per ten minutes something to really restrict it.

Mr. Houle, I think we just opened up box again. I'm not disagreeing with you.

Ms. Burgess, Right now legal limit is 11 seconds. We can leave the exception out but I think the animated sign gets the intent for what original by-law stated. They can come in for a variance bank or somebody or maybe we could do special permit.

Mr. Houle, How about your exception by variance only from Planning Board?

Ms. Burgess, Special Permit per Zoning Board. I don't think we want to be involved in signs.

Mr. Cerrone, No that is zoning issue.

Mr. Weymouth, If electronic read a board only has letters and numbers?

Ms. Burgess, Letters, numbers, non-scrolling, non-flashing, no pictures.

Mr. Weymouth, What is wrong with that?

Ms. Burgess, One color.

Mr. Houle, I don't think anybody is against that are they?

Ms. Burgess, I'm just thinking how I can get it in there read a board.

Mr. Thimot, Yes.

Mr. Weymouth, I get back to the manual read a board I hate them.

Ms. Burgess, Definition for digital read a board that if we can isolate good definition for digital read a board then we can put digital read a board by special permit. We could put numbers, letters only, non-flashing, non-scrolling something like that. I'll look into it. It is by-law that it cannot interfere with traffic signs, traffic signals, traffic markings. I'm going to take out exception right now look for good definition for digital read or method board. That way if I make up my own definition where it says it can only have numbers, only letters, cannot scroll, cannot be this and that stuff like that. Then I can put simple section that says digital read a boards are allowed by special permit per zoning board. That way it will include banks, gas stations.

Mr. Weymouth, Technology today makes those signs look nice, cleaner.

Mr. Houle, I went by old Mobil in South Attleboro it is almost ridiculous. I don't think you should put duration for flashing though.

Ms. Burgess, No prohibit flashing, etc. I'll put something together and put it in your package.

Mr. Cerrone, Not too many towns allow them.

Ms. Burgess, That is the thing I looked around at all neighboring towns they just prohibit all signs that are digital animated or do anything.

Mr. Weymouth, You can narrow it down to be very specific like she said. To me you either prohibit all read a board signs, which you really can't do because gas stations need them and people need them for business or you allow both of them and you hope that you can narrow the focus down on the LED's so it doesn't turn into a Vegas.

Mr. Houle, What if we just said they're limited to one color, non-flashing if you put in time frame they're going to say okay it can change after the time frame so you will have a flashing sign if you put that in.

Mr. Weymouth, Do it once day then twice day. Gas station is going to do it the time on clock changes at a bank the temperature changes.

Ms. Burgess, I will look into that get you guys something else.

Mr. Cerrone, Check with Dover, Mass check with Welsley. Try Natick, Framingham, Westboro.

Mr. Houle, There are only two in town right?

Ms. Burgess, Three Quan's, Speedy, Floor place. I will do some more research.

Budget changed again.

Zoning Applications;  
57 George Levin.

Mr. Cerrone, That is Aquifer District.

Ms. Burgess, Reading letter by town planner( insert).

Mr. Houle, Very well written.

Mr. Cerrone, You're going to get in same problem that we got in with Lewicki.

Ms. Burgess, Ride Away they modify vehicles for handicap people, hydraulic lifts. That is why I was kind of saying it could be considered auto body because they are taking things off and putting things back on stuff like that. They will be stored there Rod Palmer already said he is going to require them to have floor drains. The other one is for home occupation. I will send that letter to zoning board.

Draft assisted living;

Ms. Burgess, Didn't exactly follow as retirement community so I kind of took little from site plan review and took little from ...(inaudible) this is what I came up with. Lot of the things pretty standard Planning Board special permit granting authority and it's allowed in R20 and R40 district. That is the place where we would have minimum lot requirement. I don't know where you want to go maybe minimum of 10, 15 or 20.

Mr. Weymouth, Why would you limit it to R20 and R40?

Ms. Burgess, Because that is where we have the acreage.

Mr. Weymouth, Most of these places now a days want to be central to services of the town.

Mr. Houle, What about rebuild too maybe they happen to get 5 to 8 acres?

Ms. Burgess, You will have to decide.

Mr. Cerrone, We're thinking more of section in Schedule B in zoning I think you should add 13A to this.

Mr. Weymouth, Acreage wise you could even go down lot less than 10.

Ms. Burgess, Way I envisioned this was kind of like campus like walking trails for active adults. Not so much convalescent home that is why acreage is so high to accommodate it recreation, walking trails stuff like that.

Mr. Cerrone, I think we should add 13A page 24.

Ms. Burgess, Definition we have talks to lot of state requirements this could be private. and 13 speaks to the state public.

Mr. Houle, I want to go back to 10 to 15 to 20 acres I'm not sure it needs to be that big.

Mr. Cerrone, Yes you want campus style you want it to look good.

Mr. Weymouth, You do if you want it in R20 and R40 but if you want it along Rte. 1 near commercial services never going to happen. Where do you want it to happen?

Mr. Cerrone, I don't think you're going to build place like that on commercial those people don't want to listen to noise all day.

Ms. Burgess, Somebody came in and sat down with me site plan for assisted living facility at Arns Park. Biggest thing would be traffic would be danger factor because it is so close to Rte. 1. Are there other commercial areas possibly but all of our commercial is basically identified on whole strip.

Mr. Weymouth, You have to look beyond the existing use that is on property because tear downs and rebuilds are done every day of the week.

Ms. Burgess, I can see that maybe C60. I was thinking Emerald Square Mall.

Mr. Weymouth, What is zoning across street from Stop & Shop?

Ms. Burgess, C30.

Mr. Weymouth, Perfect place for one if you ask me.

Mr. Cerrone, That land is too valuable.

Mr. Weymouth, 2.5 acres guys are paying 2.5 to 3 million dollars for land to do adult living facility SunRise. I know who they are they pay the money for the land.

Ms. Burgess, If they have minimum lot requirement and it's C60.

Mr. Weymouth, I'm only asking philosophical questions I don't have position one way or other. Why wouldn't you allow assisted living facility in commercial district with less land than 10 acres?

Ms. Burgess, I think the intent is to attract also it goes to number of dwelling units allowed and stuff like that. I don't have any rationally except what is in my head right now with what would look good and I always see almost dormitory style college campus that is image that pops in my head.

Mr. Houle, I think Mary is right if you're going to create something like this it would be nice to have a campus type environment.

Ms. Burgess, Lot of people don't want to go into old school assisted living they think they're going out to pasture there.

Mr. Cerrone, That is what Madonna Manor is looking for that is why they wanted to go to Rte. 120 they want to make campus type.

Ms. Burgess, Like you said across street from Stop & Shop or Cannata Property or what have you they have more than 10 acres over there. You're just saying that 10 acres seems too big.

Mr. Weymouth, It is to me it's too big they will never do it in 10 acre commercial setting because then land to buy would become cost prohibited for the use.

Mr. Houle, On page 4 where it says parking special regulations. This would be parking space for every 2 dwellings. If you have 20 dwellings on an acre, which is what we're kind of lean into here you're not leaving lot of parking if you think about that.

Ms. Burgess, I was going more for not everybody who lives there will have a car. That is why we have internal retail and somebody comes to visit them.

Mr. Houle, I'm going to make suggestion why don't we all look at this little more.

Ms. Burgess, I don't know when they're going to have another town meeting. I'm thinking maybe January if they have another special.

Mr. Weymouth, I think it's great to promote the use it is questions of do you want to be flexible to allow it to occur in multiple districts and if you do I think you'd have to modify your land and open space requirements.

Ms. Burgess, I don't think the open space requirements every will be modified.  
Mr. Cerrone, I would include 13A zoning by-law.  
Mr. Houle, I suggest that we go over this for next meeting or meeting after.  
Discussion of having to be out of town hall by 9:00 P.M. and having meetings somewhere else.  
Mr. Thimot, Make motion to adjourn seconded by Scott Weymouth.  
All in favor 4 to 0 adjourned at 9:56 P.M.

Respectfully Submitted,

Attach Agenda to Minutes.