



MEETING MINUTES
Monday, October 2, 2023

CHAIR: Mark Johnson
MEMBERS PRESENT: Kim Ames, Peter Caruso, Corinna Javier, Homaira Naseem,
Richard Baker, Associate Member
MEMBERS ABSENT: None
OTHER ATTENDEES: Paul Dell'Aquila, Town Planner
RECORDER: Nina Gardner

Mr. Johnson called the meeting to order at 6:35 p.m.

8 Gulf Street Senior Residential Development (SRD) Public Hearing - Continued

Attorney Watsky was present with John Grenier, the Engineer for this project. Attorney Watsky stated the applicant would like to discuss the affordable units at this time. They have received Graves review and Mr. Grenier did make changes to the plan to reflect additional screening to the abutting properties. Mr. Grenier described the changes to the walking trail and the pocket park. There will be a six-foot white vinyl fence added on the north side of the walking path for immediate screening. Internally, there will be a two-foot-high berm along the westerly side, and they will plant shrubs along the berm. They will do the same behind units 6,7,8 and 9. They will plant shrubs and white pines behind unit #18. Drainage and infrastructure have been addressed. Utility holes have been labeled in the street. The sewer will be part of the septic design which will be submitted to the Board of Health.

Internally, the sidewalk that goes along the shoulder of driveway will be extended down Gulf on Sewall and there will be a covered bus stop so that neighborhood children can wait for the bus.

The offsite parcel for affordable housing was shown. It is a corner parcel and they are proposing a duplex for the affordable housing. The parcel is separate from the SRD with a duplex unit that will have a driveway located on Sewall Street. In terms of utilities, they will tie the septic from that unit into the septic system for the SRD. The advantage is the affordable unit will not have to maintain their own septic, as it will be part of the Homeowners Association (HOA). The affordable units will not be sold and will be rental properties. Attorney Watsky spoke about the septic and the affordable units. The Town will be getting slightly more than 10% because there are eighteen (18) units. There will be two affordable units. There will be an easement to the septic with no cost being imposed on the affordable units.

Timing of when the affordable units are to be constructed was discussed. Attorney Watsky agreed with the Board's recommendation that the affordable units be constructed after the first six (6)

market units. The Developer will be looking for a mechanism in which Town residents could have preference to be entered into a lottery for the affordable units.

The septic for the affordable units was briefly discussed and the tank would be on the duplex site but would be maintained by the HOA. The units can be part of the HOA pumping contract. Electricity is the owner's responsibility. The only thing maintained is the septic.

Mr. Johnson read a letter from Richard Baker to be entered into the record. A few residents that live in the Compass Pointe development spoke in favor of the Developer, expressing how much they liked where they live.

Mr. Dell'Aquila confirmed with Attorney Watsky and Mr. Grenier that the house renderings that were submitted for this meeting were not the correct ones. They did confirm the drawings were not the correct ones and had been submitted in error. The correct drawings are the single-family renderings that the Board chose during negotiations. Mr. Dell'Aquila also reminded the Board that per town bylaws, any back taxes on any properties owned by the Developer must be paid in order to receive any building permit. Attorney Watsky stated that will be taken care of.

Attorney McCay discussed the affordable units being part of the HOA with respect to the septic. Attorney Watsky stated the preference is to have the affordables separately owned and have an easement granted under the master deed and have a provision built into HOA documents that there is no fee, but all other maintenance will be taken care of by the property owner. A brief discussion ensued regarding having the two affordable units just be part of the whole HOA. The reason they cannot is because of the setback requirements of 70 feet. Attorney McCay suggested a conditional arrangement would be needed as a placeholder to address arrangement of the septic and to the satisfaction of the Board and Town Counsel.

This SRD will have a private way and will never be eligible for road acceptance by the Town, as it is basically a driveway. The Engineer will work with the Light Department to locate lights and transformers. The Board discussed a condition of the approval that the location of the lights will be determined by the Municipal Light Department.

Attorney McCay suggested the septic issue should be resolved before the Board votes to approve. He feels they should have a definitive plan as far as the plan for the septic for the affordable units. Attorney Watsky suggested that it would be better to have the Board approve with a condition regarding septic for the two affordable units. He feels the applicant could present final paperwork to the Planning Board, but not state definitively what the plan is until they have met with the Board of Health. They would rather not have to come back to the Planning Board for an amendment and prefer to have it approved conditionally once they satisfy the Board of Health and Town Counsel with a plan. Attorney Watsky stated the two options for the affordable septic would be:

1. The affordable septic will be separately owned and there will be access via an easement to the SRD. The HOA will manage what is on their property. It is a diminuous amount of flowage from the affordables.

2. The septic for the affordables can be granted back to the Master Deed and property can be part of the HOA again. This would be from the perspective of the Board of Health.

The septic plan will have to be satisfied by Town Counsel and the Board of Health. There was mention of Compass Pointe regarding separate septic and being part of the HOA. That is how it was done according to Mr. Grenier. He stated therefore, it is allowable.

Mr. Dell'Aquila informed the Board that no permits shall be issued unless the conditions listed in the approved decision are met, as determined by himself and/or in consultation with Town Counsel.

Ms. Javier asked for an explanation of what was in yellow on the plan that was presented. Mr. Grenier explained that it was landscaping changes, and that Graves stated the changes would be satisfactory.

Mr. Caruso motioned to close the public hearing. Ms. Javier seconded; all voted in favor by roll call vote:

Ms. Javier - yes
Mr. Caruso - yes
Ms. Ames - yes
Mr. Johnson - yes
Ms. Naseem – yes

Ms. Naseem motioned to approve the Senior Residential Development on 8 Gulf Street of the as set forth in the draft of the settlement agreement of the remand, along with additional conditions of the revised plan that was submitted and approved by the Board with the following conditions:

1. Back taxes must be paid.
2. Building permits for the final twelve (12) market rate units will not be issued until two (2) affordable units are built and the Certificates of Occupancy are issued.
3. The Septic System for the affordable units is subject to approvals from the Board of Health, Town Counsel, and the Planning Board.

Mr. Caruso seconded; all voted in favor by roll call vote:

Ms. Javier - yes
Mr. Caruso - yes
Ms. Ames - yes
Mr. Johnson - yes
Ms. Naseem – yes

Attorney McCay suggested the Affordable Housing Application should be voted upon separately from the SRD application. Ms. Javier motioned to accept the application for the two affordable housing units off site at 8 Gulf Street. Mr. Caruso seconded; all voted in favor by roll call vote:

Ms. Javier - yes

Mr. Caruso - yes
Ms. Ames - yes
Mr. Johnson – yes
Ms. Naseem – yes

Town Planner Update - Mr. Dell’Aquila updated the Board. Some documents, such as submittal schedule, have been updated and uploaded to the Planning Board web page.

Deb Frank, 45 Compass Circle, asked if she could speak regarding Compass Circle and comments that were made at the meeting by another resident, however, the public hearing had been closed so the Board Chair advised her it cannot be discussed.

Mr. Dell’Aquila explained the creation of the Master Plan Committee and Mr. Johnson agreed to represent the Planning Board on the Committee and Ms. Ames will serve as an alternate.

The Selectmen have approved Ms. Gardner’s position to report to the Town Planner/Land Use Director rather than the Town Administrator.

160 Shrewsbury Street – conditions in that Decision called for an acoustic study and traffic study. They will be starting this month on acoustic study and on the traffic study next month. The applicants are complying.

Meeting Minutes – Mr. Caruso motioned to approve the meeting minutes of September 11, 2023. Ms. Ames seconded; all voted in favor.

270 Shrewsbury – Mr. Johnson signed the Decision for this Special Permit.

211 Mile Hill – A new Site Plan application has been received. There is an existing house on the property. The owner, Summer Star Wildlife, would like to renovate it as a viewing barn. This will be on the agenda at the next meeting. The Board needs to decide if public notification is necessary. This is a renovation of an existing building, but due to the unique nature, Mr. Dell’Aquila is asking for the necessity to notify abutters. Mr. Johnson stated that work has already been started. Mr. Dell’Aquila will look into this tomorrow. The Board agrees that abutters should be notified given the unique nature of the project.

22 Diamond Hill - Patrick Healy of Thompson-Liston presented the mylars to be signed for WKS. The Town Clerk has issued the Certificate of No Appeal.

Mr. Caruso motioned to adjourn at 7:52 p.m. and Ms. Naseem seconded; all voted in favor.

Meeting Materials:

8 Gulf Street (on file in PB Office)
Town Planner updates (on file in PB Office)
270 Shrewsbury Street Special Permit (on file in PB Office)
211 Mile Hill Site Plan application (on file in PB Office)
22 Diamond Hill (on file in PB Office)