

Hanson Planning Board  
Minutes of the Public Meeting of  
June 25, 2018 at 7:00 PM  
Hanson Town Hall, Meeting Room A

Call to Order

The meeting was called to order by Chairman Ellis at 7:05 PM. Attendance was as follows:

Present: Don Ellis, Chairman  
Joe Campbell, Vice-Chairman  
Joe Gamache, Member  
Stephen Regan, Member  
Deb Pettey, Interim Town Planner

Absent: John Kemmett, Member

Guests: Mike Facchini, Stonebridge Commons  
Annette Benenato, 72 Brookside Drive  
Donald Shute, Brookside Estates  
Greg Katapodis, 35 Progress Way

Minutes

Mr. Regan made a motion to pass over the approval of the June 11 minutes and address the appointments first. The motion was seconded by Mr. Gamache and approved 4-0-0.

Appointments

**7:05 Appointment with Donald Shute to discuss construction progress at Brookside Estates**

Mr. Shute stated that nothing has been done at Brookside Estates recently. He said that he expected his contractor, Warren Bush, to finish up in the spring, but when he spoke to him a four weeks ago, Mr. Bush said that he was waiting for Mr. Shute to locate the water gate valves. Mr. Shute said that three weeks ago he rented a large magnet and was unable to locate them.

Mr. Shute said that he contacted Peter Werner, who worked for P.A. Landers at the time the road was paved, to see if he had any records. Mr. Shute said that Mr. Werner is now a managing partner for T&K Asphalt and assured Mr. Shute that his company will be able to locate the nine missing water gates with their equipment. Mr. Shute said that he is hiring T&K to complete the road for time and materials. Mr. Shute said that he does not have a hard date for completion but expects it to be soon. Mr. Gamache stated, with all board members affirming, that a flowable fill be used on the holes, with two coats of asphalt (binder and top coat) and infrared.

Ms. Pettey stated that an engineer was not sent out to the site since it was known that no work had been done and Mr. Shute was not requesting a release. She referenced 1) an email [dated June 21, 2018] from one of the residents [Annette Benenato] with resident concerns, and 2) the P.M.P. report from November 2017 for the board's review.

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In response to Mr. Gamache, Mr. Shute said that there is one pond, which was repaired once, that is still not draining properly. Resident Greg Katapodis expressed his frustration with continued incomplete issues and missed deadlines and commented about the board intervening at some point.

Mr. Shute addressed the basin problem saying that it was redone according to the plan and regraded. He said that the engineer's [Patrick Carrerra] assumption is that the drainage pipes floated this basin and, apparently due to a calculation error, the pipes are one foot too low, which he said cannot be fixed. Mr. Gamache said he would like an engineer's clarification on this matter. Mr. Gamache also asked Mr. Shute to submit the receipt from the original repair to jet out the pipes which the board requested.

Mr. Regan asked about the street drain in the cul-de-sac on Brookside Drive that is not draining properly. Resident Annette Benenato said that there is always a high level of water observed in this drain after a rain, as compared to other drains. Mr. Campbell asked Ms. Benenato to take photos of the drain after the next rain.

Mr. Campbell proceeded through the list of issues as itemized on the aforementioned 6/21/2018 email from Ms. Benenato to Becky Nehiley. Ms. Benenato confirmed that the list was assembled from unverified complaints from various residents. Ms. Pettey said that items 1-9 are from November 2017 and items 10 and 11 are recent additions. Mr. Shute confirmed that no items have been corrected.

1. Missing water shutoff valves – As previously discussed, Mr. Campbell stated that Mr. Shute is addressing this issue and has estimated it to be resolved by mid-July.
2. Catch basin on Progress Way [#82] not draining properly – Mr. Shute repeated that the basin was totally re-done to no avail and that the problem is apparently elevation. Mr. Ellis explained that the board will need Patrick [P.M.P.] to explain the problem and offer solutions. Mr. Shute said that he will have a surveyor verify that the top of the basin is at the correct elevation, and Mr. Gamache asked that he also verify the water table.
3. Street drain/basin in cul-de-sac on Brookside Drive not draining properly – Mr. Campbell reiterated from earlier conversation that this drain is possibly clogged and Mr. Shute will be addressing this.
4. Completion of cul-de-sac with crushed stone and dogwood tree – Mr. Shute stated that T&K, who also does landscaping, will be completing this when they do the work on the water valves and estimates two months for all of that work to be completed. Ms. Pettey read from a P.M.P. report that the center of the cul-de-sac island was to be all grass with a five-foot no-plant zone along the perimeter. Ms. Benenato stated that during discussion last year, a dogwood tree was suggested for the island, and also that there should be a buffer of gravel/stone around the grass in consideration of fire truck maneuvering. Mr. Regan noted that two months completion will be by August 25. He added that it would be reasonable that seeding to be postponed until at least the end of August to better enable it to grow. Mr. Shute said that his intention will be that the interior portion of the island will be grass with a dogwood tree and gravel/stone along the perimeter, and that the grass will be maintained by the homeowner association.
5. Completion of walkway loam and seeding – Mr. Campbell commented that it may be preferable to delay seeding along the walkways until at least the end of August.
6. Dead trees at 49 and 99 Progress Way – Mr. Pettey stated that P.M.P. has reported that there are no indications that the trees at these two locations are dead.

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7. Streetlights on a timer, some lights not turning on – Mr. Shute stated that National Grid installed a timer for the street lights and he receives a bill for them every month. He said that his electrician told him that some lights appear to have been intentionally disconnected.
8. Painted street light does not block all the light at 66 Brookside Drive – Mr. Shute said that the electrician painted the glass black instead of putting up a shield and he will see that a shield is installed.
9. When will HOA Fees billed – Mr. Shute said that he has not sent the HOA bills out yet.
10. Water runoff on Brookside Drive onto yard of 72 & 77 Brookside Drive during heavy rains because there is no barrier (granite border) – Ms. Pettey presented the photo that was attached. Mr. Campbell clarified that the water is running down the driveway and into the two yards. Mr. Shute stated that T&K will be correcting the problem.
11. Cracks in the roads – Board members viewed a recent photo that had been attached to the email of a crack on Progress Way. Mr. Katapodis stated that the crack extends to the berm. Mr. Shute commented that the base coat was put down in 2007. Mr. Gamache stated that T&K would have the equipment to repair the crack.
12. Mr. Gamache added this issue stating that the fire hydrant in front of 9 Brookside has a sign that it is out of service. Ms. Pettey said she will email the water commissioner about it.

Mr. Katapodis reiterated his impatience with Mr. Shute's inability to correct ongoing issues, asking when the town will intervene. Mr. Campbell called a brief recess.

Mr. Gamache made a motion to bring the meeting back in session after the recess, which was seconded by Mr. Campbell. The motion was approved 4-0-0.

Mr. Regan reviewed, confirmed by Mr. Shute, that it will be two weeks from now to locate the water gates and two months to complete the remaining work. Mr. Shute said that he will contact Ms. Pettey when the water gates are found. Mr. Ellis further requested that he provide progress updates on an ongoing basis.

Mr. Gamache stated that after the asphalt repairs have been completed, Mr. Shute should obtain a warranty for the work in writing to protect him and the town.

Mr. Campbell asked for a 48-hour timeframe to fix the street lights since it is a safety hazard. Mr. Katapodis added that areas between the sidewalk and street where fill has not been added have developed into 2-ft. wide holes, which increase the safety hazard.

**7:30 PM Continued Request for Release of Covenant** for Building 30, Units 47, 49, 51 and 53 Liberty Circle at Stonebridge Commons for Mike Facchini and Mark Ridder.

Mark Ridder was not present for this appointment.

Mr. Facchini stated that he is present this evening to request a lot release of Units 108 and 111 of Building 30.

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Ms. Pettey said that Mike McCue requested that Environmental Partners look at the forebay and the gas meter. She explained that an apprentice was sent there who reported that the forebay was under construction and she couldn't locate the gas meter. Ms. Pettey said that she did not request a formal report due to the lack of information.

Ms. Pettey said that she went on-site with Bob Curran to observe first-hand what has been done. She said that a 5-6 ft. berm was built around the gas meter and it is now protected from vehicles. Ms. Pettey said that Bob agreed that this was satisfactory, but that he will confirm it with the plumbing inspector since it is their jurisdiction.

Ms. Pettey continued that the basin had been cleaned up and sod added to about 70% of it. She said that the six-inch rip-rap has been replaced with 12-inch rip-rap. And Ms. Pettey said that the water gate valves that had been located in the spring have been spray painted orange. She said she could not find one of the water gates, but Mr. Facchini said it may be buried and he will locate it.

Mr. Facchini reviewed the work that he has done since the last meeting. He said that the handicap parking signs are now in place. Concerning the detention pond, he said the silt has been removed, the silt socks were cleaned, he brought in larger rip-rap, and he regraded and brought in 2,000 ft. of sod.

Mr. Facchini continued by saying that he moved the gate to the gas meter 12 feet and created a 40 ft. by 6 ft. berm, that is 5 ft. high, to protect the meter from vehicles. He said that he then finished it off with landscaping and irrigation. Mr. Gamache asked Mr. Facchini to have his engineer prepare a written statement saying that they approve the work. Ms. Pettey noted that there is nothing on the plan that addressed protection for the gas meter.

Mr. Facchini finished by saying that he is trying to keep the road clean, that he put in 6,000 sq. ft. of sod in the last week, and most side walks and driveways are done.

Mr. Facchini confirmed that he removed the 'Stay Right' sign since it was in the middle of the side walk. Mr. Gamache commented that a past Environmental Partners report had indicated that many of the signs are not the correct height and this needs to be addressed. He added also that there is broken inlet stone that needs to be replaced.

Mr. Gamache directed comments to Mr. Facchini about keeping the road clean. Despite Mr. Facchini's insistence that he is always cleaning the road, Mr. Gamache said he has never seen it clean. Mr. Gamache cited failed forebays from the last four subdivisions in town which were caused by roads that were not kept clean. Mr. Facchini stated that he takes what the board says very seriously and insists that he will comply.

Mr. Campbell made a motion that Units 108 and 111 be released per the request of Mike Facchini, which was seconded by Mr. Gamache. The motion was approved 4-0-0. Members in attendance signed the lot release.

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For the board's information, Ms. Pettey stated that she included in the meeting materials a copy of a page from the Stonebridge Decision of Approval concerning the waiver that allows the use of HDPE polyethylene drainage pipe.

Mr. Ellis asked for a status on the fence that came down. Mr. Facchini acknowledged that it has not been fixed yet but will see to it that it is.

Mr. Facchini asked the board for its priority items to complete. Mr. Campbell mentioned the sewer and drain covers that are switched and the safety bar that needs to be installed. Mr. Gamache noted the inlet stone to replace, the water gate box to be located, the curb stops to the homes that need to be brought up to finished grade and determine the correct sign height in order to meet regulations.

Ms. Pettey expressed concern over the outstanding work that is the responsibility of Mr. Ridder who is not present at this meeting to speak on it. Mr. Facchini stated that Mr. Ridder has one driveway to complete and sod to lay. Mr. Facchini said he will make sure the driveway gets done in the next week or two.

Mr. Gamache commented on a driveway in the other phase that needs a sawcut and a repair. Mr. Facchini said he has already taken care of that repair work.

**7:45 PM Appointment with William Cushing to discuss "Cushing Trails" subdivision**

Ms. Pettey stated that Mr. Cushing will not be present this evening for any discussion of Cushing Trails.

Discussion

**40R Zoning District Overlay**

Ms. Pettey said that she has been working on the 40R zoning district overlay and is involved with the planning of the Housing Production Plan ("HPP"). She explained that the HPP is a five-year plan that sets as its goal that the town meet its 10% affordable housing units, meaning that the town will have to increase its affordable housing units by 18 per year, or 25%, which results in the addition of 80-90 units per year for the next five years, or 400-500 units over the course of the five years.

In anticipation of a future public hearing, Ms. Pettey said that she needs input from the board concerning the location of a 40R zoning district overlay. Following state guidelines, she stated that the area near the Ocean Spray building has been suggested for its proximity to public transportation and an area near Shaw's as an apparent center of town.

In response to Mr. Campbell, Ms. Pettey explained that a 40R district differs from a 40B district in that the town receives money for a 40R. She said that there is a one-time payment to the town when the overlay district is adopted, which is based upon the number of units that are planned to be built there. She continued by saying that for each building permit that is pulled, the town receives an additional \$3,000 payment. She added that with a 40R, the town has to monitor its own units which would likely require it to hire a monitoring agent to oversee those affordable housing units.

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Ms. Pettey said that with a 40R, the town writes its own guidelines. In contrast, she said that with a 40B, there are no local zoning guidelines followed and developers are only required to adhere to Title V and the Wetlands Protection Act. Ms. Pettey added that with a 40R overlay district and the HPP, if the town meets its affordable housing goal of the additional 18 units per year, the town is allowed to deny a 40B for the next year, or two years if it adds 36 units in a year. She said that a 40R gives some control to the town on where these affordable units will go.

In regard to the Dakota Partners 40B that has been approved, Ms. Pettey stated that if the town gets both the 40R overlay district and the HPP in place in the near future, the developer can request that its Depot Village be incorporated into the town's 40R totals.

Mr. Campbell asked if any of the Plymouth County Hospital land could be zoned for 40R. Mr. Ellis said that there were attempts to find someone to develop affordable housing there, but there were soil issues. He also said that there was no response to the request for proposals to develop elderly housing there.

Mr. Reagan pointed out that the land mentioned earlier near Shaw's and abutting McDonald's is pretty wet. He added that this area is more the business/retail area of town as opposed to residential. Mr. Campbell indicated and members discussed, land along County Road that might be suitable, land on Franklin Street going toward Bridgewater and the area on Route 58 up by JJ's.

**Update from Donald Shute Regarding Brookside Estates**

Mr. Shute returned to the meeting saying that he just spoke to some residents about the hydrant that is out-of-service. Mr. Shute said he will call the fire department and the water department tomorrow to find out what is going on. Mr. Ellis asked him to keep Mr. Pettey updated.

Concerning the street lights, Mr. Shute said that there are six lights altogether and three that are on Progress Way are not working. He said the meter is running and he gets a bill for all. Mr. Shute reiterated that his electrician had informed him that the lights were intentionally disabled by someone and suggested he install a lock to prevent it from happening again. Mr. Shute said he will move forward with installing a lock.

**Town Auction parcels – Map 7, Lot 1634 and Map 7, Lot 1637**

Mr. Campbell had previously suggested that the two above referenced town-owned lots be considered for use as a solar farm. Mr. Ellis said that he spoke to Mike McCue about it and noted that the lots are not contiguous, and with size and setback requirements, would not be suitable as a solar farm.

Mr. Gamache made a motion, seconded by Mr. Campbell, that the two lots be returned to the list of town possessions for auction. The motion was approved, 4-0-0.

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**Cable Recording of Planning Board meetings**

Mr. Ellis explained that in the past the board has voted not to video record its meetings. He said that Mr. McCue asked if the board might reconsider if perhaps only public hearings were recorded, and if the town paid for the cable people to record the meetings in the Selectmen's Meeting Room. Mr. Ellis noted that elected groups have the option of their meetings being recorded.

Mr. Regan made a motion that Planning Board meetings not be video recorded, which was seconded by Mr. Gamache and approved, 4-0-0.

New Business/Old Business

Board members signed invoices.

Ms. Pettey stated that there will be no meeting on July 9 and the Planning Board will next meet on July 23.

Mr. Ellis reminded members that if they have any issues that need to be attended to, they should bring it to the chairman first.

Adjournment

Mr. Campbell made a motion to adjourn, seconded by Mr. Gamache, which was approved 4-0-0. The meeting was adjourned at 9:54 PM.

Respectfully submitted,

Shirley Schindler, Minutes Clerk  
Hanson Planning Board