

HANSON BOARD OF APPEALS
Minutes of Public Hearing January 28, 2020

Members present: William Cushing, Chairman
Joanne Miniutti, Vice-Chair
Kevin Perkins, Clerk
Sean Buckley, Alternate

Petitioner: Ridder Development Corp. – Case#19MY12
280 Liberty Street – 7:00 PM
Comprehensive Permit 40B
(cont. from 12/3/19)

Atty. Michael; O'Shaughnessy for the Petitioner
Town Counsel Attorney Brian Winner for the Board of Appeals

Revised Plans for the project were received just prior to the start of the hearing and presented at the hearing by Mark Gates, Land Planning, Inc., engineer for the Petitioner.

A letter from Dr. Frank Schellenger, Conservation Agent dated 1/24/20 was noted and will be part of the records.

Some of the concerns from the previous hearing were related to the cul-de-sac. As a result of those concerns two of the duplex buildings have been eliminated and reduced the total number of buildings on the cul-de-sac from nine to six– maintain a buffer between abutters. In December the engineers met over some lingering issues that needed to be resolved and in looking at the Merrill Associates letter sent on January 22, 2020 most of the concerns have been addressed. Also met with the Fire Department and they requested one hydrant be added. Also triplex units will have sprinklers installed per Mark Ridder.

Mr. Ridder also reached out to the neighbors and showed them the changes being made to the Plans and are trying to do the best they can to address the concerns of the neighbors. In the middle of the site a couple of duplexes are now triplex buildings.

Mark Gates, Land Planning, spoke on the first 300' of the road especially the amount of treatment provided for the stormwater runoff and said that the existing catch basin at the intersection will have a manhole grate, put a separator on the curve also another separator about 65' in. So now the area is satisfactorily completed.

Mark Ridder spoke on the letter from the Conservation Agent stating that their plans were submitted a few weeks ago and they received a review back from Jim Donovan with some comments and housekeeping items - one item being that they have to do an additional perc and that is scheduled for next Wednesday and will be submitting the updated info and housekeeping items that were a part of the Board of Health review next week.

Peter Palmieri, Merrill Associates, review engineer for the BOA, said that basically all the comments pertaining to stormwater management have been addressed and are satisfied with that; one question he has was whether guest parking was adequate and may be still outstanding. As far as the mounding analysis that was brought up in their report as well; we did get a copy of the preliminary mounded analysis – it looked reasonable to us – but we brought it up because it might have an impact on the design of the cul-de-sac grading- not saying it will –

but it may. Comment about snow removal, storage areas now shown on Plan submitted tonight. The only other item Palmieri felt is important if the project is approved is one of the conditions of approval be the submittal of an erosion control plan very detailed because of the size of the project – the soils are not that great. Palmieri would like to look at the plan at some point in the process. The Board then asked Ridder to submit a plan on the erosion control to them and he commented that would be done asap.

Jerry Davis, Water Department Supervisor, said the water department has an issue with the waiving of fees for water and they have no intention of waiving the fees. Willing to negotiate with Mark Ridder – have him come before the Water Department Commissioners and bring his plan stating why he wants the fees waived.

Ridder asked Jerry Davis if he had a chance to look and see if the design is adequate and how it was proposed for engineering. Davis responded that the design is adequate – they have no issues with the design – they have a say on the water mains – biggest issue is the finance aspect. Ridder will propose that they waive the fee for the affordable units and he will pay regular rate for the market rate units. Davis has no problems with that but he needs to have the Water Commissioners on board. The Board asked to be kept on board with this.

The Board asked about the modifications at cul-de-sac regarding treed areas and the areas they revised – nice landscape buffer – because of the redesign they were able to eliminate the drainage swales which took up a lot of native trees-made a comment on the landscaping to supplement any existing trees with Norway spruce, pines and some green giant arborvitaes which are deer resistant.

Floor opened to abutters:

Doherty, 106 Gray Lane – wanted an explanation on the requested water rate concerns.

Board explained that there is a tap in fee paid by the homeowner to tap into water – flat rate fee for any subdivision or condominium project – each individual house or condo unit has a fee for tying the water main into the unit itself. Ridder was asking that the fees be waived, but the Water Commission's concern is the fee for the amount of units amount to a good sum of money. Money is used to improve the infrastructure in the town.

Paul Wynne , 92 Litchfield Lane, (not an abutter) – what is fee for- the meter or tie in fee? Jerry Davis answered that it is for tie in fee to connect to the water system. Everyone pays this fee.

O'Connor, 512 Gorwin Drive, (not an abutter) if this project passes Conservation and the Water Department do they come back here for approval? Board replied yes.

Kelly White, 120 Gray Lane – question for the water department – they have a lot of brown water issues on Gray Lane. Davis answered they have been doing a lot of flushing-more than normal - getting very little dirty water calls.

Eric Brzuszek – 152 Gray Lane, thanked Mr. Ridder for meeting with them and revising the plan a little bit – but his concern is still the cul-de-sac. After house next door was rebuilt – standing water set in – cut down a lot of trees. His biggest fear is clearing the trees – trees suck up a lot of water – water rises very quickly in their neighborhood – with all the clearing to be done what happens to the water going into the ground that causes the water table to go up .Have not had water in his basement – what happens if he gets water in his basement with this project –claims Mr. Ridder said he will guarantee him he does not get water in his basement – how do you guarantee that? Remove the cul-de-sac entirely.

Carol Brzuszek – 152 Gray Lane – thanked Mr. Ridder for reaching out to the abutters – truly appreciate it – glad he revised the plans but looking at it she still says it is a detriment to their property. Still concerned with the stormwater management because the infiltration system

to the southside of her driveway is very wet land where the infiltration system is going. They also have a driveway – to the northside of the driveway is a protected wetland – is very wet, stays wet 365. They are proposing over 42,000 cubic yards of fill to lift the land so they will now be down land – another concern – they will be at their second floor level as well (privacy concerns). By removing the entire forest, water is going to run down. They had to pay \$41,000 for a new septic system (town's negligence) does not want another negligent vote on a development that I believe is a detriment to their property. Also, would like minutes from 12//3/19 meeting to be on web site.

Robert White – 120 Gray Lane – thanked Ridder also for talking to them and would like the cul-de sac moved and end the problem.

Board said that the cul-de-sac seems to be the abutters major concern. Chairman would like Ridder to adhere to the 50' setback that it calls for – to the north and to the northeast – these need to be pulled back 50" from abutting structure from property line to the closest point of any structure.

Member Perkins looks at it as a retreat lot – have 50' setbacks in all directions for a retreat lot- it is pretty congested – he would like to see 50' from abutting properties. Perkins went on to say that a project like this is a good thing for the town as long it can be reasonably regulated – can benefit the town. If the Board gives this project a hard “no” they can overrule and approve what the proposal was originally. Perkins asked Ridder if he could do an analysis of how much clearing is being done in regards to the total project and compare that to the amount of clearing per building or unit to get some kind of gauge.

Abutter Doherty – 106 Gray Lane – said when talking about tax revenue – but the history of Gray Lane is that money was withheld for the project – it was never an accepted road – and the town gave the money back to the builder – things were never fixed and it is still not an accepted road. Concerned about water in the basement and when it does happen everyone will wash their hands and say you deal with your insurance company.

Gary Brzuszek commented that anything could go on that property; Hanson seems to like building over 55 community's – would rather see the school system get a little bigger because it seems to be getting smaller – next thing might as well build nursing homes because that comes after the 55's. What is the Boards take on the wooded areas-like the amount of trees being cut down – and the effect on the Brzuszeks. Also concerned about the height of the buildings.

Motion made to continue the hearing until February 18, 2020 at 7:45 PM: Kevin Perkins
Second: Joanne Miniutti
Vote: 3-0

