

TOWN OF LUNENBURG

Office of the Planning Board

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Minutes Public Hearing (continuation) Aro Estates off Howard Street May 13, 2019

Meeting Posted: Yes

Place: Town Hall, 17 Main Street, Lunenburg, MA

Time: 6:40 PM

Present: Matthew Allison, Kenneth Chenis, Paula Bertram, Adam R. Burney

Also Present: Adam Costa, Town Counsel

Absent: Tanner Cole

The Hearing continuation was to hear and discuss applications under the Code of Lunenburg, Chapter 325, Subdivision Regulations, for nine subdivisions totaling 122 lots: Aro Estates 1, containing eighteen lots; Aro Estates 2, containing nineteen lots; Aro Estates 3, containing seventeen lots; Aro Estates 4, containing twenty-one lots; Aro Estates 5, containing twenty lots; Aro Estates 6, containing sixteen lots; Aro Estates 7, containing five lots; Aro Estates 8, containing six lots; and Aro Estates 9 containing one parcel. Parcel addresses are: 460 Howard Street, Map 6, Parcel 25, owner 460 Howard Street Realty Trust, 18 Cassimere Street, Andover, MA; 318 Howard Street, Map 17, Parcel 20, owner O'Brien Homes, 18 Cassimere Street, Andover, MA; 400 Howard Street, Map 6, Parcel 24, owner John Aro, 280 Poor Farm Road, New Ipswich, NH; and 390 Howard Street, Map 17, Parcel 34, owner O'Brien Homes, Inc. Applicant is O'Brien Homes, Inc., 18 Cassimere Street, Andover, MA.

The applicant O'Brien Homes was represented by Attorney Don Borenstein, Johnson & Borenstein, 12 Chestnut Street, Andover, MA. Also present were Kevin O'Brien, Principal, O'Brien Homes, and Wes Flis, Project Engineer, Whitman & Bingham Associates (WBA).

Attorney Borenstein noted items he had followed up on from the hearing of April 29th; addressing outstanding comments from the final peer review letter; providing a full set of plans via pdf to the office, and revising access to the Town forest. Access has been relocated and will be a 40 foot wide easement. The applicant is also amenable to the Board conditioning a 10 foot wide vegetated buffer at 440 and 442 Howard Street; the two properties surrounded by the proposed subdivisions.

WBA provided the Board with Wick Drain Detail and the Gasketed Joint Piping that had been requested by David E. Ross Associates (DER). P. Bertram wanted to ensure that the applicant was complying with DER review letter of 04.17.13, **Deep Drainage Infrastructure** that *"the construction details for each subdivision should indicate that gasketed/watertight drainage piping shall be used for any installations within groundwater. Additionally, the impervious barrier details should indicate that dams shall be installed for all pipe trenches within groundwater, not just >12' "*. WBA noted those details are on the plans. WBA presented an updated plan containing access to the Town's open space with the creation of Parcel J. Parcel J is located at the cul de sac of Aro Estates 8 and is a 40 foot strip containing a 20 foot wide access to the Town forest. The Parcel will be conveyed to the Town. 440 and 442 Howard Street extend into Aro Estates 2 and 4. The applicant talked to those property

owners and will locate a 10 foot natural vegetated buffer around those two properties. Basins have been designed so there will not be any additional stormwater runoff onto neighboring properties. As the number of lots decreased from 135 to 122, no additional changes are being proposed to the traffic reports and the applicant is amenable to the improvements previously detailed in those reports. A. Burney inquired about the detention pond on the northeast side. WBA had the understanding that the Board will condition it to be off the Town's property.

P. Bertram inquired if the Board would be acting on any waivers. Attorney Costa responded no, as the court overturned the Board's denial and the subdivisions are approved. The purpose of the remand is to discuss conditions as part of the settlement agreement. When the Board votes on the project, it will be voting on the conditions; there is no need to vote the waivers again or vote to approve the subdivision.

Jacob Stephen, 440 Howard Street- Asked for clarification on the 10 foot buffer. Is it just maintaining what is already there, or adding to what is there? Attorney Borenstein responded the applicant would maintain the current vegetation within the 10 foot buffer, and if there is no vegetation there, it will be added.

Dan Brackett, 850 New West Townsend Road- He has property abutting the proposed subdivisions. There is a retention basin located adjacent to his property line and he had concerns that it could preclude access for any potential future development from New West Townsend Road that may come before the Board.

K. Chenis made Motion to close the hearing, P. Bertram Seconded, all aye.

Hearing closed 7:15 PM.

Documents used at meeting:
Definitive Subdivision Plans, Aro Estates 1-9
Proposed Layout - 2012
Proposed Layout - 2019
Wick Drain Detail