

The regular meeting of the Planning Board convened at 6:30 pm in person and via zoom.

MEMBERS PRESENT: Mr. Driscoll, Mr. Ajemian, Ms. Guarino, Mr. Geller and Mr. MacDonald

ASSOCIATE MEMBERS: Ms. Rojas and Ms. Santarcangelo

STAFF: Ms. Farinacci, Assistant Town Planner and Ms. Dorr, Office Administrator

#### **MEDERIEROS ESTATES PUBLIC HEARING CONTINUATION**

The hearing convened at 6:30 pm.

Mr. Silva nor the applicant were present.

Mr. Driscoll suggested doing some board business while waiting for someone to appear.

During the recess, Ms. Farinacci found an email from Mr. Silva that was received after the office had closed requesting a continuation to July 7<sup>th</sup> that was read into the record.

When the meeting came out of recess, a **motion was made by Mr. Geller, seconded by Mr. Ajemian, and was unanimously voted to continue the hearing to July 7<sup>th</sup> at 7:00 pm.**

#### **REORGANIZATION**

Mr. Driscoll said he would stay on as Chairman, if the members wanted him to.

Mr. Ajemian said he came back to this board 8 years ago and served as chairman for three years. He felt the leadership should change, but in this case, he felt that Pat should continue as Chair, however he will step down as Vice Chairman to give someone the chance to move up.

**A motion was made by Mr. Ajemian, seconded by Mr. MacDonald to have Mr. Driscoll remain as chairman. It was unanimously voted.**

**A motion was made by Mr. Geller, seconded by Mr. Ajemian, that Mr. MacDonald serve as Vice-Chairman. It was unanimously voted.**

**A motion made by Mr. Ajemian seconded by Mr. Geller to have Ms. Guarino remain as Clerk. Ms. Guarino asked Mr. Geller if he would like the position and Mr. Geller said that Jean should remain. It was unanimously voted.**

#### **MINUTES**

**On a motion by Ms. Guarino, Seconded by Mr. MacDonald, it was unanimously voted to approve the minutes of 5/5, 5/19 and 6/2 with the highlighted corrections.**

The special joint meeting to be held on June 30<sup>th</sup> at 6:30 for the recodification will be in person and via zoom.

**On a motion by Mr. MacDonald, seconded by Ms. Guarino, it was unanimously voted to go into recess until 7:00 pm.**

**On a motion by Mr. Geller, seconded by Mr. MacDonald, it was unanimously voted at 6:59 to come out of recess.**

### **OLDFIELD ESTATES, II MODIFICATION HEARING CONTINATION**

The hearing reconvened at 7:04 pm.

Mr. Evan Watson from Prime Engineering, representing the applicant, explained the reasons for the modification and the proposed solutions that were discussed at the last hearing. Along with the solution for the drainage, shown on the plan discussed last time, he modified the configuration of the parking lot spaces (11) proposed along the mailboxes. He added the locking bolts to the grate; added a screening with 12 vegetated arborvitaes around the parking lot that was requested at the last meeting.

Email from Jake Needle dated June 16th, was read into the record.

Ms. Guarino questioned why that pipe would not get clogged up? Mr. Watson explained and said that it is designed for the worst-case storm and on a day-to-day basis he would not expect to see any water in that pipe. The swale itself is grassed and was practically constructed when they discovered the problem. The operation and maintenance plan would take over if the homeowner does not clean out the debris. Mr. Castignetti stated that the easement that pertains to the 4 lots is recorded and the primary responsibility for the maintenance would be the homeowner, but if they don't maintain and it causes a danger or unsafe condition, the HOA has the right to go in there. The swale running down the side, in the open space, will be the responsibility of the homeowners Association. Mr. Driscoll questioned what would happen when the town accepts the roadway? Mr. Castignetti said it could be taken care of with an easement for the HOA to continue maintaining and not the Town.

There was discussion about the number of trees, spacing of the trees and the possible elimination of some of the spaces, speedbumps, lamppost at the mailbox. It was later decided that these issues were really not part of the major drainage changes that the hearing was based upon and could be addressed at a later time by a possible minor modification. That would not require notification to the abutters, however, Mr. Castignetti said he would notify Mr. Needle who would notify the interested abutters.

Abutters who spoke were Gerry from 55 Erbeck Circle Ext, Monica Jones from 18 Oldfield and Mr. Needle.

**On a motion by Mr. Ajemian, seconded by Mr. MacDonald, it was unanimously voted to accept the application as a major modification.**

**On a motion by Mr. Ajemian, seconded by Mr. MacDonald, it was unanimously voted to approve the drainage changes shown on the plan prepared Prime Engineer dated 1/19/21 entitled "proposed Drainage Improvements" with the stipulation that Mr. Etoniru has final review of the drainage prior to endorsement of the plan and with the understanding that the applicant will come back with minor changes for the parking area showing 7 parking spaces, limiting the tree cutting and a planting plan for the trees.**

Conveyance of easements for drainage recorded in book 52993/page 246 was received. The board requested that the area be staked out so they can take a look at it. Mr. Castignetti said they could have their survey crew do that by the end of next week.

### **NORLEN PARK ROAD BOND**

Attorney Robert Pellegrini was present virtually on behalf of Mr. Elliott Schneider. The bond was deposited back in 2010 in the amount of \$36,170.00 plus accrued interest. He sent in a letter on May 17<sup>th</sup> asking that the bond be released. Mr. Driscoll said it was posted for 600' to the end. The Board received an email from the DPW Director not to release the money. Mr. Etoniru said he could provide a technical review tomorrow but basically a good portion of that roadway is in bad shape and the amount of road bond is not sufficient to fix the road. There was no escalation provision in the bond at that time and the town would have to come up with additional funds to complete if they took the bond. Mr. Driscoll agreed that the bond shouldn't be released. He went to the site today and the curbing has already been compromised; the drainage basin hasn't been mowed or maintained. He brought up the fact that Parcel A had a restriction placed on it and he doesn't know if the deed was recorded to put a restriction on it. Mr. Etoniru commented that he felt that was a complete breach of one of the conditions of approval. Mr. Pellegrini disagreed that it was a condition, but, a side note below it and not one of the numbered conditions.

**Mr. MacDonald made a motion to deny bond release request; it was seconded by Mr. Geller and unanimously voted.**

### **GADSBY DRIVE ROAD BOND RELEASE**

A request received from Sam Shoneye for the release of the bond in the amount of 85,550.00 plus interest.

Mr. Etoniru said that it does look good and was well done, however, part of the condition of approval was that the maintenance agreement must be recorded in the chain of title for every lot in the subdivision. He believes that several of the lots were conveyed without reference to the Homeowners Association being noted on the deed. If the bond is released, that means the developer washes his hands of the project and the homeowners are not aware or cognizant of the fact that they are going to be responsible for the maintenance so perhaps that was not divulged when the lots were conveyed. For this reason, he would recommend that the board deny the request until such a time that the developer could clearly demonstrate to the board that the homeowner's association document is totally noted in the chain of title for that subdivision.

**On a motion by Mr. Ajemian, seconded by Ms. Guarino, it was unanimously voted to deny the request at this time until Mr. Shoneye can supply the information of deed recording in the chain of tile for the Homeowner's Association.**

**On a motion by Ms. Guarino, seconded by Mr. Ajemian, the meeting was adjourned at 8:08 pm.**

**MINUTES APPROVED: 7/7/21**