

Hanover Planning Board



September 30, 2010

Planning Board Attendees: Richard Deluca, Gary Hendershot, Tony Losordo

Other Attendees: Anthony Marino, Patrick Faherty, Ronnie Camarda, Richard Serkey, Victor Diniak, David Deluca

Chairman, Richard Deluca opened the meeting at 7:10 p.m.

775 Washington Street:

At the Board's regular meeting on September 27, 2010 the Board met informally with Richard Matthews owner of 775 Washington Street. Mr. Matthews requested that the Board consider granting a Limited Site Plan Review for work that he is preliminarily proposing for the property. After consideration the Board determined that the work Mr. Matthews described could be considered for a Limited Site Plan Review. Gary Hendershot made a motion to allow a limited site plan review for the property located at 775 Washington Street with the understanding that when plans are submitted for review the Planning Board has the right to require a full site plan review including a stormwater management review provided by an outside consultant if the Planning Board determines that the submitted plan warrants such a review. Tony Losordo seconded the motion. All others were in favor.

Morse Farm Estates:

The Planning Board was unable to vote on anything related to Morse Farm Estates at tonight's meeting because votes on subdivisions require that four board members be present. The Board recognized that residents of Bard Rock Lane, Town Counsel, Victor Diniak and a representative from Pilgrim Bank were in attendance and they allowed discussion on the issues surrounding the Morse Farm Estates Subdivision.

David Deluca, Counsel for the Town, provided some history on the Morse Farm Estates project and explained that the Town had taken possession of the financial security submitted by the developers prior to their lot releases. The Town has expended approximately \$55,000 of the original \$90,000 that was submitted. Victor Diniak, Director of the Department of Public Works, obtained bids for the remainder of the work in August 2010. The lowest bid for the unfinished work was about \$48,000. Outstanding work includes the as-built plans for the road, a wooden guardrail over the culvert, sidewalks, and plantings.

The Board asked about the requirement for a wooden guardrail, are there any less expensive alternatives? Tony Marino said the guard rail is a safety issue, if it was on the original plan it

should stay on the plan. Victor Diniak confirmed that lack of a guardrail would be a safety issue.

The Board asked if “as built” plans are required for street acceptance. Victor Diniak said they have always been required. The Town needs to know what they are accepting.

Tony Losordo brought up the issue of the performance bond, \$35,000 remaining, and the lowest bid for the unfinished work coming in at \$48,000. He asked if there was a way to get the performance bond increased. David Deluca said that a performance bond can sometimes be increased during a project if it is determined that funds are inadequate to complete a project. That is why there is a two-year window for re-permitting.

Victor Diniak said he might be able to bring down the costs slightly for the unfinished work on this project. Gary Hendershot mentioned that \$5,000 was spent to repair Whiting Street. He asked Victor if there were any other safety concerns on this project. Victor said that he might need to back up the berms with some type of material.

Richard Deluca wanted to make sure the residents understood that the Planning Board was not at fault for the problems with this project. The Developer is responsible for ensuring that the project was completed. The Developer defaulted, and the Town is stepping in to ensure that items that are outlined in the plan are finished. He explained that there is no guarantee when the Town accepts a performance bond for a project that the project will be completed. He said that the plan for Morse Farm Estates should stay the way it was originally submitted.

Patrick Faherty, 21 Bard Rock Lane, a resident of Morse Farm Estates, said that the debtor agreed to pay a \$4,000 shortfall if the performance funds are exhausted. David DeLuca indicated that the \$4,000 backstop is not payable until the remaining money in the performance bond is exhausted.

A discussion about outstanding work to be done on the project took place. The DPW might be able to wait until the Spring of 2011 to plant the trees. Smaller trees could be planted as a way to cut costs.

Richard Deluca asked about the any deadlines that need to be met to satisfy Pilgrim Bank. David Deluca said there is some concern from the Bank that no plantings were done between April and October 2010.

Victor Diniak said he might be able to save money on the sidewalks by doing a single pull instead of a double pull. He also mentioned that the lots need a lot of fill. The original plan called for 4 inch deep sidewalks.

David Deluca said the plan for the project could stay as is, but the priority order for unfinished work could be changed.

Victor Diniak was asked by the Board if the sidewalks could be put in now. Victor said possibly, but there would need to be some preparatory work. Gary Hendershot asked if sidewalks would

be damaged when the driveways are completed on the outstanding lots. It was confirmed that sidewalks can be damaged when driveways are put in.

Victor indicated that there was no urgency for this road to be accepted at Town Meeting in May of 2011. He also indicated that since this road is paved they should be able to plow it this winter. Erosion of the sidewalks should be prevented by the surrounding vegetation.

The meeting concluded with The Planning Board's recommendation that the plan not be changed, but that safety issues were addressed first. The planting of the trees may be delayed until the spring of 2011. At the Board's request, Victor Diniak will obtain bids for the sidewalk work.

Gary Hendershot made a motion to adjourn the meeting at 8:40 p.m. Tony Losordo seconded the motion. All others were in favor.

Prepared by Audrey Barresi, Secretary