



**TOWN OF WRENTHAM  
PLANNING BOARD**

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Meeting Minutes - July 17, 2019  
Town Hall 2<sup>nd</sup> Floor Meeting Room

Members Present: Michael McKnight (Chairman), Charles Woodhams (Vice-Chair),  
James Lawrence (Clerk), Robert Cass, Everett Skinner and  
Stephen Schwarm

Members Absent: Thomas Wrynn

Town Planner: Rachel Benson

Departmental Secretary: Priscilla McGill

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7:00 p.m. Board Chair Call to Order – Agenda Overview

7:03 p.m. Demetra Estates – Determination of Default

Attorney David Hern, representing the Developer, Michael Siakotos, appeared before the Board. Mr. McKnight stated that at the previous Planning Board meeting the Board voted to begin the process of taking the Bond, which is due to expire July 2019, and noted subsequent discussion with Town Attorney. Attorney Hern apprised the Board of the current project status, such as handicap ramp completion and the remaining maintenance of basins. He noted Mr. Siakotos' difficulty in acquiring a paving company for the project and noted that they have a current contract with a paving company to begin the work on Monday, July 22. Mr. Lavin expressed his concern in the differences between the current paving contract and what actually needs to be accomplished. Mr. Lavin presented pictures of Hatch Road to the Board showing the areas of his concern. Discussion ensued.

Attorney Hern requested clarification of Mr. Lavin's scope to get the project completed. Mr. Lavin noted that if the preferred leveling course is applied no crack sealant is required. If only 1 ½" of top coat is applied than crack sealant is required. Mr. Siakotos argued point and discussion ensued. Mr. Lavin stated that there have been numerous meetings over the course of years for this road completion, which is not yet completed. The Bond will be expiring prior to the next Board meeting. Mr. McKnight noted that Mr. Siakotos can work in conjunction with Mr. Lavin to get the work completed, but the work must be completed to the DPW standards and approval of the Engineer of record.

Attorney Hern confirmed that the required work would be to apply a leveling course no less than the thickness of the aggregate and apply 1 ½" top coat over the leveling course. Mr. Lavin discussed requirements at curbs, driveways and handicap ramps pursuant to industry standards. Discussion ensued for bond expiration and Ms. Benson noted that the letter sent to bonding company was for the discussion of bond default. Mr. Lawrence reiterated the options as; vote to take bond, vote to extend the bond, or vote to extend the bond with modifications. Attorney clarified that the Board only voted to determine taking of bond, Town risk, and option of Mr. Siakotos to complete road to Town's satisfaction. Discussion ensued.

Mr. Schwarm asked to review the meeting minutes of September 19, 2018 which notes what is required of Mr. Siakotos to complete the paving and what the Board waived. Meeting minutes were presented to the Board. Discussion ensued relating to bond amount, scope of work, and Town requirements with course of action to get the road completed within the next few weeks to eliminate taking of the bond. Mr. Lavin recommended an unbiased third party for final approval.

Mr. Lawrence suggested that the Board could vote to authorize Town Counsel, after consultation with Superintendent of DPW, to curtail bond process, should the road be completed to the minimum specs of the DPW. Request DPW to be as fair as possible to the Developer while not compromising the Town. Mr. Lawrence commented that there has not been much discussion regarding the residents, and he wanted to note for the record, that the residents matter and should be considered in the process.

Mr. Lawrence moved to instruct Town Counsel to proceed with the process of pulling the bond, unless and until, but no later than bond expiration, he should hear from the Superintendent of the DPW, that the Developer has completed the road to the minimum acceptable level of the Superintendent of DPW and per the third party review. The third party review will be paid for through either available 53G monies or the DPW budget.

Mr. McKnight inquired if the Developer was willing to submit monies to the 53G account for the third party review. Mr. Siakotos stated that there is no money available to submit to 53G account.

Mr. Schwarm as second. Mr. Skinner made a friendly amendment to note "completion of process not later than bond expiration." Mr. Schwarm as second.

Mr. McKnight made a friendly amendment to add "at the direction of the Town Attorney for final approval of the bond language". Mr. Lawrence as second. Motion vote Aye-6; Nay-0 and Abstentions-0, (6-0-0).

#### 8:06 pm - 685 South St. Bond Extension

Ms. Benson referenced a letter from Mr. Capone requesting an extension. Mr. McKnight noted that the original Earth Removal permit was issued for twelve months and confirmed that there is no bond on this project.

Mr. Schwarm moved, as a Minor Modification, to extend the permit for 12 months. Mr. Woodhams as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

#### Meadowview Estates & Ridge Estates – Release of Bonds and 53G account refunds

Ms. Benson noted that both were accepted at Town Meeting and any monies remaining need to be released.

Mr. Lawrence moved for both Meadowview Estates and Ridge Estates that the Board vote to release any bonds and/or 53G account monies. Mr. Skinner as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

#### Fox Run – Release of Landscaping Surety

Mr. Cass and Ms. Benson noted that they visited the site and that there are no issues with the plantings.

Mr. Lawrence moved to release the surety for plantings. Mr. Skinner as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

#### Park Place – Release and reacceptance of Tripartite Ph. 1 & Ph. II

Attorney John Vignone and Developer, Howard Bailey, appeared before the board. Attorney Vignone noted that before the Board was a Substitute Tripartite agreement for a smooth transition in changing banks from Rockland Trust to Walpole Coop so that there is no lapse during transition.

Mr. Skinner moved to approve the new Tripartite agreements with Walpole Cooperative Bank as the new lender and to release Rockland Trust Company, the original lender, from its obligations under original Tripartite agreements, as amended, effective upon execution of the new Tripartite Agreements and the recording of the new mortgage from Park Place Wrentham LLC to Walpole Co-operative Bank.

Mr. Lawrence as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

#### Park Place - Reduction of Earth Removal Bond

Bill Blaise of Andrews Survey & Eng. Appeared before the Board and spoke of the bond required and what was posted. He noted that Phase I & II roadways are completed to binder course and that there are thirteen building lots at various stages of construction. Mr. Blaise noted that they are seeking bond reduction based on work completed for Phase I & II plus lots for a total of 21.21 acres of disturbance and are requesting a reduction of \$106,050 of the total \$290,000 for a remaining bond balance of \$183,950. Mr. Lawrence inquired as to the status of Phases III & IV. Mr. Bailey explained that most is to sub-grade and some areas still require fill, which will be taken from the ledge on site. Discussion ensued for process that has been completed and what is to be completed per cubic yard. Mr. Blaise also noted the bond in place for the roadways in Phase I & II and they will be seeking a reduction for that shortly and they will be seeking bonds for Phase III & IV roadways after that.

Mr. Skinner moved that the Board reduce the bond in the amount of \$106,050 as requested. Mr. Lawrence as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

Mr. Cass inquired as to the status of the intersection of Park St and Route 140. Mr. Blaise stated that they have submitted paperwork to DOT and they are still waiting to receive comments from DOT.

Discussion ensued for revision of percentage of bond reduction for future projects and phasing of projects submitted on a yearly basis from the Superintendent of DPW to the Planning Board.

#### Discussions

- Route 1 rezoning study - (Jim Susi of United Consultants in audience) – Ms. Benson reprised the Board of recent meetings, public forums (traffic concerns), and property owner forum (concerns of rights being taken away), all of which went well. She mentioned there will be another internal meeting between herself, Planning, and Cathy McCabe. Anticipating final language ready for August.
- Zoning By-Law Amendments – ZBA pushing for accessory units bylaw, definition changes, discussion of brewery (commercial use) and possible listening session. Mr. McKnight noted that he will be absent for the September 18<sup>th</sup> Planning Board meeting.
- Deer Brook six month update – Ms. Benson stated that she had a site visit with Mr. Pollard and they are working on portion of ledge and are moving forward.
- Madison St. signals – Mr. Skinner noted he has seen ramp excavation, sign support foundations, control panel, and road work completed. Discussion ensued for final layout of the area of Route 1 and Route 495. Ms. Benson noted that any MassDOT project would be on their website.

Meeting Minutes

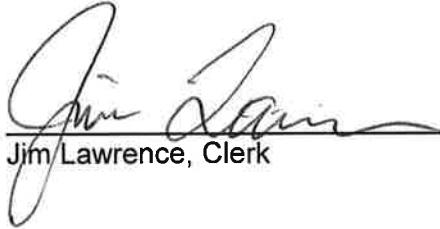
Mr. Skinner moved to accept the meeting minutes of June 19, 2019, subject to typographical errors. Mr. Lawrence as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

Discussion for signature of approved meeting minutes when Clerk is absent. Board agreed to continue with Clerk signing.

8:45 p.m. Mr. Lawrence moved to adjourn. Mr. Skinner as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

Respectfully submitted,

Priscilla McGill, Administrative Assistant

  
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Jim Lawrence, Clerk

  
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Date of Approval

Documents Submitted:

1. Planning Board
  - a. Agenda dated July 17, 2019
  - b. Meeting Minutes dated June 19, 2019
2. 685 South Street
  - a. Daniel Capone Earth Removal Permit Extension letter dated June 19, 2019
  - b. Planning Board Period of Validity letter dated June 18, 2019
3. Fox Run
  - a. Pulte Homes Planting Warranty Bond letter dated July 25, 2019
  - b. Warranty Surety Bond #SNN4002052 dated July 20, 2018
  - c. Power of Attorney #1035237 dated July 20, 2018
  - d. Acknowledgement by Principal dated July 20, 2018
  - e. Acknowledgement by Surety dated July 20, 2018
4. Park Place – Andrews Survey & Engineering, Inc. letter dated July 10, 2019
5. Demetra Estates (Hatch Road)
  - a. M.N. Siakotos email dated July 16, 2019
  - b. Beals & Thomas As-Built Plan Review letter dated June 25, 2019
6. Deer Brook Estates – Paula M. Pollard & Frederick W. Pollard project update letter dated July 12, 2019
7. Demetra Estates roadway pictures submitted by Mike Lavin at the meeting, not dated