

PLANNING BOARD PUBLIC HEARING MEETING MINUTES
RE: RULES & REGULATIONS GOVERNING THE SUBDIVISION OF LAND
SEPTEMBER 19, 2023 – 6:30 p.m.

Members present: Mark M. Schafron/*Chairman*, Robert Swartz/*Vice-Chairman* Robert J. Bettez, Sr., Stephen Cormier, Paul A. Cormier-*Members*, and Trevor Beauregard/*Director-City Planner*.

Members absent: *None.*

Also present: Rob Oliva-City Engineer, Christine Fucile-Adm. Asst., .

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the Chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the **meeting**. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Director of Community Development & Planning pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

Mr. Schafron, Chairman called the Public Hearing to order at 6:30 p.m.

Mr. Schafron read aloud the Public Hearing Meeting Notice for Rules & Regulations Governing the Subdivision of Land.

T. Beauregard explained the Consultant was unable to attend this evening, therefore, himself and R. Olvia-City Engineer will do their best to answer any questions the Planning Board and Public may have. Further, T. Beauregard stated he will give a brief presentation on what has been completed so far and will highlight some of the major amendments proposed. T. Beauregard noted the last revision was done in October 2005 so it is about time for this revision. Also noted, the draft is available on the City’s website as well as in the Community Development and Planning office for public review. Further, it will be an herculean task for the Public or the Planning Board to identify and evaluate all proposed amendments by painstakingly making a page by page comparison of both documents for the previous and existing, therefore, might be best just to go through some of the highlights.

T. Beauregard started as follows:

Section 1 – Purpose and Authority:

No significant changes.

Section 2 – Definitions:

Tweaked the street definitions and changed minor streets and cul-de-sacs.

Addressed the widths of streets.

Changed wetland delineation and referenced the State wetland regulations and Gardner wetland ordinance.

Section 3 – General Provisions:

Section 3.6 Submission of Plans – clarified provisions for an incomplete submittal since sometimes a full submittal is not received. If incomplete would have to reject it and clarify what needs to be included in order to circumvent that.

Section 4 – Plan Believed Not to Require Approval: This is better known as an ANR.

Clarified the formats that need to be provided. At one time needed a CD and Diskette but now require CAD or GIS in electronic format, and also include a survey base reference data updates.

Section 5 – Procedures for the Submission and Approval of Subdivision Plan:

Updated submission requirements and references as per Section 4 to be consistent.

Included Mass Stormwater Requirements.

Plan to be prepared by Licensed/Registered Engineer and Surveyor.

Need to show Water, Sewer, Stormwater connections to the lots. This was not specified in the previous document.

Flow testing may be required at discretion of Fire Chief.

Provision to permit extension of time in review/approval process by mutual consent.

Also include Planning Board findings added for action by the Board. On page 24 in draft added sections 1-10 to give the Planning Board guidance after the Public Hearing.

Procedural reordering of Plan Endorsement, Restrictive Covenant, and Release of Covenant.

Types of Performance Surety. T. Beauregard noted they updated the various types of Surety a Developer can use.

Added provisions for Notice of Decision to City Clerk once the plan is approved.

Section 6 – Required Improvements and Design Standards:

Revised the street classifications.

Decrease in required pavement widths - Cul de Sac and Minor pavement width decreased from 28 feet to 24 feet – R. Oliva added this is due to a lot of reasons such as stormwater, reducing impervious areas, some of the roads on some of the minor inside streets are quite wide and sometimes unnecessarily so.

Minimum Street grade increased from .5% to 1% - R. Oliva stated this is an actual practical construction reason for the grade on street and when building ½ percent grade which is essentially flat and end up getting puddles and ponding and 1 percent is a reasonable minimum. R. Oliva added this is the actual grade of the road.

Reference City Stormwater Ordinance.

Street lights to require LED fixtures in place of high-pressure sodium which was in the old or the existing subdivision rules.

Crosswalks and sidewalks to comply with ADA requirements.

Added requirements for bounds and monuments added within the plans.

Section 7 – Construction Specifications

Updated reference to the Federal, State and City Specifications.

Changed Street Pavement Specifications.

Required foundation drains when basement floor is within two feet of groundwater.

Updated drainage structures specifications.

Tweaked the sewer specifications.

Added water subject to DPW Director approval.

Cape Cod bituminous berms are now permitted. Mr. Schafron asked what a Cape Cod berm is. R. Oliva explained a standard bituminous berm has a six inch reveal from the street with four inches at the top. A Cape Cod berm is 12 inches wide and about four inches tall, they are much wider

and with a much flatter face and are better for plowing. Cape Cod berms are in new subdivisions and they are better suited than standard bituminous curve. You can use the standard berms but they are difficult to plow because the plow essentially will ride up on them and peel them back.

Appendices:

T. Beauregard noted they went through all of the Appendices, the Forms, the Submittal forms, as well as the Surety Forms to make sure they are all up to date, and changed some of the terms.

S. Cormier asked what a “Re-Subdivision” is as noted in Section Two. T. Beauregard commented, good question, so land is sub-divided, new parcels are established and within those parcels they can be re-subdivided if they are large enough to create additional lots and frontage. T. Beauregard added this was a term that was not in there prior and our consultant thought it would be a good idea to put it in because he has seen those types of situations.

Mr. Schafron noted Section 5, Number 7, Planning Board findings added for action by the Board. T. Beauregard explained the addition of ten items to give the Planning Board some guidance on how to approve and modify a plan after a Public Hearing. Mr. Schafron commented the ten items are actually spelled out nicely and is a very good addition.

T. Beauregard commented they did have a committee that worked on it as well as the Planning Board Chairman, himself, R. Oliva-City Engineer, the Fire Chief, the Consultant from BSE Group, and Conservation Agent. Further, there were many working sessions over a ten month or so period to put this together. T. Beauregard noted the previous Rules and Regulations were well written, but just needed updating. P. Cormier added and they were 20 years old.

T. Beauregard noted the approval process is just the Planning Board approval and does not need to go to City Council. S. Cormier asked if after approved does it become effective immediately after the approval. T. Beauregard replied yes, he believes so after the vote.

Mr. Schafron called thrice if there is anyone from the Public who would like to speak in favor of this project.

Mr. Schafron called thrice if there is anyone from the Public who would like to speak against this project.

No one spoke in favor or against this project nor was any public in attendance, therefore, Mr. Schafron declared the Public Hearing closed.

The Public Hearing closed at 6:49 p.m.

All documents referenced or used during the meeting are part of the official record and are available in the Department of Community Development and Planning pursuant to the Open Meeting and Public Records Law.
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