



*Town of Tyngsborough  
Planning Board*  
25 Bryants Lane,  
Tyngsborough, Massachusetts 01879-1003  
Office: (978) 649-2300 ext 115

Tyngsborough Planning Board Meeting minutes March 31, 2005

Attachments:

1- Meeting Agenda. **APPROVED APRIL 21, 2005**

Members Present: Mark H. Pease, Chairman                      Darryl Wickens, Vice Chairman  
Steven A. Nocco    John Forti  
Caryn DeCarteret  
Joyce M. Harrington, Clerk  
John Boardman, Consulting Engineer  
Charles J. Zaroulis, Town Counsel

Meeting Purpose: To take action on agenda items (see attached agenda) and any other business brought before the Board.

**7:00PM** Meeting Opened by Chairman M.Pease

**7:05PM** *Wilson Road / Massapoag Road – Definitive Subdivision,*

Present; Atty John Gallant and Atty Timothy Ervin representing the applicant

*M.Pease spoke briefly about an omission of an abutter from the Certified Abutters List and notification process. The abutter had since been notified and was present, representing MIT. M. Pease reopened the Hearing.*

*Atty Gallant gave a brief overview of the project to bring the abutter from MIT up to speed. The Board and Atty. Gallant continued the review of the following:*

John Boardman reviewed the **revised plans and drainage calculations** for the above referenced site and have the following comments:

1. The applicant should demonstrate why the requested waivers are in the “public interest” and not “inconsistent with the intent and purpose of the Subdivision Control Law”. Section III.F (page 5) of the *Town of Tyngsborough Planning Board Subdivision Rules and Regulations*, outlines the procedures for the issuance of waivers.  
**Addressed**
2. The applicant is proposing to loam and seed the existing Massapoag Road. I recommend that the Board have Town Counsel review this project and the

applicant's ability to put restrictions on a public way, the existing Massapoag Road. Of concern would be other landowners with the right to use and maintain this right of way and the potential for lawsuits should those rights be infringed upon.

**Addressed**

3. The proposed roadway is super elevated away from the pond. Super elevated roadways in New England pose significant icing hazards as snow banks melt and run across the roadway and refreeze.

**Addressed**

4. The applicant should provide justification for the infiltration rates used in the design. The DEP Stormwater Management Policy for infiltration basins recommends a maximum rate of 2.4 inches per hour (0.0033 feet per minute). Groundwater elevations at the location of the pond should also be provided. The board may also wish to require drain wicks or leaching catch basins in the bottom of the pond to promote infiltration.

**Addressed**

5. The drainage design depends on runoff reaching the bottom of the hillside and traveling in a "swale" behind the houses and into the detention basin on Lot 11. This swale is loosely defined by the proposed site grading. This grading could change substantially based on septic designs and final house designs and locations. I would recommend that at least a graphical depiction of the swale be added to the plans. The Board may also want to look at the possibility of an easement or covenant to ensure the correct grading is created and maintained. This may require the relocation of the septic on Lot 14, which appears to be directly in the path of the hillside runoff.

**Will added to new plans.**

7. To protect public health and safety the Board may wish to require the first floor and garage floor elevations of the constructed houses are no lower than those shown on the plan. This would prevent a homebuilder from creating a low spot or a drive under garage that would be prone to flooding.

**Addressed**

8. The site plans show a twenty-four foot wide road, the detail sheets still show a twenty-foot road.

**Addressed**

9. The drainage report indicates a reduction in runoff flows to the wetland area. This may be an issue with the Conservation Commission.

**Addressed**

10. The detention basin on Lot 11 should be fenced to ensure public safety. The top of pond elevation should also be added to the plans to ensure a foot of freeboard is maintained.

**Addressed**

**Motion:** S.Nocco to Continue the Hearing to April 21, 2005 at 7:35PM

**Second:** D.Wickens

**Carries:** Unanimous

**Administrative 1 – Stanley Fabianski Jr – Elm St**

**Motion: S.Nocco** to approve the ANR Plan dated 3/29/05 for Stanley Fabianski Jr. Parcel 10A - Map 31B

**Second: J.Forti**

**Carries: Unanimous**

The Planning Board signed the ANR Plan.

**Administrative 2 - Planning Board Budget Review**

The Board reviewed the Budget, if in the case that the over-ride does not pass; the Board will approve \$43,519.00 for the new budget.

**Motion: S.Nocco** to adjourn at 9:30PM

**Second: D.Wickens**

**Carries: Unanimous**

Minutes taken and respectfully submitted by  
Joyce M. Harrington - Planning Board Clerk