

Planning Board – Town of Spencer

Minutes

Regular Planning Board Meeting
Tuesday, September 20, 2011 at 7:00 PM
McCourt Social Hall
Memorial Town Hall



The meeting was called to order at 7:10 p.m.

Planning Board Members Present: Chair Shirley Shiver, Robert Ceppi, Mary Stolarczyk, and Ralph DiChiara.

Planning Board Member Absent: Vice Chair Paul Sauvageau.

Staff present: Michelle Buck, Town Planner, and Bea Meechan, Senior Clerk, ODIS.

New Business:

A. ANR – Paul and Donna Bujnowski; owners, Edward Bousquet; applicant, for property located at Southerly side of Water and Main Streets. The purpose of the plan is to convey a portion of parcel 113-1 to parcel 112.

Mr. Don Para, the land surveyor, explained the Bujnowkis is in the process of selling their property which contains house #8 with a garage and with the remaining land in Lot B. The Bujnowkis are also conveying Lot “B-1” which consists of 8,357 sq ft to be combined with Lot 1 owned by Mr. Bousquet.

Mr. Ceppi asked as to what is “Lot A” as shown at the corner of the plan.

Mr. Para replied Lot A consists of house #8 and a garage. He explained that Lots A and B are combined and has approximately 3.6± acres all together. [Lot B is not buildable lot and was noted on the plan].

Ms. Buck said Lots A and B are basically one piece of land in which a small portion got carved out and became Lot B-1, then conveyed to Lot 1 owned by Mr. Bousquet.

There is a small area of 13.5 feet between Lot 2 and Lot A shown on the plan. Mr. DiChiara asked how that small space got in between the two lots.

Mr. Para said that was how the plan was drawn and got divided in the 1990s. The 13.5 feet area is the opening of Lot B (not a buildable lot)

Ms. Ceppi made a motion to accept the plan and to have Ms. Buck endorse the ANR plan as submitted tonight. Ms. Stolarczyk seconded the motion and the vote was 4-0 in favor.

Approval of Minutes: Minutes for June 21, 2011

Ms. Stolarczyk made a motion to accept the minutes for June 21, 2011. Ms. Shiver seconded the motion and the vote was 2-0 in favor with Mr. Ceppi and Mr. DiChiara abstaining.

Old Business:

A. Continued Public Hearing – Amendment to an Approved Definitive Subdivision Plan, Deer Run Phase II, Funari Site Development. Ms. Shiver opened the hearing at 7:15 p.m. At the previous hearing on 8/16/2011, Funari was required to provide the additional information to the Board which were as follows: 1) A written approval from both Fire Chiefs, from Town of Spencer and North Brookfield, on the emergency access road; 2) A response letter to Mr. Tyler's comments; 3) To resolve the existing issues with ConCom; and 4) To submit a revised plan and provide the technical documents along with the finished plan. Ms. Shiver asked Funari for the above requirements at this time.

Note: Representatives for Funari are here tonight; Mr. Steven O'Connell, Andrews Engineering, and Mr. Steven and Lori Funari.

Steven O. distributed the technical documents; the street plan and profile, and a topographic plan to the Board members. [Both plans dated 7/12/2011. Funari submitted the plans to the Board tonight - 9/20/2011]. The plans basically display the wetlands and the alignment of the road way that included the topography, drain manholes, catch basins, and the detention basins that were built along the North Brookfield and Spencer's Town line. He gave an overview of the plans as follows:

- The plan proposed to terminate the existing cul-de-sac along the town's line. The existing catch basins and manholes that were installed along the town's line are in a deteriorated condition, and Funari will install and replace them and will pave them over.
- The detention basin was constructed and was used as a temporary construction sediment basin. Funari will install the average sediment basin structure that will function as a permanent Vegetation Management Plan (VMP) releasing the stormwater.
- The existing drainage infrastructure on the profile plan demonstrates the proposed grades and how the grades follow the slope of what is actually there – which is remarkable close to the approved plan.

In referencing the plan and profile, Steven O. said the proposed grade lies about 1.5 inches above the grade's model we have built in preparation for this plan. When the 1.5 inches finished course has been paved over, the grade then will be at to the level shown on the profile plan.

Steve O. said Funari will withdraw the *third waiver request that was mentioned at the August 16th hearing.*

Mr. Ceppi asked if the drainage and the catch basin located along the town line were actually paved over as stated above. In addition, has a curb for the road near the town line been constructed yet?

Steven O. said yes, they were paved over and the reason could be to prevent the sediment from going in and clogging the catch basin. He said a temporary curb in this particular stretch (along the town line) was constructed. He pointed out the area on the plan to the Board.

The Board received a memo (dated 8/16/2011), which consists of 3 comments, from the Spencer Fire Chief in regards to the emergency access road. Ms. Shiver asked Funari to respond to the Chief's comments.

Steven F. responded as follows:

- First: The cistern in Phase 2: Steven F. said the cistern needs to be repaired, and we will take care of that. [The cistern was in fact listed on the surety].
- Second: Easements for both cisterns one in Phase I and one in Phase II. Steven F. said as soon as Funari has possessed the ownership of the property, the easements will not be a problem.
- Third: Emergency access from the North Brookfield side entering to the Phase II's project. Steven F. said Funari had spoken with a few town officials in North Brookfield, but has yet to meet with the North Brookfield Planning Board (PB). The gates are not an issue. Steven F. said that initially the Spencer Fire Chief was fine with the gravel based gravel road from the end of Phase II to the Spencer town's line. Later, he asked if Funari could do the pavement for the access road. Steven F. said the road was already paved. Steven F. commented the pavement requires a significant expense.

Steven F. said North Brookfield's Fire Chief is comfortable with the gravel access road, but the Spencer Fire Chief wants it to be paved. Steven F. hopes to find out what the Board's indication is before he meets with the North Brookfield Planning Board.

There was a discussion on the Homeowner Association (HA) at the previous meeting, the Board suggested to establish the HA to manage the road's maintenance. Steven F. said it is not a good idea because he does not know what the Town will ask from the HA in regards to the pavement fees. He does not want to put a burden on someone who cannot afford more service fees and charges other than purchasing the home.

Mr. Ceppi inquired as to the length of the access road from the entrance's point in North Brookfield to the emergency access in the Spencer side. In addition, he asked for a clarification on the last comment from the Fire Chief which read "the access road must be paved *for ease of maintenance for the Town.*" Mr. Ceppi commented that the Board wants Funari to put the ownership on the HA to maintain the access road; but it seems the Fire Chief said otherwise.

Steven O. said the length is 1,000 feet; 600 feet in North Brookfield, and 400 feet in Spencer. Lori F. said based on the previous meeting (8/16/2011), the Board agreed that the Town will

maintain the access road. Steven F. said Funari has to deed a 12-foot easement to Spencer and also a 12-foot easement to North Brookfield.

Ms. Shiver said someone has to own and maintain that, and if it's not a HA that will own and maintain it, then it would be the Town.

In reference to the Fire Chief's comment, Ms. Buck said she'd seek clarification. Based on the prior discussion with other departments and the Town Administrator; they simply do not want to own and maintain it nor have anything to do with the plowing. Ms. Buck said what Fire Chief may refer to is the access - it must be maintained and accessible to the emergency vehicle (to get pass through and into the project). She does not think the Fire Chief wants the Town to maintain that access road.

The Spencer Fire Chief required the access road to be paved on the Spencer side, but the access road in North Brookfield is allowed for a gravel access road, not paved. Mr. Dichiarra said Funari does not want to establish the HA to have them be in charge of the road's maintenance. He then asked what would happen in the winter time, when there is snow and there is an emergency in which the Fire Apparatus needs to get into Phase II via the emergency access in North Brookfield, and the access is only the gravel access with no maintenance – and not plowed?

Steven F. said he understood that concern. He explained that the access road is 30 feet in width, has cape cod berm curbs, and the right-of-way is 50 feet, therefore there is an addition of 10 feet on each side extended from the right-of-way. [The emergency vehicle (e.g. fire truck and ladder) can go over the berm and with the addition 10-foot of the right-of-way, the vehicle will not go over other people's properties]. Steven F. thinks it is a tough waiver; but the Board shall consider this.

Ms. Shiver said according to Ms. Buck the Town does not want to own the easement and maintain it. If Furnari is worried about the charges (for owning and maintaining the area) produced by the HA, thus the Town and the Board are sacrificing the public safety of the people who are residing there. In reference to the access road in the North Brookfield, Ms. Shiver thinks that it would be difficult to maintain the road if the curb cuts were to be gravel. She said the safest access is the pavement access road.

Ms. Shiver asked as to when Funari is anticipating to meet with the North Brookfield PB. She also asked if North Brookfield has the technical review staff as Spencer does.

Lori F. said she needs to find out the schedule and will try to get on to their next meeting. There is no technical review staff in North Brookfield.

The access road on the Spencer side is approximately 400 feet, and the Fire Chief wanted that to be paved. The North Brookfield Fire Chief is comfortable with the 600 feet gravel access road. Ms. Shiver said she would like to know what the Spencer Fire Chief's thoughts on the safety concerns with the long length of the gravel access road – does he think it should be paved?

The Board members said in general if the road is constructed right from the beginning, it would last for a long time, and would be easier to maintain as well. Mr. DiChiara said he believes in sharing responsibility, since Funari will spend money on the access road, the Town shall be obligated to plow it. The burden shall not be put on to the homeowners and Funari only; the Town should share the burden also.

Ms. Buck said there were numerous comments from various Town Departments; Funari has yet to respond to those comments. She then asked when Funari is anticipating submitting a written response to the Board.

Steven F. said he cannot negotiate with the Highway Department and Utilities & Facilities (U&F). He asked if the Board could designate a contact person, whether the Board members or Ms. Buck, to get in touch with Mr. Steven Tyler, Superintendent U&F. Lori F. added that some of Mr. Tyler's comments were for Phase I, and Funari does not propose a modification on Phase I, only Phase II alone.

Ms. Buck said Funari, as an applicant, has provided very little information to the Board. There were discussions at the technical review meetings, and also discussions during the public hearings with the Board; and Funari has yet to articulate in writing of what they want to do, and what they are willing to do.

Lori F. said she did not realize that the response has to be in writing. Steven O. said he has been working on it, and with the discussions we are having tonight it will help us in figuring out the solutions and also to form a reply to the comments. Steven F. said he will forward that to Ms. Buck.

Ms. Shiver noted that the Town holds Technical Review (TR) meetings regularly. Town Officials, including the Police Chief, Fire Chief, Water & Sewer Commissioner, Highway and U&F, Town Planner, and Town Administrator, participate in the meetings. Ms. Shiver said that Funari should provide the response to Ms. Buck so that she can discuss it with the various Officials at the TR meeting, and this will help the process. Ms. Shiver asked Ms. Buck to be a contact person for the Board in getting the respond from Funari to Mr. Tyler.

Steven F. has been reviewing the itemized lists for both Phases I & II for the past few months. He then submitted the draft list of what Funari is proposing and suggesting to the Board. Steven F. went over the 2 lists as follows:

First List – Phase II:

1. Performance Security Agreement Document – Page 2, under d):
Steven F. said the Board voted to remove/waive the \$20,150 for fencing on Phase I.
2. Surety Budget Phase 2A – Page 2, under Fencing:
Since the Board voted to remove the fencing for Phase I, Steven F. suggested doing the same with Phase II, remove the fencing for the amount of \$32,400.

3. Surety Budget Phase 2A – Page 1, under Loam & Seed:
Steven F. suggested eliminating the loam and seed for the amount of \$21,200.
4. Surety Budget Phase 2A – the followings were items which Funari is proposing of doing in helping out the Town: 1) Site Work, Trees \$5,700; 2) Roadway, Adjust CD/DMS \$4,500; 3) Storm Drain-RCP, Headwalls, Manholes, and Rip Rap \$4,120; 4) Repair Damaged Dry Hydrant at Cistern \$4,000; 5) Sweep Streets \$1,000; and 5) Clean Catch Basin \$1,200.

Steven F. said all the items listed on #4 costs \$20,520 in total, which they are willing to help the Town with.

Steven F. said the Town will have \$53,600 available if eliminating #2 and #3, and the surety Town has for Phase II is insufficient. [He thinks that when the Town sends out for public bidding for Phase II's road construction, the bid that comes in will be short, therefore this amount can be used toward the expenses. Another option: the Town can ask the bank if this amount can be legally applied to Phase I's road construction].

Lori F. said she contacted the DEP and was told that the wetlands reflagging for Phase II is not required. She spoke with Margaret Washburn, Wetland Soil Specialist, and went over every issue ConCom has. What ConCom want is for the wetlands in Phase I to be completed. Steven F. said Funari wants to purchase only Phase II's mortgage from the Bank, not Phase I.

Mr. Ceppi asked for a clarification on *the written calculation figure* shown on page 3 of the Surety Budget Deer Run Phase 2A. Based on the figure, Mr. Ceppi said, *for the real cost (excluding the contingency and construction administration costs)*, it costs approximately \$120,000 for the remaining work to be done on Phase II, and the Town has \$190,000 for the surety amount. [Note: Quinn Engineering prepared the Surety Budget Deer Run Phase 2A dated 6/1/2009, and the total amount is \$240,020.50 (included the contingency and construction administration costs)].

Steven O. concurred with the figure.

Second List – Phase I:

Steven F. said he did site visits on Phase I. He established a list and selected the items that most needed attention as follows:

- Thornberry Circle - repair sidewalk from intersection with Deer Run Road to mailbox of #8; loam and seed between berm and sidewalk; repair sinkhole near box culvert; install wheelchair ramp on south side where sidewalk crosses road; install covers on drain structures for detention pond (covers are on site); and repair low spot in sidewalk near cistern.
- Deer Run – install wheelchair ramp at intersection with Kittredge Road.

Steven F. said that the above are the items of what Funari can do for Phase I. He suggested to finish Phase I's road construction, and gets the road accepted before it has further deteriorated. If the Board approved the plan, Steven F. said the project will get started next spring of 2012.

Steven F. said Mr. Tyler requested Funari to remove the existing pavement (asphalt), which was left in place below the lawns at the former Phase I ending cul-de-sac and he expected Funari to loam and reseed the lawns (see the memo from Steven Tyler dated 8/15/11, item #2). There were a few lots involved which were already conveyed to the homeowners. Steven F. would like to know how he can get access to those properties.

Ms. Buck inquired as to the numbers of the lots and the address of the homes.

Lori F. said it could be Lots 6A and 7A, Steven O. said house numbers are 5, 6, and 7 as accordance to Mr. Tyler's punch list – Deer Run Phase I (attached to the memo - 8/15/11).

Steven F. said one of the requests from Mr. Tyler states that Funari shall be responsible for the roadway(s); Kittredge and Northwest Roads, that going into the project. Funari is required to submit detailed photographs of those roads documenting existing conditions and any pre-existing damage or deterioration those roads ... Steven F. did not agree with that, he said Funari cannot prevent that because we do not know who caused the damage.

Ms. Shiver recalled that for the construction of Phase II, the construction vehicles must enter the site from the North Brookfield via the access road as indicated on the approved condition – Phase II.

Mr. Ceppi asked whether the Town can make a selection on a particular work item with the associated cost on the bidding list, excluding this item out from the public bidding, and then give this (work and the expense cost) to the Highway Department to finish it.

Ms. Buck said she does not think the Town is allowed to do this (one Town Department paying another Town Department to do the work for the Town). Ms. Shiver commented this involved the legality of the public bidding process. Steven O. said this could mean that the Town segregates the work to avoid the public bidding (not allowed).

There was a discussion on the 5 buildable lots at the August 16th meeting. Since the lots were released, Steven F. asked if the building permits could be issued to the 5 lots in question. Ms. Buck had said she would seek advice from the Town Counsel. Steven F. asked for the result.

Ms. Buck said she discussed the issue with Adam Gaudette, Town Administrator. Mr. Gaudette did a search on state case law, and had forwarded the excerpt from the Commonwealth of Mass Trial Court Law Libraries to the Board. The Board members acknowledged that they received the document from Mr. Gaudette. Ms. Buck gave a copy to Steven F.

Steven O. thought that there is a cease and desist order (CDO) issued to the project; if there is, it should be lifted otherwise the Building Department will not issue any permit when Funari

submits the application for the building permits for those 5 lots. He said the 5 lots were already released; the Board must lift the CDO.

Ms. Buck said the Board found the previous developer in default on the project, and the Town of North Brookfield rescinded the project. Ms. Buck said basically the 5 lots cannot be built on because the road is not yet built to standard, nor it is adequately secured.

Steven F. said his counsel said otherwise. He made a reference to the document Partial Release of Lots which the Board certified that the surety at the time was sufficient. Steven F. commented that it is a legitimate and strong argument. He then asked for the possibility of having just 1 lot be released at this point.

Mr. Ceppi commented Funari will start the project in the spring of 2012 as stated by Steven F. earlier. The subject matter can wait until the Board grants an approval on the proposed modification application – when Funari is fully committed and the project (road construction) is secured.

Steven O. said that the Board asked for a security for the roadway's construction then the lots will get released. He commented that currently the Town already has the security – surety, in the possession, but yet the Board will not release the lots. He then asked how the Board could retract the release of those 5 lots.

Ms. Buck said yes we have the surety, but it is an insufficient amount.

Steven F. does not think that he can wait until next spring to start the project. He will have his counsel review the subject matter on the lot's release again.

At this time the Board discussed of the possibility on the lot's releasing. Mr. Ceppi said that the Town already has the Phase 2A's surety, and with Funari is willing to do some of the work, he thought that the Town should be able to completing the road construction with the amount of surety left in place.

Mr. Ceppi further explained that *if the Town* considers eliminating the fencing and loam and seeding as discussed above (see above, items 2&3, under First List – Phase II); that will save us \$53,600, and Funari is willing to do miscellaneous works (see above, item 4 under First List – Phase II) which will save us \$20,520. Mr. Ceppi said that the actual cost for the remaining work is \$120,000, and the Town has \$190,000 for the surety. With that being said, Mr. Ceppi does not see why the Board cannot release the 2 lots out of the 5 lots.

Ms. Shiver said if the Board approves the proposed modification plan, then Funari *has an agreement* with the Board, and the Town.

Steven O. said if the Board grants an approval on this application submitted; thus it is an *agreement to a proposed modification* subdivision Phase II, and there has not been any bond/surety set yet. He said the surety the Board has is for the works done up to the station

10+00. Steven O. said there shall be a new covenant and lot's release for the approved modification plan Phase II.

[Mr. Ceppi said to avoid any confusion, the surety the Town currently has is for Phase 2A, the surety for the proposed modification application shall be called Phase 2B].

Ms. Buck said the Board wants to authorize a lot release on the future agreement on the proposed modification plan Phase II (which is still in the process of getting an approval from the Board) – is this something the Board wants to consider?

Ms. Shiver said no. She explained that when the Board has all the required information and documents (e.g. comments from Funari to Mr. Tyler, surety) the Board will make a determination on the proposed modification application. Once the Board approves the application, the Board will consider releasing 2 lots out of the 5 lots. [These 5 lots are located within and before the station 10+00].

Ms. Buck said when the actual cost of Phase 2A's road construction is in after the public bidding, then the Board shall review that. We need to find out what the actual cost is.

Mr. Ceppi said according to the surety budget submitted by Quinn Engineering in 2009, the actual cost to finish the works is \$120,000, and the Town has \$190,000 for the surety on Phase 2A. He explained that by eliminating the cost of \$53,600 for fencing, loam and seeding, and Funari will perform the miscellaneous items for the cost of \$20,520 therefore the Town has approximately \$74,000 left in the surety. Mr. Ceppi thinks this amount should be enough for the Town to complete the road work.

However, there is no financial guarantee that Funari will take care of what they have proposed to the Board.

Mr. Ceppi said the Board would approve the proposed modification application, for Phase 2B, contingent that Funari will perform what they have proposed for doing for both Phase I and Phase 2A, and this will be included in the condition of the approval.

Steven F. commented whether or not the Board had an issue with the previous owner of the project, it seems that those 5 lots are being held hostage. He said based on his experiences, if the lot got released from the covenant and even the subdivision is struggling and in distress, there shall not be any problem in issuing the building permit for building the home on the released lot. He does not know what the law is, and how it works; he will consult with his attorney.

Ms. Shiver said the document the Board has is the excerpt from the trial court law cases, not from Town's Counsel. She then asked if Funari would like to have their attorney review it.

Steven F. concurred.

In order for the application's process to progress, the Board said Funari shall incorporate all the responses to the comments made from all town departments and submit that to ODIS, or Ms. Buck.

Lori F. said Funari still has to meet with ConCom to finalize the issues and plans. After that happens, she will submit the completed response to the Board.

Mr. Ceppi said in an assumption that Funari will complete Phase I's road construction (repair and etc), and the Town get the road accepted as a public right-of-way, he then asked if the Board could release the 5 lots in Phase 2A.

Ms. Buck said they are involved in 2 different Phases; road construction in Phase I, and lot release in Phase II. She does not know for certain if the Board could do that. In addition, the surety for Phase 2B still has not yet secured.

Lori F. explained that through the negotiation process at the time, the previous owner was to give the surety for Phase I and the Town would release the lots in Phase 2A. When that surety was in place the Town then released 7 lots in Phase 2A, and only 5 lots are remain unsold. She said it involved with 2 Phases back then.

Steven F. said the Board could ask the Town Counsel to review the Lot's Release document, and see what his opinion is on the matter.

Ms. Shiver and Ms. Buck said it is the Town's position [that building permits will not be issued]; Mr. Gaudette did a search and found the case law which was very clear on the matter. There is no reason to contact the Town Counsel. Ms. Shiver said Funari should have their attorney review the case law, and if there is a disagreement, Funari shall send a letter to Mr. Gaudette.

Ms. Shiver opened the hearing for the public at this time:

Mr. Michael Kubasiak of 1 Bell Flower Lane said he does not understand why the town will not release those 5 lots; the town will benefit in collecting taxes from the homes built on those lots. He is in favor of releasing the remaining lots in Phase 2A. He would like to see more people coming in to the neighborhood. In reference to the access road and the damaged cistern, what he heard from the hearings was that the Town and the Board has a safety concern (for people who live there). He has 2 children and is concerned for their safety. It has been 2 years already; he then asked how long he has to wait until these matters to actually taken place (construction of the access road and the repairmen of the cistern).

Ms. Shiver said the hearing has to be continued to the next date to allow time for the applicant to respond to the comments from other departments. She then asked for the timeline as to when Funari will accomplish that and come back to the Board.

Lori F. said she will schedule a meeting with ConCom in a very near future. Steven F. said Funari will meet with North Brookfield Planning Board to discuss on any issues they may have.

Ms. Stolarczyk made a motion to continue the hearing to October 18, 2011. Mr. Ceppi seconded the motion and the vote was 4-0 in favor.

Steven O. said he will revise the drainage count, a new construction detail on the modification plan. He then asked if there is anything else the Board wish to be included on the plan.

Mr. Ceppi and Ms. Shiver said to submit the as-built plan demonstrates what are already there, and shown any modification to the plan; must have a profile for the access road that already paved – proposed some profile.

For the access road that passing through some lots, Lori F. asked if the access easement needs to be shown on the plan.

The Board said yes the access easement must be shown on the plan.

B. Continued Public Hearing – Draft Stormwater Regulations. Ms. Buck recommended continuing the hearing to the next meeting. The Board agreed. Mr. Ceppi made a motion to continue the hearing to October 18, 2011. Mr. DiChiara seconded the motion and the vote was 4-0 in favor.

Town Planner Report:

A. Open Space/Sibley and Warner Update: Ms. Buck said the process is moving along. The Sibley/Warner project will be the item for the discussion at the special town meeting. Ms. Buck said the land grant had been submitted and is waiting for the result. The Agricultural Preservation Restriction’s application (APR) is nearly finished. APR has changed the guidelines which required the recipient who receives the funds to be a private owner whose interest is in agriculture. Ms. Buck said that the Town is trying to work out that matter.

C. Draft Inclusionary Zoning: Ms. Buck submitted the draft of the inclusionary zoning to the CMRPC for review. Ms. Buck received a report and comments on the draft back from the CMRPC. She said based on the comments, some revisions have to be made to the Zoning Bylaw, and some will need to be discussed with the Board. The Board member said this can be discussed at a later meeting.

With no further discussion, Ms. Stolarczyk made a motion to adjourn the meeting at 9:15 p.m. Mr. DiChiara seconded the motion and the vote was 4-0 in favor.

Submitted By:

Approved By:

Bea Meechan, Senior Clerk

Shirley Shiver, Planning Chair

List of Documents used on September 20, 2011

- ANR application, ANR plan prepared by Don Para, Paul & Donna Bujnowski; owners, for property located at Southerly side of Water Street and Main Street.
- Topographic Plan prepared by Andrews Survey & Engineering, plan dated 7.12.11, submitted to the Board on 9.20.11.
- Plan and Profile prepared by Andrews Survey & Engineering, plan dated 7.12.11, submitted to the Board on 9.20.11.
- Excerpt from Commonwealth of Mass Trail Court Law Libraries, Marlborough Savings Bank vs. City of Marlborough & others 2.11.98 – 7.29.98.
- A memo prepared by Ms. Buck on Deer Run II dated 9.15.11.
- A memo prepared by Mr. Tyler on Deer Run II dated 8.15.11.
- A memo prepared by Spencer Fire Chief; Robert Parsons, on Deer Run dated 8.16.11.
- A document consists of the performance security agreement for Deer Run Phases I and II, dated 9.29.08, submitted by Funari. The Board received the document on 9.20.11.