

Approved 12/12/07

**Minutes of Public Hearing
November 28, 2007
Town House**

Public Hearing called to order: 7:08pm.

Members Present: Charlie Dolben, Chair, Joseph Kruzel, Neil Flynn and John Matthews

Members Absent: Anthony Bongiorno, Associate.

The Public Hearing was opened, introductions of the Board members and the clerk were made and the Order of Business was read by Mr. Dolben. The applicants, Yorke and Susan Phillips and Gary Weiner from Ecotec were invited to speak about the Phillips' application for a special permit for an estate lot and a common driveway for their property on Ames Road.

Mr. Weiner explained that the Phillips' would like to create one estate lot and two conforming lots all to be accessed by a common driveway on their Ames Road property. Mr. Weiner noted that the frontage is steep. The Phillips' will be meeting with the Conservation Commission regarding the crossing of the brook. The brook will be crossed in one location so as to minimize disruption to the wetlands. The plans have allowed for a paved swale to control storm water and runoff. The center lot in the rear of the property is to be the estate lot.

Reports from other agencies were read: The Police Department and the Board of Health responded with no concerns at this time.

Planning Board questions: Mr. Kruzel asked if the radius on the driveway complies. Mr. Weiner answered that the minimum radius allowed is 50' and theirs is 57'. Mr. Weiner also added that the curve in the driveway that is at the road is the tightest. Mr. Dolben asked if an attorney will be drafting a covenant for the common driveway. Mr. Weiner said that language has been added on the plans pertaining to responsibility of the common driveway. Mr. Dolben gave the Phillips' a copy of a common driveway covenant to use as a sample. Mr. Kruzel asked if the lots meet the setback requirements. Mr. Weiner answered that they do. Mr. Matthews asked about shoulders for drainage on the driveway and if the utilities would be underground or on poles. Mr. Weiner answered that the utilities would probably be on poles. Mr. Weiner pointed out that the wetlands are flagged on the plans and that there is a 100' buffer, and by the river area there is a 200' buffer. There were no more questions from the Board.

Mr. Richard Loomis from 235 Ames Road had some concerns about crossing the stream. He mentioned the storm of October 2005 stating that the stream was huge during that time. Ms. Judy Gagnon asked what the distinction was between a common driveway and a road. Mr. Dolben answered that a common driveway can serve up to three homes and is not owned or maintained by the town. Ms. Gagnon also inquired as to how close the driveway can be to a property line. The requirements state 10' as the minimum distance.

Mr. Matthews made a motion to accept the common driveway plan and estate lot as presented contingent on the maintenance agreement. Mr. Kruzel seconded. The motion was approved unanimously with four in favor and none opposed.

Mr. Dolben declared the Public Hearing closed at 7:40pm.

Submitted by Deborah House, Clerk