

**Minutes of Regular Meeting
March 9, 2005
Town House 7:00**

Members in Attendance: John D. Flynn, Chair, Joseph "Charlie" Dolben, Melissa Reeves, Joseph Kruzel, and Associate Member: Anthony Bongiorno

Members Absent: Robert Majkut

Meeting Opened 7:00

Minutes- The minutes from February 23, 2005 were approved as written.

Scantic Meadows Update- Joseph Dolben reported all are waiting for DEP site visit on March 10, 2005. Mike Doyle, 66 Colony Drive, had a procedural question of the Board. Flynn explained the Board had to wait for the DEP and Conservation Commission issues to play out. Flynn said it would be inappropriate to do anything until the DEP is done. Doyle asked how the Planning Board would re-open a project. John stated there would have to be a substantial change to the plans to re-open per the Subdivision Rules and Regulations. Doyle asked what if you received new information. Melissa Reeves said the first sets of drawings were approved by the Planning Board. The Conservation Commission approved the second set of drawings. Now the developer is waiting for the DEP then he will come back to the Planning Board with the second set of drawings. Doyle asked what if the information was not known before and was a safety issue. Dolben said no, it is a subject for appeal. Flynn told Doyle the Board would have to check into it. Gerrard asked what if it was a design defect or a flaw overlooked. Dolben replied no, the hearing is closed. Reeves stated if the drawings have substantially changed then the developer will come back to the Board. Gerrard asked what qualifies as a substantial change. Flynn answered that is up to the Board. Doyle asked if written letters will be used as part of the equation for re-opening a public hearing. Gerrard asked what is the obligation as far as a defect goes. Doyle stated the math was off and asked how to bring that to the Planning Board's attention. Reeves said she would call the State and find out what the proper procedure is for receiving information on a project such as this. Pat Cote, 76 Colony Drive reported that the Conservation Commission has no jurisdiction on the drains being moved out of the buffer zone and reverts it back to the Planning Board. The Conservation Commission would also like the Planning Board to revisit the Storm Water issues. Reeves stated it will come back to the Planning Board and then the issues will be re-visited. Flynn again reminded everyone the DEP is still going on and everyone is waiting for answers. Reeves assured Doyle she will ask the State how the Planning Board is to get information from concerned people. Dolben would like to know how to handle problems after the plans have been approved and if it is legal for the Planning Board to take input after that time. Tom Sohre, 76 Colony Drive asked if the Planning Board approves plans does the developer have to build to the plans. If the plans change it will not be built to the plans. Does the Planning Board anticipate getting changed plans?

Flynn replied, yes. Flynn stated the Board would research things with the State and Reeves will get back to the Board and Doyle with the answers. Flynn explained Reeves would keep them in the loop. Doyle thanked the Board.

PURD ON MOUNTAIN ROAD – Russ Morton, 12 Genevieve Drive, came to the Board informally to go over the plans for a PURD on Mountain Road. Dave Payne explained to the Board there are forty six acres of land with wetlands in the front and middle of the property. It is in the R-4 and R-6 districts. The plan started as eleven estate lots. The plan now is to have six point six units in the R-4 district and twenty five units in the R-6 district. There will be thirty units, some three unit buildings, some two unit buildings and some single family units. The land will be thirteen percent buildable and eighty seven percent open space. There will be a thirteen thousand foot road. The plan is for a common septic, storm water management and walking trails. Flynn pointed out the bylaws do not allow common septic systems and each must have their own well. Flynn asked if it is possible for each to have individual septic and the answer was yes. Payne asked if an eighty foot buffer is necessary. Flynn said it is in the bylaw therefore it is necessary. Flynn told Morton traffic would be an issue and a traffic study would be needed. Joseph Dolben asked how you go from eleven lots to thirty units. Morton answered because the road would be too long to meet the bylaw. Flynn asked if this is the plan they are presenting to the town. There are some issues that do not meet with the bylaws such as septic and setbacks. Morton's reply was they will correct the plans and come back to Planning Board to see how it looks at that point. Flynn also suggested Morton goes to the Conservation Commission to see what issues they may have with the project. Flynn felt it would be good to get everything in compliance with the bylaws. Morton asked if the subdivision looks possible if the PURD does not pass. Flynn asked Morton to come back to the Board April thirteenth for another look at the revised plans. Cote asked how Morton went from eleven lots to thirty units. Dolben told Morton at the town meeting the same question may be asked. How do you go from eleven lots to thirty units? It is up to the town whether it will pass or not. Flynn explained at town meeting they are just voting on whether this piece of land is usable for a PURD or not.

ANR- Russ Morton, 12 Genevieve Drive, brought before the Board an ANR for South Ridge Road. It would reconfigure Lot 8C and Lot 7D. This would only be one line change. It would change Lot 7D from seven acres to three acres and it would make Lot 8C eighteen acres up from fourteen acres. Flynn asked Morton to take down the sign on South Ridge it has been up well over the one year the bylaw allows it to be up. Russ agreed to do that.

The Board voted and approved unanimously to sign the ANR.

Meeting adjourned 10:10

Submitted by Jane M. Budykiewicz, Clerk