

Approved July 27, 2005

**Minutes of Regular Meeting
July 6, 2005
Town House 8:00**

Members in Attendance: Joseph “Charlie” Dolben, Chair, John D. Flynn, Robert Majkut, and Melissa Reeves, Joseph Kruzal, Associate Member, Anthony Bongiorno

Meeting Opened 8:00

Minutes: June 9, 2005 Regular Meeting – Changes - Flynn as Chair to Dolben as Chair, change with to won't Motion to approve as amended: 5-0 unanimous; Vote: Yes Dolben, Flynn, Reeves Majkut, and Kruzal No: 0

June 9, 2005 Public Hearing – Change Flynn, Chair to Dolben, Chair, change appeal to decision, change eth to the, change adjourn to, continued to July 6, 2005 Motion to approve as amended: 5-0 unanimous; Vote: Yes Dolben, Flynn, Reeves Majkut, and Kruzal No: 0

SHADOW WOOD- Robert Majkut recused himself as he did in the original hearing as he had business dealings with Mr. Lemieux, Majkut left the table. Joseph Dolben explained the Board had received a letter from Tighe and Bond going over each issue with a response. Dolben wanted to go over each issue and see where it stands. #1 and #2 are general components. #3 is a general waiver. #4 has been addressed as well as #5, and #6. #7 falls under the Board of Health purview. #8 has been addressed. #9 is requesting a waiver as well as #10#11 has been addressed # 12 is also under the Board of Health purview, the applicant has however done over 20 perc tests on this site. #14 is requesting a waiver. #17 and #18 are under the purview of the Conservation Commission. Even though the dry hydrant is not reflected on the plan they are committed to doing it. The Board feels Michael Marion should be involved in the process as he owns half of the pond. Dolben explained with the exception of the waivers everything has been addressed. Dolben asked for votes on the waivers after some discussion:

Waiver #3- Motion to approve scales- Reeves, Second- Flynn Vote: 4-0 unanimously approved Yes: Dolben, Reeves, Flynn and Kruzal No: 0

Waivers #7, #9, and #21- Dealing with Water Supply: Motion with the assumption the Board of Health is empowered. Reeves, Second, Kruzal Vote: 4-0 unanimously approved Yes: Kruzal, Reeves, Dolben and Flynn No: 0

#10 being withdrawn

#14- trees to be removed was addressed no waiver is required

#12, #13 Motion John, Second Melissa, Vote: unanimously approved. Yes: Reeves, Kruzal, Flynn and Dolben No:0

#19 Motion: Kruzal, Second: Reeves, Vote: unanimously approved. Yes: Kruzal, Dolben, Flynn and Reeves.

20 tabled for more research.

Dolben was ready to vote and started with conditions regarding the Conservation Commission. Gary Weiner, Ecotec Environmental, 180 Denslow Road, East Longmeadow, felt uncomfortable not signing the mylar because of the Conservation Commission's review. It must be followed anyway. Reeves felt tying the decision in with the Conservation Commission is appropriate and it had been discussed at a PVPC meeting. Dolben suggested it be subject to comments but trying to make it flexible. The decision would also be subject to sidewalks, hydrant and trees along with any other open issues. Dolben will write the decision.

Dolben made a motion to approve the subdivision subject to conditions. Reeves moved it, Second, Kruzel: Vote: 4-0 unanimously approved Yes: Flynn, Kruzel, Dolben and Reeves No: 0 Recused: Majkut

SOUTH RIDGE BILL FROM TIGHE AND BOND- Flynn told the Clerk to ignore bill until report about South Ridge Road comes in from Tighe and Bond.

OPEN SPACE BYLAW CHANGES- Connie Witt, 477 Main Street and Sherry Himmelstein, 179 South Road came before the Board representing the Open Space and Land Trust. Himmelstein explained with limited development in town they have been looking at the Zoning Bylaws. They would like to make two changes a year for betterment.

The first bylaw they would like to look at is the Flexible Residential Open Space Development (FROSD). The suggestion is to change the language as no one has come in with a FROSD plan. The proposal would be to make developers submit two (2) plans one being a FROSD. If the FROSD looks better they should have to use that plan. They would like to amend the typical subdivision Rules and Regulations. Dolben felt the Planning Board does not have the power to make an applicant use a FROSD. Himmelstein said no one has ever used a FROSD. Flynn corrected her saying Shadow Wood did come in with a FROSD plan but elected to go with a traditional plan. Witt felt making developers come in with two (2) preliminary plans one being a FROSD may work. Dolben let them know the Planning Board cannot force anyone to submit a preliminary plan. Kruzel felt there should be some legal jargon the Board could use. Himmelstein said she would come back before the Board with one half a dozen different wordings for the bylaw from other towns.

Himmelstein would like to see options for what is best for the community. Witt felt maybe Scantic Meadows would have been better if it had gone with a FROSD. Flynn felt the idea to try and have developers look more closely to a FROSD is a great idea.

The second bylaw to look at is the Large Lot Substandard Frontage. Flynn explained when it was created it was for family lots with less development. In some areas more lots are being created. Flynn went on to explain at the last town meeting there was a change in this bylaw. You could only have two (2) contiguous lots with one building lot in between. This may just be enough to fix the problem of developers misusing this bylaw.

Witt and Himmelstein can now look for another bylaw to amend and come back to the next meeting with the wording for the FROSD bylaw.

ANR PEDERSEN/ PAFUMI 329 CHAPIN ROAD- Eric Pedersen came before the Board to have an ANR signed for the property on Chapin Road. There are only two (2) structures on the property. The only change would be to add square footage to make the lot a regulation building lot. Majkut made a motion to endorse the plan, Second, Kruzel. Vote: 5-0 unanimously approved. Yes: Kruzel, Flynn, Dolben, Majkut and Reeves. No- 0

RIDGELINE AND HILLSIDE- Robin Warner came to the meeting at Flynn's request. At the end of eth fiscal year the Committee for Ridgeline and Hillside must be reappointed. Bonnie Geromini came to the last meeting of Ridgeline and Hillside to express an interest in being on the Committee. Flynn feels she is very qualified. He would like to step down. For the one year term Flynn would like to make a motion to appoint Candice Keddy, Richard Patullo, Robin Warner, Richard DeSanti, and Bonnie Geromini to the Ridgeline and Hillside Committee. Second, Kruzel. Vote: 5-0 unanimously approved. Vote: Kruzel, Flynn, Reeves, Dolben and Majkut. Flynn suggested thinking about charging a fee for an application. The Clerk is being paid oput of the Planning Board budget at present. Flynn also suggested sitting down with Mark trying to making an application for Ridgeline and Hillside clearer. Majkut as brought up a point about someone clearing on the ridgeline, where does he go with this information?

BOARD OF SELECTMEN- The Board of Selectmen will be at the next meeting to re-appoint the Associate Member. All must be present. Anthony Bongiorni is currently the Associate Member and is interested in continuing on with the Board.

BUCKEYE PIPELINE DOCUMENTS- Majkut will take care of the documents for the Pipeline.

SCANTIC MEADOWS- Reeves received the Amendments to the Development for the Board to sign. All the members signed the document.

TED KING- The zoning issue for North Monson Road regarding Ted King will be on the warrant for October Town Meeting. Planning Board will have to have a Special Hearing regarding this issue.

TALL PINES- Flynn feel there will be no harm to the Town with the length of road. Reeves would like to stick to the Regulations as much as possible. Dolben asked what if Greenleaf had an easement. Flynn and Reeves both asked what about Stony Hill for an easement. Flynn asked what if it was a recorded easement so nothing else could happen to it. Nothing physical, just on paper. Just incase the need should arise. Reeves would like to go one step farther. Dolben felt it was not what anyone wanted including the neighbors. Flynn expressed the thought of working to close to the vernal pool. Reeves would still like a hard surface. Dolben felt eth neighbors would have a problem with hard pack. Flynn asked about bringing it to Stony Hill for a paper easement. Kruzel asked eth

reason for the easement. Flynn answered for emergency access. Majkut felt the vernal pool was in the way of Greenleaf. Flynn felt putting in eth easement the harm would out weigh the good.

Dolben felt the Board should try and compromise.

Dolben tabled the discussion for the next meeting.

PVPC PROGRAM - Flynn installed the program on the Planning Board computer.

SHADOW WOOD BILL FROM TIGHE AND BOND- Dolben asked the Clerk to send the bill from Tighe and Bond directly to Mr. Lemieux for payment. And Dolben would follow up.

Motion to adjourn meeting: Kruzel Second: Majkut Vote: 5-0 unanimously approved
Yes: Flynn, Dolben, Kruzel, Reeves and Majkut. No – 0

Meeting adjourned 10:20

Submitted by Jane M. Budykiewicz, Clerk