

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

Members in Attendance: Joseph "Charlie" Dolben, Chair, John D. Flynn and Joseph Kruzal

Members Absent: Melissa Reeves, Robert E. Majkut and Anthony Bongiorno, Associate Member

Meeting Called to order at 7:00

Minutes- Joseph Kruzal made a motion to approve the minutes from the Regular Meeting on October 26, 2005 as amended; seconded by John Flynn. The vote was unanimous the minutes were approved as amended.

Denise Spencer- 21 North Road- Denise Spencer came to the Board on April 14, 2004 with a Letter of Intent for a Home Occupation which would be selling used cars on the internet. Her address at that time was 25 Pinewood Road. Now that Spencer has moved she would like to move the Home Occupation to this current address and add her fiancé to this venture. The driveway at the current home has a turn around at the top and parking area for two (2) cars. There is no garage on the property only a shed. The occupation would remain the same with the following conditions; sell only one car at a time as she only has one dealer plate. Spencer and her fiancé each own one (1) car and one car. They would be selling one (1) car. Most of the work is done off site. If they get more than the one (1) dealer plate they must come back to the Planning Board and the issue would have to be reviewed again. There would be no signs posted on the property. The site would be strictly for a way station for a customer to stop and pick up a car, not for car sales. Spencer is allowed to house one car, beside her own car and her fiancé's for intermittent storage Spencer would have no employees.

Kruzal made a motion to approve the Home Occupation subject to the last findings and conditions. Flynn seconded it. The vote was unanimous three (3) to zero (0) in favor. Vote: Yes- Dolben, Flynn and Kruzal No- 0

Michael Sicbaldi- East Longmeadow Road Map 12 Lot 41- Michael Sicbaldi came before the Board for information on selling a parcel of land attached to Hampden Nurseries. The parcel in question does not seem to have enough frontage for a regulation building lot Sicbaldi stated. Joseph Dolben told Sicbaldi the Board could only render advice. This land is all owned in common and it is in the R-4 district which means it needs one hundred seventy (170) foot frontage. The map shows it only has one hundred ten foot (110) frontage a shortage of sixty (60) feet. Flynn said the State guidance is if the land is owned in common all the lot lines go away for zoning purposes. Flynn also told Sicbaldi if you can prove that statement wrong the Planning Board would revisit the issue. Dolben felt it may be a Board of Appeals issue. Flynn suggested to Sicbaldi it may be worth getting an attorney involved. Sicbaldi thanked the Board.

Bill Pepin - Bill Pepin came to the Board for information and advice. Pepin is looking at land on South Road owned by James Kibbe. Pepin brought a preliminary plan showing one (1) conventional building lot and two (2) estate lots on one side and two (2) estate lots on the other side on about forty (40) acres ± of land. Pepin started out just looking for a piece of land to build a single family house. This property is being sold as a package. Does this plan look feasible was Pepin's question to the Board.

Dolben stated theoretically it looks possible. Flynn said the biggest concern would probably be Ridgeline and Hillside but there are no topographical lines to be sure. John asked Pepin if he had looked over the bylaw and Pepin replied he had. Pepin just was looking for advice. Dolben felt the driveway may be an issue. Kruzal stated dimensionally it would pass the bylaw. Pepin said the grade may be an issue for the driveway. Flynn said it might be a good idea to add the building envelopes so the wells and septic could be looked at. Flynn said conceptually nothing jumps out but there is not much on the plan topographically. It looks ok, but Pepin should do more research. Pepin thank the Board.

Tall Pines- Frank Watson, 66 Greenleaf Drive, came to the Board to voice concerns regarding the Tall Pines project. Watson wants to make sure the same mistakes don't keep happening. Watson stated he does not want the project to get the go ahead from the Planning Board and have them cut down vegetation and find out they have a problem. Having the vernal pool near the area that is going to be worked on is a concern to Watson. He wants to make sure it is looked at more carefully. Flynn felt the Times reported the go ahead for clearing was given by a member of the Conservation Commission not the Planning Board. Watson agreed but just wants to be careful and do it right this time. Flynn said the Planning Board wants to do it right also. Watson was also express concern for the barn on the last property where the house is being built. There is not enough room for a driveway. Flynn said the Planning Board would do what they can.

Land Owned in Common- Kruzal would like something in writing about this ruling. Dolben will look into it.

Open Space- The Board is waiting for the wording to be brought forward changing the subdivision regulation to add FROSD as an alternative plan.

Shadow Wood – Flynn reported the land in Warren has sold. There seems to not be enough money recovered to cover the costs in Hampden. Dave Martel has questions about permits not passing because of outstanding debts to the Town. If the permit passes it could be sold as an approved subdivision. However there is no progress on Shadow Wood. It will be discussed at a future time.

Scantic Meadows- Ed Speight came to the Board at their request. There are many open issues with this project.

Both, Melissa Reeves and Tony da Cruz, Tighe and Bond, will be present at the November 30th meeting.

The Board told Speight he must follow procedure. Speight said the biggest problem is with page eleven (11) on the plans.

Dolben told Speight he must look at the contract and make sure it is being followed.

Speight told the Board he has sent the plans over to Tighe and Bond and is awaiting approval.

Dolben got the sense the changes being proposed that Cafarelli may have thought they were minor but must go through the Tighe and Bond, no matter how big or small. Flynn stated you must wait for approval. Speight said ok. Flynn asked Speight to come back November 30th with his team; Speight said everyone will be there.

South Ridge- Mark Feeney went to the South Ridge site behind Coyne's house to make sure the buffer is not cut into. Feeney told the land owners to make sure and keep the buffer undisturbed. They all agreed.

Revolving Account- Will re-visit at a future date

December Meetings - We will have a meeting December 14 and keep December 28 only if needed.

Sidewalk Committee- Flynn said the Board will have an answer by the November 30th meeting. The Planning Board already has a waiver from Scantic Meadows, but needs an answer. The Board could change the make up of the bylaw itself if needed.

ANR- Sandra Schermerhorn, 41 Bennett Road left a plan requesting signature for an ANR. The Selectmen have already said the Town has no interest in this land. Dimensionally it is correct to sign the ANR.

Flynn made a motion to grant the ANR, Kruzel seconded it. The vote was unanimous to sign the ANR. Vote- Yes: Kruzel, Dolben and Flynn No: 0

Flynn made a motion to adjourn the meeting at 8:15, Kruzel seconded it. The vote was unanimous to adjourn. Vote- Yes: Kruzel, Flynn and Dolben No: 0

Meeting adjourned 8:15

Submitted by: Jane M. Budynekiewicz, Clerk