

Approved March 22, 2006

**Minutes of Regular Meeting
March 8, 2006
Town House 7:00**

Members Present: Joseph “Charlie” Dolben, Chair, Melissa Reeves, John D. Flynn, Joseph Kruzal

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

Meeting opened at 7:08

Minutes: Joseph Kruzal made a motion to accept the minutes as amended, John Flynn seconded it. The vote was unanimous. Minutes from February 8 and February 22, 2006 Regular Meetings were accepted as amended.

Chris Cesan, ZBA: Chris Cesan came to the Board with some questions regarding current bylaws. There is concern about denying future development. On one property the house blocked access to the rest of the property. The restrictions on the rest of the property are tied to the house. The Planning Board feels any special permit, variance decision or application should have a standard condition plated added stating it is not valid until proof of recording is presented back to the Board responsible for the granting.

The PURD bylaw was also discussed. Joseph Dolben explained the proposed change for the PURD bylaw. “In order to provide housing for individuals aged 55 and older, each household must have at least one resident member aged 55 or older and every resident member must be aged 40 or older.” Cesan had some concern for the ADA ruling on a caretaker. Dolben told Cesan he had spoken to Don Schmidt and Schmidt stated the feeling is the ADA does not apply to zoning.

Dolben also added an applicant does not have to have a zoning violation to go before the ZBA.

Cesan thanked the Board for their help and time.

Reminder Invoice: The Board told the Clerk to pay the bill from Reminder for legal advertising for the Public Hearing on Warrant Articles.

Dottie Radzicki: Dottie Radzicki, 278 Scantic Road, and Gary Weiner, Ecotec Environmental came to the Board for information purposes. Weiner explained this property contains ninety eight ± acres. Weiner and Pete Leveque, Pioneer Environmental took a preliminary walk through the property. The idea is to maximize the potential usage and produce as many lots possible from this piece of land. No test pits have been dug.

They are proposing a double entrance from Chapin Road with three frontage lots: two, fifty foot right of ways. Flynn asked Weiner if he thought this was doable? Why go with two roads, why not just cut down on the number of lots. Weiner explained they are looking to maximize.

Flynn asked about the letter to the Selectmen regarding the right of first refusal for the land in 61A and 61B. Radzicki explained they are not ready to complete the application process. Flynn explained the time does not start until the application has been completed and Radzicki said she understood that.

There were questions from the Board regarding the slope; Weiner explained the slope is gradual. Flynn asked what the elevation is; Weiner said yes they would have to go before Ridgeline and Hillside.

Flynn asked if they had considered a FROSD. Weiner again stated they are looking for maximum potential.

Bonnie Geromini, Conservation Commission, was at the meeting and asked if they took into account all the wetland issues and bylaws not only for Hampden but for the State and Natural Heritage as well. Geromini said there are a lot of wet areas on that property. Weiner said there is an intermittent area that would require approval. Also there are some lots at risk but they are aware of the permitting issues. Weiner said the polygon for that area almost mimics the one hundred year flood plain.

Weiner said there are still some design issues.

The question they had for the Board was could the dual entrance that is separated by two hundred feet be consider. Flynn said they could consider it but they would like Weiner and Radzicki to explore other options.

Kruzel asked if they really think they could get a ninety degree angle with the roads. Weiner said they would be able to.

Flynn again asked about a FROSD. Weiner's reply was they would look at the numbers.

Flynn had concerns with the slope lots: he said he did not think they would be able to be built.

Weiner asked if the one thousand five hundred foot entrance length was waiveable. Dolben asked if this was a formal request. Weiner said no he was just using this information as a planning tool.

Flynn stated with the wetland issues and the Ridgeline issues he felt the thirty two lots were not realistic.

Weiner said he was here to see if the entrance way was a cause for concern or not.

Geromini said with the flood plain, wetlands and streams maybe it would be wise to go before the Conservation Commission and get a more realistic plan right up front. Geromini stated if all the Boards were in on the site plan it might make things a lot easier also. Weiner said in other towns round tables are happening.

Bonnie Geromini and Robin Warner: Bonnie Geromini and Robin Warner, both from Ridgeline and Hillside came before the Board to discuss issues with zoning and building. Dick Patullo apologized as he could not be at the meeting. The Ridgeline and Hillside Committee as a whole are frustrated with the lack of enforcement and would like to go to the Selectmen with this issue. Being a subcommittee of the Planning Board they felt they should first approach the Planning Board and ask for approval.

The Ridgeline and Hillside Committee has been brainstorming and have come up with a few ideas. Would it be possible to reevaluate the building permit: have it happen in two phases? The first would be the permit, the second would be half way through the project to make sure the owner or developer is doing what they have said they are going to do. Another idea is to have one person channeling all the paperwork for the building process.

Flynn said enforcement is a stumbling block at this point. Geromini said the bylaws are very good but that does not help at this point. Kruzel said the risk for litigation is high not having an enforcement person. Dolben stated we need someone for that position and if you are asking for permission to go to the Selectmen, surely and Dolben offered to go to speak for the Planning Board also. Flynn said they should come on Monday night. An

ad should be placed in the paper for such a person. Geromini suggested checking qualifications from the applicants for the job: make sure there are no violations against this person.

Howlett Hill: Flynn reported they have a pole permit. The wetlands are on the west side of the road. Geromini said it is a blatant violation of cutting. Flynn said the poles will start on Robert Majkut's side of the road then cross over for three poles then cross again. Geromini is not aware of any more clearing being done on that property.

ANR: Gary Weiner presented the Board with an ANR for the Phillips, 235 Ames Road. The property has two frontage lots on the left hand parcels. The wetlands and topography may limit the potential for the lots. Dolben asked if there is a spot to put the driveway in. Weiner answered yes. Melissa Reeves asked if the angle for the driveway would be ok. Again Weiner answered yes it has been calculated out.

Kruzel made a motion to sign the ANR, Reeves seconded it. The vote was unanimous to sign the ANR.

Vote: Yes- Reeves, Dolben, Flynn and Kruzel No- 0

Natural Heritage: Natural Heritage must be added to the Building Permit to cover the fact all applicants must be told about the polygons and where they are.

Lantern Lane: The Board told the Clerk to have a voucher ready for the next meeting for Lyman Wood from the Lantern Lane escrow account.

Scantic Meadows: Tony da Cruz, Tighe and Bond reported to Reeves in March he would write a summarized letter as to what needs to be done on this project.

Tall Pines: The Board told the Clerk to pay the bill from Tighe and Bond for the Tall Pines engineering fees incurred to date.

ANR: A plan for an ANR for the Hickson property on Thresher Road was brought to the Board. After some discussion the Flynn made a motion to approving signing of the ANR, Reeves seconded it. The vote was unanimous to sign the ANR.

Vote: Yes- Flynn, Dolben, Kruzel and Reeves No- 0

Reeves made a motion to adjourn the meeting, Flynn seconded it. It was unanimous to adjourn the meeting.

Vote: Yes- Flynn, Dolben, Kruzel and Reeves No- 0

Meeting adjourned: 9:10

Submitted by: Jane M. Budynkiewicz, Clerk