

PRESENT: William J. Keller, Jr. (Chairman), Marianne D'Angelo, Elizabeth Eggleston, Carmine Gentile, Christopher Morely, Michael Hunter (Associate Member), Jody Kablack (Town Planner)

The meeting was called to order at 7:45 p.m.

### **Zoning Bylaw Public Hearing**

PUBLIC PRESENT: Ralph Tyler, 1 Deacon Lane; Thomas Phelps, 58 Concord Road (ZBA member); Lawrence O'Brien, 687 Boston Post Road (Selectmen)

Mr. Phelps expressed support for the project and the hearings being held to solicit public input.

Mr. Tyler stated that the presentation of the bylaw does not do enough to explicitly state the changes that are being made, making the public put too much trust in Town officials. He has analyzed the changes to the Water Resource Protection District bylaw (handouts and a computer disk were provided), and found more than just organizational changes in the form of inadvertent changes that show up as word count changes, paragraph changes, line count changes, etc.

Mr. Phelps discussed the Zoning Board's same concern over the months. They were particular sensitive to any word changes that were not flagged.

Mr. Tyler again stated his opposition to the entire project. It is his opinion that the Bylaw was not broken. Fixing it in this fashion may introduce inadvertent errors into a fully working bylaw. He pointed out, for example that Definitions are missing "family," "single-family," and "residential care facility." He said that "Flexible Development," "SRC," and "ISD" should be deleted or referenced to their respective sections to facilitate use of the bylaw. He also had questions about the use table: is family day care exempt under state law? Can any size and scale of agricultural operation occur in town?

He ended his remarks by asking if the entire text of the proposed bylaw is to appear in the Warrant. He will be submitting a Warrant Article with the entire text "just in case."

The next hearing on the bylaw will be held on December 7 at Goodnow Library.

### **Dakin View**

The developer of this subdivision has mistakenly constructed stone walls within the town right-of-way. He presented the Board with a 20-year guarantee from the builder of the wall, and proposed contributing \$5,000 to the town for potential maintenance costs.

On motion duly made and seconded it was unanimously

VOTED: To allow the stone walls at the entrance to Dakin View subdivision to remain under the following conditions: (1) a Memorandum of Understanding will be recorded, indicating that the Town is not obligated to maintain the walls or any vegetated landscaping within the right-of-way [Memorandum to be prepared by the Town Planner]; (2) the receipt of \$5,000.00 for continued maintenance; (3) receipt of a 10-foot wide walkway easement on Parcel A along Skyview Drive.

### **Continue Public Hearing – Baldwin Estates**

PUBLIC PRESENT: Michael Kosmo, Everett M. Brooks Co.; Rick Curtin, John Malone, 27 Blackmer Road

The Petitioner has agreed to construct the Right-of-Way as a Private Way. Revised drainage calculations were submitted but not yet reviewed by the DPW Director. The drywell on Lot 1 has been relocated, and a drywell added to Lot 2. The infiltration trench has been sized to accommodate a 100-year storm. Comments from the Fire Chief have been requested, but it is anticipated that any recommendations he may make can be accommodated.

The revised profile and trench detail were discussed. A road grade of 7.5% is proposed in order to reduce the grading required. The road will be sloped toward the infiltration trench. Plans will be stamped by an engineer before Mylars are submitted.

The Town Planner noted that Lot 1 will result in slope disturbance of greater than 10%, and a site plan will be required prior to release of lots from the Covenant.

On motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing on Baldwin Estates Subdivision, and direct the Town Planner to prepare a decision.

### **Marrone Comprehensive Permit**

The Board briefly reviewed Alan Marrone's preliminary plan for a multi-family development to be submitted under M.G.L. Ch. 774. Several concerns were expressed, including treatment of stormwater, the mass and density of the buildings, and the proposed single-access driveway. Board members will attend the Selectmen's meeting on this proposal.

### **Executive Session Minutes**

On motion duly made and seconded, it was unanimously

VOTED: To release minutes for Executive Sessions held by the Planning Board on June 11 and July 2, 1990; December 5, 1994; July 1, July 16 and September 18, 1996; and July 1, October 7, and October 14, 1997.

### **Planning Board Schedule**

Site walks were scheduled for the Berry property on Monday, December 4 at 8:45 a.m., and for Livermore Circle (Willis Hill Modification) on Monday, December 11 at 8:45 a.m.

Regular Planning Board meetings were scheduled for Thursday, December 7 at Goodnow Library and Wednesday, December 13 at Fairbank Center. A third meeting was tentatively scheduled for Wednesday, December 20, if required.

There being no further business, the meeting was adjourned at 10:15 p.m.

Minutes taken by Jody Kablack