

PRESENT: William Keller (Chairman), Lisa Eggleston, Carmine Gentile,
Marianne D'Angelo, Michael Hunter (Associate), Jody Kablack (Planner)

Absent: Christopher Morely

Meeting was called to order at 7:40 p.m.

OSCO DRUG WATER RESOURCES SPECIAL PERMIT

Public Hearing

Mr. Keller read public hearing notice.

Michael Radner addressed items in the Town Planner's memo dated 2/12/01. A response memo was submitted to the Board. Items addressed in response to Planner's memo included:

1. Data tabulated on open space areas
2. Erosion control by means of silt sacks in catch basins
3. Dewatering by sump pump discharged into catch basins
4. No photo processing
5. Motor oil will be for sale. Massachusetts law requires collection via no spill containers.
6. List of hazardous materials submitted

Lisa Eggleston asked if all storage will be inside. Osco representative said yes. Ms. Eggleston next questioned if there are any floor drains inside. This will be confirmed with the Board of Health. Ms. Eggleston: How much material will be removed? Will there be any stockpiling of material? If so, erosion control may not be adequate. Condition no stockpiling. Mike Radner will submit typical erosion control specifications.

David Wallace, representing Osco, addressed the Conservation Committee's letter dated 1/24/01. Osco is only a tenant and does not have the ability to upgrade the drain system. They do agree to use native species in landscaping.

Ursula Lyons asked if the Water Resource Protection Committee reviewed the plan. Jody Kablack replied the plan was distributed to the Committee. Ms Lyons: What is the extent of dewatering? Jody Kablack informed her there are only two 4' deep footings that will need dewatering.

Ms. Eggleston expressed concern with pumping directly into catch basins; she wants specifications to go to contractor. She would like to see language as contingency that sumps are cleaned after construction.

Mr. Ralph Tyler: Doesn't the Water Resource Protection District Bylaw prohibit storage of hazardous materials in quantities greater than normal household use?

Jody Kablack: No, section III.G.5.c.4 permits hazardous material storage with a Special Permit.

Motion to close the public hearing duly made and seconded. It was unanimously:

VOTED: To close the public hearing on Osco Drug Water Resources Special Permit

The Board directed the Town Planner to prepare a decision. Materials related to erosion control and dewatering are to be submitted for Board deliberation.

ZONING ARTICLES FOR 2001 ANNUAL TOWN MEETING – Public Hearing

Item 1: Recodification of Zoning Bylaw

Petition article has been withdrawn. The Board of Selectmen have agreed to print adequate copies of the bylaw for any interested residents.

Ralph Tyler had the following comments:

Small changes create unintended consequences. The existing bylaw has been fine tuned over the years and we may be creating more problems.

Section 2247 - 1999 Amendment changed parking for commercial properties, but didn't include industrial properties. [Note: 1999 Amendment did include industrial properties.] 2000 Definitions – Residential Care Facility definition exacerbates problems encountered in litigation.

Exempt Uses – Sudbury needs to require review.

Appendix B – Dimensional Requirements:

New “improved” bylaw requires readers to check 5 other sections for exceptions. Less convenient for users; same comment on Appendix A – Use Table.

Zoning stays put for 7 years, if a loophole is exploited and a subdivision plan is filed mistakes can linger.

Ms. Ursula Lyons felt it was an improvement, but had concerns that at Town Meeting if people disapproved the major changes, that it would all go away.

Ms. Eggleston responded they separated what they could for the articles, so if the recodification does not pass, they still have a chance to get 2 major sections approved; Site Plan Review and Exempt Uses.

Mr. Richard Kurth:

Section 6300 seems to conflict with section 2136. Can the language in section 2136 be strengthened? Does section 6300 apply to all exempt users? Jody Kablack answered yes. Mr. Kurth felt section 3410 granted unlimited powers to the Selectmen and Zoning Board of Appeals to hire experts for technical reasons.

Item 2: Flood Plains

Mr. Tyler – Is the flood plain map going to be a part of the Zoning Map and will it be available?

Jody Kablack – Yes, the Federal Emergency Management Act (FEMA) map will be easily copied and incorporated.

Ursula Lyons – Weren't some changes already made; will this replace the 5 existing flood zone areas?

Jody Kablack – Yes, previous articles to delete other flood zones had been indefinitely postponed because the Federal Emergency Management Act maps had not been completed.

Item 3: Water Resources Protection Districts Map

The Town Planner discussed the map of the proposed areas. The towns of Maynard and Concord have vowed to reciprocate.

Item 4: Site Plan Special Review and Site Plan Review

The audience seemed in favor, particularly in light of amending Site Plan review in Research Districts.

Item 5: Exempt Uses

No discussion in light of previous discussion.

Mr. Keller thanked the public for attending and for their opinions.

STREET ACCEPTANCES:

The Town Planner reviewed her memo dated 2/13/01. The memo was sent to all the developers/owners so that they were aware of outstanding issues.

Willis Hill – The Department of Public Works Director will prepare punch list and cost estimate for remaining work.

Miscellaneous:

The Public Hearing on CVS, 3/14/01, needs to be rescheduled. There is a conflict with Candidate Night. The hearing and the Planning Board meeting will be held on Thursday, March 15.

There being no further business, the meeting was adjourned at 9:30 p.m.