

Present: William J. Keller, Jr. (Chairman), L. Eggleston, Christopher Morely,
Michael Hunter, Michael Fee, Eric Poch (Associate),
J. Kablack (Planner)

The meeting was called to order at 7:40 p.m.

Omnipoint Water Resource Special Permit – Continuation of Public Hearing

Present on behalf of applicant: Attorney Simon Brighenti

Bill Keller opened the public hearing; reviewed materials received (in file) since the last meeting.

Simon Brighenti: The applicant has responded to the requests of the Town Planner. They have revised the plan to show these changes which include:

- The equipment cabinet has been relocated to the back of the tower (north of the tower) to keep it outside of Zone I.
- The bottom of the plot plan had a setback error; it's been changed to read 163' back from the road (on the Northwest side)

In addition, they had a field construction supervisor submit a letter describing the construction process as well as a statement there will be no effect to the groundwater as a result of this proposal. The zone correction was also made.

Simon Brighenti: Referred to the Town Engineer's letter dated 7/31/02; item 4 discusses the existing propane tank and its location.

Jody Kablack: That was in reference to the above ground tank, not the underground.

Lisa Eggleston: When did the facility go in the area?

Jody Kablack: 1993. What is the status of the application and the Water District?

Simon Brighenti: Spectrasite is honoring their obligations; payment issues with the Water District are still being worked out. The matter should be resolved shortly.

Jody Kablack: Have you received site plan approval?

Simon Brighenti: There is some controversy. The Board of Selectmen has classified the application as incomplete due to the fact there is no consent/sign-off by the Water District. This is being discussed.

Jody Kablack: Would like Town Counsel's opinion whether the Planning Board can still grant this permit without the Water District's consent.

On motion duly made and seconded, it was unanimously:

VOTED: To close the Public Hearing on Omnipoint.

Jody Kablack: The Board has 90 days to render a decision from the closing of the public hearing.

On motion duly made and seconded, it was unanimously:

VOTED: To direct the Town Planner to draft a decision on Omnipoint and to speak with Town Counsel regarding granting the permit without Site Plan approval.

Olde Woode Subdivision Modification (Antique Circle) – Continuation of Public Hearing

Bill Keller opened the hearing and reviewed material received since the last meeting on Sept. 25. The Board reviewed correspondence from Mr. & Mrs. Smith submitted October 23, 2002.

Chairman Keller asked the public in attendance to limit comments to new information or comments not previously addressed.

Mr. Smith: Referred to a conversation between the Town Planner and his wife earlier in the day. They would ask the Board that if the application is approved to prohibit parking on Antique Circle; feel with the 14' width it would be a safety hazard.

Mr. Markowitz: Stated for the record he is against approval of this application. If it is approved, he asks the Board to consider a maintenance revision as a condition.

Bill Keller: The parking point is well taken.

Larry Smith: Also snow plowing an additional driveway will add to the drainage problems. There is a manhole on the south side of the drive which, if plowed down onto Antique Circle, will exasperate the problem – the berm is impossible to pass as its only 14' wide.

No other comments were made.

On motion duly made and seconded, it was unanimously:

VOTED: To close the public hearing on Antique Circle.

Bill Keller explained the relevance of closing the hearing. The Board will deliberate on the information and render a decision.

Faye Markowitz: If the Board renders a decision will they be notified?

Bill Keller: It is not policy to notify abutters of a decision as it is in the public record, however, the Board will make sure both abutters (Smiths and Markowitzs) are notified of the decision.

The Board reviewed the draft decision for Antique Circle prepared by the Planner.

Lisa Eggleston: Are there plans documenting where the Rodman's drive is?

Jody Kablack: They did submit a sketch with the application; will put it in decision.

Bill Keller: Is there an advantage to widening the road on either side?

Jody Kablack: The catch basin is better if it is not right in the middle of the road.

Eric Poch: There is more of a curve shape on the south side; more beneficial to go 4' to that side. Any additional runoff would not be directed towards the existing homes.

Jody Kablack: There is a catch basin at the gutter edge on the north side and another further up on the south side.

Lisa Eggleston: Reconfiguring the catch basin 5' in can contribute to icing, but not a great distance.

Board members opined the applicant should repave and crown the entrance to enhance the drainage. Also should be requested to resurface the entire way of the section to be widened (new drive to Concord Road).

Mike Fee: Suggested an additional paragraph stating parcel 4 versus combined parcel 4 hereinafter to be referred to as parcel 4.

Other comments by the Board to be put in the decision included:

- Widening Antique Circle to 18' up to the new driveway
- No additional curb cuts
- Removal of only one tree on Concord Road, no others
- Replant along the stone wall; no fewer than 5 trees
- Run-off directed into catch basin
- Historic District requirement
- Fill in gaps in stone wall
- Utilities underground on Antique Circle
- No additional roof run-off in drainage

On motion duly made and seconded it was unanimously:

VOTED: To approve the subdivision modification on Antique Circle drafted by the Planner as amended by the Board's discussion.

Willis Hill II

On motion duly made and seconded, it was unanimously:

VOTED: To continue the public hearing on Willis Hill II to November 20, 2002.

Woodside Estates

Jody Kablack: The street is ready for acceptance; Bill Place suggests the Board retain a maintenance bond in the amount of \$5,000.00.

On motion duly made and seconded it was unanimously:

VOTED: To reduce the bond amount for Woodside Estates to a \$5,000.00 maintenance bond.

Frost Farm

The Planner briefed the Board on the status of Frost Farm. Occupancy begins next week. Electrical work is in; wastewater has been inspected. They are moving forward and estimate after initial occupants, there will be approximately 4 per week.

FY04 Budget

The Planner reviewed the budget with the Board. At present, money is not available to do anything. Net application fees have gone down significantly from \$13k in FY01 and estimated \$6k next year at most. However, contributions for walkways and stormwater have been good.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the FY04 budget as submitted.

Hawes Farm Definitive Subdivision

A request was made by the applicant's engineer to replace the proposed plastic cultec chambers with precast concrete chambers.

Lisa Eggleston: The depth of ground water was the reason for installing cultec chambers in the first place. It is shallow and was designed to infiltrate the 100 year storm. Where is the groundwater? If a separation is still being supplied, she has no objection.

Jody Kablack will send a memo to the Town Engineer with the Planning Board's opinion.

(It is noted that no groundwater was detected within 10' during soil tests.)

Cutting Property

Jody Kablack reviewed the offer made to the Town for the Cutting Property with the Board. It is a difficult concept to grasp and she had hoped members of the community would have come to provide feedback. It is a large sum of money (over \$6 million) and will require town meeting approval. She would like to have the Planning Board submit the project to the Community Preservation Committee.

Jody Kablack: The Town has an obligation to review this carefully. Mr. Cutting has been working with us for 2 years. We need to work with landowners. This needs to be brought to Town Meeting. There is a lot of value to the Town including turtle species habitat, agriculture, natural resource values.

Mr. Cutting would like to live in the southwest corner of the land and maintain the title. He does not want a lot of development. The Town is discussing other options with him. No lot on this plan is below minimal development requirements, realistically, it could be 32 lots. We would be paying him not to develop in perpetuity.

Mike Fee: What about negative restrictions on the remainder of the land – who would pay taxes?

Jody Kablack: He would.

Lisa Eggleston: If he does limited development that would bring the price down. We should recommend it go before the CPC, it is what we are encouraging.

Mike Hunter: Development rights allow building denser somewhere else. Are we transferring the development rights to another parcel?

Jody Kablack: No, our bylaw doesn't allow it.

Lisa Eggleston: Another reason to support it is that it would keep population down.

Mike Fee: It is consistent with 4 or 5 components on the Master Plan. We should give full support, if not at least to the CPC to get it to Town Meeting.

Jody Kablack discussed a draft report she prepared for the Board to submit to the CPC.

Eric Poch: Public access will be an issue. Can the Town use CPC funds to pay back debt? It would lower the cash impact on the Town.

Mike Fee: There are regulations on that.

Lisa Eggleston: Would the Water District pitch in?

Jody Kablack: No, they tested and it had high iron in the water.

On motion duly made and seconded, it was unanimously:

VOTED: To submit a project form to the Community Preservation Committee for the Cutting Property.

Meeting Schedule:

There is a conflict with the Planning Board meeting scheduled for December 4th. The meeting will be cancelled.

ANRs

Applicant: Sky Rock, LLC (Joe Maillet); to change lot lines

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the ANR plan of Land for 40 Tantamouse Trail.

Applicant: Joseph Santangelo; to change lot lines

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the ANR plan of Land for Widow Rites Lane.

There being no further business, the meeting was adjourned at 10:00 p.m.