

Present: Lisa Eggleston (appointed Chair), Michael Fee (arrived 8:30 p.m.), Christopher Morely, Michael Hunter, Eric Poch, Joe Sziabowski (Associate), Jody Kablack (Planner)

The meeting was called to order at 7:35 p.m.

80 Union Ave. Update

Jody Kablack: There have been issues with the applicant not meeting conditions of the Water Resources Special Permit Decision. The weather has not been suitable to inspect the site. London Taxi is leaving the area. The Special Permit was issued 18 months ago. The Special Permit has a start date but not a completion date. Jim Kelly has sent the owner (Union Ave. Realty Trust) a letter which addresses the need to complete all conditions prior to occupancy. The owner would like to meet with Jim Kelly next week to follow through.

Chris Morely: Did the Board of Appeals require site clean-up?

Jody Kablack: No, does not believe so. However, the applicant was not supposed to have vehicles with gas stored on site prior to completion of work.

Lisa Eggleston: The Special Permit was specific for use. If London Taxi moves, is the current owner obligated to meet requirements?

Jody Kablack: Yes.

The Planner will update after the Building Inspector meets with the owner.

Miscellaneous

Deb Dineen and Lisa Eggleston briefly commented to the Board on the Phase II Stormwater. Work has been started and Bob Leupold is doing point source discharge testing. There has been public education on the subject; they are working off a check-list. They are trying to schedule a meeting to update the progress.

Libby Property

Deb Dineen, Conservation Coordinator was present to discuss the Town purchasing the Libby property, to be voted on at Town Meeting.

The price on the 20+ acre property, with the option to buy 2 lots in the future, being offered to the Town is \$2,631,000.

Jody Kablack: There is no price frozen on the 2 lots.

Deb Dineen: She has spoken with the appraiser, Jonathan Avery of Avery Associates, who has looked at the Libby lot value if it had development. This price was valued at \$950,000 - \$1.3 million. The value was based on the backland value of subdividable land.

Jody Kablack: Mr. Libby offered the land to the Town but wanted the Town to price the property. The Town did the appraisal; Deb secured funds from the Community Preservation Committee for soil-tests. Bill Place prepared a subdivision plan for 8 lots and an appraisal was commissioned. Everyone involved was confident with the process. John Avary did an excellent job. The 8 lots are all priced differently (some have more conservation value) but \$2.6 million was the final price.

Mike Hunter: Even with the existing lot, they are non-conforming. How can we value them as subdividable? The right-of-way is within a 50' offset line, dead-end street regulations are questioned as well as 121' of frontage; is that sufficient for a roadway?

Deb Dineen: It does not have confronting frontage now, but once it goes through subdivision it will.

Mike Hunter: Can you subdivide non-conforming lots?

Jody and Deb responded yes, with waivers that are precedent.

Deb Dineen: That was a critical factor for the appraisal. Mr. Libby wanted to add 3 more lots if he could get a dead end waiver, but that can only be granted if an emergency access is provided and it couldn't be. The wetland crossing was feasible for 2 large lots. It would be a common driveway and would minimize the crossing. Mr. Libby may or may not approach abutters for a secondary access. However, he took out the cost of the 3 additional lots so he would not have to look for a secondary access.

Jody Kablack: This is a great open space purchase. Selectman O'Brien looked for CPA or municipal use on the property – there is none. There is no other use, but a high priority conservation purchase. There is no public access on Water Row, but it does expand access from the King Philip Woods and the Piper Farm Lands.

Deb Dineen: We would also get emergency vehicle access through Mr. Libby's property. The CPC wants the option on lots 1 & 7 rather than just first refusal and index of value for them.

Lisa Eggleston: Are we creating 2 new lots?

Jody Kablack: No, Mr. Libby retains 6+ acres to divide and would need sub-division approval for new lots. We are buying the back land.

Lisa Eggleston: Once we do that, we can't create frontage for more lots?

Jody Kablack: Through sub-division control we can make legal lots by creating frontage with a cul-de-sac. This will create frontage on adjacent parcels.

Deb Dineen: Across both streets there will be protected area. They also negotiated the subdivision of this property only being 2 lots and not creating frontage for more (would need subdivision). This included the existing house. The CPC wanted to negotiate the cost of the survey work also. Town Counsel is working on that. She has been talking to US Fish & Wildlife (abutters) to buy what the Town could not (other than the back land) along with the Dicky property. They are working on other ways to protect the land without Town funding.

Lisa Eggleston: The Fish & Wildlife property across the way is all wet area?

Deb Dineen: Yes.

The Board had no further questions or comments.

On motion duly made and seconded, it was unanimously:

VOTED: To support the purchase of the Libby property by the Town.

It was noted by Deb Dineen that this Saturday, March 26, at 1:00 p.m. there was an information walk scheduled for anyone interested. An additional walk was scheduled for Sunday, April 3. Meet at the King Philip Conservation area.

The Board thanked Deb Dineen for coming to speak with them.

2005 Town Meeting – Positions & Speakers

On motion duly made and seconded, it was unanimously:

VOTED: To take no position on Article 44, Davis Field Study.

Mike Fee: Articles 13 and 14 have been indefinitely postponed (Hop Brook dredging). Article 15, harvesting, is still on. They are still negotiating funding. The Town has \$2,500 in the over-ride budget. This is an essential activity that if not done, will exasperate the situation. \$2,500 is labor only, hauling only; the cost to rent a harvester is \$7,500. If nothing else, this is a good article to keep the issue in peoples' minds.

On motion duly made and seconded, it was:

VOTED: The Planning Board supports Article 15.
(4 in favor, 1 abstention)

The Board notes the Master Plan refers to enhancing Hop Brook.

Road Standards for Small Subdivisions

Lisa Eggleston: The standards being discussed are for new construction only; that should be added on the 2-28 memo prepared by the Town Planner. There are design standards on paper (turn-arounds, etc.); likes the clarity suggested in this draft memo, no waivers for new construction. Requiring existing roadway improvement to get to a new road has been problematic, this necessitates a different access. This should be guidance for the Planning Board. In addition it would prevent the need for everyone to go out to the site so often; it would be a set policy.

Mike Fee: We are trying to get on the same page as the Fire Chief. This would not lock us in; we would still be able to exercise subjectivity as a Board.

Jody Kablack: Will redraft the memo with the revisions to adopt as a policy.

Ledgewood Subdivision Update

Mike Fee recused himself from the discussion.

Jody Kablack: There have been long standing issues with run-off to Beau Schless' property (abutter). There is no completion date for this subdivision. Four builders are there currently. They are attempting to get Dick Campania to remove the cul-de-sac. Bill Place does not want paving done while construction is going on. The Town Planner thought if they removed the Mary Catherine Lane cul-de-sac and did one coat of pavement it would help fix the drainage issue.

The Board instructed the Planner to draft a letter addressed to Mr. Campania.

ANRs

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the ANR plan of land for Fairview Development Corp.

The meeting was adjourned at 9:30 p.m.