

Present: Michael Fee (Chairman), Christopher Morely, Michael Hunter,
Eric Poch, Joe Sziabowski (Associate), Jody Kablack
Absent: Lisa Eggleston

The meeting was called to order at 7:50 p.m.

Confirmatory Release

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the confirmatory release for DiBiase Farms Subdivision.

Faucher Woods Definitive Subdivision – Continue Public Hearing, Vote Decision

The hearing was called to order.

Jody Kablack: The Fire Chief recommended residential sprinklers since the houses are over 500' from the hydrant.

Tom DiPersio: Both lots are at 500'. They would have to extend water from Parmenter Road or put in sprinklers. He suggested to the applicant to put in sprinklers; less of an expense.

Chris Morely: Parmenter is a dead-end; previously said the Fire Chief would have concerns.

Tom DiPersio: 2" water main condition; would it stay or go if extended?

Jody Kablack: The Fire Chief and the Town Engineer didn't comment on extending since it is a dead-end.

Tom DiPersio: It would need a 6" main.

The Planning Board recommended to the applicant installing residential sprinklers.

Jody Kablack: The Fire Chief said the fire flow testing is not necessary. There is enough pressure in the adjacent system. Board member Eric Poch had previously asked if a dry hydrant should be installed as well, but the Fire Chief didn't respond to that. Typically, sprinklers are not on a well but are probably where they are needed the most with no water nearby.

At this point, the Board reviewed the Decision draft.

Jody Kablack: We still need final approval from Bill Place. Soil tests for lot 1 were required before the public hearing would be closed. Tom DiPersio couldn't get the Board of Health Director out there due to scheduling, but it could be a condition of endorsement. Also on her memo of June 7, she wanted the Conservation Commission's input. She heard from them that they would be approving this application.

Tom DiPersio: The Conservation Commission gave them two scenarios:

They will issue an Order of Conditions or the applicant must keep out of the buffer zone (lot 2 grading outside buffer). Then they closed the public hearing.

On motion duly made and seconded, it was unanimously:

VOTED: To close the public hearing on Faucher Woods.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Decision for Faucher Woods Definitive Subdivision dated July 12, 2006 as modified.

ZBA Petitions

Omnipoint Communications, Inc.

Jody Kablack: They are requesting 100' cell tower on the Bartlett property on Route 20 behind the greenhouses. This is a use variance application which is difficult for the Town. One was previously denied by the Town and we lost the case due to lack of technical advice provided by the Town. For this application, the ZBA will have a consultant present when they open the public hearing. The Board of Selectmen had comments on this application also. They took offense by the language in the application. The applicant could put a rooftop antenna anywhere in a commercial zone and the Town encourages that. The applicant has this system (Village Green) but they said they don't install it. They did provide photo simulations for the Bartlett property.

Mike Fee: What is the telecommunication statute in respect to our bylaw; why did they ask for a variance? Shouldn't they challenge the overlay district?

Jody Kablack: They made no challenge to the bylaw at all; only applied for the variance. Town Counsel has advised that the Board not make a recommendation or opinion without the consultant's presence.

Mike Fee: The Board will heed Town Counsel's advice. Potentially, however, it could be denied because it derogates from the overlay district planning.

52 Horse Pond Road Update

Mike Fee: Bob Abrams called him in response to the last discussion the Board and applicant had. Mr. Abrams said he was surprised by the Board's resistance to granting waivers but he understands the requirement for full build demonstration. He also knows the Board would like something permanent which they are willing to do for the lot being created but not for the existing house lot.

Jody Kablack: They stated they wanted to leave the back lot as it is. There is a greenhouse which straddles the lot line; this is a zoning violation if they create a new lot. They also said they would not remove the greenhouse.

The Board continued discussion of options. Board member Michael Hunter suggested the applicant use frontage from the Route 20 abutting property to demonstrated a full build plan as required. In addition the Board wants it shown the applicant owns the adjacent property and how it can be sub-divided.

The Town Planner will speak with the applicant's engineer.

There being no further business, the meeting was adjourned at 9:00 p.m.