

**PLANNING BOARD
MARCH 21, 2013
MINUTES**

Chairman Giger called the meeting to order at 7:30 PM

Members present: Giger, Perkins, Parent, and Wilson

Members absent: Barringer, Burke, and Svarczkopf

COMPREHENSIVE MASTER PLAN PHASE II

The Board met with Judi Barrett of Communities Opportunities Group to discuss revisions to the Schedule of Use Regulations. The Board and Ms. Barrett went over each item in the schedule. The Board reviewed a number of recommendation including:

- Eliminating the OS-A District altogether since no properties are in said District.
- Eliminating Major Residential Development altogether based upon the Court's ruling in the v. Westwood decision
- Adding definitions where needed (e.g. community clubs, boathouses)
- Adding entries for Child Care, Adult Day Care, Bed & Breakfast facilities, etc.
- Grouping similar uses together such as exempt uses (religious, educational), utilities, transportation uses, etc.
- Addressing and clarifying entries in the Accessory Use section

Ms. Barrett will provide revisions to the Board for its meeting on April 18, 2013.

BERTOZZI FARM LOTS 6 & 7

Developer Michael Vaccaro met with the Board to discuss his application for building permits on Lots 6 and 7 in the Bertozzi Farm subdivision. He said he will be purchasing both lots from Townsend Road Realty Trust. The Board received a letter dated March 21, 2013 from Mr. Vaccaro and a letter dated March 21, 2013 from Quintin Tigs of Townsend Road Realty Trust.

Mr. Vaccaro said he would complete the subdivision road, including the replacement of the binder coat, prior to the issuance of occupancy permits. He said he has purchased four lots and has an option to purchase the remaining four lots in the eight-lot subdivision. He understands that the road must be replaced and finished.

Town Planner Michelle Collette said the Board is presently holding a bond in the amount of \$122,000 to complete road construction. The surety was posted in 2003. In October 2011, Nitsch Engineering estimated the cost to complete the road, including replacing the pavement binder, as \$230,000.

Mr. Vaccaro said he would complete the work prior to issuance of any occupancy permits as stated in his letter dated March 21, 2013. Mr. Vaccaro said he would not sell any lots until the work is completed.

Chairman Giger suggested that Mr. Vaccaro post an insurance bond to make up the difference between the \$122,000 on hand and the estimate of \$230,000 to complete the work. He said the work involves more than what is stated in Mr. Vaccaro's letter.

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Town Planner Michelle Collette said the road must be constructed as shown on the approved definitive plan and in conformance with the specifications in the subdivision regulations. She suggested that the development record a covenant at the Registry of Deeds stating that the lots would not be sold or occupancy permits issued until the work is completed or additional surety is posted. Mr. Vaccaro agreed.

The motion was made by Perkins, seconded by Parent, that the Board sign off on building permits for Lots 6 and 7 in the Bertozzi Farm subdivision with the condition that the developer shall record a covenant at the Registry of Deeds stating that the lots will not be sold or occupancy permits issued until the subdivision road is completed as shown on the definitive plan and specified in the subdivision regulations or proper surety is posted with the Planning Board to cover the cost to complete construction..

Chairman Giger asked Mr. Vaccaro for a commitment that he will work with the Planning Board to bring the project to closure. Mr. Vaccaro assured the Board that he would do so.

The motion passed unanimously.

Meeting adjourned at 10 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner