

**Minutes Meeting of October 4, 2006** – Moulton, Patierno, Bennett, Antonellis, Ward

Members Present: Robert Cadle, Cynthia Maxwell, Chase Duffy, Jay Prager, Alison Manugian, Stuart Schulman

Chairman Cadle convened the Moulton hearing by reading the Legal Notice.

Atty. Collins noted that he was before the Board three months ago for a temporary office trailer. He said that after the appeal period, his client suggested having the office in the existing Drubin house instead. He noted that the existing trailer is located at the entrance of subdivision, and that the house is occupied but the tenant wants to move. He also said that this plan warrants PB site plan review because it is a change in use, albeit a temporary one.

Mr. Prager asked whether it will be used as a sales office as well.

Atty. Collins said that it would be, consisting of an office with a telephone and in and out visits. He felt that it would be only one or two at any given time, at most. He suggested conditioning site plan review and that there be no outside storage of construction materials. He noted that his client did have a full blown traffic study and a MEPA review done. He also said that the drive meets all Mass Highway site distance standards. He noted that there will be 84 homes when the project is completed, along with Audabon (Sp?) access, so the subdivision road is substantial. He said that the parcel is just over 400 acres in total.

Discussion ensued regarding the massive size of the site and how to handle the scale maps.

Atty. Collins gave the Town a Right of Entry to the house so that the Town is able to clear out any materials there in the event of abandonment or overextension of the permit.

The Board moved to grant the application of Collins/Moulton for a special permit for a temporary office, with the conditions that the permit is valid for one year, site plan review will be conducted, there will be no outdoor storage of materials, a signed Right of Entry will be filed, the Town will maintain retention of the posted bond, and the existing trailer will be removed from the prior permit.

The motion was seconded and passed unanimously.

Chairman Cadle convened the Patierno renewal application by reading the Legal Notice.

Atty. Collins noted that this is a fairly simple renewal of a special permit for 48 units of housing by the Town fields and transfer station. He said that his client got bogged down in the site plan review process, but now engineers are working on a septic system and other plans. He noted that they will not be ready for building permits for a few months.

Mrs. Duffy asked about the police shooting range.

Atty. Collins said that it has been moved about 1500 feet behind a pile of debris which will become a sound proofing fence and behind the transfer station.

Atty. Cadle asked why this is not a plan under 40B.

Atty. Collins said that he doesn't do 40Bs because he believes in zoning and the town gets more affordable units this way, noting that it is 75% instead of 25%. He said that he wants to keep the permit alive and that they may need to do more adjusting of the permit in the future.

The Board moved to renew the special permit, as requested, for Collins/Patierno, with all existing conditions remaining attached. The motion was seconded.

Chairman Cadle asked how much the permit changed when they went before the PB.

Atty. Collins said not much, noting that there were originally six duplexes and three 12 unit buildings, which is what the PB approved. He noted that the changes are in details, such as the emergency access, a "T" turnaround instead of a cul-de-sac, etc. He said that it is the same basic plan as originally approved.

The motion passed unanimously.

Chairman Cadle convened the Bennett hearing by reading the Legal Notice.

Mr. Bennett, 24 Fir Road, noted that he wants to move bedrooms to the second floor, and that the number of bedrooms are all approved by the BOH. He said that the number of bedrooms is not changing and a new Title V septic system is being installed. He said that it is a pre-existing non-conforming lot with a slight expansion of the first floor as well as the addition of the second floor. He noted that the basement will remain as storage space.

Discussion ensued regarding what is proposed and where the edge of pavement is vs. the lot line.

The applicant requested an amendment to the application to include a request for a variance from front setback of five inches.

Discussion ensued regarding whether to require a readvertisement, with the Board moving to accept the amendment to also include a variance from front setback. The motion was seconded and passed unanimously.

The Board moved to grant a special permit to allow a second story and a variance from setback to

Mr. Bennett.

Chairman Cadle asked about the empty adjacent lot, which is owned by Mr. Bennett.

The motion was seconded and passed unanimously.

Mr. Antonellis asked for another extension, noting that he is working with his architect.

The hearing was continued to November 8, 2006 at 7:15 pm.

Chairman Cadle reconvened the Ward hearing.

Mr. Ward submitted garage plans and a street plan, noting that he has downsized the structure from 25 x 40 to 22 x 30 and pushed it back on the lot. He said that the side setback is now nine feet on both sides (only one small amount on one side) and the front and rear setbacks are fine.

Discussion ensued regarding who are abutters.

Roger Magaletta, 5 Cypress Road, said that he wants Mr. Ward to have a nice garage, particularly because he does a lot for the Lost Lake area.

Daniel Johnson, 158 Lost Lake Drive, said that he will be building the garage for him.

Mr. Ward said that at one time there was a house on the lot that will have the garage.

The Board moved to grant a variance from side setback for nine feet, as presented in the new plans, to Mr. Ward.

The motion was seconded and passed unanimously.

The meeting adjourned at 9:00 pm.