

Planning Board Minutes  
April 14, 2005

The Planning Board meeting was convened at 7:05pm by the chair., with the following members present: John MacMillan, Chair; Joseph Kalagher; Rich Wright and Associate Member Gary Howland. Absent were Robert Salo and Robert MacLeod. The chair volunteered to assume responsibility of the minutes for the evening.

1. A motion was made by Rich and seconded by Joe to approve the minutes of March 23, 2005 as written.

A short discussion ensued concerning the possibility of having an outside party take minutes for the Board. The suggestion was made that we contact Oakmont for assistance from a student in the business program.

2. The following bills were signed by the chair:

Massachusetts Municipal Association – Town Planner posting \$140.00  
Thompson West – State statute updates - \$52.50

3. A letter was read from the Ashburnham Focus Committee, responding to the Planning Board's letter to the Selectmen concerning the status of the Focus Group. The focus Group was resolute in not becoming a sub committee of the Planning Board. The Board is waiting a response from the Selectmen.
4. The Building Commissioner reported 4 new dwelling applications for the Month of March. This brings the total to 7 for the year, compared to 10 last year.
5. Correspondence was received from:

Nickless & Phillips: Watatic View Estates  
ZBA hearings  
Transportation Today – MRPC  
MRPC Agenda/Minutes

The Department of Housing & Community Development notified the Town that it was Housing Certified under Executive Order 418 for the period ending June 30, 2005.

John indicated the Board had received correspondence from the Town of Groton Re: Groton's Affordable Housing Strategy.

John informed the Board that he had requested the minutes of the Water & Sewer Commissioners for the last 2 years and from this point forward. The minutes have been received and are available for review by the members. See report of 4/12/ meeting #12 below.

The Board completed a survey for Chris Hawkins, Florida State University.

6. 7:15 appointment – Robert Higgins-Steele; re: Lots on Ferin Road

Mr. Higgins-Steele was represented by Attorney Thomas J. Harrington. Mr. Higgins-Steele is requesting that the Board review his property on Ferin Road to determine the adequacy of the road for an ANR endorsement. A plan Circa 1988 was presented to the Board. John brought the Board up to date on the history of the land. The Board will make an on sight visit at 6:30pm on Thursday April 21, 2005. Mr. Higgins-Steele will flag the property and make another appointment with the Board in approximately one month.

7. 7:30 appointment – James Parenteau – ANR – Packard Hill Road

Mr. Parenteau presented an ANR plan creating a 60,000 square foot lot from his parcel. The board questioned whether the lot was in the Water Supply Protection Overlay District. John motioned and Rich seconded to take the 21 day period for decision. Vote 3-0. Mr. Parenteau to check with Szoc Surveyors for clarification.

8. 7:45 appointment – Robert Raffi – ANR – 3 lots, Sherbert Road

Kristine Sheldon-Symonds presented an ANR plan showing 3 lots on Sherbert Road. John motioned and Rich seconded to endorse the plan as presented. Vote 3-0.

9. 8:00 appointment – Mike Hannon, Design With Nature – OSRD, Rindge State Road.

The Board notified Mr. Hannon that Town Council indicated that the common driveway easement/covenant and homeowners association paper work was not sufficient as to form and could not be approved. It was the consensus of the group that documents would include that the homeowners association would retain ownership of the open space. Mr. Hannon to contact a land use attorney for assistance and forward a draft copy to the Board. If an agreement cannot be reached by the decision deadline of May 22, 2005, the Board would request an extension.

The Board clarified some conditions on the preliminary plan approval for Design With Nature's OSRD off Sherbert Road.

10. Common Driveway Special Permit approval – Williams Road

John motioned and Rich seconded to approve the Common Driveway Special Permit for lots 2 & 3 on Williams Road submitted by Steeple View Realty Trust, with the following deletion in paragraph 1 of the covenant revised April 14, 2005: Delete the words "non exclusive" and to waive § 5.142.9 of the Ashburnham Zoning By-Law pertaining to the establishment of a homeowners association. See file for complete text of decision. Roll call vote 4 in favor, 0 against and 2 absent.

11. Common Driveway Special Permit approval – Sherbert Road

John motioned and Rich seconded to approve the Common Driveway Special Permit for lots 7 & 8 Sherbert Road, submitted by Cornerstone Land Consultants. Approval based on revised plans dated March 7, 2005 and revised Declaration of Common Driveway easements and covenants dated March 31, 2005, and to waive § 5.142.9 of the Ashburnham Zoning By-Law pertaining to the establishment of a homeowners association. See file for complete text of decision. Roll call vote 4 in favor, 0 against and 2 absent.

12. Water–Sewer Commissioners Meeting (April 12, 2005)

Members of the Board attended the Water-Sewer Commissioners meeting to get clarification on the status of available EDU's. Mr. Collette made a brief presentation on how the EDU's were calculated and that there were no more EDU's available at this time. The commissioners were discussing the possibility of a sewer moratorium.

Board members questioned the commissioners on updating the agreement with Gardner, Long Term Planning, infiltration issues and the issuance of 40 EDU's to one applicant. Also Mr. Collette reported on the status of the water supply for the Town. The "Waste Management Plan" was also discussed and Joe suggested that we have a Planning Board liaison person for the Water-Sewer Commissioners.

Although not many of our questions were adequately responded to at the meeting, it is our hope that we have opened up better communications with the commissioners.

13. John suggested that we establish a 15 minute "Public Comment" period at the beginning of each meeting, with no appointment required. This would be for citizens and town departments and boards to voice there opinions or concerns over any planning issues and for advice from the Planning Board. This time period would not be for plan approval or discussion. It was agreed by those present that we would establish a 15 minute "Public Comment" period starting at the next meeting. John to send out a memo to all town agencies and other groups of interest and the newspapers.
14. Rich discussed the rezoning issue on Murray Road and subdivision of land on Hilltop Drive. Both items are to be on the agenda for the next meeting for further discussion.

Respectfully submitted,

John MacMillan  
Acting Secretary