

Planning Board  
Minutes  
February 9, 2006

The Planning Board meeting convened at 6:33PM with the following members present: John MacMillan, Chairman, Joseph Kalagher; Bruce Whitney; Robert MacLeod; Gary Howland, Associate Member and Eric Smith, Town Planner.

Agenda read by Chairman MacMillan.

Minutes of January 26, 2006 were approved on motion by McLeod and 2<sup>nd</sup> by Kalagher. Vote 4 in favor 0 against.

Building permit applications approved by Chairman MacMillan for:

- 99 Willard Road – George Gorrell
- 95 Maple Avenue – John and Stepanie Berkio and
- 19 Juniper Road – Contractor.

MRPC Assessment for next fiscal year is \$1,448.28.

Chairman MacMillan, Eric Smith and Gary Howland met with BOH on shared septic systems. BOH asked many questions and seemed to be concerned about liability. Planning Board to gather more information and meet with BOH at a latter date.

Town Planner Comments:

State House Bill 4489, “An Act Further Regulating Meetings on Municipal Boards”, in progress and should be approved at some point in future.

Eric noted 5 building permits approved to date 2006.

Reviewed monthly Town Planner Report for January 2006.

ZBA – Parking Space Requirement issues. Eric stated R. Wright planning to submit a Site Plan Review Application showing all required parking spaces.

Scenic Roads – 262 Hastings. If PB hasn't heard from Steven Bates by spring we need to contact him.

Zoning changes – To be discussed at March 2, 2006 workshop meeting. Proposals as discussed in item 2 can be voted on at the workshop meeting.

7:00 PM Open Discussion

Rick Sisson appeared before the Board to discuss how to proceed with Murray Road. Chairman MacMillan stated he thought there was misunderstanding, with voters, about the 2 parcels and also about Gardner's lack of interest to be able to get to property.

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Chairman MacMillan stated one option is to go back and try it again. Said PB recommended article, so it can go back at anytime.

Sisson stated he now owns the land and still would rather be working in partnership with PB but has the option of doing a 40B project which will entail numerous more units. Kalagher stated it might be time to do a feasibility study to determine what other land could be zoned industrial. Eric suggested an LIP could be looked at.

In summary Chairman MacMillan asked if issue were to pass as presented the original plans would still be adhered to, if 40 B there will be numerous more units. Mr. Sisson agreed.

7:15PM Appointment: R. Wilson appeared before the Board with an ANR for Cashman Hill Road. ANR was reviewed and discussed and on motion by Chair, 2<sup>nd</sup> by Whitney was approved 4 to 0.

7:30PM Hearing – Patriot Estates

Chairman MacMillan advised those in attendance for the hearing that due to another resignation of a Board Member there no longer was enough members for a quorum. He noted he drafted a letter to the developer informing they need to withdraw and resubmit. Since the Developer hasn't yet responded, the only option was to continue hearing to a future meeting. A motion by the Chair, 2<sup>nd</sup> by McLeod to continue hearing to February 23, 2006 at 7:30PM was voted 4 to 0 in favor.

**Old Business:**

Cashman Hill Estates – Mr. Daniel McCarty appeared before the Board to discuss the Definitive Plan Decision version 2.

Motion by Chair, 2<sup>nd</sup> by Kalagher to change wording in item 4 to original wording on original draft was voted 3 to 0 in favor.

Motion by Chair, 2<sup>nd</sup> by McLeod to grant waivers as written in item 8 was voted 3 to 0 in favor.

Motion by McLeod, 2<sup>nd</sup> by Kalagher to accept Hemlock Road as street name for division was voted 3 to 0 in favor.

It was discussed that the Definitive Plan must show Cashman Hill Road as a Scenic Road. A Scenic Road application must be filed and approved before opening Hemlock Road.

Motion by Chair, 2<sup>nd</sup> by Kalagher to approve Cashman Hill Estates 2006-01 Definitive Subdivision v2.1 Plan with conditions discussed (see File) was voted 3 to 0 in favor.

Mr. McCarty stated he has done a lot of work with LIP projects and is more than happy to offer his services as needed.

Lakeside Village OSRD – Reviewed Special Permit Modification #1. Changed date paragraph 2 to January 24, 2006.

Motion by Chairman MacMillan, 2<sup>nd</sup> by Whitney, to waive strict compliance with section 5.135.4 of the Ashburnham Zoning Bylaw pertaining to the minimum rear yard setback requirement of at least 40 feet was voted 4 to 0 in favor.

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Motion by Chair, 2<sup>nd</sup> by McLeod to accept modification #1 with date change paragraph 2 was voted 4 to 0 in favor.

8:00PM Appointment – Waterman/BNE – ANR – 174 Ashby Road

Reviewed changes as requested last PB meeting.

Motion to endorse plan, as revised, by Whitney, 2<sup>nd</sup> by Kalagher voted 4 to 0 in favor.

Correspondence:

Memo from TA on Community Preservation Act Informational Session to be held February 15, 2006 at 7:00PM in the Senior Center.

Invoice for Viking Office Products for \$61.95 approved for payment.

Distributed Worksheet for Building Permits from 1987 through 2005.

Chair stated resignation letter from Salo has gone to Town Clerk.

Town Caucus end of month. Chair suggests find someone to ask to run to fill Salo's position.

Meeting adjourned at 9:40PM on motion by Chair and seconded by McLeod.

Respectively submitted

Bruce Whitney

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February 23, 2006

The Planning Board meeting convened at 6:35PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Robert MacLeod; and Eric Smith, Town Planner.

Agenda read by Chairman MacMillan.

Minutes of February 09, 2006 were approved, with spelling changes for MacLeod, on motion by MacLeod and 2<sup>nd</sup> by Kalagher. Vote 4 in favor 0 against.

Chairman Comments:

- Letter of resignation by Gary Howland read by Chairman.
- Reminder of Monday 2/27/06 Town Caucus
- Workshop meeting for Planning Board Thursday 3/2/2006 at Fire Dept meeting room. Will meet at 6:30 PM and watch 2 – 12 minute tapes. Will discuss changes to Rules and Regulations, Fees, and Zoning changes.

Town Planner Comments:

- Sherbert Road Site Visit – Joe Kalagher and Eric Smith discussed their walkthrough of the Lakeside Village development.
- Eric discussed his continuing research on parking.
- Part time Conservation Agent will start Friday 2/24/2006.
- School Dept – Light poles on left side of Oakmont Drive could potentially be wet land issues.
- Meeting scheduled on Murray Road issue for 2/27/2006 at 4:00PM.

7:00 PM Open Discussion:

Richard Wright asked if G-B zoning was going to allow OSRD. Chairman MacMillan told him PB planning to take it to town meeting for vote.

7:15 PM - Cornerstone – ANR – Cross and Harris Road Appointment:

- Kristine Symonds appeared before the Board with the ANR for Cross and Harris Road. ANR was reviewed and discussed and on motion by Kalagher, 2<sup>nd</sup> by Whitney was approved 4 to 0.

7:30 PM – Patriot Estates Subdivision continuation

Chairman MacMillan asked Mr. Ralph Kinney if he was going to withdraw. Mr. Kinney stated he is willing if seller agrees.

Not having a quorum to open hearing, Chairman MacMillan stated we will need to continue hearing to March 9<sup>th</sup>, 2006 at 8:00 PM.

Motion by Chair, 2<sup>nd</sup> by Kalagher to extend hearing voted 4 to 0 in favor.

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8:00 PM – R. Lincoln Stiles/Wagner – ANR – Sherbert Road:

Lincoln Stiles and Robin Wagner appeared before the Board with an ANR for Sherbert Road. ANR was reviewed and discussed and on motion by MacLeod, 2<sup>nd</sup> by Whitney was approved as presented by a vote of 4 to 0 in favor.

8:15 PM – Richard Wright – Site Plan Review – 3 & 7 Central Street:

Richard Wright submitted a site plan for a 90 seat restaurant. Plan highlighted the required 34 parking spaces needed.

Chairman MacMillan noted referral notice sent to Town boards and Committees. Have until 3/3/2006 to respond with issues and comments. Received one back from Fire Dept with no issues. After much discussion it was decided to continue to the 3/3/2006 Board meeting at 8:15 PM.

Correspondence:

Notice of hearing scheduled March 8, 2006 at 7:30PM at the Drop in Center. Mr. Dwight Wheeler seeking a variance per section 4.2 to construct a second floor over an existing garage and breezeway which does not conform to Ashburnham Zoning requirements. Property in R-B zone at 101 Dunn Road.

Chairman MacMillan read numerous notices from abutting towns.

Zoning for Affordable Housing – Inclusionary Zoning and Beyond – Eric Smith will attend Friday March 3, 2006 in Lexington.

Citizens Planning Collaborative March 18, 2006. Any member interested in attending need to make known by the working meeting 3/2/2006.

Miscellaneous:

Joe Kalagher commented on contractor doing pruning on Cashman Hill Road.

Chairman MacMillan stated Bray Avenue Subdivision plans are in the works. There was a question as to whether Road Layout had changed.

Tom Ruble attended Planning Board meeting and expressed an interest in becoming a member. Chairman MacMillan explained the duties and responsibilities of the Planning Board and advised Tom if was interested to advise Chairman MacMillan or Eric Smith and he would be nominated at the Town Caucus Monday 2/27/2006.

Meeting adjourned at 9:07PM on motion by Whitney and seconded by MacLeod.

Respectively submitted

Bruce Whitney

Planning Board  
Minutes  
March 16, 2006

The special Planning Board meeting convened at 6:30PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Robert MacLeod; Tom Ruble; and Eric Smith, Town Planner.

Patriot Estates

Discussion centered on what would happen if the application wasn't withdrawn and resubmitted. Mr. Bob Shattuck was present to represent his brother Willard, executor to the Estate. Withdrawal request was needed, as the Board no longer had a quorum to re-open the hearing and make a final decision prior to the deadline as required by the subdivision control law.

Mr. Ralph Kenney arrived at 6:45 PM and submitted a withdrawal request for Patriot Estates. On a motion by Whitney, 2<sup>nd</sup> by MacLeod, to accept the withdrawal request. It was voted 4 in favor to 1 abstention. Joseph Kalagher recused himself from voting, as he is an abutter to the Patriot Estates subdivision.

Mr. Kenney then officially submitted a new Form C, Definitive Subdivision Application, to the Board. All present were advised a new hearing will be scheduled at a later date. Abutters and applicant will be notified.

Eric Smith brought the Board up to date on various ongoing projects.

- Mike Hannon may be present at next Board meeting to discuss issues at Lakeside Village.
- LIP project off of Gardner Road - Good meeting was held with various Boards present.
- Bray Avenue – Met with Conservation commission. Going back to drawing board.
- Joe Kalagher and Eric met with Town Administrator re: establishment of driveway & curb cut bylaw proposal

Chairman MacMillan noted House Numbering letters at Light Plant and suggested sending a memo to Town Administrator and various boards outlining the House Numbering letter.

Chairman MacMillan distributed packets for March 23<sup>rd</sup> meeting to Board Members.

Motion by Chairman MacMillan, 2<sup>nd</sup> by Ruble to adjourn at 8:15 PM. 5 to 0 in favor.

Respectively submitted

Bruce Whitney

Planning Board  
Minutes  
March 23, 2006

The Planning Board meeting convened at 6:32PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; and Tom Ruble. Absent were Bob MacLeod and Town Planner Eric Smith.

Chairman MacMillan read the agenda.

Open Discussion:

- David Bingham, of D & Z Bingham Custom Builders, appeared before the Board with a letter asking for permission for occupancy #9 Williams Road before the common driveway is complete. Mr. Bingham is looking for final inspection from Building dept on Saturday March 25<sup>th</sup>. Chairman MacMillan suggests we allow this but the next occupancy permit will not be allowed until everything is complete. Motion made by Kalagher to allow occupancy of House #9 before completion of common driveway. 2<sup>nd</sup> by Whitney. Voted 4 to 0 in favor.
- Stephen Anderson appeared before the Board asking for occupancy before common driveway completed for lot 3 & 4 on East Rindge Road. After some discussion, it was agreed the Board would go out and review site on Saturday March 25<sup>th</sup> and get back to Mr. Anderson as to what steps need to be taken before Board allows occupancy.
- Denis D'Amore and Michael Hannon appeared before the Board for discussion on Lakeside Village. Would like to get an amendment to the covenant to allow model before the road is completed. Board has no objection to amending the covenant. They asked if they are allowed to put signs out advertising. Chairman MacMillan advised them he will try to contact Debbie Phillips and get some opinions.
- Bob Shattuck appeared before the Board with concerns about the Patriot Estates subdivision. He stated he is against the subdivision and he is proposing each lot be accessed from Marshall Mills Road. Chairman MacMillan advised him there is a plan before us and that he is welcome to attend the hearing and voice any opinions then. Board cannot make any comments at this point.

7:15PM - Scenic Road Hearing – Cashman Hill Road – McCarty Assoc.

Chairman opened hearing and immediately recessed since no one at meeting.

Chairman Comments:

- Abutters guide has been updated and will be distributed at next Board meeting.



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- Chairman MacMillan asked Town Webmaster if he would put Abutters Guide, House Numbering Enforcement Letter, and House numbering Regulations on town website. He agreed to do.
- CPTC Seminar – Attended by Chairman MacMillan, Joe Kalagher, and Bruce Whitney. Brief update on seminar was presented.
- Murray Road – Board discussed letter from Debbie Phillips. Chairman MacMillan stated the options he sees are to leave as is; rezone as requested at Town Meeting, or zone 300 feet back as residential on both sides leaving 150 feet for access to industrial.

7:45 PM – Joseph Livergood – ANR – Platts Road/Westminster Street – Scott Curtin from Hannigan Engineering appeared before the Board to explain the ANR request. After discussion, a motion made by Kalagher, 2<sup>nd</sup> by Whitney, to endorse the ANR creating 3 new lots was voted 4 to 0 in favor.

Minutes of March 9, 2006 Board meeting were approved 4 to 0 on motion by Ruble and 2<sup>nd</sup> by Kalagher.

Two Building permit applications were signed by Chairman MacMillan.

- Lot #9 Hay Road
- Lot # 11A Hay Road

Notice of decision for Dwight Wheeler for variance to construct second floor at 101 Dunn Road. ZBA granted with conditions.

Notice of ZBA hearing March 29<sup>th</sup> for Nell Farrand and Scott Foster.

Surrounding Towns notices of public hearings reviewed.

Reopened Cashman Hill Scenic Road Hearing. Motion by Whitney to continue hearing until April 13, 2006 at 7:30 PM. 2<sup>nd</sup> by Kalagher. Voted 3 in favor to 1 abstain. Tom Ruble is an abutter and abstained from vote.

Board reviewed draft zoning articles to be presented at Town Meeting. Major Residential Development proposal was discussed.

Kalagher stated two General Bylaws being worked on, Driveway bylaw and opening up Streets and Roads.

Meeting adjourned at 9:15 PM.

Respectively submitted,

Bruce Whitney

Planning Board  
Minutes  
April 27, 2006

The Planning Board meeting convened at 6:34PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bob MacLeod; Bruce Whitney; Tom Ruble; and Town Planner Eric Smith.

Agenda read by Chairman MacMillan.

Minutes of the April 13<sup>th</sup> Planning Board Meeting were approved on motion by MacLeod with a second by Kalagher. Motion carried 4 in favor, 0 against. (Tom Ruble arrived after this vote.)

Chairman Comments:

Letter to Mr. Evancic on inspection schedule and payment of consulting fees concerning Lakeview Estates Subdivision was read by Chairman MacMillan. Motion by MacLeod, 2<sup>nd</sup> by Whitney, to send letter to Mr. Evancic was voted 5 to 0 in favor.

Chairman MacMillan approved invoices for 2 members of ZBA and 3 members of Planning Board who attended Citizen Planner Training Collaborative on March 18<sup>th</sup>.

Chairman MacMillan approved invoice for \$58.50 payable to Thomsan West for update to Mass General Laws.

Chairman MacMillan signed building permit application for a new residence at Lot #7 Lakeshore Drive owned by James and Jacqueline Tabor.

Watershed Coalition Annual Meeting will be May 18<sup>th</sup> in Leominster. Eric Smith, Tom Ruble and Joe Kalagher may attend.

Cashman Hill Scenic Road – Motion by Kalagher, 2<sup>nd</sup> by Whitney, to approve scenic road permit #2006-04, Steepleview Realty Trust, 22 Cashman Hill road. Voted 4 in favor 1 abstain. Tom Ruble is an abutter and abstained.

Discussed motion at Town Meeting to ask for \$10,000 for article 35, Industrial and Economic Development related Land Siting Study. Motion by Chairman MacMillan, 2<sup>nd</sup> by Rubble to recommend article 35 was voted 5 to 0 in favor.

Discussed Affordable Housing article 36. Chairman MacMillan recommends supporting article, 2<sup>nd</sup> by MacLeod. Voted 5 to 0 in favor.

Town Planner Comments:

Discussed Ashburnham Source Water Protection Plan

Discussed Mark Dymek 40B Project. Meetings to be set up according to subjects.

April 11, 2006 Rindge NH Zoning Board of Adjustment voted that Home Depot has regional impact. There is a public hearing in Rindge on May 8<sup>th</sup>. Planning Board to have Eric send letter as to impact on Hardware Store and intersection of 101 and 119.

## 7:15 PM By-Law Hearing

Chairman MacMillan read the Public Meeting Notice.

Article 39 – Common Driveways. Intent of article explained to attendees.

Article 40 – OSRD- Green District. Article read and explained. No public comment.

Article 41 – Prohibited Activities – Stated Planning Board may vote to pass over.

Article 42 – Self Storage Facilities - Read and explained. No public comment.

Article 43 – Parking in Village Center – Intent explained to attendees.

Article 37 – Major Residential Developments – Various comments from chair and attendees concerning definitions and shared septic discussions with BOH.

Article 38 – Grammatical error – No public comment.

Article 33 – Murray Road - Town Planner, Eric Smith, gave an update on developments since the original presented at fall Town Meeting. Comment by Mr. Sisson – opposing keeping one side Industrial.

Planning Board voted on their recommendations.

Motion by Ruble to recommend Articles 33, 37,38,39,42, and 43. 2nd by Kalagher. Kalagher motion to amend Article 37, section 5.15.2 c to read 600 feet. 2nd by MacLeod. Voted 5 to 0 in favor.

Motion by MacLeod, 2<sup>nd</sup> by Ruble, to recommend passing over article 41 was voted 5 to 0 in favor.

## 8:00 PM – Patriots Estate Subdivision Hearing - continuation

Hearing opened by Chairman MacMillan. Joe Kalagher recused himself as an abutter.

Steve Aldrich shared his comments on the subdivision project.

Abutters had numerous concerns, mainly on drainage.

After much discussion it was decided many issues need more work. It was voted to continue the hearing until May 11<sup>th</sup> at 8:15PM on motion by Chairman MacMillan.

## General By-Law – Article 34

A motion by Kalagher, 2<sup>nd</sup> by Whitney, that Planning Board recommend article 34 at Town Meeting was voted 5 to 0 in favor.

## Presentation of Articles at Town Meeting

Eric Smith – Articles 35 & 36

MacMillan – Articles 37, 40 & 43.

Kalagher – Articles 34 & 42

Whitney – Articles 38 & 39

Ruble Article 41

Eric brought the Board up to date on the Town Hall renovation project.

## Re-Organization

Board members voted MacMillan as Chairman, Kalagher as Vice Chairman and Whitney as Clerk for the year.

Meeting was adjourned at 9:50 PM.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
May 11, 2006

The Planning Board meeting convened at 6:35PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bob MacLeod; Bruce Whitney; Tom Ruble; and Town Planner Eric Smith.

Agenda read by Chairman MacMillan.

Minutes of the April 27<sup>th</sup> Planning Board Meeting were approved on motion by MacLeod with a second by Kalagher. Motion carried 5 in favor, 0 against.

Chairman Comments:

Chairman MacMillan reviewed and discussed letter dated May 1, 2006 from Kristine Symonds regarding apparent conflict between Watershed Map and Zoning Map within the WSP overlay. Letter is on file with Planning Board.

Town Planner Comments:

Eric reviewed his discussion with Kara Sargeant an Environmental Analyst with NEIWPC (New England Interstate Water Pollution Control Commission).

Planning Board needs to address the amendment by Jeff Lawrence in reference to driveway setbacks.

Article 35, Land Siting Study, was approved at Town Meeting. Eric recommended PB interview prospects and make a recommendation. Time will be devoted at the June 8<sup>th</sup> PB meeting.

Eric reviewed the "Scope of Services" pertaining to the 40B Application known as Whitney Park Estates.

Eric discussed the Lakeview Estates site visit he and Joe Kalagher made this afternoon. Purpose was to review the status of staking of the clearing limits.

Open Discussion

Ernie Beland of High Street (Old Four Winds property) appeared before the board looking for comments on creating a lot within his property. He was advised of the requirements and to do further research.

7:15 PM – Gary Gleason – ANR – Winchendon Road

Gary Gleason appeared before the Board and presented his ANR application. After review and discussion it was voted to endorse as presented on motion by Whitney and 2<sup>nd</sup> by MacLeod. Voted 5 to 0 in favor.

7:30 PM – Scott Foster ANR – Main Street

Scott Foster appeared before the board and presented his ANR application. He was advised of the steps needed to continue. Discussion focused on the Chapter 41, section 81L exemption. On motion by Kalagher, 2<sup>nd</sup> by Whitney, to endorse plan it was voted 5 to 0 in favor.

7:45 PM – Hannigan / Livergood – Common Drive Hearing

Chairman MacMillan read notice of hearing.

Marc Belanger of Hannigan Engineering presented proposed plan to the Board.

Abutters discussed drain easements and location of septic system on proposed property.

Chairman MacMillan stated because it is more complicated than average that the application be submitted to our Engineer.

PB members will make a site visit on Monday May 22<sup>nd</sup> at 5:00 PM.

Chairman MacMillan made a motion to continue hearing until 7:30 PM at the June 8<sup>th</sup> PB meeting. Motion 2<sup>nd</sup> by Kalagher and voted 5 to 0 in favor.

8:00 P M – Patriots Estate Subdivision Hearing

Hearing opened by Chairman MacMillan. Joe Kalagher recused himself as an abutter.

Steve Aldrich shared his comments on the subdivision project and the drainage issues.

Abutters had numerous concerns, mainly on drainage easement.

Larry Piispanen and Christine LeBlanc submitted letter (On File with PB) to PB stating they do not wish to allow the drainage easement unless Town takes responsibility for any changes to Marshall Mills Road.

After much discussion it was decided to continue the hearing until June 8<sup>th</sup> at 8:00 PM on motion by Chairman MacMillan, 2<sup>nd</sup> by MacLeod. Voted 4 to 0 in favor.

8:30 PM – John Howland – ANR – Sherbert Road

John Howland appeared before the Board to explain his ANR request. After much discussion concerning frontage it was decided he would withdraw application and resubmit with discussed changes.

Correspondence

ZBA gave unanimous business approval allowing James Sadin to operate a fabrication and repair of Marine and RV canvass business at his Gibson Road home.

Meeting was adjourned at 9:34 PM on motion by Chairman MacMillan and 2<sup>nd</sup> by Ruble.

Respectively submitted,

Bruce Whitney - Clerk



Planning Board  
Minutes  
June 08, 2006

The Planning Board meeting convened at 6:35PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bob MacLeod; Bruce Whitney; Tom Ruble; and Town Planner Eric Smith.

Agenda read by Chairman MacMillan.

Minutes of the May 11<sup>th</sup> Planning Board Meeting were approved on motion by MacLeod with a second by Kalagher. Motion carried 5 in favor, 0 against.

Chairman Comments:

Chairman MacMillan and Eric think we should schedule another meeting this month. Scheduled for June 29<sup>th</sup> at 6:30 PM.

Chairman MacMillan brought up the idea of grouping all ANR appointments at 7:15 PM each meeting. All members agreed it was a good idea. Will be implemented next meeting.

Chairman MacMillan commented that the base coat is down at Lakeside Condos and Building Inspector has issued foundation permit.

Town Planner Comments:

Eric discussed the Smart Growth Technical Assistance Grants for 2007. Will apply for Low Impact Developments and Planned Unit Developments.

Flow Chemical is looking to expand there business. Property is zoned RA and will need to be rezoned Industrial before they can proceed.

Eric discussed Scot Fosters Main Street project.

Letter from Geoffrey Evancic (On File with PB) submitting a request to the PB to substitute two of the approved items for the construction of the road infrastructure. Voted 5 to 0, on motion by Kalagher with a 2<sup>nd</sup> by MacLeod, to allow substitution of the RCP pipe. Voted 4 to 1 to substitute the guard rail system to wood posts and steel non shiny rails to be approved by PB before installation.

Russell Hill Road 180 acres for \$1,000,000. Town has 6 months for first refusal as the land is under chapter 61.

Next Dymek 40b hearing scheduled for June 21, 2006 at 7:30 PM.

Open Discussion

Ernie Beland of High Street (Old Four Winds property) appeared before the board looking for advice on preliminary plans for his property.

7:15 PM – Curry – ANR – Main Street

Motion by MacLeod, 2<sup>nd</sup> by Whitney, to approve ANR as presented by Neil Szoc was voted 5 to 0 in favor.



7:15 PM – Manchester - ANR – Platts Road

Scott Curtain presented ANR. Reviewed and made changes for frontage. Motion made by Kalagher and 2<sup>nd</sup> by Ruble to approve as modified. Voted 5 to 0 in favor.

7:30 PM – Gallagher ANR – Platts Road (Originally scheduled for 9:00 PM)

ANR presented by Neil Scoz. Motion by Ruble, 2<sup>nd</sup> by Kalagher, to approve as presented. Voted 5 to 0 in favor.

7:30 PM – Livergood Common Driveway Continuation.

Applicants Engineer submitted request to continue hearing so they have time to respond to Rizzo Associates letter. Voted 5 to 0 to continue hearing until June 22<sup>nd</sup> at 8:00 PM.

8:00 PM – Patriots Estate Subdivision Hearing

Hearing opened by Chairman MacMillan. Joe Kalagher recused himself as an abutter. Chairman MacMillan commented that according to Town Council, PB can't make judgment on Marshall Mills Road.

After some discussion on drainage concerns hearing was closed on motion by Whitney and 2<sup>nd</sup> by MacLeod. Voted 4 to 0 in favor.

Motion by Whitney, 2<sup>nd</sup> by MacLeod, to approve waivers as listed in item 6. Voted 4 to 0 in favor.

Motion by MacLeod, 2<sup>nd</sup> by Ruble, to approve definitive plan as presented with revisions to item 11 and other typo and grammar changes. Voted 4 to 0 in favor.

8:30 PM – Stephen Anderson – East Rindge Road

Stephen appeared before the Board with a request to change from Common Drive to Private Drive. He was advised a letter is needed to rescind the special permit for a Common Drive.

8:30 PM – John Howland – ANR – Sherbert Road

John Howland appeared before the Board to explain his ANR request.

Motion by Kalagher, 2<sup>nd</sup> by Whitney, to accept ANR as modified. (Lot A2 noted as not a building lot) Voted 5 to 0 in favor.

Motion by Chairman, 2<sup>nd</sup> by Ruble, to waive fee was voted 5 to 0 in favor.

9:15 PM – Richard Wright – Site Plan Update

Richard Wright appeared before the Board requesting extension for site plan for restaurant.

Motion by Chairman MacMillan, 2<sup>nd</sup> by MacLeod, to extend the required improvements for SPR 2005-02 and 2006-03 until August 24, 2006. Voted 5 to 0 in favor.

9:30 PM Mike Hannon - Binder

Mike appeared before the Board looking for Partial Release of Covenant in order to get a building permit issued for model. Not enough information to approve. Will meet week of 6/12/06 if he gets the necessary information together.

Correspondence

TA received letter from the Robichauds at 38 Holt Road. Chairman MacMillan read the letter and it was noted there were many inaccuracies. Read into record. On file with PB.

Reviewed Building Commissioners Activity Report. Noted 1 building permit in May and 3 in April.

Rindge Board of Adjustment sent letter thanking for our input concerning Home Depot.

Reviewed ZBA decisions and hearings.

Chairman MacMillan signed building permit application for 121 Sherbert Road. (David Salo)

Building permit for 48 Gardner Road not signed due to lack of a plot plan.

Meeting was adjourned at 10:45 PM.

Respectively submitted,

Bruce Whitney - Clerk

Special Planning Board  
Minutes  
June 15, 2006

The Planning Board meeting convened at 6:33PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Town Planner Eric Smith.

Denis D'Amore and Michael Hannon appeared before the Board with proper paperwork for partial release of covenant for Lakeside Village. Reviewed the agreement and discussed changes. Section 4h crossed off of document.

A motion was made by Chairman MacMillan to accept agreement to secure partial performance guarantee of the Lakeside Village OSRD in the amount of \$10,000 and further a partial release of covenant relating to lot 14. Motion 2<sup>nd</sup> by Kalagher and voted 3 to 0 in favor.

Town Planner Comments:

Eric reviewed the e-mail from Nancy Braxton (Conway School of Landscape Design) showing interest to be considered for the Industrial Land Siting Study Project. Eric will contact her and let her know we are interested and he will ask for sample documents the PB can review at the June 29<sup>th</sup> regular meeting.

Eric discussed the information he acquired at the Central Mass Smart Growth Alliance meetings he attended on April 6<sup>th</sup> and June 13<sup>th</sup>. The group is looking for projects in the area to work with.

Discussed the Highway Dept tours made to various Towns in the area.

Discussed the Lake Watatic parcels owned by Town.

Meeting was adjourned at 7:37 PM.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
June 22, 2006

The Planning Board meeting convened at 6:37PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Tom Ruble; and Town Planner Eric Smith. Bob MacLeod was absent.

Agenda read by Chairman MacMillan.

Minutes of the June 8<sup>th</sup> Planning Board Meeting were approved on motion by Ruble with a second by Kalagher. Motion carried 4 in favor, 0 against.

Minutes of Special June 15<sup>th</sup> Planning Board Meeting were approved on motion by Kalagher with a 2<sup>nd</sup> by MacMillan. Voted 3 in favor 0 against.

Chairman Comments:

Chairman MacMillan discussed the 40B project held on June 21<sup>st</sup>.

Town Planner Comments:

Eric reviewed highlights of work completed and on going from his Monthly Town Planner Report covering May 15, 2006 to June 21, 2006.

Reviewed proposal for the Smart Growth Technical Assistance Grants for 2007. PB gave Eric the okay to proceed.

Reviewed memo from TA concerning the right of first refusal for Thibert property on Russell Hill Road. Consensus of PB is to support purchase of the land.

Open Discussion

No one present for open discussion.

7:15 PM – Prof. Rick Taupier University of Mass.

Prof. Taupier presented a proposal to complete the Industrial & Economic Development Land Siting Study for the Town of Ashburnham. (On File in PB office) The proposal would be to conduct a study from September 2006 through March of 2007 at a cost of \$9,625. Additional research time and project management time amounting to a value of \$13,662, would be a contribution from the University.

7:30 PM – Livergood Common Driveway Continuation.

Marc Belanger, applicants Engineer reviewed plan. There are issues with site distance towards Westminster. Eric, Tom Ruble, Rizzo and Belanger will meet at the site 10:00 AM June 27th to review. On motion by Whitney, 2<sup>nd</sup> by Ruble, it was voted 4 to 0 in favor to continuing Hearing until 7:30PM July 13, 2006.

Correspondence

S. Anderson and Glaser submitted letters for common drive withdrawals for East Rindge Road. Motion to accept letters, dated 6/5/06 (Glaser) and 6/12/2006 (Anderson) for withdrawal of common driveways for Sp. Permit #1 dated 1/28/05, for Map 11 / parcel 2, East Rindge was voted 4 to 0 in favor.

Chairman MacMillan signed building permit application for model Lakeside Village Condo. Asking for 2 foundation permits for Lakeside Village.

Meeting was adjourned at 10:05 PM.

Respectively submitted,

Bruce Whitney - Clerk

Special Planning Board Meeting  
Minutes  
June 29, 2006

The Planning Board meeting convened at 6:40PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Tom Ruble and Town Planner Eric Smith.

Chair read the agenda for tonight's meeting.

Industrial Siting Study - Conway vs. U Mass

Eric discussed and recommended U Mass. Suggested Conway better suited to do open space study. Consensus of PB to award Industrial Land Siting Study to U Mass.  
Motion by Chair to accept "Univ. of Mass. Office of Geographic Information and Analysis" proposal for land siting study. 2<sup>nd</sup> by Kalagher and voted 4 to 0 in favor.

MRPC Representative

Whitney volunteered to be the PB representative to the MRPC. Gagnon is the Selectmen representative.

TA – Robichaud Letter

Reviewed Town Planner and PB response to Town Administrator memo requesting a report addressing concerns the Robichauds have on Holt Road.

Rules and Regulations

Balance of meeting was discussing Rules and Regulation changes in preparation for public hearing.  
Public hearing is scheduled for August 10, 2006.  
Scenic Roads - Reviewed and discussed changes. Motion by Whitney, 2<sup>nd</sup> by Ruble to send Scenic Roads Rules and Regulations to public hearing. Voted 4 to 0 in favor.  
Common Driveway Special Permits - Reviewed and discussed changes. Motion by Kalagher, 2<sup>nd</sup> by Whitney to send Common Driveway Special Permits Rules and Regulations, with modifications, to public hearing. Voted 4 to 0 in favor.  
OSRD – Reviewed and discussed changes. Motion by Ruble, 2<sup>nd</sup> by Kalagher, to send OSRD Special Permits, with changes, to public hearing. Voted 4 to 0 in favor.  
Submission Fees - Reviewed and discussed. Motion by Whitney, 2<sup>nd</sup> by Kalagher, to send Submission Fees to public hearing. Voted 4 to 0 in favor.  
PB Rules and Regulations – Reviewed and discussed. Will continue discussion at next PB meeting.

Meeting was adjourned at 10:15 PM.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
July 13, 2006

The Planning Board meeting convened at 6:32PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bob MacLeod; Bruce Whitney; Tom Ruble; and Town Planner Eric Smith.

Agenda read by Chairman MacMillan.

Minutes of the June 15th Planning Board Meeting were approved on motion by Kalagher with a second by Whitney. Motion carried 3 in favor, 0 against. (3 Members present at June 15<sup>th</sup> Meeting.)

Minutes of June 22<sup>nd</sup> and 29th Planning Board Meeting were approved on motion by Kalagher with a 2<sup>nd</sup> by MacMillan. Voted 4 in favor 0 against.

Chairman Comments:

- Chair stated all changes discussed at prior meeting have been made to Rules and Regulations.
- Chairman Macmillan discussed the Miyares & Harrington LLP letter requesting information as to the status of Ferin Road.

Town Planner Comments:

- Lakeview Estates – Lot 10 discussion on driveway location. After some discussion about concerns with Lakeview, it was decided to get Geoff Evancic to our next PB meeting on July 27<sup>th</sup> to clarify some concerns.
- Eric talked to Town Administrator about the U Mass proposal for the Industrial Siting Study. Okay from TA to hire them. Eric will follow up.
- Affordable Housing Plan awarded to Karen Sunnarborg.
- Eric stated driveway setback is on selectmen agenda for July 17<sup>th</sup>.
- Rebecca Mc Dermott, a consultant with Mass Water Association, has supplied a copy of Water Supply Protection District Bylaw.
- Discussion on Durkee property on Hastings Road. Joe and Bruce to contact Mr. Durkee to get his thoughts on property.

7:00 PM - Open Discussion

Scott Foster submitted site plan review application to Board. Scott discussed his timetable requirements. Discussed site review requirements such as lighting, drainage, signage, etc. Will make appointment for July 27<sup>th</sup> PB Meeting for Site Plan Review and approval.

7:15 PM – Cashman Hill Estates

All Requirements have been met for approval.  
Motion by Chairman MacMillan, 2<sup>nd</sup> by Whitney, to endorse covenant for Cashman Hill Estates Subdivision, and further endorse Mylars for Cashman Hill Estates, and applicant must supply 3 copies of approved plan. Voted 4 in favor (MacMillan, MacLeod, Kalagher, and Whitney) to 0 against. Ruble is an abutter and did not vote.

7:30 PM – Livergood Common Driveway Hearing

Hearing opened by Chair.

Eric discussed site visit made after last meeting. Site Line Distance clarified and is acceptable. Drainage concerns are being addressed.

Reviewed Rizzo comments.

Motion by Ruble, 2<sup>nd</sup> by Kalagher to close hearing was voted 5 to 0 in favor.

7:30 PM – ANR Correction – Livergood – Platts Road

Motion by MacLeod, 2<sup>nd</sup> by Whitney to accept ANR as revised was voted 5 to 0 in favor.

8:15 PM – Roger Clark ANR Correction – Packard Hill Road

Steve Ballard presented changes to the Packard Hill Falls ANR. Motion by Kalagher, 2<sup>nd</sup> by MacLeod to accept as presented was voted 5 to 0 in favor.

8:00 PM – Ernie Beland – Four Winds Drive

Chris Mossman presented issues in creating subdivision at this location. Chairman MacMillan has concerns with driveway pitch.

Further review and study will continue.

Correspondence

- Reviewed memo from KP on Thibert 61A Land. Selectmen will go into executive session to discuss.
- Memo from TA congratulating Eric for his work on Whitney Park Estates.
- Chair commented Eric has been here for one year. Many positive comments from PB Members on work he has accomplished and how he has made it easier for PB.
- Discussed Patriot Estate appeal process.

Meeting was adjourned at 9:37 PM on motion by Chair, 2<sup>nd</sup> by Ruble.

Respectively submitted,

Bruce Whitney - Clerk



Planning Board  
Minutes  
July 27, 2006

The Planning Board meeting convened at 6:36PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bob MacLeod; Bruce Whitney; and Town Planner Eric Smith. Tom Ruble arrived at 8:10PM.

Agenda read by Chairman MacMillan.

Minutes of the July 13th Planning Board Meeting were approved on motion by MacLeod with a second by Kalagher. Motion carried 4 in favor, 0 against.

Chairman Comments:

- Chair reminded Board public hearing for Rules and Regulations slated for next PB meeting on August 10<sup>th</sup>.
- Chair met with TA to discuss Eric's review. Will start with self evaluation.
- TA looking for assistance in hiring new Highway Supt. / Engineer. Joe Kalagher will attend Monday's meeting for discussion on job functions of position. Committee will be appointed after Monday's meeting.
- There will be a sub-committee meeting Monday July 31<sup>st</sup> at 5:00PM with Engineers from Rizzo to discuss 40B project. Purpose is to generate a report PB can present to ZBA. PB on agenda with ZBA for Wednesday August 23<sup>rd</sup> at 7:00PM.

Invoices: Dues in the amount of \$278.00 for Eric's membership for American Planning Association were approved.

Correspondence:

- Letter from Bat. Chief Salo on Beland request at Four Winds property. Asking for clarification before responding.
- Chair reviewed Town Council response to Patriots Estates appeal.
- Reviewed Rizzo July 7<sup>th</sup> report with updates on Lakeside Village.
- ZBA notice decision approving screen porch on Winding Cove.

7:00PM – Open Discussion: No one present for open discussion.

Town Planner Comments:

- Eric reviewed Monthly Town Planner Report covering activity from June 27<sup>th</sup> to July 25<sup>th</sup> highlighting work completed and on-going. Eric has completed one year with Ashburnham.
- Discussed 61A property Town has opportunity to purchase. Motion made by Kalagher, 2<sup>nd</sup> by Ruble, to send letter supporting purchase of 61 A property on Russell Hill Road. 5 to 0 in favor.
- Reviewed TA memo on goals and objectives. Eric distributed Town Planner Proposed Goals & Objectives to Board members.

7:30 PM – Site Plan Review – 76/78 Main Street:

Scott Foster and Gary Prine presented discussion on changes to property. Working with neighbors on buffer zone.

Motion by Chair to waive section 5.102.2 requiring further need for a registered site plan submission. 2nd by Whitney and voted 4 to 0 in favor.

Motion by Chair to approve site plan review for 78 Main Street with following 2 conditions. Landscape plan required in buffer to meet section 5.104b of zoning bylaw and related CV District Site Plan Review principles, and further move common driveway site plan is required. 2<sup>nd</sup> by Kalagher and voted 4 to 0 in favor

8:00 PM – Geoff Evancic

Geoff met with the Board to discuss status of Lakeview Estates. Currently doing cuts and fills and 15 to 20 days will start putting in storm drainage. Concerns outlined in Rizzo and WD reports were discussed as well as damages done to Holt Road. Geoff states damage will be taken care of.

Joe Kalagher distributed sample of West Boylston Driveway Rules and Regulations.

Meeting was adjourned at 9:47 PM on motion by Chair, 2<sup>nd</sup> by MacLeod.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
August 10, 2006

The Planning Board meeting convened at 6:31PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bob MacLeod; Bruce Whitney; and Town Planner Eric Smith. Tom Ruble was absent.

Agenda read by Chairman MacMillan.

Minutes of the July 27th Planning Board Meeting were approved on motion by Kalagher with a second by MacLeod. Motion carried 3 in favor, 0 against. (MacLeod arrived after vote.)

Chairman Comments:

- Chair signed building permit for new single family home at 73 Corey Hill Road.

Invoices: Invoice in the amount of \$107.66 for Aspen Publishers was approved by Chair. This is a Supplement to handbook.

7:00PM – Open Discussion:

Rick Sisson appeared before the board to discuss plans for Murray Road property. He wants to do an OSRD with 40 units. After some discussion Chairman MacMillan advised the first thing needed are preliminary sketches of OSRD vs. conventional. The second thing is a site visit after reviewing the sketches. Mr. Sisson agreed to have his Engineer develop plans and will return to Board when completed.

7:15PM – BNE – ANR – Log Cabin Road

Paul Baptist presented an ANR Plan for Lot 5A, Parcel C-1, Log Cabin Road. On motion by Chairman MacMillan, 2<sup>nd</sup> by Macleod, it was voted 4 to 0 in favor to accept ANR Plan as presented.

7:30PM – Rules and Regulations Amendment Hearing

Hearing was opened by Chairman MacMillan. Mark Dymek was the only attendee. Reviewed and discussed changes to the Rules and Regulations and Fees schedule. Mr. Dymek expressed his concerns with the \$100 lot release fees and section 4.3 and 4.6 dealing with Project Review Fees. Motion made by Chairman MacMillan, 2<sup>nd</sup> by Whitney, to continue hearing until August 31, 2006 at 7:30PM. Voted 4 to 0 in favor.

Correspondence

Discussed Eric memo to Jim Zarozinski addressing concerns from abutter (Mrs. Bertha Landry) dealing with drainage structures on Westminster Street and the Westminster Street Common Driveway Special Permit application.

Town Planner Comments:

- Eric discussed his memo to TA on the Ferin Road, Higgins – Steele property. Explaining Land Use Office can supply 3 of the 8 requests. Eric detailed who he believes should be responsible for the other requests. Eric noted the land is Chapter 61.
- Eric distributed “Adequacy of a Public Way” for members to review.
- Eric discussed TA response to the Robichaud’s concerns with the Lakeview Estates project. Eric visited the Robichaud’s and listened to there concerns about lot lines. He advised it would be best for them to get the land surveyed. Eric and Joe to visit site Friday 8/10/06
- Eric reviewed the developments of the drainage issues on S. Andersons lot 3 East Rindge Road property. Complaint by Robert Young after last heavy rain. Board authorized Chairman MacMillan and Eric to draft and submit letter to Mr. Anderson stating the Board has been advised by Town Council that the Board has no legal mechanism to revoke the common driveway permit. He will have to abide by the original plan or submit a new plan.
- Reviewed goals and objectives presented by Eric. Voted 4 to 0 in favor, on motion by MacLeod, 2<sup>nd</sup> by Kalagher, to accept goals and objectives to be presented to TA.
- Discussed sink holes at Athol Savings driveway. Board authorized Chairman MacMillan and Eric to draft and send letter to Bank reminding them of the uncompleted items.
- Reviewed report PB will give to ZBA at the meeting August 23, 2006. Motion by MacLeod, 2<sup>nd</sup> by Whitney, to approve the report to be presented to ZBA meeting with change to “School Bus Stop” subject to approval of school department. Voted 4 to 0 in favor.

Next meeting will be with ZBA Wednesday, August 23, 2006.

Board approved scheduling a meeting on August 31, 2006. Will continue hearing on Rules and Regulations.

Meeting was adjourned at 10:20PM.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
August 31, 2006

The Planning Board meeting convened at 6:30PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bob MacLeod; Bruce Whitney; Tom Ruble, and Town Planner Eric Smith.

Agenda read by Chairman MacMillan.

Minutes of the August 10th Planning Board Meeting were approved on motion by Kalagher with a second by Whitney. Motion carried 3 in favor, 0 against.

Invoices: Chairman MacMillan approved 2 membership invoices for “Mass Federation of Planning & Appeals Board, Inc.” Planning Board and ZBA each \$60.00.

7:00PM – Open Discussion:

Bruce David and Tyson David appeared before the Board to discuss plans for a 3 season Country Store at 101 and 119. Board explained the process and what they need to do to submit plans. They were advised to contact the BOH and the State Highway for their requirements. They intend to submit a plan in the near future.

7:15PM – ANR – Robert Dufour – Procter Street

Mr. and Mrs. Dufour presented a Lot Line Elimination Plan to combine 2 lots into 1. After some explanation and discussion it was voted 5 to 0 to accept plan as submitted on motion by MacLeod, with a second by Whitney.

7:30PM – Rules and Regulations Amendment Hearing

Hearing was opened by Chairman MacMillan and recessed until later this evening.

8:00PM – Richard Wright – Store Discussion

Richard Wright appeared before the Board requesting an extension until Town makes a decision as to whether there is interest in a purchase. Also, requesting an extension until June 1, 2007 for final paving requirement. He states there are 2 banks interested in purchasing the white building if Town has no interest. Finished tree plantings and will complete bark mulch on Sept 1, 2006. Dumpsters are being moved and will be fenced in.

After some discussion it was voted, in favor, 5 to 0 on motion by Ruble with a second by MacLeod to allow final paving requirement be extended until June 1, 2007, and all other outstanding conditions in PB Site Plan review decision SPR 2005-02 & SPR 2006-03, be completed prior to occupancy.

### Town Planner Comments:

- Eric Reviewed Monthly Town Planner Report detailing activities covering July 26, 2006 to August 22, 2006. ( On File)
- Eric reviewed the developments of the drainage issues on S. Andersons lot 3 East Rindge Road property. Current permit expires January 2007.
- Reviewed updates on Foster 76-78 Main Street.
- Reviewed updates on rail trail.
- Land Siting Study. Students to meet with PB late September.
- Town Barn- Reviewed sites. Meeting with CMSMA Sept. 27, 2006 at 3:30PM.
- Lombard Property. Board to submit letter to TA suggesting forming a committee to study possible uses of land.
- November 2, 2006 affordable housing forum at Overlook Middle School.
- Dymek 40B – ZBA made some changes as outlined in PB presentation to ZBA. Sewer issues are of concern. PB to send letter to BOS and TA concerning issues.
- TP Annual Review. After reviewing, motion made by Chair, seconded by MacLeod, to approve self-evaluation and send to TA. Voted 5 to 0 in favor.

### Manchester Common Driveway Decision

Motion by Chair, seconded by Kalagher, to waive section 5.142.9 of Ashburnham Zoning By-Law pertaining to establishment of a homeowners association. Voted 4 to 0 in favor.

Motion by Ruble, seconded by Whitney, to approve common driveway special permit 2006-07. Voted 4 to 0 in favor.

### Rules and Regulations

Hearing reopened. Reviewed changes made at the August 10<sup>th</sup> meeting. Reviewed additional changes to be adopted.

Motion to continue hearing until 8:15 PM Sept. 14, 2006 was made by Chair and seconded by Whitney. Voted 4 to 0 in favor.

Meeting was adjourned at 9:55 PM on motion by Whitney, seconded by Kalagher. Voted 4 to 0 in favor.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
September 14, 2006

The Planning Board meeting convened at 6:34PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bob MacLeod; Bruce Whitney; and Town Planner Eric Smith. Tom Ruble arrived at 8:10PM.

Agenda read by Chairman MacMillan.

Minutes of the August 31st Planning Board Meeting were approved on motion by Kalagher with a second by Whitney. Motion carried 3 in favor, 0 against.

Chairman Comments:

- Cashman Hill Estates requested changing covenant to a Tri Party Agreement. Will review issues and take under advisement until future meeting. Need to review anticipated costs of Road Cost Summary 9/5/06.
- Special Town Meeting scheduled for November 14, 2006. Eric preparing zoning change to include all of Flow Chemical parcel as industrial.
- No report from Building Inspector on what's going on on Hastings Road.
- Sue Dembek quite ill and expected to be out for a length of time.

7:00PM – Open Discussion:

- As built common driveway Williams Road. Dave Bingham advised by Chairman MacMillan what the requirements for signs are at that location. Will not sign off until PB sees signs.
- Stodge Meadow group appeared before the Board with concerns about BNE clearing on Log Cabin road. They were advised that a site visit determined clearing has taken place within the staked limits as shown on plan. They were also advised that the Rizzo consulting Engineer is conducting biweekly inspections.

7:15PM – ANR – Eric and Amy Steigelman – Fairview Avenue

Eric and Amy Steigelman appeared before the Board with an ANR to swap equal parcels with an abutter. After some explanation and discussion it was voted 4 to 0 to accept plan as submitted on motion by Kalagher, with a second by MacLeod.

7:45PM – Scott Foster Common Driveway Special Permit Public Hearing, 76 and 78 Main Street

Chairman MacMillan opened Hearing. No abutters present for hearing. Reviewed the plan with Scott Foster and Gary Prime of P&S Land Development. Motion made by MacLeod, 2<sup>nd</sup> by Whitney to close hearing. Voted 4 to 0 in favor. Motion by Kalagher, 2<sup>nd</sup> by MacLeod, to waive strict compliance with Asburnham Zoning Bylaw section 5.14.2.2 pertaining to the requirement that on a State numbered highway a common driveway shall not enter the roadway at a point separated by less than 100 feet from any other driveway; section 5.14.2.4 pertaining to signage requirements; section 5.14.2.7 pertaining to easement width and grade; section 5.14.2.9 pertaining to a homeowners association; section 5.14.2.9(c) pertaining to metes and bounds description within the text of proposed easement. Voted 4 to 0 in favor.

Motion by Chair, 2<sup>nd</sup> by MacLeod, to approve Common Driveway Special Permit 2006-08 as revised. Voted 4 to 0 in favor.

#### 8:15PM Rules and Regulations

Hearing reopened at 8:45PM. Reviewed changes to Rules and Regulations, Fee Schedule, Common Driveway Special Permit Regulations, OSRD Special Permit, and Scenic Road Regulations.

Motion to close hearing made by Whitney and seconded by Kalagher. Voted 5 to 0 in favor.

Motion by Ruble, 2<sup>nd</sup> by Whitney, to adopt section 53G of Chapter 44 of the Massachusetts General Laws, authorizing the Planning Board to impose reasonable fees for the employment of outside consultants and to deposit such fees in a special account. Voted 5 to 0 in favor.

Motion by MacLeod, 2<sup>nd</sup> by Kalagher, to adopt "REGULATIONS GOVERNING FEES AND FEE SCHEDULE" as presented and revised at the public hearing held August 10, 2006 and continued to August 31, 2006 and September 14, 2006. Voted 5 to 0 in favor.

Motion by Ruble, 2<sup>nd</sup> by Whitney, to amend the "PLANNING BOARD RULES AND REGULATIONS" as presented and revised at the public hearing held August 10, 2006 and continued to August 31, 2006 and September 14, 2006. Voted 5 to 0 in favor.

Motion by Whitney, 2<sup>nd</sup> by MacLeod, to amend the "RULES AND REGULATIONS FOR PRIVATE COMMON DRIVEWAY SPECIAL PERMITS" as presented and revised at the public hearing held August 10, 2006 and continued to August 31, 2006 and September 14, 2006. Voted 5 to 0 in favor.

Motion by Kalagher, 2<sup>nd</sup> by MacLeod, to amend the "RULES AND REGULATIONS FOR OPEN SPACE RESIDENTIAL DEVELOPMENT SPECIAL PERMITS" as presented and revised at the public hearing held August 10, 2006 and continued to August 31, 2006 and September 14, 2006. Voted 5 to 0 in favor.

Motion by Whitney, 2<sup>nd</sup> by MacLeod, to amend the "SCENIC ROAD RULES AND REGULATIONS" as presented and revised at the public hearing held August 10, 2006 and continued to August 31, 2006 and September 14, 2006. Voted 5 to 0 in favor.

#### Town Planner Comments:

- Eric pointed out the article on Mt Hunger in newspaper. 2005 appraisal was \$250,000.
- Attorney General approved all Town Meeting articles.
- Joe and Eric attended 40R meeting in Gardner Wednesday September 5, 2006. Handed out and discussed agenda.
- Eric showed sample of zoning maps done on new printer.
- Discussed issues with parking and zoning at The Garden Shed on Central Street.
- Eric will meet with Industrial land Siting people on September 15, 2006. Will try for meeting with PB on September 28, 2006.

Next meeting September 28, 2006. Following meeting will be October 5, 2006.

Meeting was adjourned at 9:30 PM on motion by Ruble, seconded by Whitney. Voted 5 to 0 in favor.

Respectively submitted,

Bruce Whitney - Clerk



Planning Board  
Minutes  
September 28, 2006

The Planning Board meeting convened at 6:34PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Tom Ruble and Town Planner Eric Smith. Bob MacLeod arrived at 6:45PM.

Agenda read by Chairman MacMillan.

Minutes of the September 14th Planning Board Meeting were approved on motion by Ruble with a second by Kalagher. Motion carried 4 in favor, 0 against.

Chairman Comments:

- Chairman MacMillan asked if any new developments occurred with Cashman Hill Estates and Lakeview Estates. No new developments since last meeting on Lakeview and it was mentioned no road work has begun on Cashman.
- Mass Smart Growth Alliance meeting held September 27, 2006. Discussion on using Town Barn site as pilot project. Looking at grants that could be available.
- Chairman MacMillan brought up that we neglected to assign a street number when we reviewed Robert Dufour plan on Proctor Street. Number was assigned tonight.

7:00PM – Open Discussion:

No one present for open discussion.

Town Planner Comments:

- Eric showed zoning map update printed on new printer.
- Eric working on two zoning articles for Town Meeting. To amend part of Flow Chemical property on Maple Avenue from Residential-A to Industrial. Would need a public hearing on October 26, 2006 to meet requirements. Second article to accept the provisions of G.L. c 39, section 23D which would allow a member of a committee to be able to vote if one meeting is missed. Would have to meet certain requirements.
- Draft job descriptions came out this week
- Lori Capone will be full time. She will cover for Sue Dembek until she returns.
- Reviewed proposal for new DPW reorganization.
- Eric noted S. Bates, on Hastings Road, will receive a letter stating fines and has until October 26, 2006 to respond.
- Eric reviewed highlights of the September 28, 2006 Monthly Town Planner Report. (On File)

7:30 PM – Athol Savings Bank – Storm water Concerns

Laurie Witta appeared before the Board to answer questions concerning drainage. She stated they tried catch basin cleaning but it didn't work. She said Dave Perry, who was also present, will do the repair work to correct problem. Dave explained the work to be done to replace piping and that he has a letter from Dave at the package store giving permission to go on his land. Another issue brought up was the opening and closing of the drive up windows. It was understood at time of approval both windows would be open during busy hours to prevent traffic backing up to

Main Street. Laurie stated tellers are supposed to open the second window when it is busy. She will follow up with concern. The third issue discussed was the bright lighting. She was unaware of any complaints. She will also follow up on this issue.

#### Correspondence

- Letter to Department Heads about petty cash
- Letter read about senior center book sale Columbus Day weekend
- Letter from City of Gardner Sewer Commissioners about flows
- Invoice for \$107.66 to Aspen Publishers for supplement to handbook.

#### 8:00 PM – Land Siting Study

Colon Hand, Nate Malloy, and Beth Fenstermacher, Mass Department of Landscape Architecture and Regional Planning Studio Students were at the Board meeting to discuss plans on the study to be conducted. Also, present were Bob Fichtel from the Focus Committee and Colin Balogh from the former industrial Commission.

Eric updated as to what he has discussed with and supplied to the group.

Chairman MacMillan asked what they think there doing for us and asked what the process is.

Nate explained the process to the Board and the group answered questions presented to them.

There was a lot of discussion on the potential parcels to look at. There will be a mid semester presentation and the final report will be in December.

Next PB meeting, October 5, 2006.

Meeting was adjourned at 9:00 PM on motion by Ruble, seconded by Whitney. Voted 5 to 0 in favor.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
October 5, 2006

The Planning Board meeting convened at 6:37PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Bob MacLeod; Tom Ruble and Town Planner Eric Smith.

Agenda read by Chairman MacMillan.

Minutes of the September 28th Planning Board Meeting were approved on motion by Kalagher with a second by MacLeod. Motion carried 5 in favor, 0 against.

Chairman Comments:

- Chairman MacMillan stated Sue Dembek was in hospital.
- Chairman MacMillan will be away next week.
- Discussed letter to Bates on Hastings road. He has until October 26<sup>th</sup> to respond.

7:00PM – Open Discussion:

No one present for open discussion.

Town Planner Comments:

- Eric advised the Town Meeting scheduled for November has been canceled.
- Town Hall renovation meeting to discuss Stevens Building is scheduled for 10/1/06.
- Eric working on MRPC Regional Transit Plan.
- Reviewed correspondence on Lakeview Estates.

Correspondence

- Russell Hill Road – Notice of withdrawal to sell.
- Reviewed Brownsfield Workshop dates.
- Bill for printing of Zoning Maps - \$40 Office of Planning Coordinator, Fitchburg, MA.
- Read legal notices from surrounding communities.
- Mass Federation of Appeals Board meeting 10/28/06 at 9:00 AM. \$30/attendee.
- Letter to Department Heads about petty cash

7:15 PM – Bruce David

Discussed his property on Little Watatic Pond Road that only has 101.62 feet of frontage. Chairman MacMillan advised not adequate frontage for lot. He will have to do a regular subdivision plan and will need a variance from the ZBA.

7:30 PM Bruce and Susan David Site Plan Review

Bruce David appeared before the Board for the public hearing and discussion on the Site plan review for his proposed retail store to be known as “Ashburnham Country Store” to be located on Rindge State Road near Ashby Road. Several of his family members were present for the hearing. No other people were in attendance.

Chairman opened hearing. A presentation was made by Bruce David and questions and concerns were discussed. A motion was made by Whitney to close hearing and 2<sup>nd</sup> by Ruble. Voted 5 to 0 in favor.

Motion by Chair, 2<sup>nd</sup> by Whitney to grant the following waivers to: Section 5.103.1 – approval may be granted without the need for a certified plan; Section 5.103.5(h), requiring monumentation at all property corners is not necessary; Section 5.103.5(i), requirement of contours at 2-foot interval; and Section 5.103.6(a), approving 5.4% landscaping instead of 8%. Voted 5 to 0 in favor. (Details and explanation are on file in PB office- Approval 2006-09).

Motion by Chair, 2<sup>nd</sup> by MacLeod, to approve site plan review with the following conditions: approval from State highway to allow access onto State Road, proposed area lighting shall be constructed to face down or shielded to prevent spill over to abutting properties, if paved in future will require PB and Highway review to insure adequate drainage, and by Section 5.103.6(b) - suitable barriers along street line to prevent cars from driving on State highway. Voted 5 to 0 in favor.

Reviewed, discussed and prioritized “To Do List”.

Next PB meeting, October 26, 2006.

Meeting was adjourned at 9:23 PM on motion by Chair, seconded by Ruble. Voted 5 to 0 in favor.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
October 26, 2006

The Planning Board meeting convened at 6:31PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Bob MacLeod; and Town Planner Eric Smith. Tom Ruble arrived at 6:37 PM.

Agenda read by Chairman MacMillan.

Minutes of the October 5th Planning Board Meeting were approved, with changes discussed, on motion by MacLeod with a second by Kalagher. Motion carried 4 in favor, 0 against.

Chairman Comments:

- All changes to rules and regulations are now on town website.
- Update given on Murray Road
- Reviewed Lakeview Estates update reports dated the 13<sup>th</sup> and 19<sup>th</sup>.
- Lease didn't go through for lower level of hardware store.
- State wants to purchase Richard Wrights property on Route 119.
- No update on Williams Road Common Driveway

7:00PM – Open Discussion:

- Ralph Kinney appeared before the Board with an update on Patriots Estates. He would like to change plans and submit sketches for a 5 lot OSRD development. He has been to Land Court and has had discussions with Bruce Johnson and Frank Biotti and believes all can agree to a satisfactory plan. Mr. Kinney is scheduled to come back to PB at 8:30 PM on November 9<sup>th</sup> with sketches of proposed OSRD Plan.
- Bruce David and Neil Scoz came before the board to get a clear understanding of the requirements needed for Mr. David's lot on Little Watatic Pond Road. Chairman MacMillan advised it requires a two step process. Since it doesn't meet the frontage requirements, a subdivision plan and a variance from the ZBA are needed.

Town Planner Comments:

- Eric reviewed highlights of the October 26, 2006 monthly Town Planner Report. (On File)
- 262 Hastings Road, Bates, deadline was due today. Acting TA recommends sending one more letter giving him ten days to respond.
- Discussed a citizens concern with Kevin Lashua Route 12 property.
- Reviewed various correspondence.

7:15 PM – Grant Maloney – ANR – Rindge Turnpike

Mr. Maloney appeared before the board and discussed and reviewed an ANR for Rindge Road / Wagg Road. A motion to endorse ANR plan as presented was voted 5 to 0 in favor on motion by Whitney, with a second by Ruble.

7:30 PM - Ernie Beland – For Winds Drive

Working on preliminary plans and will schedule a meeting with the Board in the future.

7:45 PM – Michael Hannon – Lake side Village – Request for special permit.

Mike Hannon asking for a special permit *modification* to allow one common driveway for six units. Tom Ruble recused himself from discussion and vote. After reviewing changes a motion by Chair to find changes minor in nature and authorize special permit *modification* under section 5.14.2 of the Zoning By-Laws, and waive section 5.139.1, allowing access to lots 9, 10, and 11. Seconded by MacLeod, and voted 4 in favor, 1 abstain. Voting in favor was Chairman MacMillan, J. Kalagher. B. MacLeod and B. Whitney.

Old Business

Discussed Tri-Party Agreement for Cashman Hill Estates and will file with records.

Correspondence

- Letter from Registry of Deeds asking for signatures in place of PB. Doesn't apply and no action taken.
- Reviewed MRPC Annual Report.
- NRWS Annual Meeting at Fay Club.

Reviewed "To Do List" and approved by consensus.

Chair distributed draft copy of "Procedural Rules Governing the Planning Board" for members to review for next meeting. Also, Application for Clearance Prior to Issuance of Building Permit.

Affordable Housing Committee public forum is Thursday November 2, 2006 at 7:00 PM at Overlook Middle School.

Meeting was adjourned at 9:30 PM.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
November 9, 2006

The Planning Board meeting convened at 6:40PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Bob MacLeod; Tom Ruble and Town Planner Eric Smith.

Agenda read by Chairman MacMillan.

Minutes of the October 26th Planning Board Meeting were approved, with spelling change discussed, on motion by Ruble with a second by MacLeod. Motion carried 5 to 0 in favor. Eric suggested I send approved minutes to webmaster for posting. I will start sending all approved minutes.

Chairman Comments:

- Discussion on ANR lots 9 and 11 on Hay Road. Once the plan is approved, according to Town Council Debbie Phillips, it becomes the Building Inspectors responsibility to enforce, Chapter 40 Section 7. Any one who has a complaint concerning a special permit must submit a letter to the Building Inspector.
- Geoff Evancic letter requesting 48 hour notice on any issue to be discussed with Lakeview Estates project. Chairman MacMillan will send Mr. Evancic a note explaining he will be notified when there is a specific agenda item to be discussed concerning Lakeview, but we don't have any control of who shows up at 7:00 PM open discussion.

7:00PM – Open Discussion:

- Rick Cuddy from Lunenburg appeared before the Board stating his intentions to purchase land on Lake Haven Drive. He said he could end up with 8 ANR lots and asked how he could make it a Town Way. Chairman MacMillan advised he needs to look at Rules and Regulations governing subdivision of land and that the Board needs to visit site before any discussions can take place.
- Mr. Leland Ross, President of Stodge Meadow Association, appeared before the Board to express concerns regarding the flooding of Hay Road. Chairman MacMillan explained Town Council opinion that under a Special permit the Building Inspector has the enforcement powers. Chairman MacMillan discussed the Wyman vs. ZBA civil action in Grafton, MA. Mr. Ross was requesting no occupancy permit be issued until problem resolved.
- Sylvia Lamb appeared before the Board to discuss plans for land at Hilltop Drive and Brook Road. Grade doesn't meet requirements. Chairman MacMillan advised she would need a definitive plan and her best bet would be to talk to an engineer.

Deleted:

7:30 PM – UMass Department of Landscape Architecture and Regional Planning Studio Students – Industrial and Economic Development Land Siting Study.

Nate Malloy and John Hersey, two students of the four student team gave their mid-semester presentation on the work completed to date on the Study. Bill Johnson, Ralph Kenny, Colon Balogh, and Fred Mellon were present to here the discussion. Those in attendance said it was an excellent presentation, and good input from Mr. Kinney and Mr. Balogh were heard. Another update for December 14<sup>th</sup> was scheduled.

8:30 PM – Ralph Kenny – Patriot Estates

Mr. Kenny appeared before the Board with preliminary plans for Patriot Estates. He has been working with abutters in trying to develop a plan to satisfy all. Nothing can be done until decision from court.

Correspondence

- Letter from Christina Sargent, Historical Commission, to EBI Consulting discussing areas of concern with cell tower.
- Memo from Eric to TA requesting formation of a Low Impact Development Bylaw Committee. This committee is needed to fulfill the requirements of the \$7,100 Smart Growth Technical Assistance Grant received by the Town to develop the bylaw.
- Memo from Eric to Interim TA Re: Citizen Concern on Lashua Winchendon Road Property.
- Received progress reports from Rizzo Associates for Lakeview Estates and Lakeside Village, both dates November 1, 2006. On file.
- Legal Fees for The Gardner News have been increased. Typical fee for planning Board is \$122.40. Fees posted in Land Use Office.
- Dave Bingham, 13 & 15 Williams Road requested inspection of his Common Driveway. Chairman MacMillan indicated the street numbers did not meet the 3” minimum required. Mr. Bingham was notified of the defect. Need to schedule a site visit for final approval with at least two members.

Discussion of the “Procedural Rules Governing the Planning Board” has been moved to the December 14<sup>th</sup> meeting.

Meeting was adjourned at ??? PM.

Respectively submitted,

Bruce Whitney - Clerk



Planning Board  
Minutes  
December 14, 2006

The Planning Board meeting convened at 6:40PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Bob MacLeod; and Town Planner Eric Smith. Tom Ruble arrived at 7:00 PM.

Agenda read by Chairman MacMillan.

Minutes of the November 9th Planning Board Meeting were approved on motion by Kalagher with a second by MacLeod. Motion carried 4 to 0 in favor.

Chairman Comments:

- DPW Engineer search committee met December 14<sup>th</sup> and narrowed the search to 3 candidates.
- Chairman MacMillan and Eric inspected the Foster Common Driveway at 78 Main Street. All conditions met with the exception of the final grading of detention basin. Motion by Whitney, 2<sup>nd</sup> by MacLeod, to accept the common driveway at 78 Main Street. Voted 4 to 0 in favor.
- Chairman MacMillan asked for volunteer to be PB representative on LID By-Law Committee. MacLeod and Ruble volunteered to be on committee.
- Lakeview Estates – Discussed the updated project scheduled. Concerns about open excavations. What are plans to alleviate excess water leaving detention basin and flowing onto Holt Road. Motion by Kalagher, 2<sup>nd</sup> by Whitney, to send Mr. Evancic a letter addressing the issues was voted 4 to 0 in favor.
- Reviewed “Procedural Rules Governing the PB”. Motion by MacLeod, 2<sup>nd</sup> by Whitney, to accept the document was voted 5 to 0 in favor.

7:00PM – Open Discussion:

- Edward and Shirley Stevens were present with an ANR for Depot Road. They were advised the steps they need to take before PB can review. They will be on the agenda for the December 28<sup>th</sup> PB meeting.

7:15PM – Sisson ANR Murray Road

- No plans were submitted prior to tonight. Mr. Sisson was advised to submit to Land Use Office and get on agenda for the December 28<sup>th</sup> PB meeting.

7:30 PM – UMass Department of Landscape Architecture and Regional Planning Studio Students – Industrial and Economic Development Land Siting Study.

Nate Malloy and John Hersey gave a presentation on the work completed to date on the Study. The presentation stated the goals and objectives of the study and identified 3 potential sites along route 12. They discussed the challenges and the opportunities for the town. Questions from PB members and the general public were answered.

Correspondence

- Steve White of Family Home Medical attended meeting to review plans outlined in a letter to PB from Hamid Mohaghegh, President of Ashburnham Family Pharmacy, Inc. The plans call for replacement of the Laundromat with Family Home Medical, a business currently operating in Gardner. The operation would require 1 full time employee. Questions were raised concerning the amount of truck traffic the business would bring. Steve advised 80% is delivered from FedEx and possibly 1 trailer truck per month. A motion by Ruble, 2<sup>nd</sup> by MacLeod, stating Section 5.102.1 of the Zoning Bylaw has been met and no further review by PB for site plan review is required, and further request delivery trucks use the rear of building, was voted 5 to 0 in favor.
- Manchester Common Driveway – A motion was made by Whitney, 2<sup>nd</sup> by Ruble to grant an extension for the recording of the “Manchester Common Driveway Special Permit (2006-07) through November 28, 2006 (the actual day of recording of documents). Vote 4 to 0 in favor. (MacLeod didn’t vote on original motion in August).
- Distributed article from the Economist.com discussing roundabouts.

8:30 PM – Larry St. Cyr – Scenic Road Public Hearing, 154 Hastings Road.

Public meeting opened at 8:30 PM by Chairman MacMillan. Larry St.Cyr and Gayle Phillips the only people at hearing. Chairman MacMillan read letters from Historical Commission and Daniel Fritzsche, an abutting property owner. Larry distributed updated information. Discussion focused on the width of the opening onto Hastings Road. After review and discussion it was voted 5 to 0 in favor, on motion by Chairman MacMillan, 2<sup>nd</sup> by MacLeod, that driveway opening be no more than 35 feet and the ends flared to keep continuity of wall and no disturbance to abutters property, map 23 parcel 20.

Town Planner Comments

- Occupancy at 13 Williams Road approved based on inspection of common driveway November 16, 2006 by Eric, John and Joe. As built plans on file in Land Use office and street sign improvements have been completed as suggested.
- Reviewed progress report on Lakeside Village
- Eric handed out article from the “Executive Office of Communities & Development” discussing process for approving building lots lacking adequate frontage.
- Affordable Housing Plan has been submitted to Department of Housing and Community Development.
- 40 B discussion was held November 13<sup>th</sup>.
- Eric updated Board on Thibert 61A land.

Meeting was adjourned at 9:40 PM.

Respectively submitted,

Bruce Whitney - Clerk

Planning Board  
Minutes  
December 28, 2006

The Planning Board meeting convened at 6:36PM with the following members present: John MacMillan, Chairman; Joseph Kalagher; Bruce Whitney; Bob MacLeod; Tom Ruble; and Town Planner Eric Smith.

Agenda read by Chairman MacMillan.

Minutes of the December 14th Planning Board Meeting were approved on motion by Ruble with a second by MacLeod. Motion carried 5 to 0 in favor.

Chairman Comments:

- Chairman MacMillan distributed the approved PB Procedural Rules and Regulations.
- Chairman MacMillan read response to Daniel Fritzsche addressing his concerns regarding the St Cyr property on Hastings Road.

Old Business:

- Discussed the St Cyr scenic road permit decision for 154 Hasting Road. Based on a site visit December 20, 2006, a change to #4 to repair a portion of the wall was included. A motion by Kalagher, 2<sup>nd</sup> by Whitney to grant scenic road permit # 2006-10 for 154 Hastings Road was voted 5 to 0 in favor.

7:15PM – Sisson ANR Murray Road

Margaret Sisson appeared before the Board with ANR plans for the Murray Road property. After review and discussion it was voted 5 to 0 to accept plan as presented on motion by Macleod, with a 2<sup>nd</sup> by Ruble.

7:15 PM – Stevens ANR Depot Road

No one showed for scheduled appointment.

Correspondence

- MART Transportation Today article on traffic counts. Any areas of interest to be submitted by August 2007.
- Discussed December 18, 2006 letter to Geoff Evancic.

Town Planner Comments

- Eric stated special Town Meeting planned for January 2007, possibly the 24<sup>th</sup>. An article to accept provisions of MGL Ch.39,sec 23D, to allow members of certain Boards to vote on issues if member has missed one meeting, will be included. The Flow Chemical article the Board previously discussed will be addressed at the annual Town Meeting.
- Eric commented he may not be present for the February 22<sup>nd</sup>, 2007 scheduled Planning Board meeting.
- Eric reviewed Town Planner combined November and December report. (On file in PB office.) The report discusses Eric's work from October 26<sup>th</sup> through December 27<sup>th</sup>, and highlights work completed and on-going.

Bob MacLeod brought up concerns he has with Site Plan Reviews. His feeling is we probably shouldn't vote the same night as presented. Should have time to review more. Future discussions will take place concerning Site Plan Reviews.

Next PB meeting scheduled for January 11, 2007.

Meeting was adjourned at 9:21 PM.

Respectively submitted,

Bruce Whitney - Clerk