

Becket Planning Board
Approved Meeting Minutes
August 27th, 2014

Planning Board Members Present: Robert Ronzio (Chairperson), Ann Krawet Martin Schlanger (Clerk) Beth VanNess (Clerk Pro Tem) Beth VanNess (Clerk pro Tem) Howard Lerner.

Planning Board Members Absent: Gale LaBelle

Members of the public present: Attorney Smithers, Mark Volk.

Meeting opens at: 9:00 am

Chairperson , Robert Ronzio, opens the meeting and announces that agendas are on the table for anyone who wants them. He advises that the meeting is being held in accordance with Massachusetts General Law Chapter 40A and the By-laws of the Town of Becket. A decision to issue a special permit requires a minimum of four positive votes from a five member board. The board has 90 days to make a decision after the close of a public hearing and 14 days to file paperwork with the Town Clerk once a decision is made. Any Appeals of decisions can be made only to the court and must be made pursuant to Section 17, MGL 40A as amended, and must be filed within 20 days after the date of filing of the decision with the Town Clerk. Mr. Ronzio Requests to dispense with the remainder of the introduction, board members agree unanimously to dispense with the rest of the introduction as there is no one present at this time who is not familiar with that section of the MGL. Mr. Ronzio states that Mr. Howard Lerner is an alternate member and will be sitting in for Ms. Gale LaBelle who can not be present this morning.

Public Hearing Continued- Robert and Mary Cohen , 1210 Main Street, Assessors' Map 413 Lot 24.

Chairperson, Mr. Robert Ronzio re-opens the public hearing . Mr. Lerner reads aloud a letter received from the Town of Becket's Health Agent, Scott Krzanik. (letter attached) . Mr. Lerner explains that the letter states that the requirements for a Title V have been satisfied by the Cohens.

Mr. Ronzio asks for Board members for comments and questions at this time.

Ms. Krawet- States that the property is beautiful and that she is not concerned with the Cohen's use of the land, rather expresses concern for the future owners and what their use may be. Ms. Krawet advises that it is because of this that she has written an amendment, to further protect the property. Ms, Krawet reads the statement she has prepared out loud, " In the event a future Application for additional residences is presented to the Board, the waivers set forth in numbers

one (1) to (9) nine herein will lapse and the entire property will be subject to the then-pertaining Becket Rules and Regulations and provisions of the Subdivision Control Laws.”

Board members and Atty. Smithers discuss the statement and different wording options are visited. Atty. Smithers advises that using the word “structure” can be mischievous and that Mr. Cohen might have interest in adding a shed or additional garage in the future. Mr. Ronzio also advises that he does not like the use of the word “lapse” in the statement, he would rather omit “lapse” and substitute “.....be reconsidered by the then sitting Planning Board”. Ms. Krawet disagrees, stating that the word “lapse” needs to remain.

Ms. Krawet makes a motion to delete the word “structure” from her original amendment, however clearly states that the rest of the statement will remain unchanged, Mr. Schlanger seconds the motion.

Mr. Ronzio polls the board for a vote:

Ms. Krawet- Approve of the said amendment in the motion.

Mr. Ronzio- Disapprove of the said amendment in the motion.

Ms. VanNess- Disapprove

Mr. Schlanger- Disapprove

Mr. Lerner- Disapprove

The motion is defeated and does not carry.

Mr. Ronzio asks if the 18 foot width is determined to be wide enough, reminding Board members that in the winter months, a 20 foot width may make more sense. Board members discuss and agree that during the snow season, an extra 2 feet may make a considerable difference. Mr. Ronzio makes a motion to change Waiver #4 to read, “ a traveled way with a width of 20 feet for the first 200 feet from Route 8 and 18 feet wide thereafter.” Mr. Lerner seconds the motion. Mr. Ronzio polls Board members for a vote:

Ms. Krawet-Abstains

Mr. Ronzio-Approve

Ms. VanNess- Approve

Mr. Schlanger- Approve

Mr. Lerner- Approve

Chairman, Mr. Ronzio continues reading aloud the remaining waivers aloud to all present, providing further explanation whenever necessary.

Ms. Krawet states that she would like to revisit the wording of the Decision (page 1) as she is still not comfortable with the way it reads. Board members go back to page one and revisit and review the wording in the draft of the decision. Ms. Krawet suggests more word choices as previously discussed in the beginning of the meeting, using a combination of her suggestion and the suggestion of Atty. Smithers. Ms. Krawet makes a motion asking the Board members to consider the proposed amendment to the decision to change the wording as previously discussed, Mr. Lerner seconds the motion, Mr. Ronzio polls the Board members for a vote:

Ms. Krawet- Approve of change in decision as discussed by Board members
Mr. Ronzio- Disapproves
Mr. Schlanger- Disapproves
Ms. VanNess- Disapproves
Mr. Lerner- Disapproves

The motion to change the language used in the decision is defeated.

Bond Discussion- Mr. Ronzio advises Board members that a bond amount will now need to be determined. Atty. Smithers suggests that Cohens will deposit \$60,000 into a segregated account with the Town of Becket's Treasurer, to be released upon the completion of the subdivision in accordance with the decision draft. Mr. Ronzio states that he was thinking of \$75,000 and asks the Board for a discussion. Mr. Ronzio also advises that the final inspection will be done, with the Town Highway Superintendent. Mr. Volk; Foresight Engineering, confirms that he feels that \$60,000 is a reasonable request, confirming that is also the amount that he had come up with.

Mr. Lerner makes a motion to require the Cohens to have a check for \$60,000 to be deposited into a separate account , with the Town Treasurer until after an inspection can be made, Ms. VanNess seconds the motion; Mr. Schlanger asks Board members to reconsider their motion and reconsider the amount to come in slightly higher at \$65,000. Mr. Lerner drops his original motion; Mr. Lerner makes a motion to require the Cohens to have a performance bond check for \$65,000 to be deposited into a separate account until completion as well as inspection of the property has been done, Ms. VanNess seconds motion; Mr. Ronzio polls board members for a vote:

Ms. Krawet- Abstains
Mr. Ronzio- Approve
Mr. Schlanger- Approve
Ms. VanNess- Approve
Mr. Lerner- Approve

Attorney Smithers advises that he will contact Mr. and Mrs. Cohen and have them send the performance bond check for \$65,000.

Mr. Lerner makes a motion to accept the Application as amended, contingent upon receiving the \$65,000 bond check, Mr. Schlanger seconds motion. Mr. Ronzio polls the Board for a vote:

Ms. Krawet- Abstains
Mr. Ronzio- Approve
Mr. Schlanger- Approve
Ms. VanNess- Approve
Mr. Lerner- Approve

Mr. Ronzio states that the motion carries and that the subdivision does have approval.

Mr. Schlanger makes a motion to adjourn the meeting, Mr. Lerner seconds the motion; Meeting is adjourned at 10:33 am.

Schedule next meeting for Wednesday September 10th , 2014.

Respectfully submitted,

Heather Hunt
Administrative Assistant

Signed _____ Date _____
Robert Ronzio

Signed _____ Date _____
Beth VanNess

Signed _____ Date _____
Martin Schlanger

Signed _____ Date _____
Ann Krawet

Signed _____ Date _____
Howard Lerner