

BELLINGHAM PLANNING BOARD

2 MECHANIC STREET BELLINGHAM, MASSACHUSETTS 02019 (508) 657-2892; FAX (508) 966-2317 PlanningBoard@bellinghamma.org

September 23, 2010 Meeting Minutes

• Present at the Meeting

Patricia M. Buckley (PMB), Chairman Glenn C. Wojcik (GCW), Vice Chairman Dave Brown (DB) Peter M. Morelli (PMM) Peter Pappas (PP) (Secretary) Roger Oakley (RO), Associate Member

Other Officials:

Stacey J. Wetstein (SJW), Town Planner

Amy Sault (AS), Coordinator

PMB opened the meeting at 7:00pm.

Woodbury Ridge Special Permit Extension Request

PMB advised that Howard Wilson, owner, has submitted an extension request due to economic reasons as he is having trouble selling the lots. SJW advised that this will be their 4th extension because Special Permits are only good for one year.

Eric Bazzette, from Andrews Survey representing this project, advised that they are requesting another extension due to the market; PMB asked if they are doing anything proactive to sell these lots, marketing, etc. Mr. Bazzette advised that they are looking to re-file a notice of intent with the Con Com as it is expired. RO asked if the Board would grant this many extensions for other projects, SJW advised that the Board has in the past especially due to this economic climate. SJW advised that it had a Special Permit and a Subdivision. Mr. Bazzette advised that they want to renew the permit as is and are actively trying to sell the lots. PP asked how close to completion it is, SJW advised that it has not even broken ground yet. Mr. Bazzette advised that the Town has a lot to gain from this project in the way of open space. PP thinks that if they extend it then they should put some qualifiers out.

Brian J Sutherland, 57 Yvonne Rd, advised that he was on this Board at the time this project was reviewed and approved and advised that this is a low impact, environmentally friendly project. PP believes that this project should not be given the chance to linger especially due to the turn of the market in this past year. RO thinks they are skirting the 10% affordable requirement that the Town is looking to have

September 23, 2010

applied to other Subdivision projects before the Board. Jay Talerman, Town Council, advised that he would be a little weary about changing the project without going through a formal public hearing. Mr. Talerman advised that the Board can make it coterminous and when the two year expires then it is up. PMB agrees that the Board should approve this extension with the understanding that this is the last one they will receive.

Fran Newton, 38 Saddleback Hill, advised that the audio is not being heard from the back of the meeting room. Mr. Newton asked how many times this project can be continued; PMB advised that this will be the final continuance.

PP: Motion to grant a one year extension for the Special Permit for Woodbury Ridge for one year as a final extension until October 12, 2011.

DB: Second.

Vote: 5-0 Approved (GCW, DB, PMM, PP and RO).

Pine Hollows Estates, off of Countryside Road (between Bellwood and Brooks Estates) Special Permit for Multi Family Development Plan Review and Development Plan Review, 1st Public Hearing

Robert Poxon, Guerriere & Halnon representing this project, PMB advised that there is an issue with this plan because there is a difference between town houses and duplexes. SJW advised that she spoke with Mr. Poxon about this in the office before and advised him that this project is not what is allowed within the Bylaws of the Town.

Mr. Sutherland advised that they have a subterranean wall but they do have a common wall, they are town houses by legal terms but look like single family homes and are clustered into threes. PMB suggested coming back after redoing the plan for duplexes. SJW recommended they could look at doing a subdivision for duplexes. Mr. Talerman advised it should be revised to go with three and four units because there is no road.

Mr. Sutherland advised that the potential for development just barely met the letter of the law and his concern is with an incident that occurred in Bellwood Estates years ago, a distraught person held the residents hostage. Mr. Sutherland advised that this development was approved under older Bylaws and only offers one exit out onto Countryside Road, which is a private road not a public road.

PMB advised that before this development comes back there needs to be another access that comes out of the development onto South Main Street, there is a plan of land that shows streets behind there but before the Board spends anymore time on this to fix the egress. Mr. Sutherland wants to make sure the developer has this guidance before they get approvals and build.

Chuck Richards, 16 Bellwood Cir, thought that triplexes were proposed and he has lived up there for 14 years, advised that during the event Mr. Sutherland was referring to the residents were able to get out by guidance of the Fire Dept.

Bob Corey, Corey Builders developer for this project, advised that the last time they were here at the meeting he recalls the Board suggesting he make this plan this way. PP questioned why he went from townhouses to duplexes; Mr. Corey advised he thought he was doing what the Board was requesting. PP advised that they suggested changing the elevation.

September 23, 2010

Mr. Sutherland advised that Brook and Bellwood are unique and not cookie cutter units, he would like to see this plan come through by continuing the same uniqueness. He advised that the proposed project is inconsistent with what is there now and should remain consistent with the current style. PMB advised that they cannot go through with duplexes and apologized if they thought that this is what she said at the last meeting. Mr. Corey said he has no problem with the triplex; Mr. Poxon asked if it would be ok to present to the Board a new building design without having drawings done. PMB advised that they are going to need to present a full project which needs to follow the Bylaws by showing the architecturals.

GCW: Motion to waive the reading of the public notice.

PMM: Second.

Vote: 5-0 Approved (GCW, DB, PMM, PP and RO).

There was discussion between Mr. Talerman, the Board, the applicant and the developer about withdrawing this project without prejudice due to the fact that they would need to submit an entirely new project. The determination that a continuance with the submittal of an entirely new project could be continued rather than withdrawing due to the abutter notification costs.

GCW: Motion to accept the withdrawal without prejudice.

PMM: Second.

GCW: Motion to withdraw the withdrawal without prejudice.

Robert Coggeshall, 35 Countryside Road, asked if they will receive written notification, PMB advised that the continuance the Board makes tonight will be the only notification he will receive. Mr. Coggeshail advised that it is ridiculous because as the president of the condo association it will be his responsibility to tell everyone. PMB apologized and explained that the agenda is posted online and with the Town Clerks office.

GCW: Motion to continue Pine Hollows Estates, off of Countryside Road (between Bellwood and Brooks Estates) Special Permit for Multi Family Development Plan Review and Development Plan Review until December 9, 2010. DB: Second.

Vote: 5-0 Approved (GCW, DB, PMM, PP and RO).

GCW: Motion to extend the decision deadline of Pine Hollows Estates, off of Countryside Road (between Bellwood and Brooks Estates) Special Permit for Multi Family Development Plan Review and Development Plan Review to February 28, 2011. DB: Second.

Vote: 5-0 Approved (GCW, DB, PMM, PP and RO).

PMB reiterated to the audience when the continuance will take place.

Street Acceptance Discussion for Bellingham Estates: Hampton Court, Kensington Court, Leeds Lane, Oxford Court and Whitehall Way. (Toll Bros)

Mark Kablack, attorney representing this project, Eric Carlson, Toll Bros employee, and Griffin Ryder, engineer for VHB.

September 23, 2010

Mr. Kablack advised that they have been working on the punch list items with the DPW, and finalizing details on the As Built plans. He advised that there was a concern with the Con Com on a couple of items relative to the swale shown on the original plan. Mr. Kablack mentioned that SJW reported to the Board that the Con Com wanted to receive some records with respect to the maintenance of the detention basins. Mr. Kablack advised that lastly Mrs. Morse expressed concern about intermittent ground water flow on her property and wanted to see that rectified.

Mr. Kablack explained that as a result of all three issues, they had a good amount of the first two issues handled back on the September 9th meeting but they are still grappling on what to do with the groundwater issue on the Morse property. They then asked for a continuance to tonight's meeting. Mr. Kablack advised that they had a Board of Selectman hearing on street acceptance which was continued as well so they could stage this hopefully in terms of getting this Board's consent on street acceptance. Mr. Kablack is looking towards moving forward to the Board of selectmen and then ultimately to Town Meeting. The goal is to have these streets accepted at Town Meeting.

Mr. Kablack advised that as of today, the punch list items have been completed, the As-Builts have been finalized, the department is looking for a little more monetary contribution towards inspection fees, etc... He advised that they will provide that to the DPW to complete these.

Mr. Kablack advised that with respect to the Con Com, along the southwestern border of the property there was a slight swale that was going to be put in over the length of the perimeter border. He explained that the Con Com has stated that they do not want to see the swale. In a conversation with Cliff Matthews, Con Com Chairman, their position is that they worked quite hard on the house location along that perimeter so that there is a wooded buffer which he believes would be adequate for purposes of infiltrating surface water runoff. Mr. Kablack advised that Mr. Matthews thinks that the construction of this swale would be too disruptive of that wooded buffer that they (Con Com) has worked so hard to keep in place and there is a letter in the file to that effect. The purpose of the minor modification request , that is before the Board, is to eliminate that particular design detail of the plan and treat it as a minor modification so that a hearing does not need to be conducted.

Mr. Kablack advised that with respect to the issues raised by Anne Matthews, relative to the recording on the operation and maintenance of the Stormwater facilities there was a site walk involving a combination of George Holmes and Anne Matthews of the Con Com and Alex Renzi of Toll Bros. They looked at the basins and a report was filed with the Con Com outlining the terms of the format that they want to see going forward and the terms of the periodic means.

Mr. Kablack advised that there are line items in terms of what the homeowners association will be responsible for and columns to be filled out in terms of what the condition is, what action was taken, and whether that action was reported to the Con Com. He is looking into setting up a format for reporting over time and mentioned that Ann Matthews had also asked him for the homeowners that are currently serving on the Board so that the Con Com has names and numbers for those people to contact after Toll Bros has completed the work.

September 23, 2010

Mr. Kablack advised that with regard to the second issue, pending the Board's decision tonight on the minor modification request, Con Com will be in-line as well.

Mr. Kablack advised that the last issue is the most complicated one; the ground water issue. He advised that their position is still that this is unrelated to the construction of the subdivision roadways and the infrastructure. However, this Board was quite adamant that there was a link between the two and they wanted them to investigate the problem and try to resolve it.

Mr. Kablack advised that they have tried to resolve this issue; he presented the Board and Ms. Morse with a letter that neither had been given prior to this meeting. He stated that the Board should have been given a copy of a letter sent via email to SJW from him dated September 22, 2010. PMB asked Mr. Kablack if a copy of the letter had been to Ms. Morse prior to this meeting, Mr. Kablack advised that Anne had not received a copy prior to this meeting. PMB further questioned Mr. Kablack as to why it was not sent to her prior to now; Mr. Kablack claimed to not have Ms. Morse's email address. It was determined that Mr. Kablack could have gotten Ms. Morse's email via Eric Carlson. PMB allowed Ms. Morse some time to read through the letter.

SJW asked Mr. Talerman if the Planning Board would need two motions, one to modify the decision regarding the swale. Mr. Kablack believes that there needs to be two motions made; 1) to define the minor modification and 2) to grant the minor modification. SJW clarified this with Mr. Talerman, he advised that he believes Mr. Kablack is correct that it should be two because under Chapter 41 section 81W it states which relates to the modification of decisions. Mr. Talerman is concerned is that when did the Board hear about this request for modification. SJW advised that it was discussed at the last couple of meetings. Mr. Talerman thinks it can be done in a minor modification but declare it this way so that there is no confusion as to whether or not you are required a public hearing. He clarified that a minor modification is defined as less impact and the Board would then vote to accept it. PMM asked when the date is that they went before the Con Com and gave you their "blessing" on the swale; Mr. Kablack advised that their is a letter dated August 30th and received by the Planning Board staff on August 31st.

GCW asked Mr. Talerman his opinion regarding the street acceptance and the ground water issue and asked if we can hold a bond for it. GCW wants the Town to get the money if something goes wrong, Mr. Talerman advised that he was made aware just this week after briefly discussing the Morse issue with Mr. Kablack. He explained the purpose of the bond and it is only for them to complete the street work and is not for outside including infrastructure work. Mr. Talerman advised that the Morse issue is a private matter and although some of it is shared, this should be held as private.

Mr. Talerman advised that there are two issues; 1) being section 81U of the Subdivision Control Act, saying they are done and want their bond back, you have a curtain period of time to do that. Mr. Talerman advised that if the street work is completed than you accept it and give them their money back. 2) The street acceptance issue, which there is wide discretion on. There is any reason the Board can have for not accepting street acceptance; no one is entitled to street acceptance. Mr. Talerman advised that some towns are not accepting any streets because they do not have the money to plow them.

Sometimes he sees Towns do a conditional acceptance vote, move to accept provided however that before the acceptance becomes formalized they complete certain items. Mr. Talerman advised that if there is no more work to do on the subdivision, but the Planning Board is concerned that this ground water issue may have been caused by the applicant in some way then the Planning Board could recommend either no acceptance due to this outstanding issue or accept it just because it is a private matter or recommend a conditional acceptance provided that before it is formally accepted, Toll Bros works it out with Ms. Morse. Mr. Talerman advised that it is a little unusual to do things this way but these are the realm of possibilities and also advised that the Board has a lot more familiarity then he does with this ground water issue.

PMB suggested the Board make the modification motions before starting the next conversation.

GCW: Motion to declare the modifications with regard to the southwestern swale as a minor modification.

DB: Second.

Vote: 5-0 Approved. (PMB, GCW, DB, PMM and PP)

GCW: Motion to accept the minor modification to the southwest swale.

DB: Second.

Vote: 5-0 Approved. (PMB, GCW, DB, PMM and PP)

PMB moved the discussion onto the Morse issue and stated that Mr. Kablack should have given Ms. Morse the letter at the start of the meeting so she could have had a chance to review it:

PP advised that it appears from the letter that Ms. Morse has an attorney. PMB asked Mr. Kablack if she aware that Ms. Morse has hired an attorney. Mr. Kablack is aware of two attorneys' that she has hired, Ms. Spillane whom he contacted regarding settlement and she has also hired litigation council. PMB asked if Mr. Kablack has given a copy of the letter to Ms. Spillane (Morse's attorney). Mr. Kablack's intent is to walk through this proposal today which is why Mr. Ryder is here from VHB. PMB reminded Mr. Kablack that he has an obligation to get the letter to the attorney's in a timely manner; PMB explained that Ms. Morse's council is out of Town right now and gave the floor back to Mr. Kablack.

Mr. Kablack advised that from August 26th – tonight they have conducted site visits of the Morse property alone and along with Dan Drake and the Morse's. He has also had communication with Ms. Spillane and asked her if she was still representing the Morse's and she advised that she does and they have had very brief series of conversations regarding settlement. PMB asked when this was; Mr. Kablack advised that it was after the site visit on September 8th so it was between September 9 through the 10th of 2010. He advised that those settlement discussions did not go anywhere, and as a general rule when settlement is discussed the details are not revealed and they are kept confidential. Mr. Kablack advised that those conversations with Ms. Spillane were unsuccessful.

September 23, 2010

Mr. Kablack advised that they did not have enough time to discuss other ways than a cash settlement, they embarked on a proposal were they had looked into what would be done to resolve this issue.

Mr. Kablack put together the timeline as to when the letters referenced where written and advised that the plans call for the construction of an under drain and commented that there is no flowing water out there today, the pipe would be installed underground and would traverse the Morse property and would spill out into a catch basin that would either be within the subdivision roadway of Whitehall Way or in the catch basin which is in Fox Run. Mr. Kablack explained that the reason there is an option (A) and an option (B) is that option (A) is a straight run out from the point where the Morse's have identified the problem out to Whitehall Way to a catch basin. The reason why they cannot automatically do that is that one of the lots in the development actually has a lot layout where part of its frontage goes fully down Whitehall Way. The reason for that lot layout is unknown to them (Toll Bros) because the development was purchased by a gentleman named Jeff Pierce who had done all of the permitting for the property.

Mr. Kablack is unsure why the lot was constructed in that way but it was not to provide frontage for the lot which is owned by a third party. He advised that they have approached this person for an easement and he does not know if those discussions will be fruitful or not but they can secure drainage easement coming directly out to Whitehall Way but they cannot secure the option through Fox Run, this is a more expensive option because there is more piping involved.

Mr. Kablack referenced the letter that (Toll Bros) has given these plans to their site contractor, PW Brown, and they had them prepare a firm quote for both options. Option A) running straight out to Whitehall Way, the total is \$19,200 and option B) has the angular turn and a run down to Fox Run RD the total is \$37,600. Mr. Kablack advised that because they are proposing this, without necessarily any agreement with the Morse's, they will provide assurance that this work will be done which he claims was approved by Mr. DiMartino and they are also willing to take either option's estimate is and add an escalator of 20% and place this in escrow.

Mr. Kablack would like to keep this a separate issue from the street acceptance and he would like the agreement to be a private one with Ms. Morse and her attorneys. He closed with saying that that is the framework of the letter and he turned the discussion over to Mr. Ryder and have him explain this piping in further detail.

Mr. Ryder advised that the under drain system is the same and the area of concern the intention is to put in 50ft of PVC piping down with about 2 feet of cover with gravel around it and filtering, as ground water comes up from the area and be discharged into the basin or a drain. There is evidence of water being in that area although it was not there today. PMB asked what if the pipe breaks and whose responsibility it would be, Mr. Kablack advised they will install it and the Morse's would own it. PMB questioned Mr. Ryder if this would work, Mr. Ryder advised that the SDR 35 PVC pipe which is much stronger than what is recommended. PMM asked about adding two structures, drainage manhole one and two, Mr. Ryder advised that there are three structures as they are tying into an existing one. PMM commented that he has not seen the existing As Builts to this project. PMM clarified that if anything goes wrong, it would be the responsibility of the Morse's. RO asked if it is gravel or washed stone, Mr. advised

that it is washed stone. RO also questioned that there are four manholes, why are there only two. Mr. Ryder advised that the quote will need to be amended to have three.

PMB advised that she will give Ms. Morse time to speak but in her opinion this is a personal private matter. Mrs. Morse thinks that Toll Bros is in violation of the Town's Bylaws by imposing drainage on them. She mentioned that they have never heard of this problem before, since that time he has found in his file a letter from Florence Spillane (their real-estate attorney) he called her directly and never contacted her. Ms. Morse advised that Ms. Spillane is a personal friend as well so she did speak with him. Ms. Morse claimed that she never hired Ms. Spillane; he just spoke with her and assumed that she was representing them. Ms. Morse stated that that this is a huge problem and her land is loosing value, they are maintaining manholes, she went to the site visit as well as with Dan Drake who claimed that he did not think that this plan would work. She claimed that there are huge if's here, she is getting stuck with drainage issues on her property that she did not produce. She took pictures and notified everyone in the Town the minute it happened five years ago. Ms. Morse claimed she did everything right and now her land is getting devalued, she is incurring attorney expenses when it was related to their construction, without question. She claimed that the contractor agreed with her that the blasting created this damage.

Ms. Morse claimed that Mr. Kablack called her attorney saying that they have no intention of fixing this. Ms. Morse claimed that Ms. Spillane gave Mr. Kablack a very large figure that would cover her loses and expenses, because she does not want to get stuck maintaining their problem. Ms. Morse claimed that Mr. Kablack told her he would talk to his client and get back to her; Ms. Spillane called her yesterday and told her to call her litigation lawyer because they were not getting back to her.

PMB does not think that the Planning Board has any authority to remedy this for her; the Planning Board is not a court of law. Ms. Morse questioned why the Planning Board can't help her with these drainage issues as it is part of the Town Bylaws. Mr. Talerman advised that it is a ground water thing not sure it is a drainage thing. Mr. Talerman advised that he does not know all the facts of what is causing what or as to whether or not a Special Permit may be required which would require them to file something new or are they talking about using the policing power of the Planning Board or the Building Dept. Mr. Talerman believes this is a private matter and this is not a municipal catch, he does not believe this falls under the purview of the Town and what the Town can do.

Mr. Talerman believes that Mrs. Morse has done all she was supposed to do. PMB advised that she strongly urges for her to go forward in court but the Planning Board has no remedy for this issue. Mrs. Morse pleaded her issue and urged that the Planning Board not accept this road. PMB advised that Mr. Kablack and Mrs. Morse watch their snide comments. PP is concerned with Ms. Morse request and how long is the Board supposed to not accept this road. Ms. Morse has no assurance this will work, she believes that the Town should be protecting their people.

GCW advised that he remembers this from way back when Fox Run was accepted. Pierce Estates had an issue with water and at the time it was resolved. GCW advised he has a problem with Toll Bros and that they should fix the problem but make Ms. Morse clean up the basin after fixed but the solution should be to put up a bond for the

September 23, 2010

DPW to maintain this. GCW believes that this is a civil matter. He does not feel like the Town has gotten the whole truth from the project. SJW advised that if this is not accepted then they will have to get this resolved.

Ms. Morse wants the Town to prove that this will be resolved. GCW wants to see this resolved

Brian Mohondros, 78 Whitehall Way, commented that he has lived in this property for the past five years; he is familiar with this water issue as he loses his backyard every year due to runoff. There is a lot of water that comes onto his property from this development. Toll Bros tried to fix the water issue by slowing it down and he still takes water on, his land is eroding, he thinks the drain pipe is only a small piece of what needs to be done. Mr. Mohondros has no problem with a resolution he just wants to make sure that the fix will fix the whole problem. He has made suggestions for what they could do.

Mr. Kablack clarified there was never a denial that the problem would not be addressed, work cannot be physically done until next May, Mr. Mohondros, advised that this is a ground water issue not a surface issue. Frank Morse had the same type of concept in mind when they met with them last. This is static pumping; GCW does not think it is fare to have Ms. Morse take care of the problem. Mr. Kablack advised that he is not asking for Ms. Morse to accept this, he is asking the Board. Ms. Morse advised that this proposal requires an easement from Mr. Mohondros, there are large if's. PMB is not sure what she is asking for, she is not sure the Board can do.

PMB advised that this Board is not in the position for fixing problems for people who buy into subdivisions. Mr. Talerman advised Mr. Kablack to be careful in stating on what Don DiMartino would agree to, PMM advised that Mr. DiMartino said he would have no problem connecting to Town water not that he reviewed this problem.

RO commented that this discussion should not continue any longer before this Board, it will be brought up at Town Meeting. RO suggested that the Board does not make a decision on this tonight but have a meeting before Town Meeting. GCW would like to see them work it out; he does not think it is fare for Ms. Morse to pay legal fees. Mr. Kablack is asking for a full bond release as it is not related to the Morse issue and is what the DPW advised. He wants to make this request clear.

Mr. Kablack advised that they will not pay for another engineer; GCW asked if they would pay for the maintenance of this, Mr. Kablack advised that he is not authorized to make that decision.

Mr. Kablack advised that there has been a formal letter requesting the full bond release for this development. He advised that the DPW director refers to the roadways in this development as complete and the improvement work is done and it is not related to the Morse issue, so they will insist upon this Board moving and acting upon is the bond release. GCW said there is an open issue here; he is ok with releasing the bond partially. PP thinks that this issue is separate from Mr. Kablack's issue. PP stated that surface water is caused by this subdivision being developed and the way the Bylaws are written it is to make sure people do not have flooding in there yards which means there is a poor design somewhere.

September 23, 2010

Mr. Kablack wanted to make there that that request is also before them. PMB questioned if a motion was needed for that. Mr. Talerman advised that there is a statutory process when someone has made a request that he believes is 45 days, if the Board does not think it is complete. Mr. Talerman advised the Board should refer to the document that states this process. PMB questioned the amount of the bond, Mr. Kablack advised that the bond has had some partial releases in the past; the current amount is \$750,000. Mr. Kablack reiterated that he is not asking for a decision tonight, he just wants to make clear that they have asked formally for that as well. It is the street acceptance and bond release.

PMB advised that the Board will hold a joint public meeting with the Finance Committee at the High School prior to Town Meeting at 7pm on October 13th, 2010.

General Business

DB: Motion to sign the September 9, 2010 meeting minutes.

GCW: Second.

Vote: 5-0 Approved. (PMB, GCW, DB, PMM and PP)

DB: Motion to sign the vouchers.

GCW: Second.

Vote: 5-0 Approved. ((PMB, GCW, DB, PMM and PP)

Discussion Inclusionary Zoning proposed bylaw

Mr. Talerman advised that the Bylaw had to be changed due to the Wall Street case put a crimp in it. Mr. Talerman advised that the Bylaw that SJW put together was based on Westport, MA and is was approved by the attorney general who was generally in favor of using these Inclusionary Zoning bylaws. But the way it was set up it had required a Special Permit. He advised that that is ok for the special permit type projects like town houses, etc but it is not ok for the subdivisions as it is allowed as a matter of right. Mr. Talerman advised that it makes it more streamlined if you take the special permit requirement out and now it is just mandatory. He advised that a developer does not have to go through another permit process but the affordable housing needs to be provided or they will provide off site affordable housing.

Mr. Talerman advised that this will work at Town meeting, their will need to be a handout a Town Meeting with the corrected version and make the motion based on that. PMB questioned if Mr. Talerman will be at Town Meeting to be able to answer any questions related to this. PP advised that the key term that screws everyone up is "affordable housing", people just don't understand what this means. SJW asked Mr. Talerman if he could do the motions. RO agrees with PP in that you have to define "affordable and low income" you have to put the notes in the handouts that one does not relate to the other.

September 23, 2010

PMM: Motion to accept the changes made by Town Council to the proposed section

5400 Inclusionary Housing Bylaw.

DB: Second.

Vote: 5-0 Approved. (PMB, DB, PMM and PP)

North Woods Definitive Subdivision Plan Signing

PMB apologized to Ms. Peterson for skipping over this item on the agenda.

Cheryl Peterson, Heritage Design, presented the Mylars and copies for the Board to sign.

SJW advised that the fall course list is cut and available for all members to sign up for, she can either sign the members up or she can sign the members up.

DB: Motion to adjourn.

PMM: Second.

Vote: 5-0 Approved. (PMB, GCW, DB, PMM and PP)

Minutes Accepted on:

(Date)

Patricia M. Buckley

Poter Pannae

(Prepared by: Amy Sault

Glenn C. Wojcik

Dave Brov

Peter M. Morelli