

**December 5, 2013  
Blackstone Planning Board  
15 St. Paul St.  
Blackstone, MA 01504  
Main Meeting Room**

<b>Members</b>	<b>Paul Marvelle</b>	<b>Joe Belrose</b>	<b>Gerry Rivet</b>	<b>Kirk VanDyke</b>	<b>Owen Bebeau</b>	<b>Darron LaBonne</b>
<b>Present</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Not Present</b>						

The Chairman opened the meeting at 7:00 pm.

**40 Orchard Street:**

The Chairman reopened the public hearing for Mr. Gladu who resides at 40 Orchard Street.

The Consultant provided a review letter to the Board which indicates that the resident needs to go to the Zoning Board of Appeals and the Planning Board cannot act on the application.

Mr. Gladu requests that he be able to withdrawal the application without prejudice.

The Chairman explained that he needs to put something in writing so the Board can act on the withdrawal.

Mr. Gladu handwrote a statement seeking withdrawal without prejudice.

**On a motion made by Owen Bebeau and seconded by Joe Belrose, the Board voted unanimously to accept the withdrawal without prejudice for 40 Orchard Street.**

**Frontage Waiver Plan:**

The Board is in receipt of a Frontage Waiver Plan for Plan 18, Lot 22A for Gary Jolicoeur.

The Board approved this plan last year and the applicant indicated that he did not register the plan at the Worcester Registry of Deeds.

The Board reviewed the plan and there were no changes.

**On a motion made by Joe Belrose and seconded by Gerry Rivet, the Board voted unanimously to endorse the plan for the Frontage Waiver for Gary Jolicoeur for Plan 18, Lot 22A.**

**Capital Items 2015:**

The Board is in receipt of a letter from Capital Outlay.

The Board does not have any capital request items for FY 2015 and will have the secretary send a letter to capital outlay.

Member VanDyke arrived to meeting at 7:25pm.

**Onyx:**

The Board is in receipt of a review letter dated December 5, 2013 from Tetra Tech for review at the Onyx site. Howard Baily was on site for the consultant review. The residents were notified of the site visit.

John McTiernan explained that after the last planning board meeting he set up a meeting with the residents. All residents were invited and received notice. There were 15 of the 29 houses who showed up at meeting. One of the topics discussed was the speed of vehicles and how to control. The developer has placed six visible signs to assist in controlling the speed asking others to drive slowly. This will also hopefully make the Fed Ex and UPS vehicles aware to slow down.

The second item discussed from the meeting had to do with the homeowner's association. John McTiernan explained that he would like to have three members from the development to serve as members of this association. Having these members serve will help to address the variety of items to be added to the punch list, along with deciding on what the collected fees will pay for. John explained that they will continue to do the regular maintenance, landscaping and plantings as required.

John McTiernan thanked the planning board in assisting with the facilitating of the discussions which came from the November 2013 meeting.

The Planning Board requested that the Board get a copy of the entire subdivision on a disk so that it can be forwarded to the consultant if requested.

Resident Duncan Rasmussen, 55 Glenside, thanked the planning board for listening to all the comments from the last meeting. He also explained that the meeting held by Mountain Dog was productive and clarified many issues.

**Lot Releases:**

Attorney McTiernan submitted a request for lot release.

**On a motion made by Joe Belrose, and seconded by Owen Bebeau, the Board voted unanimously to release the following lots 28, 29 30, 31, 32, 33, 34, 35, 36, 75, 76 ,77, and 78.**

The Board was provided with the Form J guarantee price estimate for the Meadows at Harris Pond. The total amount of the guaranty required is \$88,000.

**Tri Partee Agreement:**

**On a motion made by Joe Belrose, and seconded by Owen Bebeau, the Board voted unanimously to sign the tri-partee agreement.**

Attorney McTiernan will be submitting a Form A application at the January 16, 2014 meeting.

**Metacomet Representative:**

Metacomet Representative Tom Bik was present at the meeting to inform the Board that there is intent for sell 0 Mendon Street book 7030/364 as open space. A letter from Mr. Padula was shared with the Board.

This property is assessed at \$17,000 and the estate is interested in selling for \$15,000 or closest offer.

The 31 acres of land is currently land locked. Acquiring this property would allow for passive recreation.

Mr. Bik will be meeting with the town administrator to see that a warrant article is written. The funding source will need to be discussed.

Mr. Jolicoeur informed Mr. Bik that he has a piece of open space land that he would like to protect. His property could connect to the two big open space parcels from Sycamore and Rolling Brook. This is contiguous properties.

Member VanDyke noted that there is a danger when turning this land over to the town, since they can claim it as open space, but that can be reversed and used for other purposes. He has seen this done in other towns.

Mr. Bik communicated that Metacomet owns over 130 acres in Blackstone more specially the land which abuts and surrounds Daniels Farm. They are in the planning stages of doing education stations using the trails, historical properties and the old saw mill. Metacomet is a non-profit which promotes the preservation

of open space. The open space parcels can have a conservation restriction on them or can be held by the Department of Fish and Wildlife. These entities make sure that the land is not jeopardized. Once Metacomet owns the land they must be inspected on a regular basis. There is oversight. When given by the town, there is inspection of the land...

Mr. Bik suggested that Mr. Jolicoeur attend one of the Metacomet meetings to discuss the parcel of land noted during the discussion.

Mr. Bik further explained that the land that Metacomet wants is land which can be preserved and they do not just want land with detention basin. Some developers want to give the worse land. There needs to be a balance.

**Warrant Articles:**

The Board is in receipt of the draft warrant articles.

**Open Space:**

The Board is in receipt of a memo from Consultant Carlucci dated November 5, 2013 regarding the revision to flexible residential development section.

The Consultant added language which references MGL c. 40 A, S.9. By adding this is strengthens the current bylaw since it matches the state language. By accepting the land for park or open space use, that land would be subject to Article 97 of the state constitution and it would require a 2/3 vote of town meeting as well as a vote of the state legislature to change the use away from open space.

Member VanDyke does not want the town as the only entity as holder of the open space. He recommends that language could be added about having two entities holding this land.

**Open Space Parcel**

**On a motion made by Gerry Rivet and seconded by Kirk Vandyke, the Board supports the purchase of the property located book 7030/364 at Mendon Street.**

The Board is in support of placing the noted parcel on the town warrant.

**Medical Marijuana Dispensaries:**

The purpose of this warrant article is to control the location of where any medical marijuana dispensaries may be throughout the community.

The Board would like some language added with definitions and further work in regards to the facility.

**ATV/Recreational Use Vehicles:**

The Board is in receipt of the draft warrant article for regulations for ATV/Recreational Use Vehicles. The article was written indicating registration requirements, prohibiting underage use, and specifying distances from residences.

There was a lengthy discussion about that some ATV's are used for snow removal/clean-up and moving wood piles. There was also the feeling that these can also be a nuisance if your neighbor is riding this type of vehicle daily for hours. The Board would like to get input from the police department in regards to possible setting up a system that if a complaint is made, a permit with conditions of times could be placed on the owner. The Board was not in agreement with how this is currently written and recommends that the consultant revise this further. He will provide it to the Board at the next meeting.

**ADJOURN:**

**On a motion made by Owen Bebeau, and seconded by Joe Belrose, the Board voted unanimously to adjourn the meeting 10:00 pm.**

**FUTURE MEETINGS:**

The next meeting is scheduled for Thursday, January 16, 2014 at 7:00 pm.

Respectfully Submitted,

Amy Sutherland  
Meeting Recording Secretary  
Approved January 16, 2014