



# TOWN OF BOXFORD

MASSACHUSETTS

01921

OFFICE OF THE PLANNING BOARD

## MEMO

**DATE: November 29, 2016**

**TO: Boxford Planning Board**

**FROM: Ross Povenmire**

**RE: Review of Burning Bush Subdivision Issues**

---

I have researched the available file materials in an effort to provide some clarity to 1) the status of the temporary cul-de-sac at the end of Burning Bush Drive; 2) the rationale for approving Lots 57 and 58 as buildable lots (shown as Lots 1 and 2 on the Burning Bush Estates approved Definitive Subdivision Plan), and 3) the significance of the label "Not a Buildable Lot" on Parcel E of the Definitive Subdivision Plan.

### The Status of the Temporary Cul-de-Sac at the End of Burning Bush Drive

Burning Bush Drive was originally constructed pursuant to the "Boxford Greenway" Definitive Subdivision Plan dated October 18, 1965, recorded Essex South Plan Book 105, Plan 95 (Attachment 1). A conditional approval letter from the Planning Board to Greenways Inc. dated December 22, 1965 references the approved plan as dated December 18, 1965, however this plan revision has not been located in the file or in the Registry (Attachment 2).

In 1967 a request was made to revise the design of the cul-de-sac, which was accomplished by means of an ANR filing (plan dated January 16, 1967 approved October 17, 1967, Attachment 3). The use of the ANR process to effect these changes is questionable. The ANR plan placed the cul-de-sac on Lot 11 (56 Burning Bush Drive) within a "temporary turn-around" area, extended a 50' wide road right-of-way to the end of the Greenways property, and made minor adjustments to the boundaries of Lots 11, 12 and 13. Lot 11 was purchased by Christopher Decoulos.

I have not located a deed or easement from Greenways Inc to the Town of Boxford for the Burning Bush Drive right-of-way. An easement from Greenways granted to Benjamin K. and Hazen H. Richardson dated February 10, 1970 describes the Burning Bush Drive right-of-way as "[s]hown on a plan entitled "Subdivision Plan in Boxford Greenway" dated October 18, 1965, and recorded in the Essex South District Registry of Deeds as Plan Book 105, Plan 95, as revised by plan entitled "Plan of Land in Boxford, Property of Greenways, Inc." dated January 16, 1967, recorded in said Registry as File No. 509 of 1967 . . ." (Attachment 4). This easement makes no mention of the "temporary turn around" area. This description of the Burning Bush Drive right-

of-way, including the omission of the "temporary turn around," appears to reflect the common understanding at the time, and is presumably the same description accepted at Town Meeting in October 1969 as a public roadway. This is the only Burning Bush Drive right-of-way that has been accepted by the Town to date. On January 7, 1987, Christopher Decoulos filed a "Notice of Intent to Prevent Acquisition by Custom" to prevent the ripening of any claim on the area shown as "temporary turn around" (Attachment 5).

Between 1967 and 1992 a number of plans were presented to reorganize lot boundaries adjacent to the temporary cul-de-sac, extend Burning Bush Drive, and incorporate additional land area to the west of the original subdivision. Several such plans were approved as ANR plans. Throughout the review of these plans it is clear that a primary concern of the Planning Board was to preserve a future road right-of-way access from the end of Burning Bush Drive to properties located further west (these western properties would eventually be acquired by the Town for the Wunnegen Conservation Area). During this same time period between 1967 and 1992, Christopher Decoulos was corresponding with the Town in an effort to have the temporary cul-de-sac moved from his property (Attachment 6). The Planning Board appeared to recognize the necessity to "replace the temporary turnaround with a permanent one" (Attachment 7).

Beginning in June, 1992, Christopher Decoulos as Trustee for Garden Realty Trust and Dekka Realty Trust presented a proposed subdivision plan that included a short extension of Burning Bush Drive and the creation of new parcels on approximately 26 acres to the west of the original Burning Bush subdivision. This plan was eventually approved as "Definitive Subdivision Plan Burning Bush Estates" dated August 21, 1992, last revised January 6, 1993, recorded at Essex South District Registry of Deeds Plan Book 281, Plan 15 (Attachment 8). The property boundaries shown on this plan are currently in effect.

Easement documents on record and associated with the approval of the Burning Bush Estates plan consist of a roadway easement incorporating an area described as Parcel F extending from the end of the Burning Bush Subdivision to future Wunnegen Conservation Land (hereinafter Roadway Easement #1), a roadway easement incorporating a triangular area on the side of the original Burning Bush Drive right-of-way (hereinafter Roadway Easement #2), a temporary cul-de-sac easement overlapping a portion of Temporary Roadway Easement #1 on Parcel F and also including portions of Lot 2 of the proposed subdivision (hereinafter Temporary Cul-de-Sac Easement #1), and a temporary cul-de-sac easement incorporating land area located on 56 Burning Bush Drive, as reconfigured (hereinafter Temporary Cul-de-Sac Easement #2) (Attachment 9). These easement areas have not been formally accepted by the Town as part of the Burning Bush Drive public roadway. The existing cul-de-sac at the end of Burning Bush Drive reflects the approved Burning Bush Estates Definitive Plan.

### **Rationale for Approving Lots 57 and 58 as Buildable Lots**

An Environmental Impact Statement supplied with the submission of the Burning Bush Estates Definitive Plan made clear that "the proposed subdivision will create two buildable lots (lots 1 and 2), a proposed roadway that will run between Lots 1 and 2, and a nonbuildable lot (Parcel E). Pavement is proposed for a new turnaround to replace the existing turnaround that exists on the homestead of Christ Decoulos, as well as for a 20' wide roadway to run from the new turnaround to a point opposite the end of the 50' frontage of Lot 2" (Attachment 10)

Subsequent revisions to the Definitive Plan shifted the cul-de-sac further west, thereby eliminating the need for the 20' wide roadway extension beyond the cul-de-sac to the 50' frontage line. Lot 2, therefore, was conceived as a "pork chop" lot with 50' of frontage as described in the Boxford Zoning Code Section 196-24(D)(3). Presumably the 50' of frontage for

Lot 2 is delineated by the shared boundary of Lot 2 with the improved portion of Roadway Easement #1 (i.e., the portion overlapped by Temporary Cul-de-Sac Easement #1 and upon which the cul-de-sac is actually constructed).

No mention is made of the presumed frontage for Lot 1 in the record. I note that Lot 1 has similar frontage of at least 50' on the opposite side of the improved portion of Roadway Easement #1, as well as at least 50' of frontage on the original Burning Bush Drive right-of-way. Presumably Lot 1, like Lot 2, is a "pork chop" lot pursuant to Boxford Zoning Code Section 196-24(D)(3).

A letter from Mr. Decoulos dated August 23, 1993 provides oblique support for the presumption that only the improved portions of Roadway Easement #1 were "within control of the Town" and therefore suitable for consideration as frontage (Attachment 11).

### **Significance of the Label "Not a Buildable Lot" on Parcel E of the Definitive Subdivision Plan**

The Planning Board understood that it could not withhold ANR approval of a parcel that did not have frontage as long as the parcel was clearly marked on the plan as unbuildable (Attachment 12). As described above, it appears that the Planning Board and Mr. Decoulos understood that Roadway Easement #1 only conferred frontage to the extent of the improved portion of the roadway, i.e., the cul-de-sac. Parcel E therefore was apparently understood not to possess frontage, at least until such time as a future roadway was constructed. I did not find any reference to the unbuildable nature of Parcel E that would indicate an intent to preserve Parcel E as undeveloped open space.

95 / 105

# ATTACH 1



PLAN BOOK (S) PLAN 42  
 DATE OF RECORDATION: 10/10/65  
 COUNTY: [unclear]  
 DISTRICT: [unclear]  
 PREPARED BY: [unclear]  
 DATE: [unclear]

SUBDIVISION PLAN	
OWNER	Philip A. Wayne & Frank L. May
PREPARED BY	[unclear]
DATE	[unclear]
APPROVED BY	[unclear]
DATE	[unclear]
RECORDING OFFICE	[unclear]
RECORDING DATE	[unclear]
RECORDING NUMBER	[unclear]

This plan was prepared from data of the Town of Burlington, Vermont, and is subject to the approval of the State of Vermont. The State of Vermont is not responsible for the accuracy of the data or the results of the plan.

— Show Boundaries to be set.

December 22, 1965

GREENWAYS INC.  
So. Main Street  
Middleton, Massachusetts

*Essex  
model town*

Dear Sirs:

In regard to your petition for a subdivision as shown on your attached definitive plans, we have approved the same by a vote of the Planning Board at a meeting held on December 6, 1965. This vote was taken following a public hearing which was properly advertised and held on December 6, 1965 and is subject to the rules of the Planning Board of Boxford under which you filed but with the following exceptions:

Drainage is approved as shown in plan and profile. Catch basins and drains to be worked out as a result of the agreement at the Public Hearing held on December 6, 1965 and in accordance with the changes proposed and shown on your revised linen dated December 18, 1965. Any possible further revisions to be made at the discretion of the Subcommittee on Roads. Further it is required that all lots are subject to approval by the Board of Health.

Regarding the construction of ways:

Notification to the Subcommittee on Roads is to be given before any work is started. Construction of ways to be as provided for in the General Laws, Chapter 41 Section 81U.

1. You may complete road or an agreed section thereof, in which case, no building permit will be issued until road is completed and approved.
2. A bond or deposit of money in the sum of a suitable amount to be determined upon application for the same.
3. Or by a covenant running with the land as set forth in said section, or part one way, and part in another at the option of the applicant.

We require erection of proper street signs. Namely Burning Brush Drive.

Burning Brush Drive shall have a hot top pavement of (18) eighteen feet width instead of 24 feet as required under the subdivision control laws. The hot top pavement on the turn around shall have a 35 foot radius. The details of road construction to be done in a manner that will permit the Planning Board subcommittee on roads to at a further date, recommend to the town a favorable vote for acceptance of this road.

A TRUE COPY

Attest

*Stanley A. Shield*

Town Clerk

Boxford, Massachusetts

*[Handwritten signature]*

*[Handwritten initials]*

GREENWAYS INC.

2.

December 22, 1965

Easement requirements:

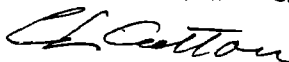
1. "Easement for future highway purpose" as shown on Greenways subdivision linen dated December 18, 1965 and between lots 5 and 6 shall be conveyed in the form of an easement to the present owners of the Roy Stuart property, an abuttor to lots 5 and 6 of this subdivision. The land which constitutes this easement shall remain with the owners of lots 5 and 6. The construction of any road on this right of way will be at the expense of the subdivider or persons that require access to the present Roy Stuart land.

2. "Easement for future highway purpose" as shown on Greenways subdivision linen dated December 18, 1965 and between lots 11 and 12 shall be conveyed in the form of an easement to the present owners of the Hazen K. Richardson property, an abuttor to lots 11 and 12 of this subdivision. The land which constitutes this easement shall remain with the owners of lots 11 and 12. The construction of any road on this right of way will be at the expense of the subdivider or persons that require access to the present Hazen K. Richardson land.

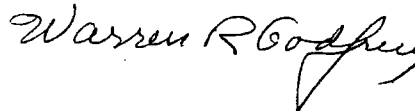
This subdivision must be completed within (7) seven years.

Very truly yours,

C. L. COTTON - Chairman



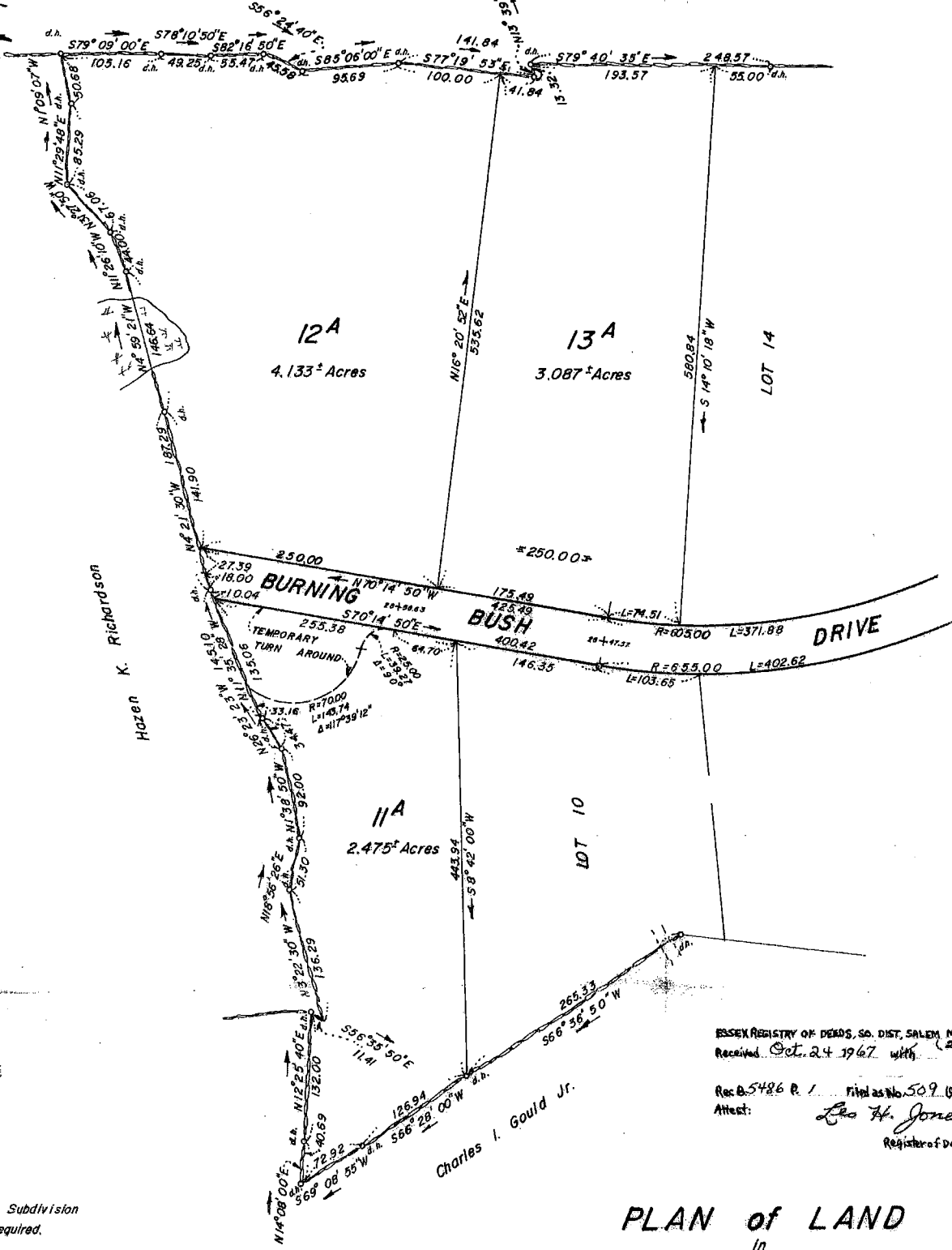
W. R. GODFREY - Clerk



- Copy to:
- Board of Health
- Town Clerk
- Building Inspector
- Road Surveyor
- Tree Warden
- File

Philip A. Wogan & Frank L. Kirby

509  
1967



Approval under the Subdivision Control Law not required.

BOXFORD PLANNING BOARD:  
*Charles L. ...*  
*David ...*

Date: 10-17-67

NOTE: For the original subdivision see the plan dated Oct. 18, 1965, by Essex Survey Service.

ESSEX REGISTRY OF DEEDS, SO. DIST. SALEM, MASS.  
Received Oct. 24, 1967 with (2 Bona)

Rec. B-5486 P. 1 Filed as No. 509 1967  
Attest: *Leo H. Jones*  
Register of Deeds

# PLAN of LAND in BOXFORD

Property of  
**Greenways, Inc.**

Scale: 1" = 80' Jan. 16, 1967.

ESSEX SURVEY SERVICE  
275 Cabot Street, Beverly

paged:

ATTACH 4

BK 5666 PG 313

QUITCLAIM DEED (CORPORATION) 884

GREENWAYS, INC.

a corporation duly established under the laws of the Commonwealth of Massachusetts and having its usual place of business at Boxford, Essex County, Massachusetts, <sup>nominal</sup> for consideration paid, grants to Benjamin K. Richardson, Hazen M. Richardson and Anne H. Richardson, trustees of The Richardson Trust, all of Middleton, Massachusetts (156 South Main Street) with quitclaim covenants

to the land in

(Description and encumbrances, if any)

A right of way for all purposes for which public highways in the Town of Boxford may be used over the land in said Boxford shown as Burning Bush Drive and extending Westerly from Middleton Road to land, referred to on plans hereinafter cited, as "Hazen K. Richardson," said Burning Bush Drive being shown on plan entitled "Subdivision Plan in Boxford Greenway" dated October 18, 1965, and recorded in the Essex South District Registry of Deeds as Plan Book 105, Plan 95, as revised by plan entitled "Plan of Land in Boxford, Property of Greenways, Inc." dated January 16, 1967, recorded in said Registry as File No. 509 of 1967, and also a right of way for said purposes over any other land acquired from said trustees by Greenways, Inc. adjacent to the Westerly boundary of land shown on said plans which is included within the present course of the Northerly and Southerly sidelines of said Burning Bush Drive as extended Westerly.

Consideration for this deed is less than One hundred (\$100.00) Dollars.

In witness whereof, the said Greenways, Inc.

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Lindsey R. Perry, its <sup>treasurer</sup> ~~president~~, and John G. Adams, Jr., its ~~president~~ <sup>president</sup> hereto duly authorized, this ~~10th~~ <sup>10th</sup> day of February in the year one thousand nine hundred and seventy.

Signed and sealed in presence of

*Grace E. Belle*

GREENWAYS, INC. by *John G. Adams, Jr.* *Lindsey R. Perry* Treasurer

The Commonwealth of Massachusetts

Essex ss.

February 10, 1970

Then personally appeared the above named Lindsey R. Perry, <sup>treasurer</sup> ~~president~~ as aforesaid and acknowledged the foregoing instrument to be the free act and deed of the Greenways, Inc.

before me,

*Richard A. ...* Notary Public - Middlesex County

My commission expires

19



COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF ESSEX  
TOWN OF BOXFORD

PLAN. BOARD -  
I HAVE SENT A COPY  
TO TOWN COUNSEL

81  
LHM  
③

ATTACH 5

NOTICE OF INTENTION TO PREVENT  
ACQUISITION BY CUSTOM

Pursuant to General Laws of Massachusetts, Chapter 187, Section 3, Christ J. Decoulos as Trustee of the Dekka Realty Trust, owner of a certain parcel of land located in the Town of Boxford, County of Essex and Commonwealth of Massachusetts, give notice hereby of his intention to prevent acquisition of a right of way or other easement over said land by custom.

Said land is described as follows:

The temporary turnaround which is located on Lot 11A at the westerly end of Burning Bush Drive, Boxford, Massachusetts which comprise the area marked "Temporary Turn Around" as shown on a plan recorded with Essex South District Registry of Deeds as plan 509/1967 on October 24, 1967. (attached herewith).

For title of the Dekka Realty Trust see deed of John W. Fitzgerald, Jr. and Elizabeth A. Fitzgerald dated February 24, 1984 and recorded with said Registry in Book 7341, Page 455.

WITNESS my hand and seal this 7<sup>th</sup> day of January, 1987.

Signed in the Presence of:

Christ J. Decoulos  
CHRIST J. DECOULOS, TRUSTEE  
AS AFORESAID

COMMONWEALTH OF MASSACHUSETTS

Essex, ss. January 7, 1987

Then personally appeared the above named Christ J. Decoulos as Trustee of the Dekka Realty Trust and acknowledged the foregoing instrument to be his free act and deed, before me,

Jeanne Roberts

My commission expires:

November 28, 1991

ATTEST  
Anthony J. Proctor  
Deputy Sheriff

1-12-87 1:50 PM

ATTACH 6

BOARD OF SELECTMEN

MAR 19 1990

BOXFORD, MASSACHUSETTS

CHRIST J. DECOULOS  
FIFTY SIX BURNING BUSH DRIVE  
BOXFORD, MASSACHUSETTS 01921  
AREA CODE 508 887-2888

March 14, 1990

Mr. Thomas E. Hauenstein  
Boxford Town Hall  
28 Middleton Road  
Boxford, MA 01921

RE: Appearance before Selectmen - (4/2/90 - tentative)

Dear Mr. Hauenstein:

With respect to your request, you will please find enclosed the following:

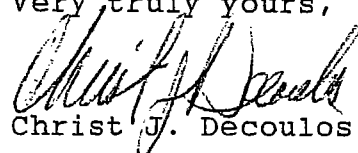
- (1) Letter dated July 23, 1986 from the Planning Board
- (2) Letter dated March 1, 1988 to the Board of Selectmen
- (3) Judgment dated March 7, 1990 from the Massachusetts Land Court
- (4) Plans (two) showing position of the cul-de-sac as approved in 1965 as "changed" in 1967

The effort to relocate the cul-de-sac as related in the enclosed letters was hampered by a claim which has been dismissed by Judgment of the Court.

With this obstacle removed, I trust that the Board of Selectmen will act expeditiously in moving the cul-de-sac which is a vexing problem for me as owner of the lot upon which it is now located; and a source of administrative embarrassment for the Town of Boxford inasmuch as the present location of the cul-de-sac was not as approved on the 1965 Plan, but rather as a change as shown on the 1967 Plan, without the benefit of a Public Hearing.

Please contact me should you have any questions or require any additional information.

Very truly yours,

  
Christ J. Decoulos

CJD/kd

Encs.

## WERNER A. LOW

73 Middleton Road - Boxford, MA - 01921 - (508) 887-6503

October 21, 1990

Deborah,

Regarding Decoulos,

I think this will eventually all hinge on the town's desire to replace the temporary turnaround with a permanent one, and I remain suspicious of this temporary turnaround -- it just seems so weird to put it on someone's property with no conditions on it.

Are there ~~minutes from the Planning Board~~ meetings of 1967 that might shed some light on this? The ANR was recorded on 10-24-67 so the meeting was sometime prior to that, but subsequent to 1965 when the subdivision was created.

Next time you are at the Registry could you take a peek at the ANR. Oct 24, 1967, it looks like book 67, page 509 (or 504). There is also a note RecB 5486 page 1. I just wonder if there isn't some other document recorded with this thing, something they have forgotten to show us.

Additionally, I'd still be interested in a note from Mr, Dustin to the Board expressing his feelings about length of cul-de-sacs as it pertains to fire safety.

Mucho thankso (that's Spanish)

Werner

WERNER



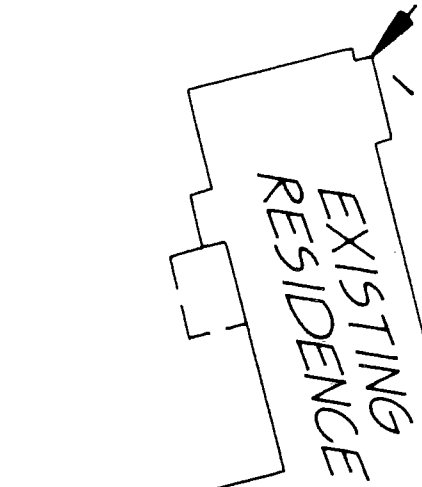
CEL C

BUILDABLE LOT  
725± SF  
01 ACRES

20'

50" E

HOLE FOUND 50.6'



EXISTING RESIDENCE

TOTAL FRONTAGE 255.00'

TEMP CUL-DE-SAC EASEMENT #1

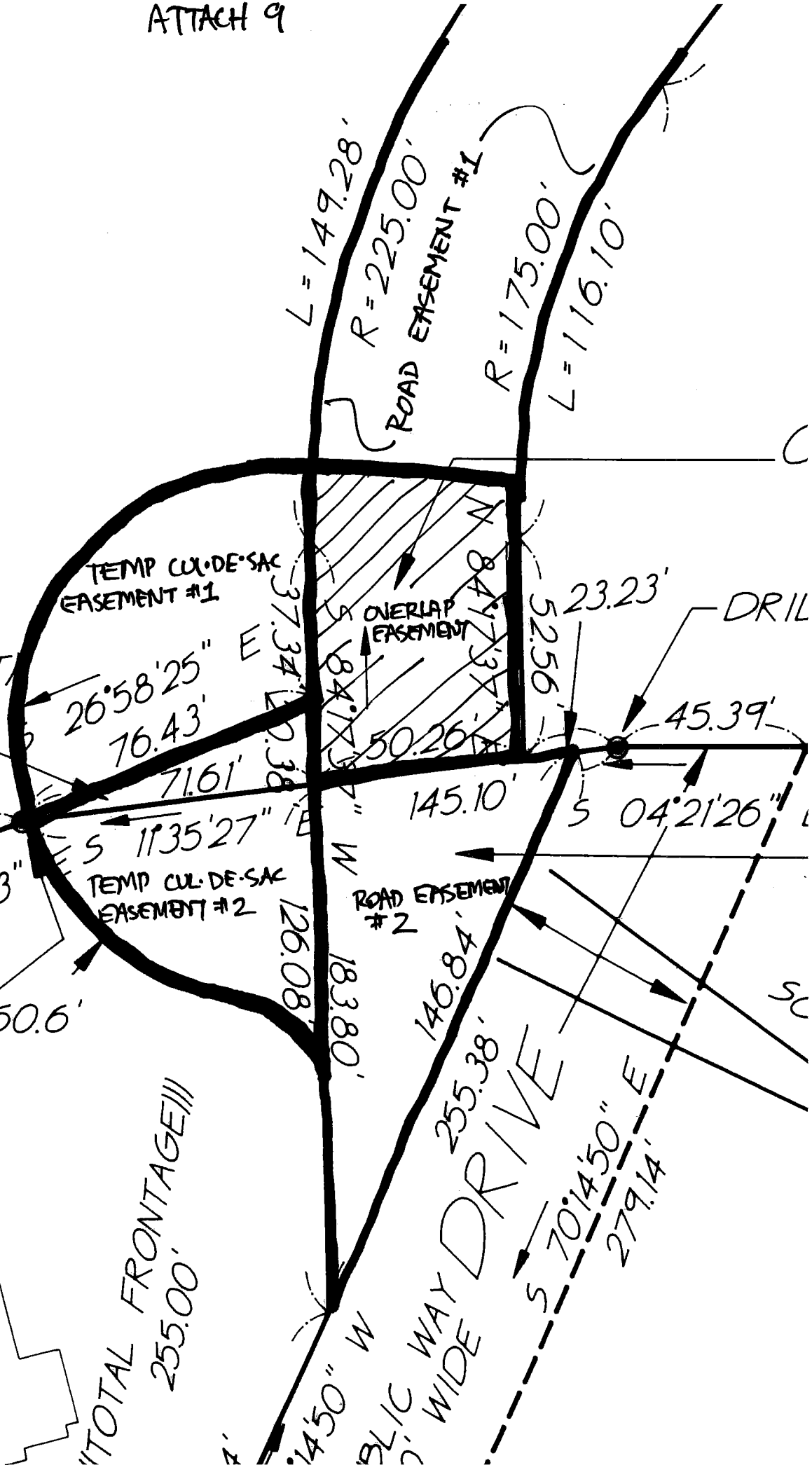
TEMP CUL-DE-SAC EASEMENT #2

ROAD EASEMENT #2

ROAD EASEMENT #1

OVERLAP EASEMENT

DRILL



L=149.28'

R=225.00'

R=175.00'

L=116.10'

26°58'25" E  
76.43'

71.61'

34.47'

S 26°23'23" E

S 84°17'37" E  
50.26'

145.10'

S 04°21'26" E

45.39'

126.08'  
183.80'

146.84'

255.38'

S 70°14'50" E  
279.14'

PUBLIC WAY DRIVE

SC

## BURNING BUSH ESTATES

## SCHEDULE A

## ENVIRONMENTAL IMPACT STATEMENT

The proposed subdivision will create two buildable lots (Lots 1 and 2), a proposed roadway that will run between Lots 1 and 2, and a nonbuildable lot (Parcel 4). Pavement is proposed for a new turnaround to replace the existing turnaround that exists on the homestead of Christ Decoulos, as well as for a 20' wide roadway to run from the new turnaround to a point opposite the end of the 50' frontage of Lot 2. An 18,000 gallon concrete holding tank for fire control purposes is proposed to be built between the proposed 20' wide roadway and the sideline of the proposed 50' wide right-of-way that will become Burning Bush Drive Extension. Two single family homes with appurtenant septic system, driveway, yard and well are also proposed.

The site is a wooded, hilly area, two areas of which are suitable for building sites, with the rest of the site being steep hills bisected by an intermittent stream. The soils in the area (as determined by soil testing performed in the mid 1980s) are fine to medium silty sand. On the upper portion of the site (to the north) is a wetland with standing water caused by a natural dike in the area of the beginning of the intermittent stream, up by the area where Lot 1 intersects the proposed roadway. The Bordering Vegetated Wetlands on both Lots 1 and 2 have been determined in the field and are shown on the subdivision plans. The proposed construction, filling and altering of the proposed roadway and concrete "fire pond" will take place over 100' away from these flagged wetlands.

A double siltation control fence consisting of a line of haybales laid downstream of a geo-textile silt fence is proposed for all areas between the proposed road construction and the wetlands on site. Because of the small area and amount of construction involved with the proposed roadway, the amount of time that the construction site is bare of vegetation will be minimal. As soon as practical, all areas devoid of vegetation shall be loamed and seeded as specified in the Rules and Regulations of the Town of Boxford Planning Board.

Individual underground sewage disposal systems are proposed for each of Lots 1 and 2. Based on the results of percolation and soil testing provided to us by the client, and based on our site visit, it is our professional opinion that sewage disposal systems can be designed in accordance with Title V of the Commonwealth Environmental Code and the local rules of the Boxford Board of Health. It is presumed that a system that complies with Title V will have a minimal impact on the environment.



**PORT**  
**ENGINEERING**

Civil Engineers &  
Land Surveyors

One Harris Street  
Newburyport, MA  
01950  
(508) 465-8594

Our professional opinion is that because of the small areas of construction proposed for the roadway, and ;in the construction of the two proposed single family residence and appurtenant structures, that any increase in peak runoff off the site will be negligible. Also, our professional opinion is that there will be minimal impact on the traffic flow in the area from the addition of two single family residences.

Sincerely  
Port Engineering Assoc. Inc.



Paul D Turbide PLS/PE  
re2541-6.txt



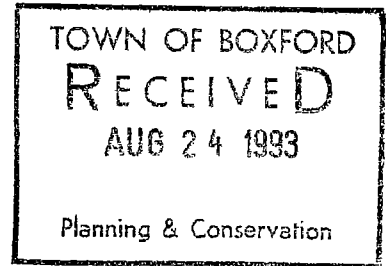
**PORT  
ENGINEERING**

Civil Engineers &  
Land Surveyors

One Harris Street  
Newburyport, MA  
01950  
(508) 465-8594

ATTACH II

CHRIST J. DECOULOS  
FIFTY SIX BURNING BUSH DRIVE  
BOXFORD, MASSACHUSETTS 01921  
AREA CODE 508 887-2888



August 23, 1993

Cecile M. Cormier  
Administrator to the Planning Board  
Boxford Town Hall  
28 Middleton Road  
Boxford, MA 01921

Dear Ms. Cormier:

Subsequent to my meeting with the Planning Board of August 4, 1993, it was brought to my attention that the proposed location of the water storage tank for fire fighting as shown on the approved plan would not lie within control of the Town of Boxford ~~if~~, in fact, the road was never extended beyond the new cul-de-sac as approved by the Planning Board on January 23, 1993.

To prevent this deficiency from occurring, I contacted and met with the Deputy Fire Chief, Mr. Larry Dolloff, who made a determination for a more feasible location for the installation of the storage tank to be within the land presently owned by the Town of Boxford which comprises the "paper street area" presently abutting the existing cul-de-sac on the north as the primary site for the storage tank or a secondary site to be within the unpaved area of the existing cul-de-sac, which is to be granted to the Town of Boxford.

By way of this letter, I am seeking the advice and consent of the Planning Board to install the storage tank in one of the above-mentioned areas as determined by Deputy Fire Chief Dolloff and would welcome the opportunity to appear and discuss the matter at your next scheduled meeting if deemed necessary by the Board.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,



Christ J. Decoulos

CJD/kd



## III.

(cont.) There being no further questions from the public, Chairman Falk declared the public hearing closed at about 9:05 P.M. Mr. Bergeron will provide specifics on the restrictive covenant and Board discussion will continue on October 17th.

IV. Burning Bush Drive Extension - Chris and John Decoulos

Mr. Low said that his research into case law (Bloom. 1963) indicated that the Board is indeed required to sign an ANR in which parcels do not have frontage provided they are clearly marked as unbuildable. Messrs. Decoulos, representing Garden Realty Trust, presented a revised ANR (dated 9/19/90) dividing the property into two unbuildable parcels. After discussion, it was moved and seconded that the Board endorse the plan as presented. Voted unanimously.

The Messrs. Decoulos also presented a conceptual plan for a three lot subdivision on Parcel A. The Board's concerns included: (a) increasing an already very long (approx. 3000 feet) cul-de-sac; (b) the lack of a firepond on Burning Bush Drive; and (c) the fact that Parcel B blocks future extension through to another way. The applicant pointed out that there are only 13 homes on Burning Bush (many of the 24 lots won't perc) and noted that this plan would provide a permanent turn-around. No action was taken on the conceptual subdivision.

V. Home Farm Realty - Jack Sullivan - Chandler Drive

Mr. Sullivan presented a request for a release of funds. After discussion, it was moved and seconded that the Board release \$22,130.00 from the bond for work completed to date. Voted unanimously.

VI. Elm Farm/Anna's Way - Release of Funds

Mr. D. J. Shaw presented a request for a release of funds. After discussion, it was moved and seconded that the Board release \$13,532.00 from the bond for work completed to date. The vote was ~~4~~ YEA and one abstention. (Mr. Richard Shaw did not participate in the discussion or vote on the action.)

VII. <sup>WILD</sup> White Meadow Trust - Release of Covenant on Lot 16

Although the Planning Board released the entire subdivision on June 5, 1985, there was a request to confirm the release of Lot 16. After discussion it was moved and seconded that the Board endorse a letter confirming that Lot 16 has been released from all conditions of the covenant between the developer and the Planning Board. Voted unanimously.

VIII. Master Plan

Mr. Low submitted a first draft outline of some possible goals for a revised Master Plan. These will be discussed at a later date.

Based upon this, at the B. of that time apparently determined that the lot frontage was not suitable frontage.