

Deerfield Planning Board
Minutes of June 3, 2013 Meeting

Attendance: Present: John Waite, Paul Allis, Max Antes, John Baronas, Rachel Bain, Lynn Rose
Absent: Roger Sadoski

Minutes: A motion was made by Ms. Blain, seconded by Mr. Allis, and voted, to accept the minutes of May 6, 2013. (4-0-1) A second motion was made by Mr. Allis, seconded by Ms. Blain, and voted, to accept the minutes of April 1, 2013. (2-0-3)

Grandview Estates: Present – Barry Roberts, property owner;
Ben Wadham and Jamie Hartwright, potential buyers

Mr. Roberts explained that he has the opportunity to sell the entire subdivision to one party. There remains one condition yet to be met under the terms of the subdivision agreement; that condition is the application of a final coat of pavement on the paved portion of the private way. Generally, this is delayed until construction has been completed. A suggestion that the final coat be applied, thus concluding that project, was made.

The buyers discussed their plans which could include combining two lots to create one building lot for a single home and possibly building a second structure on a third lot. Several options for doing this were discussed with the suggestion being made that it would be advisable to have a conversation with the Building Commissioner. They also expressed a desire to change the name from Grandview Estates to Owl Hill.

Walter's Propane: Present – Tony Wonseski, Senior Engineer (SVE)
Pat Smith, FRCOG consultant

Goals for the evening were to review applications for a site plan review and a special permit and to set a date for a public hearing. Since it was learned that the special permit application should be directed to the Zoning board, there was discussion about scheduling a joint meeting between Planning and Zoning boards.

Mr. Wonseski presented on overview of the project. He said a project to provide access to the site by construction of a bridge over an intermittent stream has been completed except for a final wetlands replication report to complete the order of conditions issued by the local Conservation Commission.

The project currently before the Board involves work in the buffer zone. The approval process has begun with the Conservation Commission and will be sent out for peer review. Because an NOI has been submitted, he does not think a storm water plan needs to be brought before the Planning Board. However one has been included just in case. Part of the special permit relates to positioning of a sign closer to the right-of-way than required due to proximity of a wetland and the topography of the land.

Using a set of plans, Mr. Wonseski pointed out: the bridge where guard rails will be installed, the paved apron required by *MASSDOT*, the site of a future building with a paved parking area, the location of a 60'x80' fenced area for the propane tanks, an easement to the owner's property, the location of a conduit under the stream for the water connection, the location of a septic field, retention basins sufficient to contain drainage even in a 100 year storm and erosion control plantings.

Pat Smith then discussed the process. A site plan review should be done first in order to determine what conditions need to be incorporated in a special permit which in this case would be issued by the ZBA. However, the request for a variance for the sign (again a ZBA call), due to the inability to meet regulations, may need to be done prior to a site plan review. This is something that needs to be determined by counsel.

Another issue is the proposed use of the site doesn't fit into the Use Table as shown on the zoning chart under section 2230 of the zoning bylaws. The Building Inspector has determined that the most appropriate use listed is retail sales or rental outdoor storage with display. This use falls under ZBA jurisdiction. Ms. Smith suggested that this seems to be the perfect time for a joint hearing so that all of the parties can be present at one time. There may be questions about the sequencing and timing of decisions for which counsel should be sought.

Fees – Ms. Smith responded to a question about a price quote by explaining that Tighe & Bond will prepare a quote, based upon the items it is asked to review prior to beginning the process. Conservation has initiated the process, with the provision that Planning Board, and now ZBA can add to the request. At this time SVE has paid two application fees: Site Plan Application - \$250.00, and Special Permit Application - \$250.00 (which can be refunded since this has been determined to be a ZBA issue). ZBA's fee to hear the application is \$100.00. There was discussion about what the site plan review fee should be. It was agreed that \$10.00 per square foot of disturbed area was excessive. Accordingly, the fee was reduced by 50% to \$2,025.50.

Summary -

1. A combined PB and ZBA public hearing set for July 1;
2. FRCOG input;
3. Use Tighe & Bond for a peer review of the site plan;
4. Ask for legal opinion on the order of things;
5. Consult Debbie Schriver about the storm water bylaw;
6. Request comments from other boards, committees, include water district;

A motion was made by John Baronas, seconded by Rachel Blain, and voted, to hold a joint public hearing with the ZBA, tentatively scheduled for July 1, 2013, with the provision that the Chair be authorized to set a different date if needed. (5-0-1)

Ms. Smith requested that SVE provide more information, including a rendering of the propane tanks for people to see at the public hearing.

FRCOG Agreement: A motion was made by John Baronas, seconded by Lynn Rose, and voted, to sign the FRCOG agreement for the services of Pat Smith during FY'2014. (5-0-1)

Reorganize Board: Mr. Waite said he would like someone else to be appointed chair. After discussion, **a motion was made by Max Antes, seconded by Rachel Blain, and voted, that John Waite be Chair and Paul Allis Clerk for the remainder of 2013 and that at the January 2014 meeting the chairmanship position be re-voted.**

Correspondence: Mr. Baronas called everyone's attention to an action by Andr Leroux and Steve Kulik to reform zoning to promote growth. He read a portion of the notice regarding a provision to eliminate

the “Approval not Required” (ANR) process. Ms. Smith encouraged people to follow the progress of this movement.

Subcommittee Reports:

Open Space Committee – Lynn Rose reported that there are two weeks left for people to complete and submit the survey. The purpose of the survey is to learn what people’s priorities are. She also reported there will be a meeting to review progress with contamination of ground water in the on-going rail road saga. The date for the meeting has not been announced.

There being no other business before the board a motion was made to adjourn at 8:56 pm.

Respectfully submitted,
Priscilla Phelps

Documents: Article by Andr Leroux and Stephen Kulik entitled:
“Reform zoning to promote growth”