

PLANNING BOARD MEETING OF OCTOBER 24, 2006

PLACE: TOWN HALL BANQUET ROOM

Meeting called to order at 6:30 P.M. by Chairman Fleurent

**I. ADMINISTRATIVE BUSINESS**

A. Quorum/Attendance

Members Not Present – Marinus Vander Pol

Planning Director William Roth was also in attendance.

B. Acceptance of Minutes –

James Holmes motioned to accept the minutes to the September 26, 2006 meeting. Timothy Cox seconded. The vote was unanimous. The motion passed.

Albert Borges motioned to accept the minutes to the October 14, 2006 meeting. Timothy Cox seconded. The vote was unanimous. The motion passed.

C. Planning Board Bills –

1. Staples – Office Supplies - \$77.87

James Holmes motioned to pay this bill. Timothy Cox seconded. The vote was unanimous in favor. The motion passed.

2. Tibbetts Engineering – Bufftree (2) - \$1,510.00

Gary Staffon motioned to pay this bill. James Holmes seconded. The vote was unanimous in favor. The motion passed.

3. Refund – Gus Pinto, Jr., - \$1,054.03

James Holmes motioned to pay this bill. Gary Staffon seconded. The vote was unanimous in favor. The motion passed.

D. Receipt of Plans - None

E. Approval of Plans - None

F. Other:

1. Definitive Subdivision – McKensie Lane – Form D Extension

William Roth – This is the second one. His extension was expiring and he has requested an extension.

Robert Roderiques – The finished coat on the road is not done. That's it. I don't see any need to rush it. So, I'm asking for an extension.

Chairman Fleurent – The quicker it's done, we can get it into town meeting.

Robert Roderiques – I don't recommend doing the finished coat in this weather. I prefer to get

the site work done first.

Wayne Hayward – Are we holding one or two lots?

William Roth – It's one. The front one.

Wayne Hayward – I think the residents want to get it done. They want to move on. We gave a one-year extension. There's plenty of time to do it. He just doesn't want to do it now. I can't see going on and on with this. When do they want to finish it? Is it going to go on forever?

Robert Roderiques – I've talked to all to people.

Wayne Hayward – So what's the date?

Robert Roderiques – It won't be ready for the May town meeting. It's 500 feet of road. The weather's not right. It will be done next year.

Chairman Fleurent – We would like to have it done by the May town meeting.

William Roth – I just need a date certain for the notice.

Gary Staffon – A few of the neighbors mentioned that there's some debris around and would like to see it cleaned up. They want it done by next May.

William Roth – Once he paves it, BPW has to approve it. If the plant opens April 15 and he paves at the end of April, I don't see that as realistic as being ready at that time.

Gary Staffon - Why don't we set it for the 24<sup>th</sup> of April?

William Roth – I would do it on April 30. It gives the Board some time.

Chairman Fleurent – If it's not done then he could come in for another extension.

Wayne Hayward – He's in year number 3.

Gary Staffon motioned to extend to April 30, 2007. Timothy Cox seconded. Motion and second withdrawn by Gary Staffon and Timothy Cox respectively.

Gary Staffon motioned to extend to August 1, 2007. Timothy Cox seconded. Vote is 6-0 with one abstention (Wayne Hayward). The motion passed.

## 2. Definitive Subdivision – Shannon Meadows – Street lights issue

Chairman Fleurent- We should abolish that light in question and let it go as it was.

William Roth – In talking with NSTAR, they changed their policy that they aren't maintaining any metal poles, electrical, etc. They're getting out of the lighting business. The issue that arises is that there are 3 of 4 lights all underground, metal poles. The issue with regards to street acceptance, there is a liability of maintenance. If there is a wiring issue, they won't deal with it.

Wayne Hayward – They're not against underground. They own it.

Robert Long (Longbuilt Homes) – We did the required underground electric. Some of the residents complained about the low-lying area on Rivard. NSTAR will service it and replace the light, but they won't replace a pole. They also won't deal with underground wiring. We have residents that we told we're putting in street lighting. We're looking to get into the May town

meeting for acceptance. We can make a payment to the town for spare poles. I can't go back to the residents and tell them we're not putting in the lights.

James Holmes – How much are the poles?

Robert Long – About \$1,500.00.

Wayne Hayward – NSTAR is being difficult in all the communities. The only thing that could pop up is that someone could hit the pole.

Robert Long – It's unusual nowadays to pay for lights.

William Roth – There is a slight potential of liability on the poles in this subdivision. It might be a discussion at town meeting with the street acceptance.

Wayne Hayward – We need to be careful here. They don't want to get involved in a situation where they have to be installing 15 different kinds of poles.

Robert Long – I'd be perfectly willing to provide a spare. I'll put four in and deliver the fifth to the town. I'll pay for the lights until the town accepts it.

Gary Staffon motioned to approve the four streetlights and the escrow to provide a spare as recommended by the developer. Timothy Cox seconded. The vote was unanimous. The motion passed.

## **II. PUBLIC HEARINGS**

### 1.) Definitive Subdivision – Bouvier/Severence – 249/253 Main Street (continued from 9/26/06)

William Roth – I haven't received any plans. Mr. Kehoe has requested a continuance to the November 28, 2006 meeting.

Attorney Michael Kehoe (for the petitioner) – To this point, we do not have approval to cross the easement. We're still trying. We are respectfully requesting a continuance as a result.

Albert Borges motioned to continue the public hearing at the petitioner's request to November 28, 2006. James Holmes seconded. The vote was unanimous. The motion passed.

### 2.) Special Permit – Mill Bridge Holdings, LLC – 200 Mill Road

William Roth – I received Mr. Hayward's letter regarding using gross square footage in making parking determinations. I agree with it. It's the same result. I think that a parking determination is warranted here. The proposed parking he's requesting makes sense. I recommend approval of a determination that reduces parking and the finding, offered by Mr. Hayward, is fine.

Wayne Hayward – We're looking to protect our bylaw. So, that's why we calculated it the way we did. I don't think you'll see an adverse impact.

Paul Downey (owner) – I came to you asking how you wanted me to do it. How we get there is up to you.

Wayne Hayward – I think it's pretty clear what we're thinking.

William Roth – It's a little disconcerting that the building commissioner did not comment in writing however took it upon himself to contact several of the Board members individually. I've spoken to him. I gave him all of the information and I haven't heard anything. I'm a little frustrated.

Wayne Hayward – I wouldn't characterize it quite that way. I wouldn't say he approached me. He made his position clear to me. It's a learning process.

Wayne Hayward motioned to approve with the condition discussed in his letter and the standard condition. Timothy Cox seconded. The vote was unanimous. The motion passed.

William Roth – Mr. Hayward came to my office about a week and a half ago regarding the Bouvier/Severence project and how the BPW approved the project. The Planning Board is the only authority that can approve or deny a subdivision. This is a draft memo to the BPW explaining the subdivision process and the approval authority. I offered to meet with them. I have done similar things before. Applicants are getting misled. This was in response to Mr. Hayward's letter with the aim of going to talk to them.

Wayne Hayward – We want them to work with us on curb cut permits. It appears that they're giving permission. The BPW is acting as our consultant, but they're voting and it misleads the petitioner. They don't have professional staff right now.

Gary Staffon – It's the smaller subdivisions that are going there. They need to tell the applicant that it's for recommendation only.

Gary Staffon motioned to adjourn. Timothy Cox seconded. The vote was unanimous. The meeting was adjourned at 7:45 p.m.

Respectfully submitted,  
James Pelland, Secretary to the  
Planning Board