

PLANNING BOARD MEETING OF AUGUST 22, 2006

PLACE: TOWN HALL BANQUET ROOM

Meeting called to order at 6:30 P.M. by Vice Chairman Albert Borges

I. ADMINISTRATIVE BUSINESS

A. Quorum/Attendance

Members Present – All but Chairman Fleurent

Members Not Present – Chairman Fleurent

Planning Director William Roth was also in attendance.

B. Acceptance of Minutes –

Wayne Hayward motioned to accept the minutes to the July 18, 2006 meeting. James Holmes seconded. The vote was unanimous. The motion passed.

C. Planning Board Bills –

1. Staples – Office Supplies - \$45.00

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

2. Federation of Planning and Appeals – Dues - \$80.00

Marinus Vander Pol motioned to pay this bill. Timothy Cox seconded. The vote was unanimous in favor. The motion passed.

D. Receipt of Plans - None

E. Approval of Plans -

1. Form A – Bank Five – Huttleston Avenue/Holcomb Street

William Roth – They're creating four parcels. This is part of the land swap with the Huttleston House, which will create a new property line. It meets all requirements. All lots have frontage. This will bring a non-conforming lot towards compliance. No entrances are affected. I'm recommending endorsement.

Gary Staffon motioned to approve this plan. Marinus Vander Pol seconded. The vote was unanimous in favor. The motion passed.

F. Release of Lots -

1. DPM Development – Howland Heights

William Roth – They have a Form D covenants on the subdivision. They want to replace it with an irrevocable letter of credit instead. The Town Attorney has reviewed it and says that it is sufficient as to form. I'm recommending you sign the Form E to Release the lots.

Gary Staffon– Is the \$95,000.00 to bring the road up to grade? I don't know if it's worth it to release them for \$95,000.00.

Wayne Hayward – I don't think we should hold just one lot. We can go on \$95,000.00.

Gary Staffon – What if this goes on for 2 years?

William Roth – He has one year. I will inform him 90 days prior to expiration. This is far better than a bond.

Wayne Hayward motioned to sign the Form E. Timothy Cox seconded. The vote was unanimous. The motion passed.

G. Consultation -

1. Paul Downey – 200 Mill Road

William Roth – Last week I met with Mr. Downey and he wanted to discuss issues of parking at the site because he wants to look at developing the parking lot along Route 240. In discussing this issue, it's a unique building that doesn't lend itself to our traditional parking codes. There's a lot of equipment rooms, cafeterias, etc. I recommended he talk to you to see if the board would base parking on net useable area, versus gross floor area. He can show you the areas that can't be leased. I recommended he offer a tour through the building. After looking at it, I thought what he wanted to do made sense. But I thought he should talk with you.

Vice Chairman Borges – I would like to go through it again.

James Holmes – Is it almost fully rented?

Atty. Sandra Saunders (for the applicant) – When it's done, it's approximately 80% rented. Right now, it's 55%.

Wayne Hayward – I think I'd be flexible on this. I would stay away from the spill over on Bridge Street and Mill Road.

William Roth – He wants to come in for a special permit for a parking determination. Then there would be a second special permit for the development of the parking lot in question. I can notice a Planning Board site visit if you all go together.

James Holmes – Do you happen to know what the new ratio is?

Atty. Saunders – It's hasn't been determined yet.

William Roth – He will take his net leaseable area and use our parking formula.

Marinus Vander Pol – Didn't the Board of Appeals set the parking on this and if they did, how does that affect this?

Wayne Hayward – I'll look it up when I get home.

William Roth – He'll have to go to the Registry of Deeds and look up all of the decisions. The Planning Board today has the authority on parking determinations. Once they submit an application, I will notice a meeting so we all can go.

2. Tri Party Extension – Fox Run Lane

William Roth – The tri party agreement will expire on 9/28/06. Per the agreement, I notified them of this and asked for a status report. I have also talked with BPW and there are numerous issues. There is not enough time between now and then to complete this and I have requested that they provide a six-month extension. I need a vote to request a six-month extension. They have sewer and water issues. I'm asking that the Board vote to notify the bank of these issues and request a six-month extension or if an extension is not granted then call in the tri party agreement.

James Holmes – How much is the tri party agreement?

William Roth - \$42,000.00.

James Holmes motioned to request a six-month extension. If it is not provided, the Board authorizes to call the tri-party agreement in. Timothy Cox seconded. The vote was unanimous. The motion passed.

3. Tom Guard – 102 Alden Road

(Marinus Vander Pol did not participate or vote on this matter.)

William Roth – He would like to look at adding 4 vacuum canister units to the front of his property. I need to know if the Board feels this is a minor or major revision. If it's minor, we can approve it tonight.

Tom Guard – Some customers don't feel safe the way it is now, especially with daylight's savings time coming.

James Holmes – Didn't you get a used car license from the Selectmen?

Thomas Guard – Yes, for two cars.

James Holmes – I don't see it on the plan.

William Roth – They can go anywhere on the property.

Wayne Hayward – Are there any air pumps?

Timothy Cox – No, I don't charge for air.

Wayne Hayward – This isn't residential. It's all business. So, I don't see a problem.

Gary Staffon motioned that this is a minor change and the Board accepts it as such. Timothy Cox seconded. The vote was unanimous. The motion passed.

II. PUBLIC HEARINGS

1.) Definitive Subdivision – Bouvier/Severence – 249/253 Main Street (continued from 6/27/06)

William Roth – They have issues and they're not ready. They're requesting a continuance to September 26, 2006.

James Holmes motioned to continue to September 26, 2006. Timothy Cox seconded. The vote was unanimous. The motion passed.

III. OTHER

William Roth – I will contact Mr. Holmes and Mr., Hayward to set up a meeting for subdivision review. The other issue is that the legislature and governor have approved the “Mullin Rule”. It says that if you miss a single meeting, and you look at a videotape or transcript and you certify that you have done so, a member will not be disqualified.

James Holmes – I think it’s a good idea. We have a good secretary who takes good minutes. There are circumstances where this is needed.

Timothy Cox – I agree.

Wayne Hayward – I’m concerned that this is a license to miss meetings.

William Roth – It’s a local option. The Town Meeting can put restrictions on what they pass. This might cause a rotation of televised meeting among the boards.

Wayne Hayward – I would be in favor of that if this would happen. It should go through the chair and it’s up to the Chairman to certify that member.

Marinus Vander Pol motioned to adjourn. Gary Staffon seconded. The vote was unanimous in favor. The motion passed. The meeting was adjourned at 7:42 p.m.

Respectfully submitted,
James Pelland, Secretary to the
Planning Board