

DATE: September 22, 2011  
TIME: 6:00 P.M.  
PLACE: Fire Station  
FOR: Regular Meeting  
PRESENT: Jonathan Hankin, Chairman; Suzanne Fowle Schroeder; Jack Musgrove;  
Richard Dohoney  
Brandee Nelson, Associate Member  
Chris Rembold, Town Planner

Mr. Hankin called the meeting to order, Mr. Dohoney had not yet arrived.

**FORM A'S:**

No Form A's were presented.

**MINUTES: SEPTEMBER 8, 2011**

Mr. Musgrove made a motion to approve the minutes of September 8, 2011 as amended, Ms. Schroeder seconded, all in favor.

**OPEN SPACE RESIDENTIAL PLAN: LAKE BUEL LANDINGS**

Attorney Edward McCormick was present with Jim Scalise from SK Design Group and Dave Ward developer.

Mr. McCormick said the issues raised at the last Planning Board meeting would be addressed by Mr. Scalise.

Mr. Scalise said one of the issues was the plan did not show metes and bounds. He said he had three surveys for the property from past years. He took the Appalachian Trail survey, the Zantay survey and the Seven Stones Survey and used the numbers to demonstrate a fairly accurate boundary of the property. He said with the figures from the three surveys the land area is 22.9 acres slightly higher than the 22.5 acres previously represented. Mr. Scalise said there is a plus or minus component due to Marsh Brook, one of the boundaries, as it changes from season to season.

Mr. Dohoney arrived.

Mr. Scalise discussed the layout of the house footprints demonstrating how the septic systems and wells would be situated on the lots. He said there is land that is buildable at the farthest end of the lot but it can't be accessed because the road length is limited to 1,000 feet.

Mr. Hankin said he was aware that some of the lots had failed the perc test.

Mr. Scalise said yes but he would continue to try to perc those lots. He said his focus has been on laying out the lots to meet the requirements of the bylaw and building code.

Mr. Ward said most of the lots share a well with two to three homes shown to be on one well. He said in other developments he had been encouraged to share wells.

Mr. Musgrove stated he thought the houses would be more clustered with common driveways. He said that approach would provide more open space and provide a better use of the space. He asked if it was permitted to have more than one house on a septic system.

Mr. Scalise said State approve is required to have a shared septic system. We are not proposing to share septic systems.

Ms. Nelson asked how the homes would be sold.

Mr. Ward said the homes would be fee simple condominiums. He addressed Mr. Musgrove's comment about putting the houses closer together. If the houses are too close together they are not marketable. People want to see trees in the back and their neighbors in the front but they still want space between the buildings.

Mr. Musgrove said he is suggesting a common driveway to a courtyard area.

Mr. Ward said he could have Mr. Scalise look at it. He said it is easier to cluster buildings when there is public water and sewer.

Mr. Scalise pointed out that there are common driveways for most of the buildings.

Ms. Nelson asked who would maintain the road and driveways.

Mr. Ward said there would be a homeowners association that will take care of all the maintenance. People who buy in these developments do not want to be concerned with maintenance of the properties. If the HOA takes care of all maintenance there are no issues with plowing or mowing.

Mr. Hankin said the proposed plan looks like a subdivision. He said it does not scream that there is open space being preserved or that there are any benefits. He said one of the requirements for an OSRD approval is to demonstrate that the land is being preserved and there is a benefit to the community.

Mr. Scalise said in a regular subdivision the houses would be more spread out. There is more density with this plan in order to preserve open space.

Mr. Hankin said the contours indicate that the first seven or eight houses would be on a grade of 15-20%. He asked how the road would be brought to a reasonable grade.

Mr. Scalise said he felt they would meet the road grade. If not there would be fill put in to meet grade. He said the houses could have walk out basements where the grade is steep.

Mr. McCormick said he did not think the plan was at the point for this discussion.

Mr. Scalise agreed but said marketability of the project has to be considered. He said there is a lot of work still to do to make that determination but he said the grades are not alarming. He said it would appear that the first 300 feet off of Lake Buel Road would require fill.

Mr. Musgrove asked if the properties would have a view of the Appalachian Trail and/or Lake Buel.

Mr. Scalise said there would be views of the trail property but not the lake.

Eileen Mooney was present. She asked why not build fewer houses to preserve more open space?

Mr. Ward said the project has been looked at from a marketing point of view. The proposed number of units is what we feel is necessary to make the project successful.

Ms. Schroeder asked if the wetlands had been flagged.

Mr. Scalise said no. The land has been walked to get a preliminary determination of the wetlands.

Mr. Scalise said the immediate goal is to submit a schematic of the land and a layout plan to gather information from this Board on density. He said once we have that in place our next phase would be to deal with a subdivision road. He said we need a sense from the Board about whether this density is acceptable in order to determine the feasibility of the project.

Ms. Schroeder said she agrees with Mr. Hankin that what has been proposed does not meet the purposes or spirit of the bylaw. It meets the mathematical element but it does not appear to preserve the 50% required open space.

Mr. Scalise said the actual amount of preserved open space is 60%.

Ms. Schroeder said it does not meet the spirit of the bylaw. It looks like any other subdivision.

September 22, 2011

Page 4

Ms. Nelson agreed with Ms. Schroeder's comments but said this plan may not reflect the final build out. It appears we would deal with the philosophical elements during the next phase.

Mr. Rembold said this phase is for the Board to determine if the mathematical statistics work. Determining that the math works does not mean the project would be approved for a special permit.

Mr. Scalise said he is not looking for special permit approval at this point.

Mr. McCormick said there would be other meetings to get input and comments on the design.

Mr. Hankin said the numbers are not the issue. The open space as submitted on this plan is fragmented. Our intent was for it to be consolidated.

Mr. McCormick said it is fragmented because there are no municipal services.

Mr. Scalise asked if there is any flexibility. If the road could be longer the buildings at the entrance could be moved. There is a possibility of providing secondary emergency access via the right of way across the Appalachian Trail, if the Planning Board would consider that option. He said a little latitude could provide more design options.

Mr. Musgrove suggested that changing the location of the road could also provide more length into the site.

Mr. Dohoney said at this point we are making a determination on the yield.

Mr. Musgrove made a motion to approve the applicant's determination for eighteen houses based on 8.7.7 of the zoning bylaws, Mr. Dohoney seconded.

Ms. Schroeder asked if we could request core habitats in our motion.

Mr. Scalise said he would be happy to supply that information; it does not need to be part of the motion.

Mr. Hankin said he thinks the motion is premature.

Mr. Musgrove said having the information on the core habitat could reduce the buildable area.

Planning Board  
September 22, 2011

Page 5

Mr. Scalise said this land is not a protected resource. The core habitat would provide guidelines.

Ms. Schroeder said there is a good reason for us to ask for guidelines.

Mr. Hankin cautioned the applicant to not take more from the conversation than there is. We are looking only at the numerical information we are a long way from an OSRD special permit.

Mr. Musgrove pointed out that there are nine criteria in the bylaw that we sweated over and there will be a great deal more review of those nine criteria before there is an approval.

Mr. Hankin called for a vote on the motion, all in favor.

Mr. Musgrove said he would want to conduct a site visit prior to the next discussion of this plan.

Mr. Scalise asked if it would be possible to have an informal meeting when there is more information put together.

The Board agreed.

**SITE PLAN REVIEW: #14-11**

Architect Diego Gutierrez was present to discuss a site plan review application for 389 Stockbridge Road to enclose an existing pavilion in order to use it as a retail space. The Board conducted a site visit earlier in the day.

After a brief discussion Mr. Musgrove made a motion to approve the site plan review application, Mr. Dohoney seconded, all in favor.

**SITE PLAN REVIEW: #15-11**

Mr. Gutierrez presented a second site plan review application for 389 Stockbridge Road. This application is for the Camille's Market building. The application is for the addition of a deck on the south side of the building.

Mr. Gutierrez said the deck would add 12 feet onto the exterior of the building. It would not encroach on entry to the building or access to the parking area. There will be some tables on the deck to provide an area for patrons to eat their purchases. There is no intent at this time to serve people on the deck. There are two windows approximately in the center of the exterior wall that would be removed for doors to be installed.

Planning Board  
September 22, 2011

Page 6

There was some discussion regarding the angle of the parking and entrance into the site. Mr. Gutierrez pointed out those are existing conditions.

Mr. Musgrove asked how many tables would be on the deck.

Mr. Gutierrez replied he was not certain about the number of table but perhaps two. There is no intent to serve food only to provide a sitting area.

Ms. Nelson asked how the pedestrian traffic would enter the building.

Mr. Guterez said through the front door as it is set up now.

Mr. Musgrove made a motion to approve the site plan review application for the alteration of the exterior of a building located at 389 Stockbridge road; subject to the deck not extending east of the front of the building. A final plan will be submitted to the Planning Board prior to obtaining the building permit. Mr. Dohoney seconded, all in favor.

**OPEN MEETING LAW AND ETHICS TRAINING:**

Mr. Rembold told the Board members that it was mandatory to sign the acknowledgement of having received the open meeting law and ethics training material. Each member must take the online ethics training course, print out the final page and return it along with the signed acknowledgement to the Town Clerk. The deadline is the end of December but he urged everyone to complete it as soon as possible.

**ISSUES AND CONCERNS:**

The Board scheduled their next meeting on October 13 to begin at 6:00 P.M at the Town Hall.

Mr. Musgrove made a motion to adjourn, Ms. Schroeder seconded, all in favor.

The meeting was adjourned at 7:30 P.M.

Respectfully submitted,



Kimberly L. Shaw  
Planning Board Secretary