

PLANNING BOARD
MINUTES OF APRIL 14, 2011

Present: Mr. William Ramsey; Chairman, Mr. Marc Richard, Mrs. Susan Libby, and Mr. Peter Krawczyk

Absent: Mr. David Messier

Attendees: William Scanlan, Town Planner

Mr. Ramsey opened the Meeting at 6:00 PM.

Under comments and concerns, the Board discussed the order on the Town Meeting warrant of the proposed zoning articles. The Board of Selectmen agreed to the Planning Board's wishes to disperse the articles within the warrant. The rear lot bylaw will be article 11, the OSRD bylaw article 17, and the flood plain amendment article 21.

Mr. Ramsey spoke with Cindy Fountain from the Spencer Savings Bank in Warren Center, who offered the Planning Board use of the front window space on Main St. to hold displays for any purpose. This is an ideal location since it fronts right on the sidewalk and is visible to numerous pedestrians on any given day. The Board asked Mr. Scanlan to prepare a poster describing the proposed zoning articles to place on an easel in the window. This will be one more way to get the word out about the articles to as many people as possible.

On a motion by Mr. Krawczyk to approve the minutes of April 6th, seconded by Mrs. Libby, the Board voted 4-0 in favor.

Continuation of Public Hearing for 5 Winthrop Terrace

At 6:15 PM, Mr. Ramsey re-opened the public hearing for 5 Winthrop Terrace continued from April 6, 2011. All members had visited the site the previous week to view the property and the parking layout. Mr. Krawczyk noted the site appears to have enough land to meet the parking needs for four units, but the plan does not show the location of the spaces. Mrs. Libby said tenants of the adjacent Snowden property park on the right side of that house and travel over the McMahan property driveway to exit. She feels the parking situation is not ideal but agreed the lot is large enough to provide the necessary spaces. Mr. Ramsey said the burden is on the applicant to show the plan has enough spaces for the proposed use. Spaces on near-by streets cannot provide parking for the tenants on this property because of winter plowing concerns in the congested Town Center. The policy of the Board is to require that each unit have two dedicated parking spaces. The members agreed that the application to add a fourth unit on the third floor is a reasonable use of the property given its large size and that it will not have a detrimental effect on the adjacent properties and surrounding neighborhood.

The Board decided the applicant should submit a revised plan that that shows the location of the eight spaces, which must remain available only for the use of the tenants of the dwelling. The Board asked Mr. Scanlan to write a letter to the applicant requesting that he modify and submit a revised plan that shows the location of the parking spaces. On a motion by Mr. Richard to continue the public hearing to April 27 at 6:10 PM, seconded by Mrs. Libby, the Board voted unanimously to continue the hearing.

Discussion of Devil's Lane

The Board discussed the zoning status of lots on Devil's Lane. Because it is a private way discontinued by Town Meeting, it does not automatically confer legal frontage for zoning

compliance. The Board reviewed a Memo prepared by Town Counsel dated 10/22/2003 that provides guidance to the Board and applicants for obtaining a building permit to build new single family homes. The Board must make a determination that the road meets the standards in the Zoning Bylaw, section 1.4.15. The Board will need letters from public safety officials that the way is adequate to accommodate emergency vehicles. Simply because the Board approved one application in the past, after an applicant made improvements to a portion of the way, does not mean the Board will do so in the future. Each case will be looked at on its merits since over time conditions could deteriorate substantially. Brimfield does not maintain the way, and only plows a short distance to enable its plow trucks to turn around. Since the way is private, an applicant may need permission from the owners on either side of the way to make any improvements.

Zoning Informational Meeting

Mr. Ramsey opened the informational meeting on the proposed zoning articles at 7:10 PM. No citizens attended. The Chair asked Mr. Scanlan to give a copy of the articles to the Conservation Commission. Mr. Krawczyk prepared a brief written explanation of the articles to distribute to the public as a general handout. The Board reviewed and approved the document and agreed to distribute it to as many people as possible. Mr. Ramsey agreed to insert a reminder on the blue screen about the formal public hearing on April 27th. The Board will need to take a vote on its recommendations for the articles that evening.

Other Business

The Board decided to hold meetings on May 11 and 25.

On a motion to adjourn by Mr. Richard, seconded by Mrs. Libby, the Board voted unanimously to adjourn at 7:45 PM.

William Scanlan
Town Planner

Date Approved April 27, 2011