

Town of Paxton
Planning Board



Regular Meeting and Public Hearing

Monday, February 9, 2009

ATTENDANCE:

MEMBER	PRESENT(x)	ABSENT(X)
Neil Bagdis	X	
Julie Jacobson	X	
David L. Bennett	X	
Henry B. Stidsen, Jr.	X	
Pamela Vasil	X	

Other Attendees: Robert P. Clark, Raymond C. Daly, Michael Worden, 931 Pleasant ST, Alice K. Livdahl, Esq., Shelley Hammond and Bill Coyle, P.E. of Coyle Engineering; Steve Hair, M.S.P., Paxton Land Trust, Dennis Melican, Jeff and Deb Kent.

The February 9, 2009 meeting was called to order by Neil Bagdis, Chairman, at 7:05 p.m. The March meeting date was determined: It will be delayed one week to March 16 because two board members will be away the week of March 9th, the usual meeting date.

December 8, 2008 minutes: Having no concerns with the minutes, on a **motion** by Pamela Vasil, seconded by Henry Stidsen, the Board voted unanimously **to accept the December 8, 2008 minutes as written.**

September 8, 2008 minutes: A motion by P.V., seconded by Julie Jacobson, to accept the September 8, 2008 minutes as written was unanimously approved.

April 14, 2008: Add Charles Bolster to list of attendees. He spoke during the meeting, though did not sign in. With that change, on a **motion** by J.J., seconded by P.V., the April 14, 2008 minutes were unanimously approved. N.B. stated that, in the interest of getting these minutes approved in a timely manner, board members can review minutes they hadn't had the opportunity to review and the board could accept modifications next month. There was unanimous agreement. We are caught up with the exception of the March 10, 2008 minutes which were recently located.

Approval Not Required Subdivision, Robert Clark & Raymond Daly, owners of 0 Pleasant ST, Map 11, Lot 16, for potential conveyance to Robert & Dorothy Russell the parcel labeled as Lot 1B (25,062.74sf), not a building lot, adjacent to their property at 120 Davis Hill Road (Map 11, Lot 19). Clark and Daly would retain Lot 1A, the remaining 30.128 acres).

Robert Clark stated the reason for the ANR Subdivision was simply for the Russell's to build a garage. Lot 1B has 70' of frontage. Clark and Daly own two additional potential ANR lots on Davis Hill Road. D.B. asked why the plan does not show the wording on the piece being added to the Russells as it would normally state "to be conveyed to". If they did not buy it, it would not be a separate buildable lot. After five years potential purchasers would lose the right, owners could sell any one.

D.B. You are supposed to show all abutters. B. Coyle: There is a discrepancy from the deeds showing two parcels not showing ownership. It does not affect what Clark and Daly are attempting to do. On a **motion for approval** by D.B., seconded by J.J., the motion was unanimously approved.

Continuance of Definitive Plan for Spaulding Woods, a proposed 6-lot subdivision at the property at 0 Pleasant ST (Map 11, Lot 16) by owners Robert Clark and Raymond Daly, 84 Coderre ST, Boylston, MA. and by Coyle Engineering and Alice Livdahl, Esq

Chair Neil Bagdis asked Shelley Hammond of Coyle Engineering to bring the board up-to-date. She stated she had responded on Friday, February 6 to Kevin Hardiman's October correspondence. Three comments defer to the Planning Board. N.B. stated we have not had a chance, partly since we are expecting more comments. B.Coyle: Where we are, we do not want to waste your time. With Ross comments resolved, we can potentially get approval (or comments addressed) in March. Ross wants the board to determine three waivers.

Page 2, #20 as re 4.8.6.4 calls for catch basins and manholes 300' apart. Project utilizes low-impact design. Waiver #5 has been added to the cover of the plan. New wetland protection action desires less (converse?) by pipes and more overland flow. Kevin Hardiman reviews for full compliance to the stormwater management. D.B. I would like to see a copy. Have the DPW (M. Putnam) take a look at this waiver. Mr. Coyle will have a copy of the Hydrology report dropped off.

Next page, #23: 4.1.1.4 (Wavier #6). No comments from the Planning Board. Spacing of the trees in the wetland greater than 12' from the edge of pavement or curb. Ross agrees with the logic and recommends the waiver.

#2 Shirley Court: Grade of roadway is greater than 6% in places, causing ice in winter months. Decrease sloping to 3%; profile of road is 6%; maximum allowed for standards is 10%. N.B. asked if they had discussed this with the DPW superintendent (M.P.). B.C. Trying to balance did get us into the actual wetland and it is flagged. Typically 6% is not considered steep. Comments from M.P. for the September 8 meeting. Ross Associates deferred this to the Planning Board.

N.B. Need current comments as well since this is over a long period of time. Ross Engineering (K. Hardiman) wanted additional test pits along the roadway. They are working with town consultant, Tata & Howard, to design water on Pleasant Street and are hoping to loop around to Davis Hill Road. S.H. We addressed all the comments of ConCom and environmental consultant. Overall project cannot exceed 5,000sf of wetland without going to Army Corps of Engineers. May do a deed restriction or file with the Army Corps.

Alice Livdahl recorded notice of the landfill closure. She stated owners have been talking with Moore State Park people about conveying parts of two parcels to the state, two pieces of preservation with the park. The capped landfill site is high and has a good overlook. A restriction is that it should be mowed. Have 1,000' of shoreline. One piece is part of Lot 5; the other is excess land in Lot 4 and 3. The subdivision lots would still conform to upland dimensions,

The Board would like to see definitive lots before we do this. It takes a year to work through the state. Clark and Daly would retain ownership until the backland is conveyed. Lots under discussion are Lot 4, 4A, 3 and 3A. They would have to provide easements. If they were not conveyed to the state, those lots in the back would become

landlocked. Lot 4A would be “not a buildable lot”. To the question, “Are Lots 3 and 4 salable?”, the response was “They are attractive, got a clean bill of health.” Is there a house being built on the landfill itself? Buffer.

Dennis Melican hoped ten years ago to interest the Town in it. It was offered again for \$9,000 in back taxes. No one was interested. It slipped through the cracks again. Developer should know bank would finance. DCR would be grateful for a chance. Dennis was present for DCR. He mentioned the scenic byway preservation. \$50 million. Cannot offer more than assessed value, \$1,300 per acre. Dennis stated the decision is made in the Boston office. His next question was: Would the Spaulding Family want to see their name connected to where they used to dump their trash?” H.S. If taken off taxable rolls, it will not be taxable. A.Livdahl: Subdivision will generate so much money. Owners paid \$17,000 in back taxes for this piece. Town was not willing to take it for the liability. Basically, town will get a lot more taxes from the subdivision.

Although the next meeting date is March 16, we will extend Continuance through March 31. We’re ninety-nine percent of the way there.

Planning Board stressed the revised plans need to go to boards (ConCom, Water, DPW, PMLD, etc. with a note “no major changes but this is the latest revision”, asking recipients to bring all comments to the March meeting, including comments already on file.

END OF HEARING UNTIL CONTINUANCE

Reduced Budget Request: As requested in January by the Town Administrator, on a motion duly made and seconded and unanimously approved, the board consented to reducing the Planning Board budget by 16%, taken equally from the accounts, to help the Town balance the Fiscal Year 2010 budget.

A brief discussion was held about possibly raising Planning Board fees. Costs have gone up. We should look at the costs of what goes into it. Send the Planning Board copies of fees.

The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Nancy Wilby