



Regular Meeting and Public Hearing
Monday, February 13, 2017 at 7:00pm at the John Bauer Senior Center, 17 West St. Paxton, MA

ATTENDANCE:

MEMBER	PRESENT (X)	ABSENT (X)
Neil Bagdis	X	
Henry B. Stidsen, Jr.	X	
Robert Jacobson	X	
Jeffrey Kent	X	
Richard Doughty	X	

Other Attendees: David Bennett (DB), Julian Vortruba (JV), Paul Marquis, Mike Fiorelli

(NB) called the meeting to order at 7:00 pm.

Meeting Minutes

Motion (HS) seconded by (RJ) to accept the minutes of January 23, 2017 as written, vote 3-0 all in favor.

Storm Water Permits

Richards Ave, 4 lots (M17, Lot 31), owners Marquis Homes and Michael Fiorelli, (JV) Four new lots have been created with one currently having an existing house and barn to be demolished. All of the septs are approved. Swales have been created for each lot which will act like infiltrators behind each lot. Pre and post drainage analysis was conducted and runoff and infiltration were taken into consideration. Swales are being used because they are low or no maintenance.

A letter of Engineering review was received by Rob Oliva at Ross Assoc.** Each comment was discussed. Julian Vortruba and Rob Oliva discussed the points prior to the meeting also. Soil testing data was not documented on the plans submitted but soil tests have been done for the percolation tests for the septic systems on each lot. Other calculations for water flow/drainage will be added to the plan. (NB) He was concerned about the higher elevated lots creating a problem for the lower lots with runoff. (JV) Something can be done to mitigate that on the lower lots. The last point of considering drainage easements will probably be negated if the other suggestions are taken care of. JV will contact Rob Oliva again to work out a final plan. A written continuance was signed by the applicant.

Motion (HS) seconded (RD) to continue the hearing for 60 days, if needed, vote 5-0, all in favor.

Approval Not Required

Richards Ave, (M17, Lot 31), owners Marquis Homes and Michael Fiorelli, to change lot lines on lots 1 and 3. DCR required that Lot 3 have two acres of regulated area for a four bedroom house so some land was taken from Lot 1 and lines were redrawn to give Lot 3 more square footage. Lots 2 and 4 did not change. The mylar and two file copies of the new plan were signed.

Motion (RJ) seconded (JK) to accept the new ANR plan for Lots 1 and 3 on Richards Ave, (M13, Lot 31), vote 5-0, all in favor.

Bylaw Public Hearing

A draft Recreational Marijuana Sales and Facilities Temporary Moratorium was presented. One edit was suggested to extend the date to December 1, 2018 to be sure that the Town would have enough time to come forward with a thorough new bylaw especially if the State does not stick to their timelines to develop regulations. The draft has also been reviewed by Town Counsel.

Motion (RJ) seconded (HS) to accept and present a bylaw for a marijuana moratorium to the BOS for a warrant article for the Annual Town Meeting in May 2017, vote 5-0, all in favor.

Bylaw Public Hearing

Attorney David Bennett was present to discuss a proposed bylaw amendment to allow drive through windows at restaurants, fast food restaurants or similar places for serving food and beverages by Special Permit. As in a previous hearing for the same issue last year, most members did not especially like the idea of drive through windows in Paxton. Some thought it went against the rural character of the Town. But, all members felt that it should be decided by the residents of the town and not five members on a board so they agreed to sponsor the bylaw to be put on as an article for the next Town Meeting in May. (DB) Added that there are other steps that an applicant would need to go through including Site Plan Review and amending the original Special Permit decision given when the

business opened, if needed. (JK) Suggested that the proper place for this language should be under Section 3.2.4 rather than 3.2.6, accessory uses. JK will send SL the edit for Town Counsel to review.

Motion (JK) seconded (RJ) to sponsor and present a bylaw amendment to the BOS to be added to the warrant for the May Town Meeting for a drive through window at restaurants under 2000 sqft. by Special Permit with final review by Town Counsel on the proper section in the Zoning Bylaws , vote 5-0, all in favor.

Motion (RJ) seconded (HS) to adjourn the meeting at 8:12 pm, vote 5-0, all in favor.

The next meeting, if needed, will be Monday, March 13, 2017.

**documents referenced located on file in the TSC office

Respectfully submitted,

Sheryl Lombardi