



Regular Meeting

Monday, December 4, 2006

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 J Smith, James Hansson, Richard Faucher, Elna Faucher, Debra A. Dunleary, Mary Oliver, James Oliver, Roger Banks

Neil Bagdis, the Chairperson, called the Planning Board meeting to order at 7.03 p.m. The October 16, 2006 minutes were approved, on a motion by D.B. and 2nd J.J.(4-0), with an amendment that J.J. was in attendance

ANR – Davis Hill Road, Map 18, Lot 186D

Plan was submitted. No further discussion. ANR approved by D.B. and 2nd H.S. (3-0).

ANR – 11 Suomi Street, Map 12, Lot 16

Bob Smith from BNR Survey presented the plan to the Board. The Board questioned the access to the new required lot. They were not agreeable that access is over someone else's property. It was mentioned that Bob Smith should discuss with the Engineers another option to access the property, possibly crossing the wetlands as it would be a lot cleaner. The Board needs a more detailed map showing owners within 300 feet of the street.

A continuance was requested. D.B. moved to accept the withdrawal of the application and to waive the fee. J.J. 2nd (4-0).

ANR – 15 Cutler Road, Map 28, Lot 47

Bob Smith spoke on behalf of Mr. Goldberg. A letter was received from Peter Dawson relative to whether Cutler Road had been accepted. There was an issue of acceptance of the road at the time and a portion of the road wasn't accepted. There is a paper street giving access to the property behind.

D.B. We need to find out who owns the property. According to Bob Smith if the road is abandoned it reverts to the owners of the property under Massachusetts General Law. N.B.confirmed that it has not been abandoned.

A survey by Bob Smith of B&R Survey had initially been done at the time Mr. Goldberg purchased the property. They indicated to him that his driveway appeared to encroach into the "paper street" area at which time their job was done in terms of what they were initially contracted to do back in November 2000. The survey proved that the driveway was in this right of way. At that point that was the extent of the survey His lot doesn't currently meet the frontage requirement as currently stated, however that lot was preexisting to the Town of Paxton's current Bylaws.

The Board has concerns that the paper street is there for future development for the property behind.

B.S. added even if Mr. Goldberg attains title to these pieces of property he will still be subject, in his opinion, to rights of Fathers in that subdivision. D.B. had concerns with the drainage on this property. Bob Smith agreed and said he has a letter from Mr. Dresser stating that he is willing to grant a covenant of rights to the Town, although the Town already has rights, to maintain the current drainage and structures as they currently exist.

D.B. someone needs to determine the ownership and interest the Town has in this property.

The general consensus is it seems Mr. Goldberg is trying different routes to get the same end result and at the moment the fact is Mr. Goldberg has a driveway which is not on his property. There was general discussion of the lot dimensions and whether there is sufficient frontage.

D.B. moved to deny plan as we don't know who owns the property and we can't be sure the all the owners and applicants have signed the application. H.S. 2nd (4-0). The Board confirmed that he can resubmit.

The Highway Department is to be notified.

ANR – Davidson Rd/Central Ave, Map 30, Lot 149

J.J. moved to deny the above plan since we have had issues with this property and the Petitioner was not present to answer questions put to them by the Board. H.S. 2nd (4-0). Previous correspondence and plans involving this lot will be forwarded to the Board Members.

Release of Covenant ; 21 Crowningshield Drive

Debbie Dunleary, Attorney for Mary Oliver.
Roger Banks, Attorney for Sonia Mooradian.

Mrs. Mooradian was trying to pass paper on the sale of property when the existing covenant came to light. She has been the original owner since the covenant was created. Houses on either side of the property have been bought and sold since.

D.D. confirmed 21 Crowningshield Drive transferred once. Lot 2, 19 Crowningshield Drive has never transferred other than between husband and wife.

Roger Banks, said a covenant is in existence going back to 1965. D.B. As far as we know with this subdivision every lot has been released and through clerical oversight this lot wasn't released. D.B. moved to sign the covenant release for lot 2 and lot 3. J.J. 2nd (4-0).

After the plan went to record when the first owner was transferred from the Developer they took interest in Lot 3 on the Plan and a portion of Lot 2, in terms of metes and bounds. It was never recorded. The Title Company needs an ANR, if Subdivision Rules and Regulations were in effect at the time. A copy of the 1963 Subdivision Bylaw which was accepted at a Town Meeting in 1964 was located. The Board suggested that an ANR be submitted for the next meeting.

Fiscal Year 2008 Budgets

The Budgets were accepted as submitted by a motion from D.B. and 2nd by J.J. (4-0).

Master Plan Committee

Next meeting is December 20th, 2006. H.S. is the current member. Should he not be able to attend a meeting he can let J.J. or D.B. know and they will stand in.

Renewal Permit for Temporary Accessory Apartment

Theodore and Deborah Berberian- 263 West Street
William J Beaudry - 3 Pond Street

Approved by D.B., 2nd by J.J. (4-0).

Gordon Snyder of 176 Suomi Street had been approved and signed at the Board's previous meeting.

Professional Planner to assist with Planning Board matters

A general discussion took place whether at this point it is necessary to have a professional planner to assist with planning board matters. The Board felt there would be no significant benefit to having this in place at this time.

Meeting was adjourned at 8:44 p.m. by a motion from J.J. and 2nd by D.B.
Approval was unanimous (4-0).

Respectfully submitted,

Tracey Coetzee