

Town of Paxton  
Planning Board



Regular Meeting

Monday, March 8, 2010

**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: Heather Larson, Karen Hyson, Luis Yepez.

Chairman Neil Bagdis called meeting to order at 7:07 p.m.

**Minutes:** On a motion (D.B.; H.S.) and subsequent vote, minutes of the February 8, 2010 meeting were unanimously approved.

**Temporary Accessory Use Apartment – 1 Renewal, 1 new (both continued from February 1, 2010):**

**Luis Yepez, 112 Holden RD:** Mr. Yepez stated that he received his original Temporary Accessory Use Apartment permit in 1989. Everything was approved. He had a letter from the Sanitary Inspector at the time allowing septic usage for a fourth bedroom if the system was pumped annually, even though it was built as a three-bedroom system. The condition was that the system be pumped every time he rented the apartment.

Plans the Building Department has on file show a three-bedroom house. It appears you are using it as a three-bedroom house with a one-bedroom accessory apartment. Mr. Yepez stated that he did have septic system pumped every time he rented the apartment. He renewed the permit every time it was requested, and did all the things required of him.

More recently he has changed one bedroom into a den. From 1988 until his children left home (one Naval Academy, one college), he used all the bedrooms. Mr. Yepez stated that he kept the plans of his 1989 addition and all records until last year when he thought he would never need them; he threw them away.

Mr. Yepez acknowledged that he understands he'll need to upgrade to a larger septic system in order to sell the house as a four-bedroom house.

PB member stated Sanitary Engineer, Gobi, felt in 1989 that the septic system could be extended 3 ½'; otherwise, owner must continue to be subject to the annual pumping.

On a motion duly made and seconded, PB removed the denial of the February 8, 2010 meeting, thus reinstating the temporary accessory use apartment permit with the condition he pumps the septic system every year that he rents. Continue forward with the previous condition; however, if he sells, he needs to upgrade it if he wishes to sell the house as a four-bedroom house. N.W. was asked to notify the Board of Health that this license has been reinstated.

**Larson, 46 Brooks RD, New Apartment (continued from previous meetings):**

The Chair stated that it appears that the Larsons and Hysons are trying to comply with the Board's request for a plan. Upon review of the plan submitted this evening, the Board stated that it still needs dimensions: square footage of the house and square footage of the apartment. Also needs to show egress (show deck and steps). There is an unfinished basement under entire regular house (not garage). Sketch in the decks, exterior dimensions, house and apartment basement, total square footage (first and second floors), three parking spaces. The board needs only one copy of plan so noted. The ladies worked on the plan, adding the information sought and brought it back to the floor. Total square footage is 4,344, of which apartment is

1,125, leaving 3,219 as the main house. That means the apartment is just over 25%, the allowable percentage of square footage. Upon their examination, the revised plan was acceptable to the board.

**D.B. moved (P.V. seconded) that the Board approve the temporary accessory use apartment, based on the excess over the 600 sf being based on the unusually large size of the dwelling.** Discussion of whether this was a variance or a Special Permit, D.B. said clearly it is a Special Permit. PB has leeway to approve a Special Permit based on each individual situation, such as this house. Vote was unanimous in favor of granting Temporary Accessory Use Apartment permit.

**Woodland Heights LLC concerns: Does the Special Permit for Senior Residential Development need to be renewed?** Town Counsel reviewed the Special Permit Decision and other documents in this matter and concluded that the development is substantially completed and no renewal of Special Permit is needed. The roadway is a private one and as such, the Board does not maintain control over it. The Planning Board concurred with that conclusion.

**Discussion ensued over whether the septic escrow account has been adequately funded thus far for the number of units sold.** Although homeowners of the Highland Village SRD units stated at the February meeting that nineteen (19) units have been sold, Town Hall records show 18 sold. If 18, the escrow balance is adequate. If 19, another \$2,500 (amount per unit) is due the Town. The Board questioned whether the original house, formerly known as 37 Highland ST, was required upon closing to pay into this fund. That could be the nineteenth unit.

**Have developers complied with the grading plan, including re-design when there were problems?** Mike Putnam, DPW Superintendent, did a quick drive-through on the Board's behalf on this date. His comments were that "much of the snow melt and runoff could be properly diverted to catch basins once the topcoat of pavement is installed. There is also a surface drainage issue between house #22 and #24." The Board was satisfied with his comments. End Woodland Heights LLC discussion.

With no further unfinished business:

**New Business:** N.B. reported that there wasn't a quorum of Planning Board members at the Master Plan Implementation Committee meeting February 25, 2010, so no official Planning Board action could be taken and no minutes were taken. He shared the events of the MCIP meeting:

Discussion on F. Goodrich's early March memo relative to the Planning Board helping the MPIC fund its mission. Although at the Feb. 25<sup>th</sup> MPIC meeting attendees thought that Planning Board fees taken in for hearings could go to assist the MPIC, the Town Administrator pointed out more recently that that was not legal without a town vote at a town meeting. Consulting fees are not available either; they no longer go through the Planning Board; engineering consultants bill petitioners directly. Instead, the portion, eleven hours, of CMRPC assessment earmarked for consulting to benefit the Planning Board (in exchange for some work Paxton's Chris Baehrecke is doing for the CMRPC) could possibly be channeled by the Planning Board to the MPIC. Kevin Quinn was going to work on the funding. Planning Board realizes that much of what MPIC will do comes under the jurisdiction of the Planning Board.

What the MPIC intends to do, a logical first step, is to create a brochure or flyer to distribute to Paxton residents explaining what they intend to do: create a village business district, a bit larger than currently. The flyer would explain how this change would benefit people in that district. The MPIC will come to Planning Board between now and September. Planning Board would sponsor and post a hearing and then an article at Town Meeting May 2011.

**Correspondence:** CMRPC's letter and FY2011 assessment was reviewed. The new assessment for Paxton for Regional Planning services is \$1,056.68. In Pam Vasil's absence due to health, Chris Baehrecke has been sitting in for her at CMRPC's meetings.

Meeting dates were chosen for the next two meetings. They are the usual second Monday, April 12 and Tuesday, May 4<sup>th</sup> (5/4, the day after Annual Town Meeting; this may need to be changed for N.W. as BOH already got moved from May 3<sup>rd</sup> to that date, sorry I was working from memory rather than calendar; I'll remove this from official minutes. N.W.).

On a motion made by D.B., seconded by P.V. and unanimously approved, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Nancy Wilby