



Regular Meeting and Public Hearing Continuance

Monday, August 8, 2011 at 7:00pm at the John Bauer Senior Center, 17 West St. Paxton, MA

ATTENDANCE:

MEMBER	PRESENT (X)	ABSENT (X)
Neil Bagdis	x	
Robert Jacobson	x	
Warren Bock	x	
Henry B. Stidsen, Jr.		x
Pamela Vasil		x

Other Attendees: None

(NB) Chair called the meeting to order at 7:05pm.

Meeting Minutes

Motion (WB) seconded (RJ) to accept the July 18, 2011 meeting minutes. Vote 3-0, unanimous.

Temp. Acc. Use Apt.

(NB) SL notified the board that the Berberian's at 263 West Street do intend on renewing. They have been away on business and have not seen the mail. Mrs. Berberian said she would mail in renewal application on their return after Aug. 1st. N.B. They will have to re-file if they do not renew.

Public Hearing Continuance

Paxton Ponds – Camille Circle 5 lot subdivision definitive plan (Map14, Lot 35), owners Mutual Builders

(NB) Everything has been addressed with the exception of the written confirmation for the easement from National Grid. This is needed in order for Mutual Builders to begin any work.

The board discussed the difference of voting with or without prejudice with a denial. (NB) Voting without prejudice would be the best option because there is no reason not to. The builder and engineer have done everything we have asked of them and are now waiting for a third party (National Grid). (RJ) disclosed also that he is a distant cousin of the owners of Mutual Builders. (NB) I think we need to contact Town Counsel on allowing R.J. and W.B. to vote on the Paxton Ponds Def. Plan decision. Now, only I, H.S. and P.V. can vote with the change in membership since June.

The board discussed voting options that would be fair to all parties involved, including Mutual Builders. One, to give a sixty (60) day extension to Oct. 31. (WB) Added that a written report explaining the current situation about receiving the letter from National Grid be given at least one week before extension runs out. Second, to give a conditional approval with the condition that Mutual Builders gives the letter to the Planning Board before any work is performed. (NB) They would then have two years to begin work and if necessary, could apply for an extension of another year. Thirdly, we may need to hold another meeting this month in order for N.B., H.S. and P.V. to be present to vote as needed. The current extension is to August 31, 2011.

(WB) Motion to grant an extension to Oct. 31, 2011 per Mutual Builders request with a provision that a written status report be given no later than a week before the end of the extension on the progress of receiving the letter from National Grid. Seconded (RJ), Vote 3-0 unanimous.

Vote is pending approval of Town Counsel that R.J. and W.B. can vote regarding Paxton Ponds.

(NB) If extension is not necessary then,

(NB) Motion to grant a conditional approval based on the submitted plan with all subsequent amendments, with the condition of Mutual Builders presenting to the Planning Board the written permission of the easement to Mutual Builders from National Grid before ANY work can take place. Seconded (RJ), Vote 3-0, unanimous.

Vote is pending approval of Town Counsel that R.J. and W.B. can vote regarding Paxton Ponds.

Both votes were taken so that action would be taken rather than nothing. H.S. and P.V. were absent due to circumstances beyond their control and had intended on being present at this meeting.

S.L. will contact Town Counsel to discuss the Planning Boards options.

Correspondence

All members agreed to postpone the Reorganization and Authorization for FY12, the Registry of Deeds list and the appointment of a CMRPC delegate for FY12 until the next meeting so that all members could be present.

A pending variance application for 180 Richards Ave. was shown to the PB members in order to discuss any issues they may have with it. (NB) Initial concern is about the frontage. You can have less than 125' of frontage as long as the side line stays straight back, but this does not. The line goes off to the right side of the barn on lot 2 rather than the left side. If the barn was moved or taken down, they wouldn't have an issue with the sideline setback. There are many issues with the creation of both lots. S.L. R. Trifero is reviewing for zoning issues.

Next meeting will be on Wednesday, September 14, 2011.

Motion (WB) seconded (RJ) to adjourn the meeting at 7:45pm, vote 3-0, unanimous.

Respectfully submitted,

Sheryl Lombardi