

Planning Board Meeting Minutes

4/05/2021

Board Members

Present: Casey Campetti, Chuck Walkovich, Jennifer Gingras, Joyce Morrow

Absent: Paul Lonergan, Al Patenaude

Staff: Lisa Davis, Planning Consultant, Cheryl Lutzka, Administrative Assistant

Guests: Mark Matthews, MPIT; Paula Terrasi, Conservation; Tony Beattie, Select Board; Pat Harrington, DPW Board; Cathy Netburn

1) Agenda Packet (attachment)

2) Call to Order

The meeting was called to order by Chair Campetti at 7:00PM

3) Acceptance of Minutes

March 1, 2021 – Motion to accept the minutes as written by Mr. Walkovich, seconded by Ms. Morrow. All in favor

March 8, 2021* – Motion to accept the minutes as corrected by Ms. Morrow; seconded by Mr. Walkovich. All in favor. (**Note: There was a typo in the date on the agenda that stated these minutes were for March 8, 2015. The correct date of the minutes is March 8, 2021*)

March 15, 2021 – Motion to accept the minutes as written by Ms. Morrow; seconded by Mr. Walkovich. All in favor

8b) Local Resource Recovery Planning Grant Update (*note addressed out of Agenda order*)

Ms. Davis reported that there was a kick-off meeting with the advisory group and NMCOG is getting underway. The first step is defining the study area – Main Street to RR Square, extending to Groton Street to the Covered Bridge, then including the Bank and Walgreens in the other direction. The Business Survey is due April 12 and Margaret Scarsdale, Selectwoman, worked with Maureen Bolger, Assessor, to locate and contact 60-80 businesses. The Survey is very proscribed, and the results are sent directly to the State. They tabulate the results but the group does not see the survey until the results are formalized. Beverly Woods from NMCOG was going to see if she could obtain the results of the business survey. NMCOG performed a site visit on Saturday in order to provide information for the required end of June plan. The advisory group needs to come up with recommendations and the State would provide funding. Some ideas were enhancing the Rail Trail signage, providing benches, better storefronts.

4) 7:05 pm – Continuation of the Public Hearings on Two (2) Special Permit Applications to Allow Construction of Two (2) Two-family residences at 4 Scotch Pine Farm Way (Lot 7A) and 6 Scotch Pine Farm Way (Lot 7B) (Applicants are Michael Quintal and Donna Quintal)

Mx. Campetti opened the Public Hearing for the two special permit applications at 4 and 6 Scotch Pine Farm Way and asked Mr. Jack Visniewski to present the updated plans for review.

Mr. Visniewski walked everyone through the changes requested by the Conservation Commission, Town Engineer, and Planning Board members, sharing plans on the video screen. Any existing conditions to the property have been resolved, the original dwelling will be removed, as well as the existing septic, demolition and erosion control permits will need to be required to restore the area.

A firetruck turnaround was added to the site plan along the driveway to 7B (25' turn radius); Chief Borneman sent an email that he was pleased with this addition. Mr. Visniewski also noted the following:

- The culvert on the drive to 7B needs additional soil coverage and that will be accomplished
- The site plan identified snow storage areas throughout the property as per the 50' zone for wetlands.
- A turnout was added to the drive to 7B so that two vehicles could pass each other easily if needed.
- Foundation drains were included on the plan for each unit and the slope on the rear of the driveway for 7B was upgraded to include an additional 2' wide contoured shoulder.
- All utilities will be underground and the addresses were corrected on the Assessor's map for that 7A is now #4 and 7B is now #6 for street addresses to conform to the first two dwellings #1 and #3.

Mr. Visniewski commented that while he submitted his changes/revisions a week prior, he did not hear any comments from any Boards/Committees.

Mx. Campetti asked Ms. Gingras, Associate member to step in as a full voting member to participate in the Public Hearing and will act as Clerk tonight. Ms. Gingras read Chief Borneman's memo received March 16, 2021 approving the design of this Special Permit.

Ms. Davis confirmed there were no additional comments other than Mr. Kalinowski and Ms. Gendron who were comfortable with the design. Mx. Campetti asked the Board if there were any additional comments or questions. As there were none forthcoming, she opened the meeting up to the Public. No comments were made.

Mx. Campetti asked about waivers on the Special Permit. Mr. Visniewski reminded the Board that there had been one waiver from a concerned abutter but they were too far from the property for this to be an issue.

Ms. Davis suggested that the Public Hearing be closed but add a waiver regarding culvert failure as a condition. She suggested the Homeowners' Association be responsible for correcting any culvert failure. Ms. Davis also noted that she never received the elevation on the two new dwellings. Mr. Visniewski stated that they were similar to 1 and 3 but that he would send them to her so they can be referenced in the decision.

Mr. Walkovich moved to close the Public Hearing for 4 and 6 Scotch Pine Farm Way; seconded by Ms. Morrow. All in favor.

Ms. Morrow moved to grant the Special Permit Application to allow construction of two (2) two-family residences at 4 Scotch Pine Farm Way (Lot 7A) with conditions and elevations submitted by the Planner as previously discussed; Mr. Walkovich seconded. All in favor.

Ms. Morrow moved to grant the Special Permit Application to allow construction of two (2) two-family residences at 6 Scotch Pine Farm Way (Lot 7B) with conditions and elevations submitted by the Planner as previously discussed; Mr. Walkovich seconded. All in favor.

5) Voucher – WB Mason Invoice No. 218619537 - \$129.29 for General office supplies

Ms. Morrow moved to approve the payment to WB Mason for \$129.29 for office supplies; seconded by Ms. Gingras. All in favor.

6) Plan Endorsement (None)

7) Action Items

a. Robinson Hollow covenants

Ms. Davis opened the discussion by noting that a Covenant had inadvertently been left out of the documentation the Planning Board endorsed for Robinson Hollow project at the last meeting. This Covenant allows the applicant to move forward with the Roadway, without posting bond. The Covenant approves the costs of improvements to the property provided with a release for lots within 5 years without a security deposit. Cathy Netburn, Attorney for the Developer, called in with an additional explanation of the Covenant.

Mx. Campetti asked the Board if they had any questions. Ms. Davis explained that this property was deeding a portion to Fish and Game, and open space. The applicant will build a road and will request a bond for that construction at a later date. Ms. Terrasi, Conservation Commission, commented that any land donated does not need Town approval so the applicant should be all set once the Covenant is signed.

Ms. Davis suggested the Planning Board approve the Covenant. Ms. Morrow moved to approve the Covenant for Robinson Hollow as discussed; seconded by Mr. Walkovich. All in favor.

Ms. Davis asked Ms. Netburn to send the original Covenant to the Town Clerk so that the Planning Board members can come and sign off.

b. Reedy Meadows Update Regarding Performance Security

Town Counsel recommends pulling this item from the agenda until we have definitive information.

8) Reports/Correspondence/Discussion
(Matters may arise that the chair didn't reasonably anticipate)

a. Stormwater Bylaw/Proposed Rules and Regulations

Mx. Campetti introduced the discussion on the Stormwater Bylaw. At the last meeting she asked for an updated Bylaw and the Planning Board received it last week. Ms. Davis identified the Planning Board as the body to recommend the Bylaw and since it is not a Zoning Bylaw, there is no Public Hearing required, and no report. It would be important, however, to endorse the Bylaw. Since no one attended this meeting to represent the Bylaw, Mx. Campetti recommended moving the discussion to the next meeting. She then asked if there were any questions from the Planning Board members. None were forthcoming.

Mr. Tony Beattie, 56 Oak Hill Rd, Selectman, questioned how the Bylaw would affect farmers and those residents who own agricultural property. Mr. Beattie was hoping that these residents would be exempt from the Bylaw and any fee involved. Ms. Davis commented that Mr. Beattie might be confusing the Stormwater fee through the DPW Enterprise Fund with this Bylaw and that the two were not the same. Mx. Campetti cited an excerpt from the Bylaw about exemptions for agricultural use. She noted that specific details would be worked out later in the Rules and Regulations, and that the mechanics of the Bylaw were pretty broad based in reference to exemptions. The Planning Board is not in charge of this Bylaw, and are only being asked to make recommendations and comments.

Mr. Beattie understood that the DPW was opposed to any agricultural exemptions on the Stormwater fee. Ms. Davis noted that this Bylaw is concerned with disturbance of land over an acre and that his discussion on Stormwater fees is not relevant to this Bylaw.

Pat Harrington, DPW Board member, asked who drafted the Bylaw and where he could get a copy. Ms. Davis stated that the State prepared the model Bylaw and that NMCOG and Tighe and Bond were collaborating with the advisory group. It has been sent to Town Counsel for comment. Ms. Davis said she can send Mr. Harrington a copy, but that the Bylaw should be posted on the Town website.

Mx. Campetti then asked the Board if they had any further questions or comments and if they felt comfortable recommending this version of the Bylaw. It was decided to move the vote to the next meeting, pending any changes that might be forthcoming in the hopes of additional clarification as to a final draft.

b. Local Resource Recovery Planning Grant (taken out of order and discussed at beginning of meeting)

c. Master Plan Implementation Team Update

Mr. Walkovich reported the committee has sent notes to the responsible parties reminding them of the deadline for the 1st quarter status report. They have received good responses so far and will continue with the follow up so they can compile a report for the Planning Board. Mx. Campetti noted that the Planning Board had some new comments from Board members but would get their report to the MPIT committee as soon as possible.

d. NMCOG Update/DLTA Funding Request

Mr. Walkovich - The next NMCOG meeting is in two weeks.

DLTA – Ms. Davis commented that they held a meeting regarding Open Space. They have not received any update from the State. Beverly Woods from NMCOG suggests that we finish the Local Resource Recovery grant first as that will provide recommendations for design guidelines. Mx. Campetti asked if there was room for discussion on guidelines for design standards. Mx. Morrow commented that the guidelines Mx. Campetti mentioned are more in line with form based codes. Currently, there are no requirements for design standards, however complementary standards in some areas or the entire town could be discussed as they were recommended from the Master Plan. Ms. Davis commented that Margaret Scarsdale, Selectwoman, is looking at the current zoning bylaws and form-based codes. Ms. Morrow stated that we need to have standards in place for consistency to carry out the Village-like theme.

e. One Stop for Community Growth Expression of Interest

Ms. Davis commented that they submitted an Expression of Interest on April 1, 2021 and hope to hear back from the State. Once the State responds, we can move forward. Ms. Morrow asked Mx. Campetti if she saw a draft of that Expression of Interest. Mx. Campetti said she had.

f. Hazard Mitigation

Ms. Davis stated that they finally submitted their report to MEMA and NMCOG with changes. It takes a few months to be approved.

Ms. Terrasi reported that she is working on two projects and has applied for an Action Grant regarding the continuity of streams and dam removal/culverts. The purpose of the grant is to support the many waterways and remove barriers to animals and protect vulnerable species. Climate change and street flooding cause irreparable damage and removing barriers, such as culvert repair and dam removal can detract beavers, and create open waterways that stimulate and improve water quality. These projects can cost between \$800,000-\$900,000, but with grants and private donations, the projects are doable. DPW is very supportive of these projects. She is working closely with the Mass Division of Ecological Restoration and Nashoba Wildlife.

Future Meeting(s)

a. April 20, 2021 - Tuesday

b. May 3, 2021

The meeting was adjourned at 8:15PM by motion from Ms. Morrow, seconded by Mr. Walkovich. All in favor.

Respectfully submitted by Joan Ladik