

PLANNING BOARD
THURSDAY, FEBRUARY 9, 2023
RESOURCE ROOM

Attendance: Chair Tracy Sharkey, Vice chair Jake Schultzberg, Ernie Marks, Meg Schlesman, Aaron Socrat, Richard Preston, Mike Greco, Mike Zwicker, Matt Benoit Community Development Director

Chair Tracy Sharkey called the meeting to order at 7:00 PM

1. (0:08 TS) Citizen's Forum: Call for Public Comment: NONE
2. (0:25 TS) ANR's: 57 Yew Street, Rachel Perkins & Paul Miller
Mr. Benoit stated that there are no changes to the plan.
(2:30 TS) Motion to endorse the ANR made by Aaron Socrat, seconded by Ernie Marks. All members in favor.
3. (3:00 TS) 7:00 PM Public Hearing: David & Dallas Keeney – Application for Accessory Apartment (AA-230109) 13 Yew Street – Possible Votes
Mr. Benoit stated that this was a prior approved accessory apartment by this board this is just new ownership.
(6:23 TS) Motion to close the public hearing made by Jake Schultzberg, seconded by Mike Zwicker. All members in favor.
(6:45 TS) Motion to grant the accessory apartment application for 13 Yew St made by Jake Schultzberg, seconded by Aaron Socrat. All members in favor.
4. Additional Business:
 - a. (7:10 TS) Pyne Sand & Stone, Earth Removal Permit Extension for Area E (ER-140129) – Possible Votes
Mr. Driscoll with Pyne Sand and Stone is before the board to do the annual renewal for Area E, which has been ongoing for about 10 years now, and are getting to end with about 120 yards of material left to excavate and they would like to move it to a slightly different area of the pit.
(8:20 TS) Motion to grant the one-year extension for permit ER-140129 made by Mike Zwicker, seconded by Mike Greco. All members in favor.
 - b. (8:45 TS) AA-Extension – 94 Pine St – Griswold
(9:20 TS) Motion to grant the extension made by Jake Schultzberg, seconded by Mike Zwicker. All members in favor.

(9:40 TS) Mr. Benoit asked if the board could skip to agenda item 8. a. Lot Releases

Mr. Benoit received a request from Kathleen Windsor document dated February 7th. This was a private compound for a 3 lot subdivision that was started in 2006 and this particular lot already has a house on it but the lot was never released and was not noticed when they bought it and now they are trying to sell it and the title examiner caught it. The issue Mr. Benoit has with this is there was no bond for this project and the collateral the board has for the road to be finished was the lots. Therefore, if the board wishes to release this lot the only collateral the board holds is the other lot, which is undeveloped, and he just wanted the board to be aware of the situation. Tracy Sharkey asked what the status of the road being finished was and Mr. Benoit stated it was poor, and suggested that they may want to send a letter to the developer for an update on the road being done. Ms. Sharkey stated that she thinks it's fair to release this one lot and request an update.

(15:45 TS) Motion to release Lot 1 in the Northwood Subdivision made by Mike Zwicker, seconded by Ernie Marks. Jake Schultzberg abstains, all other members in favor.

(16:30 TS) The other Item Mr. Benoit wanted to discuss out order was 8. b. Legal Documents
Mr. Benoit has a letter from Attorney Henry Lane dated February 8th , Lakewood Estates Subdivision is the former subdivision under the AMP Solar Project and this board voted to rescind that subdivision in 2020 however, the covenant was not rescinded. Therefore, the board just needs to remove the covenant that is still governing lands for a subdivision that was rescinded.

(17:00 TS) Motion to remove the covenant for Lakewood Estates Subdivision made by Mike Zwicker, seconded by Aaron Socrat. All members in favor.

c. (14:55 TS) LPA Hours – FEMA Map

Mr. Benoit stated that on December 8th the board discussed modifications to a FEMA bylaws recommended to the board by the department of conservation and recreation. A question that came up was if the board could petition CMRPC for any sort of technical assistance to help with this. Mr. Benoit stated that while they cannot get technical assistance to help with the bylaw revision itself CMRPC did offer to update the FEMA map.

(19:15 TS) Motion to allow new maps to be made for the Con Com room made by Mike Zwicker, seconded by Jake Schultzberg. All members in favor.

d. (19:45 TS) Bylaws & Regulations

After the last meeting Mr. Benoit submitted the boards section 8.3 to the Department of Conservation Recreation and they provided feedback, and they are going to provide the board with a review process and once they are done with it Mr. Benoit will bring the bylaw to the board to put the finishing touches on. This must be put in front of spring town meeting otherwise; they lose status with the state for not having these updated.

5. (23:30 TS) Ongoing Development:

a. (23:40 TS) BW Solar @ Oak St, (SPR-200203 & SR-200203)

They have started setting up their erosion control measures; the town has engaged two different consultants, Art Allen from Ecotec and engineers from Lenard Engineering. They both have done their site inspections and noticed some issues with erosion control measures; they will continue to provide the board with updates throughout construction.

b. (24:50 TS) Evergreen Estates (DEF-061010)

There is someone interested in acquiring this and finishing it and this would be good news for the town and for South Street. They were looking to do a 55 + community without an affordability component, what was approved including affordability under the town's Flex Development Bylaws. Some communities instead of doing affordability housing have instead have the developer contribute funds to an account to the town, like paying to not have to do affordables. Mr. Benoit stated that it may be possible that these potential buyers by be pitching a draft 55 plus bylaw to contribute to a fund to avoid the affordability component. The board discussed doing a 55 plus bylaw, and there was a suggestion of looking at Uxbridge's 55 plus bylaws.

c. (31:35 TS) Whittin Heights

There is still 24k in the bond account until they can do the final items in the spring.

6. (32:50 TS) Meeting Minutes: October 13, 2022, October 27, 2022 & November 10, 2022 – Possible Votes

(33:50 TS) Motion to approve the meeting minutes of October 13, 2022, as amended made by Mike Greco, seconded by Ernie Marks. All members in favor.

(35:05 TS) Motion to approve the meeting minutes of October 27, 2022, as written made by Jake Schultzberg, seconded by Ernie Marks. All members in favor.

(39:45 TS) Motion to approve the meeting minutes of November 10, 2022, as amended made by Jake Schultzberg, seconded by Aaron Socrat. Tracy Sharkey abstained and all other members in favor.

(39:55 TS) Mr. Benoit stated that the board had received correspondence at the last meeting about a property in town whose intent to convert chapter 61B land and at the time it was an incomplete submission and letter was amended, it was sent to the Select Board first, and they voted not to pursue the property.

(40:30 TS) Motion to adjourn the meeting made by Ernie Marks, seconded by Jake Schultzberg. All members in favor.

Upcoming Meetings: February 23, 2023 & March 9, 2023

Respectfully submitted,

Stephenie Gosselin, recording secretary