

## **PLANNING BOARD**

**March 28, 2017**

**Memorial Hall**

**Members Present:** John Michalak, Jeff Head, William Ritter, Tina Stratis, Robert Ricker, Otto Lies, Scott Carlson ( 7:07PM)

**Staff Present:** Pam Harding, Director, Liz Fotos, Town Recorder

J. Michalak called the meeting to order at 7:03PM

### **PUBLIC HEARING- Preliminary Subdivision Danielle Lane- Wachusett Street Lead the Way Development- Cul De Sac**

J. Michalak read the Public Hearing notice into record.

Chris Mossman, Trowbridge Engineering was present at the meeting.

C. Mossman presented the plans to the Board. He stated that they had done a little bit of work to determine where they wanted to have the cul de sac start and ultimately decided to move it south across from Mason Road. He stated that creates a 4 way intersection with pretty good site distances. He stated with a 40MPH speed limit they need to cover 275FT to the north and they were all set to the south as well.

P. Harding stated that as they know, this was a preliminary review. She stated that DPW requested the applicant loop the water main from the intersection with Wachusett Street along the new road and tying into the existing main in Elmwood Avenue.

P. Harding stated that another concern was site distance and that was evaluated. She stated that the detention area seemed suitable and there was no utilities proposed so it would be well and septic. She stated that the Board of Health wanted to do an evaluation as well.

S. Carlson entered the meeting at 7:07PM.

C. Mossman stated that they did look to extend the road to Elmwood and it would increase the road by 1000ft and only gain one lot.

W. Ritter asked him to show them how it worked on the plan.

C. Mossman showed the Board.

P. Harding stated that the lots were zoned for R40 with an aquafur overlay protection. She stated the title v requirements would be 20sq ft/ bedroom.

C. Mossman stated that with regards to the hydrant there was one across the street and they were working with the water department to move the hydrant.

P. Harding stated there was a fire hydrant at Mason and Wachusett.

C. Mossman stated they would bring the hydrant across the street.

S. Carlson asked if the Fire Department had been notified.

P. Harding replied that they had provided the letter and requested the applicant to look at relocating the hydrant either at the corner or within Danielle Lane.

J. Michalak asked if there were any public comments; no members of the public stepped forward.

P. Harding stated that with the location being in the R-40 Zoning District, they paved roadway width required is 24'. She stated that the Town was requesting 24' and a 5' sidewalk to be provided on one side of the roadway.

T. Stratis asked how far into the cul de sac it would go.

P. Harding replied that it was not noted on the plan.

C. Mossman asked the location of the it.

P. Harding stated that they usually ask for it to be on the side that services the most lots.

C. Mossman asked where she wanted it to terminate.

P. Harding replied inside the cul de sac.

T. Stratis asked how many feet before the sidewalk started.

R. Ricker stated they would need to follow the Town regulations.

P. Harding stated that they were requesting 5' of grass and 5' of sidewalk for 10' total.

W. Ritter asked if the applicant was asking for any waivers.

C. Mossman replied that they may ask for some minor ones regarding the way the drainage worked to make the easement fall at the property line. He stated the Town required 300ft high point and on their catch basin they went to 325ft-330ft. He stated this would help the drainage work a little easier.

P. Harding stated that street lights were required every 200ft.

S. Carlson asked about the entrance.

P. Harding stated that they moved the entrance south so it was perpendicular to the street.

C. Mossman stated that if they moved in north then the site distance gets more difficult. He stated that if you come from the south there is a drop in elevation so it seemed better to do in from the south.

P. Harding stated she is not sure if they have the 125ft.

R. Ricker stated that it seemed there were some concerns about site distance; he asked if the Town was satisfied.

P. Harding stated that they wanted the applicant to look into it further and provide them with that information for a definitive filing.

J. Michalak asked if there was a stop sign on Mason Road and on Danielle Lane.

C. Mossman confirmed there was.

R. Ricker asked if the only waiver was for the drainage.

C. Mossman confirmed it was.

R. Ricker asked if DPW would consider that.

P. Harding stated that there was not enough information on a preliminary plan to consider it.

C. Mossman stated that as the project gets further they will look at it and work with DPW.

J. Head asked what the reasoning behind asking the applicant to extend the street to Elmwood was.

P. Harding stated that part of it was looping the water main; she stated there would be better pressure that way. She stated the other part was to connect the two roads and prevent and isolated cul de sac.

J. Woodsmall, Director DPW stated that if they were going to provide water looping to Elmwood it would be a necessity for water quality purposes. He stated the other reason was to extend the road and avoid the cul de sac.

Motion by W. Ritter, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO CLOSE THE PUBLIC HEARING FOR PRELIMINARY SUBDIVISION/ DANIELLE LANE/ WACHUSETT STREET/ LEAD THE WAY DEVELOPMENT- CUL DE SAC.

Motion by W. Ritter, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO APPROVE THE PRELIMINARY SUBDIVISION FOR DANIELLE LANE SUBJECT TO THE FOLLOWING CONDITIONS;

THE COMMENTS ARE BASED UPON THE FOLLOWING PLANS:

*Danielle Lane Subdivision Preliminary Subdivision Plan Lot Layout Plan*

Consisting of two sheets with a date of January 31, 2017

1. The line of site must be provided during the definitive filing and account for stopping site distance from the traveled speed.
2. A homeownership association will be required to maintain the stormwater system.
3. An easement shall be provided to the homeowners Association around the detention and infiltration basin for the operation, maintenance and access of the storm water system. The Town shall also be granted an easement for emergency access purposes only.
4. The stormwater system shall met the Massachusetts Stormwater Handbook Standards. A 44% pretreatment and 80% TSS is required for proposed infiltration systems discharging near critical areas.
5. Any new impervious area runoff shall be captured by the proposed stormwater system.
6. Runoff into Wachusett Street shall not cause any icing to the roadways or negatively impact nearby properties.
7. Location of the electric, cable, and telephone utilities must be provided on the definitive plan.
8. Test pit data must be provided for the detention/ infiltration.
9. The limit of clearing and a build-out plan must be provided for the definitive subdivision.

10. The subdivision is located in the R-40 Zoning District, the paved roadway width required in this zoning district under the Subdivision Control Regulations is 24'
11. We are suggesting a 5' sidewalk be provided on one side of the roadway.
12. Roadway curb cuts must allow for the Holden Fire Department's Tower truck to easily make the turn from Wachusett Street.
13. The Applicant must investigate hydrant placement in the cul de sac and at the corner of Danielle and Wachusett or within that vicinity. As the currently hydrant is across the street on the corner of Mason Road, it would necessitate shutting down Route 31 to utilize the water supply.
14. The cul de sac must be roughed in and able to support the Fire Department's apparatus and allow a turnaround point during construction.
15. The applicant must evaluate the option to extend Danielle Lane to Elmwood Avenue
16. The applicant must evaluate the possibility of extending the public water line to provide water connections for the new roadway by looping the water main from the intersection with Wachusett Street along the new road (Danielle Lane) and tying into the existing main in Elmwood Avenue.

**PUBLIC HEARING- ZONING BYLAW AMENDMENT- Temporary Moratorium Recreational Marijuana Sales**

J. Michalak read the Public Hearing Notice into record.

P. Harding stated that the Town was proposing a one year moratorium. She stated that the Town is suggesting June 30, 2018 and that there is one amendment in the bylaw that was included in the Boards packet under section 20-1 the date should be changed to 2018 as that is the date the CCC is supposed to issue regulations and guidance for communities.

R. Ricker asked what the next step to prohibit the sale would be.

P. Harding replied that it was not quite clear yet but maybe having it placed on a ballot for the Town to vote. She stated that it was Town Counsel's recommendation to wait the year to make sure that it was moving forward in the appropriate manner.

R. Ricker asked if they anticipated a time period for analysis.

P. Harding stated that the regulations were due by March 15, 2018 from the State and that is expected to provide clearer guidance for the towns. She stated currently part of the legislation states "you cannot unreasonably regulate the sale...." And another section indicates you can vote to prevent it.

R. Ricker asked if there needed to be a ballot question If it could be put on the ballot with local elections.

P. Harding stated that would be short notice and that she is not sure if that is what they want to do as the moratorium buy time to gain more insight into it.

O. Lies asked if they could do both.

J. Michalak stated a number of towns were going that root and trying to get it on their Town Meeting so their towns could vote on it.

P. Harding stated that there was town but that it was not how Town Counsel thought they should proceed.

R. Ricker asked if by voting on this, they would have another year to work on it and clear up any questions.

P. Harding agreed as long as it passed.

J. Michalak asked if there were any public comments; no members of the public stepped forward.

Motion by W. Ritter, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO CLOSE THE PUBLIC HEARING FOR ZONING BYLAW AMENDMENT- TEMPORARY MORATORIUM RECREATIONAL MARIJUANA SALES.

Motion by J. Head, seconded by R. Ricker it was, UNANIMOUSLY VOTED TO RECOMMEND TO TOWN MEETING THE ADOPTION OF THE TEMPORARY MORATORIUM AS SUBMITTED WITH ALL SUBSEQUENT SECTIONS WITH THE AMENDMENT IN SECTION 20-1 CHANGING THE DATE TO MARCH 2018.

### **PUBLIC HEARING – Greenwood Estates Cont. to March 28, 2017**

George Kiritsy and Cle Blair were present at the meeting.

G. Kiritsy stated that when the Board was last here in December, the Town voted to have the subdivision sent for peer review. He stated that the Town Staff did not want to review it further so outside firms did independent peer reviews. He stated that Weston and Sampson were reviewing the sewer/ drainage; Quinn Engineering was reviewing the subdivision and VHB was reviewing the traffic. G. Kiritsy stated that the peer review was completed one week ago today and all three experts submitted their reports and they (the applicant) was absorbing them.

G. Kiritsy stated that independently they were at Con Com dealing with drainage and wetlands and there was an alternation of entrances that would eliminate in most cases, the need for the retaining walls. He stated that new ideas came up from Con Com for a potential fix. He stated that the applicant was taking the comments and the discussion and incorporating them into a final set of plans to be reviewed by the engineers for a global resolution on the site. He stated that the review is only a week over and they were requesting an extension to the first meeting in May.

J. Michalak asked if there were any comments from the public.

Carl Hultgren, Quinn Engineering was present at the meeting.

C. Hultgren stated that he had completed the review and submitted it and there were some comments that he could review with the Board.

C. Hultgren went through his memo and highlighted various comment numbers for the Boards edification.

**Comment 5:** C. Hultgren stated that some plans have common driveways being shown; he stated that the applicant is aware that they would need special permits for them but he wanted to bring it up for the Board.

**Comment 13:** C. Hultgren stated that he was at the Conservation meeting as well and he did not sense that there were problems eliminating the retaining walls. He stated that at the meeting the Committee also reviewed slopes so this comment should be on the way to being addressed.

**Comment 23:** C. Hultgren stated that in the subdivision the proposed head walls on the culverts were flared, he stated that he did not have a problem with that but he would defer to the Board and J. Woodsmall as to whether that would be a waiver or not.

S. Carlson asked about the head wall.

C. Hultgren replied it was a precast flat wall.

C. Carlson asked if it was pipe all by itself.

C. Hultgren replied that there was rip rap but it was a matter of how you deal with the earth.

R. Ricker asked if he (Hultgren) had no problem with that.

C. Hultgren replied he did not as long as the rip rap was sized properly and the calculations were done right. He stated it was just grading around the pipe.

J. Woodsmall stated that he had not seen it himself but that I. McCauley and C. DeMoranville looked at it. He stated his question would be on the wetlands course / stream course and replicating the wetlands as much as possible. He stated he could not say definitively at this point.

C. Hultgren stated that it was within a basin with some culvert next to the wetland. He stated that could be tabled for now.

**Comment 30:** C. Hultgren stated that from his understanding, street lights were approved by HMLD. He stated he would defer to the light department but there was nothing shown on the plans.

J. Michalak stated they should be shown on the plan.

W. Ritter agreed and suggested they talk to HMLD to help with locations.

**Comment 31:** C. Hultgren stated that there were street trees on the roadway where the new road goes. He stated there were temporary construction easements and one has street trees the others do not. He stated he would defer to the Board as it was private property outside the right of way on existing lots.

P. Harding stated that it was a temporary construction easement but not part of the subdivision.

J. Michalak stated it would help the character of the road, he asked the Board their thoughts.

R. Ricker stated they were required unless there was a waiver granted.

G. Kiritsy stated that they own the lot and can put a tree on it if necessary.

**Comment 32:** C. Hultgren stated there was no proposed fencing around the stormwater systems. He asked if the Board wanted it.

C. Blair stated that it was there as the Board required it.

P. Harding stated that it was a standard regulation that was required.

**Comment 33:** C. Hultgren stated that there were proposed 1:1 Slopes out of the right of way. He stated that typically the ratios are 2:1 so the 1:1 is steeper. He stated he was unsure about how to proceed with this and if the Town required a waiver. He stated that anything steeper than a 2:1 should be inspected by a Geotechnical Engineer to make sure it is stable.

P. Harding stated that grading is with the construction of the roadway. She stated that if 1:1 is allowed, which was not preferable, it would need to be designed and certified by a Geotechnical Engineer.

J. Michalak stated that with a 1:1 slope, the concern would be that it would wash out.

**Comment 38:** C. Hultgren stated that there were box clubbers under the roadways of the crossways.

C. Blair stated that was changing.

C. Hultgren stated that they would need to be designed by a Structural Engineer if they stayed. He stated it sounds ask though the applicant was changing this design feature.

C. Hultgren stated that was all and asked if the Board had any questions.

W. Ritter asked how the access changing dramatically altered the lots.

C. Blair replied that instead of coming off 1.5%, they will come off each entrance at 5% grade. He stated that when they come up the hill on top and go into an intersection. He stated that the regulations say that they need to be 300FT at 5% grade. He stated that off Union Street it would be close to a 5% and off the vertical curve it would be 7%. He stated if they do this they can eliminated the wall from the other side. He stated it pushed it all back down because the crossings are back far enough.

C. Blair stated that Con Com suggested doing it like this as they were 150FT from the intersection, the site distance was good and they were working against gravity, to going down you can still see. He stated that I. McCauley was not opposed and asked for everything to be submitted so they could review it. He stated that a waiver and they were working on the redesign.

C. Blair stated on the other side, they always thought there was a house there. He stated there actually was no house there and they can cut the lot because they own it. He stated it was gong to be a 22FT cut now and they can cut it further and grade it back on the lot and bring in fill. He stated by doing this they can eliminated the retaining walls and small slope. He stated that if Engineering lets them coming 10FT into the right of way, they can start the slope at 1:1 and this would end up fixing and eliminating wetland fill too. He stated there was not a stream crossing so they would be able to use the pipe. C. Blair stated that this would be a big redesign but it would give everyone what they were looking for.

J. Michalak asked if they were moving the fill.

C. Blair replied that they were moving it to the other side but they were eliminating most of the proposed fill.

J. Michalak asked about the excavating.

C. Blair replied that it was pretty balanced now. He stated that there was one big cut to get down to make the intersection work but that everything evened out with the 1:1 slope. He asked if the Board wanted to Geotechnical Engineer to look at it.

J. Michalak stated that it would need to be designed by one.

C. Blair stated that it would save a lot of trees as well. He stated he wanted to make sure the 1:1 was okay.

P. Harding asked how they were going to access the lots with a 1:1 slope.

C. Blair stated that they could go though one driveway to the next driveway but came out of the street that the frontage was not on. He showed the Board the plans.

J. Woodsmall, DPW Director stated that just to clarify, Engineering has not approved anything discussed. He stated that they do not have any outright objections to it but they need to look at the final design. He stated that he does have some concern with the end of the roadway being vertical and the horizontal curve as well so a number of things would need to be looked at.

C. Blair stated that he understood that.

C. Blair showed the Board two lots. He stated they come out the driveway and meet the Town's requirements by going through this lot to the other lot and then coming out. He stated that they do not front but the way the grades are they (developer) would have to blow out the lot if they did it a different way. He stated that this way trees can be kept and he thinks this is a better design.

R. Ricker stated that he would need a special permit for a common driveway.

T. Stratis stated they could also eliminate two lots.

C. Blair stated he did not want to do that.

J. Michalak stated that a special permit would be looked at individually.

R. Ricker stated each lot would be looked at separately.

P. Harding stated that part of the subdivision was to address this in the design phase.

C. Blair asked if the driveway needed to go to the house.

W. Ritter stated it needed to be on the property. He stated that they could not prohibit that but they could prohibit driveways crossing other lots.

C. Blair stated that they would connect to the house that is using it through one lot and then come to the next lot.

R. Ricker stated the frontage was on the other street in his example.

W. Ritter stated they had never gone through one lot to get to another one.



C. Blair asked if the driveway was using the lot then it was okay to go to the next lot.

P. Harding replied it needed to be located on one of the lots that it services and that is by special permit.

W. Ritter stated that they don't allow common driveways in the bylaw; only by special permit.

P. Harding stated that the driveway must be entering on the lot it services and no more than two lots approved by Special Permit by the Planning Board.

W. Ritter stated that the plan now did not meet the Towns Bylaw. He stated that he would need a Special Permit in order to meet the Rules and Regulation.

T. Stratis asked how big the driveway was.

C. Blair replied 20FT each.

T. Stratis stated that they were connected, she stated it looked like a 40FT road.

C. Blair stated that he would pull the driveways off the road.

W. Ritter stated that was what they were asking for.

C. Blair stated that the plans as it met Holden Rules and Regulations.

W. Ritter replied only by Special Permit.

J. Michalak asked if the Board approved this plan with a short individual driveway for each parcel and then after approval the applicant went for a Special Permit, would the subdivision approval need to be amended for drainage and grading changes.

P. Harding replied not typically. She stated that they could not control the definitive build out but they can condition through the Special Permit so that would be the process if they needed to make alterations to the water treatment or well.

R. Ricker asked how many lots this would effect.

P. Harding replied she was not certain.

C. Blair stated he would alter the plan. He stated that he thought this was permissible through Special Permit and that the plan he had met all of Holden's Rules and Regulations. He apologized if they were mistaken and stated that he understood and would fix it.

R. Ricker stated that there were still extensive comments; he asked if they were all workable.

J. Michalak asked the applicant to address R. Ricker's question.

G. Kiritsy stated that he had not read Weston & Sampson's report yet. He stated that nothing seemed insurmountable from the report from Quinn Engineering and the Traffic report.

C. Blair stated that he did not see anything major on the reports. He stated that his engineer told him that all of the comments from C. Hultgren and the redesign of the roadway entrance should be done this week.

J. Michalak stated that it looked as though they needed to have more analysis on the traffic side to justify stop signs. He asked what the mechanism to get improvements done was. He asked if the developer was going to reconstruct the intersection or provide funds to do so.

P. Harding stated that the way it was proposed was that the developer was going to do the work and provide bonding.

C. Blair stated that was what the plan indicated.

G. Kiritsy stated that they had acquired land to do so.

C. Blair stated that the last time the Traffic Study was done, it was done by Bill Scully. He stated the study did not change from the last one until now. He stated that the level of traffic was similar at the intersection. He stated that the level of traffic did not warrant a signal, just a stop sign.

S. Carlson asked about the Weston & Sampson report. He stated that they were talking about Bancroft and now it would be at 2/3 capacity where it was always choking.

J. Woodsmall stated that if you look, Weston & Sampson have a number of questions and a substantial study that needs to be done and reviewed by Water & Sewer.

C. Blair stated that the DEP says that for every four bedroom house if you design to Title V 110/bedroom 440/ 4 bedroom house that is double the normal 200 gallon/day/ house.

J. Michalak stated it would need to be designed.

C. Blair stated that DEP says to use 440/ 4 bedroom to comply with Title V and 200 is what the house does. He stated that for 100 houses it would be about 20,000 based on the study.

R. Ricker asked how to proceed; if the applicant would make the changes and then resubmit everything.

P. Harding agreed and stated it would also be sent back out for peer review.

J. Michalak stated that May sounded optimistic; He stated that they need to revised, and submit everything again.

G. Kiritsy suggested the first week in June.

R. Ricker stated they had 60 + changes that have to be made just from the consultants.

G. Kiritsy stated that some of it was substantive and then the redesign of the access roads. He stated he wanted to keep the matter in front of the Board.

R. Ricker asked if the 53G account was still good.

P. Harding stated that the resubmittal would probably need more funds.

R. Ricker commented that the funds held up the initial review.

J. Woodsmall stated that the consultants would need at least a month.

J. Michalak asked when the applicant could get the resubmittal in.

C. Blair asked if they could do the first meeting in June. He stated that they had already been working on it and he doesn't see why his engineer wouldn't have the work by the end of the week. He stated he was also waiting on Con Com which would be the first meeting in May.

T. Stratis asked what happened if the work was not done by the June meeting.

J. Michalak stated that if they submit again and there are more comments that could not be addressed then the applicant would need to fund another peer review.

C. Blair stated he preferred to work to a date that was closer with regards to his own people. He stated that his people say they will have the work done and that most is a fairly quick fix.

W. Ritter asked if everyone was still eligible for vote on the matter.

S. Carlson and R. Ricker each missed one Public Hearing and Mullins'.

R. Ricker asked about the sewer dept regulations and if they were being met.

P. Harding stated that they do not know what root the water takes at this point and the pump station was never approved for the whole sewer.

R. Ricker stated that the information from Weston and Sampson was important then.

P. Harding agreed.

A Motion was made by R. Ricker to continue the Public Hearing for Greenwood Estates to June 13, 2017. The motion was seconded by O. Lies.

J. Woodsmall asked the applicant to have a final submission presented and not ask his staff for their opinion. He stated that it was up to the applicant to design and up to DPW to review.

C. Blair stated that he agreed with that and respected it however the walls that were presented met with the Subdivision Control Regulations and they had worked hard to get rid of them because DPW didn't like them. He stated that is why they were there, they asked for a waiver and keep coming back to DPW because the walls were causing issues.

C. Blair stated that he did not need anyone's advice they were just trying to give the town what it wanted. He stated that they went to Con Com and they said they don't want anything underground and they did it even though the underground system met Stormwater Management. He stated that they were just trying to give the Boards what they want.

P. Harding asked for a written request for continuance.

Motion by R. Ricker, seconded by O. Lies, it was UNANIMOUSLY VOTED TO CONTINUE THE PUBLIC HEARING FOR GREENWOOD ESTATES TO JUNE 13, 2017 WITH JUNE 27, 2017 AS THE DATE TO FILE FOR DECISION.

**AMENDMENT TO SITE PLAN SPECIAL PERMIT McDonalds- 638 Main Street Façade Improvements**

John asked if there were any town comments on this.

P. Harding stated that the Board had issued a Site Plan/ Special Permit and now they wanted to increase the renovation and do some façade improvements. She stated that she did not believe they needed a new filing and she felt it was insignificant changes.

R. Ricker asked about a sign that was supposed to go up.

P. Harding stated that she would follow up on that.

S. Carlson asked if the signage met Town requirements.

P. Harding confirmed it did.

Motion by W. Ritter, seconded by T. Stratis, it was UNANIMOUSLY VOTED TO ACCEPT THE FAÇADE PLANS AS PART OF THE AS BUILTS AND REQUIRE NOT FURTHER PUBLIC HEARING ON THE MATTER.

**AMEDMENTS TO ACCESSORY APARTMENTS BYLAW**

J. Michalak stated that this was a follow up to the meeting with ZBA in order to have a dialogue with them on their thought on accessory apartments.

S. Carlson asked if the town required the accessory apartment to be lived in by a blood relative any longer.

P. Harding stated that the consensus was that they felt that if the occupancy restriction was limited it would be a better process as long as the owner of the home lived in one portion of it.

S. Carlson asked if anyone could live in one then.

P. Harding confirmed that as long as all other requirements were met.

R. Ricker stated that he did not see a difference between a two family and an accessory apartment. He stated both had their own bath, bed, kitchen, entrance and exist. He asked the difference.

P. Harding stated that it was connected and that the owner needed to reside in one unit. She stated the square footage also needed to be 700ft or less.

W. Ritter stated the occupancy was the significant difference.

P. Harding agreed and stated that and the size were the main differences.

S. Carlson stated that it was not really an accessory apartment because it could be rented to anyone. He stated this was never allowed before.

J. Michalak stated that the conversation stemmed from the fact that there was no way to monitor the occupancy.

P. Harding stated that as ownership changed hands they were unable to monitor it.

O. Lies stated that last year, the zoning legislation passed the legislation that would allow accessory apartments by right. He stated that regardless of what the town does, it could be different down the line. He stated that he thinks the town should look at the model bylaw and its intent and purpose and bring it to Town Meeting. He stated that he would like to see the Town limit the number of occupants. He asked how far they wanted to go; they could do a new bylaw about this or modify the existing one.

P. Harding stated that if this was something the Board wished to pursue she thinks they should wait because it would need to be posed by Monday, April 3, 2017 and it would be a rush to do so.

W. Ritter asked if the Building Inspector viewed this as a problem.

P. Harding replied he did not.

W. Ritter asked if he go a lot of complaints about tenants.

P. Harding replied that he did not.

W. Ritter stated that he did not know if this was a huge problem.

P. Harding stated that it was just land use. She stated that they town does not typically get complaints on this matter.

R. Ricker stated that it was something that could stay on the agenda. He stated that the problem would be enforcement if they did re do it.

W. Ritter stated that he did not know if this was a huge issue but that he would like to hear from Dave Lindberg about it.

T. Stratis asked if there was neighbor approval needed.

P. Harding stated that it was granted by Special Permit so there was a Public Hearing.

J. Michalak asked P. Harding to keep it on as an agenda item for further conversation.

## **REVIEW OF OPEN SPACE AND RESIDENTIAL DESIGN BYLAW**

P. Harding stated that if they were going to bring this to Town Meeting it needed to be posted by Monday. She stated that she had a place holder on the Warrant Articles but they needed to move this along if they wished to.

J. Michalak asked if everyone had the chance to review the proposed changes. He asked if the Board was ready to vote on the changes or if there needed to be further discussion.

The Board reviewed the changes.

Motion by S. Carlson, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO ACCEPT THE CHANGES MADE TO THE OPEN SPACE AND RESIDENTIAL DESIGN BYLAW.

### **MISC**

R. Ricker asked about the citizen petition regarding used car sales.

P. Harding stated that she thinks he had some issues with signatures and was unsure if he got that sorted out but she did have a place holder put on for the matter.

### **APPROVAL OF MINUTES**

Motion by O. Lies, seconded by S. Carlson, IT WAS VOTED TO APPROVE THE JANUARY 24, 2017 PLANNING BOARD MEETING MINUTES AS PRESENTED BY A VOTE OF 4-0-3. (Ricker: abstain; Ritter: abstain; Stratis: abstain)

Motion by S. Carlson, seconded by W. Ritter, it was VOTED TO APPROVE THE FEBRUARY 14, 2017 PLANNING BOARD MEETING MINUTES AS PRESENTED BY A VOTE OF 5-0-2 (Ricker: abstain; Head: abstain).

O. Lies stated that there was a correction to the January meeting when he was not present to vote to approve the minutes. He stated that in the record it stated that he did not vote in favor of J. Michalak for the Chairman Position and he wished to correct the Meeting Minutes. He stated that he wished to add a statement that he did vote for J. Michalak.

### **MISC**

S. Carlson asked about Morningside and the change in pond. He stated that there was a petition going around his neighborhood.

P. Harding stated that there was a Conservation Commission on April 5, 2017 and that he filed an NOI and that Con Com required a lot of work to be done. She stated that the lot owner was required to maintain the pond but that it was not changing.

O. Lies stated that at the last meeting, the Board had voted unanimously to support the Village Zone Center; CMRPC Project. He stated that he wanted to let the Board know that the project was approved and the money was issued (\$25,000)

J. Michalak stated that he went to the Planning Conference and went to various workshops. He stated that he went to a MA Audubon one where they ranked parcels in the state with priority to preserve them in order to offset climate change. He stated it was linked to the gis map.

J. Michalak stated that the second workshop he went to was on low impact development and they spoke about OSRD and the build outs.

J. Michalak stated that he also went to a workshop on Complete Streets and how to link communities where there were gaps in sidewalks or bike paths and how to prioritize the gaps.

T. Stratis agreed and stated that the conference was very informative.

Motion by T. Stratis, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO ADJOURN THE MARCH 28, 2017 PLANNING BOARD MEETING AT 9:03PM.

APPROVED: \_\_\_\_\_