

**PLANNING BOARD**

**April 25, 2017**

**Memorial Hall**

**Members Present:** John Michalak, Jeff Head, William Ritter, Tina Stratis, Robert Ricker, Otto Lies, Scott Carlson

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

J. Michalak called the meeting to order at 7:04PM.

**PUBLIC HEARING SITE PLAN/ SPECIAL PERMIT  
450-454 Main Street Jed's Hardware- Addition of Commercial Building**

J. Michalak read the Public Hearing notice into record.

Ray Leroux, Cardinal Ventures, LLC was present at the meeting.

R. Leroux stated that they were replacing the greenhouse that was on the location with a permanent structure or about the same size. He stated the current structure is 3.5K SQ FT and the new one would be 4.2K SQ FT. He stated similar to the other building, this would be metal clad, metal outside, with wood construction. He stated that the use was for Jed's Hardware to expand his operation with more clothing and hardware products. He stated that they do not expect this to change traffic flow.

P. Harding stated that the major issue was that after the site plan was submitted there was a sewer line that was under the proposed building. She stated that the applicant had met with Water and Sewer and revised the plans to relocate the sewer line in between the structures so it can be serviced. She stated that the Town wanted a sewer easement to remain on the property so that if 456 Main Street is transferred to a different owner they would still be able to access this sewer.

P. Harding stated that there were extensive comments from Water/Sewer regarding the details of the plan but the impervious area was not increasing on the site. She stated the letter from Water/Sewer was dated today (April 25, 2017).

R. Ricker asked if the applicant had received the letter.

P. Harding replied that she had forwarded it via email.

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

W. Ritter asked if the matter was ready to be acted on.

P. Harding stated that she did not have any issues; they could conditionally approve this based on the Water/ Sewer letter. She stated that they did request the sewer line to be moved further away from the structure so the building was not right there.

O. Lies asked what engineering comments were.

S. Carlson asked if they would be abandoning the old easement and putting a new one in.

P. Harding stated that the property never transferred so the easement was on the plan but the property was never deeded. She stated it was a condition upon the approval that the easement be put in place, it was never recorded so now they are relocating the sewer easement and the sewer line.

J. Head asked who owned 456. P. Harding replied the applicant.

J. Head asked if they owned the entire parcel.

P. Harding replied that they did. She stated that they were concerned because 456 was a separate parcel and could be transferred at any time. She stated the Town wanted to make sure that the easement was properly recorded so this is access to the sewer line on 456.

P. Harding asked I McCauley, Senior Civil Engineer her comments.

I McCauley, Senior Civil Engineer, DPW was present at the meeting. I. McCauley stated that she did not look at the plans that were submitted today. She stated that she knew that Ryan Mouradian, Water/ Sewer Superintendent had a number of comments and she would personally like a little more time to look at this plans.

R. Ricker asked if they approved it conditioned upon the letter if that would cover their bases.

P. Harding stated that it covered a few condition but she had not yet drafted the conditions because they had just received it today.

S. Carlson asked why the arterial was on an angle and not straight.

I McCauley showed him the location of the previous line and showed how the new line went.

R. Ricker asked if this was ready to be acted on tonight. P. Harding stated with an easement condition and the letter from Water/Sewer.

A Motion was made by J. Head to continue the matter until the next Planning Board meeting. The motion was seconded by O. Lies.

R. Leroux asked the Board to reconsider prior to voting. He asked the Board to approve them conditionally. He stated that based on a conversation with Town Employees; the Building Inspector and the Plumbing Inspector, they were told a site plan was not going to be necessary and they have already invested a significant amount in the work. He stated that they have

numerous properties in Holden, they have no intention of cutting corners and never had before and this was their retirement. He stated he would like the Boards blessing to get going and they could condition for whatever was necessary.

Dominic Leroux was present at the meeting as well. He reiterated what his father had said.

J. Head asked what they would need regarding the easement.

P. Harding replied just the language. She stated that it could be conditioned.

J. Head asked if they could make it subject to review and preparation of the easement and make it conditional to the letter from Water/ Sewer.

I McCauley stated they would also need to condition it for the new location of the sewer

J. Michalak asked the Board for their feelings on proceeding in this manner.

O. Lies stated that he thinks there are a number of issues and while he is sure they could all be cleared up he thinks they should move forward with the motion as is.

T. Stratis asked if next meeting was enough time to finish these conditions.

S. Carlson asked if the applicant already had a building ordered and on the way.

D. Leroux stated that it was ordered after speaking with Town Officials. He stated that they need to start to do site work for the impending building. He stated that they have history with the town and have never cut a corner. He stated that this is for a future investment in the Town and they are involved in the community and part of the community. He stated that they are between a rock and a hard place and they were asking the Board to work with them

S. Carlson stated that when they do these buildings they are notified of the timeline. He stated being in the industry he feels that if the Town Officials gave them the okay and they ordered the building and it is in root they should move forward conditionally.

R. Ricker asked what the building was that was currently there.

P. Harding replied it was a temporary greenhouse.

R. Ricker stated that they really were not changing anything.

P. Harding agreed they were not from a site plan perspective.

R. Ricker stated that at the last meeting they said that the Board would try to get this done; he stated he does not see a substantial change in the site plan and does not see a reason to hold this up if they move forward conditionally.

J. Head stated that he made the original motion but he was okay moving forward contingently. J. Head withdrew his motion.

O. Lies withdrew his second.

Motion by J. Head, seconded by O. Lies, it was UNANIMOUSLY VOTED TO APPROVE THE SITE PLAN / SPECIAL PERMIT FOR 450-454 MAIN STREET JEDS HARDWARE FOR ADDITION OF COMMERCIAL BUILDING SUBJECT TO (1) A REVIEW AND APPROVAL OF THE TOWN FOR EASEMENT DOCUMENTATION FOR SEWER ACCESS AT 456 MAIN STREET, (2) SATISFACTION OF THE ITEMS REQUIRED BY THE LETTER FROM WATER/SEWER SUPERINTENDENT DATED 4.25.17, (3) REQUIREMENT OF PEDESTAL WALKWALK WHEN THE UTILITY INSTALLATION WAS COMPLETE, (4) COO NOT ISSUED UNTIL ALL ITEMS WERE ADDRESSED, AND (5) THAT ALL ITEMS RECEIVE FINAL APPROVAL/ SIGN OFF FROM DPW.

**PUBLIC HEARING SITE PLAN/ SPECIAL PERMIT  
Lot 9 and 10 Princeton Street-Common Driveway-Brunelle**

J. Michalak read the Public Hearing Notice into record.

Andrew Baum, Summit Engineering was present at the meeting on behalf of Brunelle. He stated that they were seeking a special permit for a common driveway to service lots 9 and 10 of Princeton Street. He stated the property is abutted by open space by a private owner and by Worcester to the other side. He stated the purpose of the common driveway was that there is wetlands that thread along and they have an approved order of conditions from the Conservation Commission for a driveway crossing and utility work for lot 10. He stated the natural extension would be to service lot 9 as well.

A Baum stated that the proposed surface to lot 10 was paved and there was overhead utility and then below surface to service both lots. He stated the proposed replication area was in front of lot 9 to compensate for filling. He stated there was private water and sewer.

A Baum stated they have amended the work after comments from the Fire Department and he has plans showing the expanded turnaround for the fire truck. He stated he received the specification today.

P. Harding stated that she received comments from I. McCauley that required 1" = 40FT easement clearly defined and concrete bonds.

A Baum asked when P. Harding had received the letter from I. McCauley requesting changes.

P. Harding replied this morning.

A Baum asked why the easement needed to be bounded.

I McCauley replied it was part of the regulations to have the easement defined.

A Baum asked if it could be defined in a different manner. I. McCauley agreed.

J. Michalak opened the matter up for public comment; no members of the public stepped forward.

S. Carlson asked the length of the driveway.

A Baum replied it was about 589 FT.

S. Carlson asked if there was swale in it or terrain to it.

A Baum replied that there was swale cut into station 300 then after it sheets away they try to minimize the cut and fills but there is a cut on the inside. He stated they don't want water sheeting across the driveway causing icing however there were three cross pipes that mimic which was Con Com's concern.

S. Carlson asked if there was any way to have the driveway go laterally across the lots; he asked if there was a way to do it straight.

A Baum replied they had wetlands to take into consideration in addition to septic. He stated this was the most and best use of the crossing.

S. Carlson asked if they could do it with approval with two driveways.

George Kiritsy was present at the meeting on behalf of Brunelle. He stated that shared driveways are the environmentally preferred method in recent years. He stated that the area is loaded with wetlands and water supply and the idea was to minimize the impact on the site and it would be less clearing. He stated it was a private drive so it would be subject to an HOA between the common driveway; it was not atypical and was preferred.

S. Carlson stated that he respected G. Kiritsy saying that but that joint driveways had proven to be an issues to town. He stated that this was not 150FT common driveway, this was a football field plus and it needed to be maintained. He stated this was taught at Fire Academy. He stated his point was there was a cost to the town with common driveways. He stated this was a remote area and there is a call fire department and that it takes on average 5 minutes in a home with an open construction to go down, so his point was that he thinks for common driveways this was very long and not advantageous and should be two driveways not just one.

T. Stratis asked how far the driveway was to the first lot.

A Baum replied it was 300FT.

W. Ritter stated that he did not think this was a huge issue and the town did not have a cap on the length of common driveways. He stated that if there was an issue with the common driveway with the neighbors it was not a town issue it was a neighbor issue.

O. Lies stated he would not buy a home like this but whoever purchases the home would be aware.

R. Ricker stated their own driveway would be in the same area.

J. Michalak asked the width of the driveway.

I McCauley stated it would be between 12FT – 24FT.

A Baum stated it would be 12 FT with 3 FT of shoulder.

R. Ricker asked if these were ANR Lots.

G. Kiritsy stated they were.

Motion by R. Ricker, seconded by T. Stratis, it was UNANIMOUSLY VOTED TO CLOSE THE PUBLIC HEARING FOR SITE PLAN/SPECIAL PERMIT FOR LOT 9 AND 10 PRINCETON STREET/ COMMON DRIVEWAY / BRUNELLE

Motion by W. Ritter, seconded by J. Head, it was VOTED BY A VOTE OF 5-0-2 TO APPROVE THE SITE PLAN LOT 10 PRINCETON STREET DATED NOVEMBER 16, 2016 PREPARED BY SUMMIT ENGINEERING AND SURVEY PREPARED FOR DAVID BRUNELLE WITH THE FOLLOWING CONDITIONS:

1. Deeds incorporating easements and maintenance requirements shall be provided to the Department of Planning and Development prior to the start of construction.
2. The owners must maintain growth along the driveway so that it is constantly passable by emergency vehicles.
3. a sign containing both house numbers must be installed at the driveway entrance and fork.
4. The turnaround area and driveway entrance must accommodate the turning radius of the Town of Holden's largest tower truck. The driveway must have adequate road bed strength to accommodate the Fire Department pumper/ tanker engine which has a height of 10'9" and length of 38'3" and a GVW of 62,000 lbs.
5. Any runoff from the driveway is prohibited from entering Princeton Street, if it occurs remedial actions will be required.
6. The proposed utility easements shall be clearly defined and shall include concrete bounds at all corners or references acceptable to DPW
7. The underground utility pole line must be located outside of the drainage swale and rip rap system.
8. Details including dimensions, elevations, calculations of adequate sizing must be provided for the proposed rip rap stilling basin.
9. Details must be provided for the culver pipes that cross the driveway.

(Ricker: yes; Carlson: no; Head: yes; Lies: yes; Michalak: yes; Ritter: yes; Stratis: no).

**PUBLIC HEARING- PRELIMINARY SUBDIVISION- TORREY LANE-Five New House Lots-Boylston CP, LLC**

J. Michalak read the Public Hearing Notice into record.

John Grenier, JM Grenier, LLC was present at the meeting.

J. Grenier stated that he had submitted a preliminary subdivision that was an extension of the south side of Torrey Lane. He stated that currently Torrey Lane comes to a dead end with no turnaround. He stated that what they tried to do was to extend Torrey Lane and stay within the max allowable cul de sac of 500FT. He stated what they proposed to do was two cul de sacs. He stated it was an odd shaped lot for frontage and this would allow the 5 new proposed homes.

J. Grenier stated that there was an area in the back portion that would be used for detention from run off and they had some room to shift that. He stated that there was one comment about access that could be altered and shifted the basin back further so there was no conflict in the future. He stated that they wanted to get comments and feedback from the Board before they moved forward with the subdivision.

J. Grenier stated that one comment from DPW was with regards to this being an awkward traffic pattern and a large amount of pavement. He stated they were really trying to provide something with adequate frontage and stay under the 500FT and with the configuration of land and property lines they needed to get a little creative.

P. Harding stated that as J. Grenier pointed out, there are some concerns with the double cul de sac. She stated there was a lot of pervious area and a great deal of pavement and she stated that she assumed this would be a public way so maintenance would also be great. She stated the traffic flow did not seem efficient or save and it really did not meet cul de sac standards. P. Harding stated that the Town would not support this subdivision the way it was currently laid out.

J. Grenier stated they were looking at different alternatives to his design. He stated they also explored a 'T' turn around that would have adequate area for emergency vehicles. He stated this design would be a reduction in pavement from the two cul de sac design and would deal with drainage as well as a reduction of pavement. He showed the Board the plans for the 'T' design.

W. Ritter asked if they had explored a third option of a traditional cul de sac.

J. Grenier stated that if they moved forward with one cul de sac it created an issue with the lot width and would cause a reduction in the number of lots. He stated that he believed they had adequate frontage but they way the math worked if you necked down they would have a required width of the lot and they would end up losing a lot. He stated that speaking with the client, with acquisition cost of land, utilities, and construction costs, it would be difficult to make this a viable project He stated that they wanted to keep the 5 lots to make the project worth doing.

Jim Haynes, the applicant was present at the meeting. He stated that his goal was to create affordable housing and not build a \$500,000 colonial on 10,000SQ FT. He stated that he wanted to build an affordable home for young families that would fit into the neighborhood.

J. Michalak opened the matter up for public comment.

Althea Danielski, 146 Main Street was present at the meeting. She stated that her concern was that if there was more pervious surfaces they would slope towards her and she was worried about flooding. She showed the location of her home.

J. Grenier stated that any extension of pavement would be captured through a catch basin and man holes. He stated they would be doing piping and there would be a basin on the easterly side of the property. He stated they would not be allowed to change anything from preconstruction standards.

A. Danielski stated that they would be removing vegetation that was capturing the water.

J. Grenier showed the direction of flow. He stated he would anticipate front yard to road most would be directed away and in other projects they had captured roof runoff and then done subsurface recharge so there was not additional run off.

J. Grenier stated that he appreciated the neighbors coming out so they could know about issues and design around and do extra measures if necessary.

Mark Fullen, 36 Sandy Glen was present. He stated that his concern would be with 5 new homes there would be additional kids and he was concerned with trucks backing up and the safety of the kids in the area.

Tina Fullen, 36 Sandy Glen was present at the meeting. She stated that she bought their homes because it was pleasing in the back and the land was going to have homes on it now. She stated that two of the proposed homes were for duplexes so it was more than the 5 they stated. She stated she was concerned about he lights in her window from the cule de sac and she would want to see vertebrate trees and fences. She stated she waned privacy in her home.

Tiffany Petrillo, 5 Torrey Lane was present. She stated a lot of her concern was about drainage. She stated the proposed drainage basin was behind her home. She stated she was also concerned with standing water and mosquitoes and erosion. She stated that safety was also a concern for her as she did not know what it would look like but wanted to know if there would be a fence to prevent people from going back there. T. Petrillo stated that the road was also not in the best shape and she was concerned with truck traffic and wanted to know if they would be fixing it up after construction.

T. Petrillo stated that she was also concerned about timing of construction, when they would start and the hours and what the traffic would be in and out.

J. Grenier stated that this was a prelim subdivision and they were at the very beginning stages. He stated that they were running some designs by the Board for feedback to see what the best direction to go forward with would be before making it a definitive subdivision. He said at that time DPW, Engineering, Water/Sewer and everything would be more detailed. He stated that there would be repavement at some point for a least a portion of the road but again this was the very beginning stages and once there was a little more direction they could be coming back into the Board with some of those details worked out.



T. Petrillo stated that one of the biggest concerns was drainage.

J. Grenier stated that based on their concern and proximity they may be able to shift the basin. He stated that they would dig test pits and they could shift it further away. He stated that he appreciated knowing the hot topic items so they can take them into consideration when doing the plans and alter accordingly.

R. Ricker asked if the 'T' was the Hammerhead; he asked if there were any in town now.

P. Harding replied there may be an existing one but nothing that they approved.

R. Ricker asked how many lots they would lose with a conventional cul de sac.

J. Grenier replied they would lose at least one.

S. Carlson asked what the minimum lot requirement was.

J. Grenier stated it was 10K for a single family and 15K for a duplex.

O. Lies stated that a single cul de sac was his preference.

W. Ritter agreed. He stated he had never seen a double and he did not feel as though it complied with regulations or cul de sac length regulations.

J. Grenier stated that if they did a single cul de sac they were not sure hot to lay it out. He asked if they would consider anything a little over 500FT for a single cul de sac.

W. Ritter stated that they historically had not.

T. Stratis asked the width of the old street.

I McCauley stated 20/24 feet.

T. Stratis asked if the 5 homes would be their own HOA.

J. Grenier replied they would.

T. Stratis asked the square footage of the homes.

The applicant stated he envisioned 16K-18K SQ FT to fit into the neighborhood.

I McCauley stated that they had looked at different geometric designs for the roadway and that for the dead end the use of the single cul de sac was what would work best. She stated that the double cul de sac had safety concerns and site distance concerns plus plowing and snow removal would be an issue. She stated that DPW would like to see a proposal that met the regulation. She stated she knows that the drainage was mentioned and the fact that there was a steep slope. She stated that the proposed pond would have a berm with downhill side which would be filled with

impervious core. She stated there would need to be an emergency overflow that was not directly located at the center of the slope.

J. Michalak stated that with the design as presented they were taking a non conforming situation and expanding on it.

R. Ricker agreed and stated that they would be making a preexisting non conforming situation worse.

J. Grenier stated that he understood what the Board was saying and that it sounded as though everyone wanted to see a single cul de sac.

Motion by S. Carlson, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO CLOSE THE PUBLIC HERING FOR PRELIMINARY SUBDIVISION TORREY LANE/ 5 NEW HOUSE LOTS- BOYLSTON CP, LLC.

R. Ricker asked if they should do the two family dwelling special permit before, after, or during the Planning Board Public Hearing.

P. Harding stated that they could do it simultaneously.

Motion by W. Ritter, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO DENY THE PRELIMINARY SUBDIVISION PLAN FOR TORREY LANE AS SUBMITTED BASED ON FULL SIZED PLANS (FOUR SHEETS) ENTILED TORREY LANE SOUTH PRELIMINARY PLAN DATED MARCH 17, 2017, PREPARED FOR BOYLSON CP, LLC AND PREPARED BY J.M. GRENIER ASSOCIATES INC. WITH THE FOLLOWING CONDITIONS:

1. The Engineering Division has reviewed several Federal and State guidance publications related to the geometric design of roadways and driveways, including but not limited to, AASHTO Green Book, MassDOT Project Development and design Guide, NAHRP Guide for the Geometric Design of Driveways. None of these publications include a dead end consisting of a double cul-de-sac layout. Dead ends layouts typically include a cul-de-sac or a hammerhead. The hammerhead layout allows for one way only, vehicle back across the drive to turnaround. The proposed layout foster limited sigh distance, thus it creates an unsafe roadway condition. The Towns Subdivision Rules and Regulations indicate that “dead end street shall be provided at the close end with a turnaround or (cul de sac) of at least 100 feet paved...” This layout doesn’t meet the regulation.
2. Include proposed location of the water and sewer utilities. Although water and sewer utilities were not include, the propose layout suggest a double dead end of the water main line. Dead end clusters can cause water quality issues to customers.
3. From an operational perspective, the proposed layout will incur additional time and cost for snow removal.
4. Include proposed location of the electric, cable, and telephone utilities.
5. The storm water system shall meet the Massachusetts Storm Water Handbook Standards. A 44% pretreatment and 80% TSS removal is required for proposed infiltration systems discharging near critical areas.

6. The proposed infiltration pond shall include an impervious core berm on the fill side to prevent a breakthrough. The emergency overflow discharges right onto the fill banking of the pond. The overflow discharge can cause the banking to wash down. Reinforce the embankment in the area where the overflow is to occur.
7. All Sidewalks and wheelchair ramps shall be 5 ft wide and comply with both MassDOT and ADA standards.
8. a Homeowners Association shall be established for the operation and maintenance of the storm water piping, structures, detention and infiltration basin system located outside of the right of way.
9. Utility easement right shall be provided to the Homeowners Association around the infiltration basin for the operating, maintenance and access of the storm water system. The Town shall be provided easement access rights.
10. The Applicant shall prove that adequate water supply is available to the subdivision
11. The preferred interconnection method to existing water main is by a Tee with triple gate valves
12. the proposed infiltration pond shows the emergency overflow discharging right onto the fill banking of the pond. The overflow discharge can cause the fill banking to wash down. Reinforce the embankment in the area where the overflow is to occur
13. the applicant shows two family dwelling units which is only allowed though the Special Permit process
14. Existing and proposed fire hydrants must be noted on the plans.
15. The proposed drainage easement is located ten feet behind the dwelling unit located on Lot 6, this will increase the likelihood of obstruction being placed in the easement.
16. The Planning Board will likely require the installation of fencing around the perimeter of the detention pond.
17. The Board is concerned about the plan meeting the cul de sac length requirement of 500FT.

**PUBLIC HEARING- ZONING BYLAW AMENDMENT- Allow the sale of Used Cars in the Commercial Zoning District- Citizen Petition**

J. Michalak read the Public Hearing notice into record.

Michael Grasseschi, 330 Reservoir Street was present at the meeting. He stated he has a Class 2 dealers license and he cannot use it in Holden because Holden does not allow for the sale of used cars unless you have a license for a new car dealership.

He stated he was petitioning for a bylaw change that would only apply for properties zoned commercial.

M. Grasseschi stated that it was stated to him by Dennis Lipka that to do this it would only require the removal of the word “new” from the bylaw. M. Grasseschi outlined some of the properties on Main Street that could benefit from this change and he stated that he thinks it would be a big benefit to many in town.

M. Grasseschi stated that he went to Sunnyside cars and the least expensive car of the lot was \$11,000. He stated that was a lot for a first car and he would be looking to sell \$10,000 and

under. He stated this was his proposal and he wished for the Boards recommendation so he can bring this proposal to Town Meeting.

P. Harding stated that there was a sentence added to the petition that stated that the Planning Board to allocate the number of cares. She stated that Special Permits for this would traditionally go to the ZBA so that would need to be amended on Town Meeting floor to designate the Planning Board and add that sentence of footnote to the table of uses.

P. Harding stated that at this point in time any amendments made would have to be done on Town Meeting Floor. She stated the Board could not change the petition.

S. Carlson asked for clarification of the commercial zoned areas in Town.

P. Harding stated there was a map that detailed it.

T. Stratis asked if there was a maximum that could be allowed.

W. Ritter stated that it would be by special permit.

T. Stratis left the meeting at 8:51PM.

T. Stratis returned to the meeting at 8:51PM.

W. Ritter stated that this bylaw did not set any sort of standards. The Board spoke about site plan / special permit as it pertained to this matter.

M. Grasseschi stated that the registry and the State Police are also involved in licenses of the Class 2 dealers license. He stated that you also had to purchase a license.

W. Ritter asked the cost of the license.

M. Grasseschi stated that it was about \$100. He stated that you also needed to carry liability insurance bond as a dealer and pay rent so there was expenses on that end as well.

W. Ritter stated the license itself was not a huge expense.

P. Harding stated that she was not necessarily opposed to this bylaw change but she felt that regulations needed to be put into the bylaw that covered a greater amount of circumstances. She stated she believed a site plan would be warranted. She stated that she supported the intent of the change but would like to see greater regulations in there to protect the town.

M. Grasseschi stated that he sat with the town to ensure the wording was right and he just wanted to get this to Town Meeting floor. He asked why there was an issue.

W. Ritter stated that he (Grasseschi) had added a sentence and it was inconsistent with the approval process of the Town. He stated any amendments would need to be made by the applicant on Town Meeting Floor.

Motion by W. Ritter, seconded by R. Ricker, it was VOTED TO RECOMMEND AGAINST THE ZONING BYLAW AMENDMENT TO ALLOW THE SALE OF USED CARS IN COMMERCIAL ZONING DISTRICTS AS IT IS CURRENTLY DRAFTED BECAUSE IT IS INCONSISTENT WITH THE SPECIAL PERMIT GRANTING AUTHORITY AND INCLUDES "... PLANNING BOARD TO DETERMINE..." SHOULD TOWN MEETING WISH TO PERMIT USED CAR SALES IN COMMERCIAL ZONING DISTRICT WE RECOMMEND STRIKING THE WORDS "THE PLANNING BOARD" AND ALLOW THE ZBA TO CONTINUE TO BE THE SPECIAL PERMIT GRANTING AUTHORITY BY A VOTE OF 6-0-1 (Stratis: no).

M. Grasseschi asked the date of Town Meeting.

P. Harding replied May 15, 2017.

**PUBLIC HEARING- ZONING BYLAW AMENDMENT- Open Space and Residential Design Bylaw Amendments-Holden Planning Board**

John read the Public Hearing notice into record.

P. Harding stated that she had included the redline version that incorporated all the revisions discussed by the Board. She stated this was the Public Hearing to present to Town Meeting and would be the last meeting that the Board could vote to make any changes.

S. Carlson asked if this entire document was presented on Town Meeting Floor.

P. Harding replied they reference a document and had copies available.

J. Michalak stated that he felt this was a consensus.

There were no members of the public present.

Motion by O. Lies, seconded by S. Carlson, it was UNANIMOUSLY VOTED TO CLOSE THE PUBLIC HEARING FOR ZONING BYLAW AMENDMENT – OPEN SPACE AND RESIDENTIAL DESIGN BYLAW AMENDMENTS- HOLDEN PLANNING BOARD.

Motion by O. Lies, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO APPROVE THE PROPOSED CHANGES TO THE OPEN SPACE AND RESIDENTIAL DESIGN BY LAW.

**MISC**

S. Carlson asked for clarification on Stoney Brook Estates obtaining a lot from another development and the transfer of ownership.

P. Harding replied it was the LLC in this case not the subdivision that was named the same thing. (Stoney Brook Estates).

R. Ricker stated that he transferred ownership.

S. Carlson asked about the bond.

P. Harding replied that there was no bond.

R. Ricker asked if he was able to change the detention pond.

P. Harding replied he could not and the letter being referenced was standard verbiage for an abutter letter.

P. Harding stated that there were three subdivisions that were petitioning for Street Acceptance. She stated that St. Mary's Drive Ext. would likely go forward and there were a few repairs they were working on. She stated that Preservation Lane and Stoney Brook Estates were also petitioning.

J. Michalak asked if they were close.

P. Harding replied it did not seem like it.

Motion by T. Stratis, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO ADJOURN THE APRIL 25, 2017 PLANNING BOARD MEETING AT 9:28PM.

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