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## Planning Board Minutes

### Tuesday, January 4, 2005

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**Memorial Building**  
**150 Concord Street, Public Hearing Room**

8 Those present: Thomas Mahoney, Chairman, Ann Welles, Vice Chairman, and Sue Bernstein.  
9 Andrea Carr-Evans arrived at 7:30 and Carol Spack; Clerk arrived at 7:35. Also present were Jay  
10 Grande, Planning Director and MaryRuth Reynolds, Administrative Assistant.  
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12 **Meeting was called to order at 7:25 pm**

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14 **I. Discussion, Town Traffic Engineer**

15 Deborah Finnigan Traffic Engineer presented a power point slide show. She briefly  
16 touch on traffic signal assets, current, future and proposed traffic and Roadway  
17 projects, signal permits, safety committee and the ACTRA system. The Board  
18 requested a list of projects the may require funding so they may more appropriately  
19 distribute the mitigation monies they acquire.  
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21 **II. Continued Public Hearing for Site Plan Review Approval, Special Permit for**  
22 **Use, Special Permit for Reduction on the Required Number of Parking Spaces,**  
23 **Special Permit for Dimensional Relief from off-Street Parking Requirements**  
24 **and Public Way Access Permit, Murphy and McManus, 380 Waverly Street,**  
25 **Community Health Center. *This hearing was continued at the applicant's***  
26 **request. *The hearing was continued to February 8, 2005 at 8:00pm.***  
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28 **III. Release of Restrictions ~ Fenwick Farms**

29 In attendance for the applicant were Richard Kilbanner and Dominic Venuto.  
30 Richard Kilbanner stated that they were looking to have all the lots restrictions  
31 released to permit sale of the lots and that they were prepared to post with the town  
32 a pass book with the amount recommended by the town engineer. Jay Grande stated  
33 that the Board had received a bond estimate in the amount of \$58,000.00. He also  
34 recommended that the Board review the home owner's documents, but sign the

1 release of restrictions, approve and accept the pass book subject to review by Town  
2 counsel. Jay Grande stated that he will hold the release of restrictions until town  
3 counsel has authorized to do so. The Board briefly reviewed the home owner's  
4 documents.

5 *Carol Spack moved to accept the pass book assignment subject to review by town*  
6 *counsel and instructions by counsel to the Board. Sue Bernstein seconded the*  
7 *motion. The vote was 5 in favor and 0 opposed.*

8 *Carol Spack moved to have Town counsel review and approve recommended*  
9 *changes in the home owner's documents with respect to scheduled release of the*  
10 *restrictions in the performance guaranty section 6q of the subdivision*  
11 *regulations. Sue Bernstein seconded the motion. The vote was 5 in favor and 0*  
12 *opposed.*

13 *Ann Welles moved to approve the release of the lots for final sale subject to*  
14 *review by town counsel and further subject to confirmation by the town engineer*  
15 *that the 85% has been met. Sue Bernstein seconded the motion. The vote was 5 in*  
16 *favor and 0 opposed.*

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18 **IV. Office Depot Update**

19 Michael Smith represents Office Depot. Mike Smith request the approval of the  
20 sign permit for the installed outside building signs. The Board discussed the other  
21 sign violations which are present on the site. *Sue Bernstein moved to approve the 2*  
22 *wall signs for Office Depot as dated 11/8/04 with the provision that the permit not*  
23 *be released until the signage in the windows is removed. Ann seconded the*  
24 *motion. The vote was 3 in favor and 2 opposed.*

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26 **V. ANR Plan Review ~ 19 Nixon Road**

27 This review was continued because the necessary community poster was not posted.  
28 The review was continued to January 11, 2005.

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30 **VI. Continued Public Hearing for Extension of Special Permit for Use, Special**  
31 **Permit for Reduction in the Required Number of Parking Spaces, Special**  
32 **Permit for Off-site Parking, Special Permit for Approval, 100 & 200 Staples**

1           **Drive.**

2           Peter Barbieri requested on the applicant's behalf a withdrawal without prejudice.  
3           *Carol Spack moved to accept the withdrawal without prejudice subject to receipt*  
4           *of written request by the applicant. Andrea Carr-Evans seconded the motion. The*  
5           *Vote was 5 in favor and 0 opposed.*

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7           **VII. Discussion Active Adult Housing By-Law**

8           The Board discussed the over 55 by-law in the format of joining it with the cluster  
9           by-law. After review of the new format the Board decided to keep the by-laws  
10          separate. Board members will review the over 55 by-law and make amendments for  
11          discussion at next meeting. The Board continued this discussion to January 18,  
12          2005 at 7:45.

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14          **VIII. Miscellaneous Administrative**

15          **a.**    Thomas Mahoney read a letter from P&Z on code enforcement into the record.  
16          The Board had brief discussion on enforcement. The Board instructed Jay Grande  
17          to draft a letter and send it to the owners of buildings and tenants of the shopper  
18          world stores reminding them of the sign regulations. Also to send a letter to the  
19          building Department to increase enforcement measures. The Board would also like  
20          a letter to go to the town manager, selectmen, building commissioner and ZBA  
21          suggesting that a note be inserted into the next tax bills noting the sign compliance  
22          expiration date.

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24          **IX. Approval of Minutes**

25          The Board reviewed the minutes for May 27, 2003. *Ann Welles moved to accept*  
26          *minutes with minor change and edits. Carol Spack seconded the motion. The vote*  
27          *was 4 in favor 0 opposed and 1 abstention (Andrea Carr-Evans).*

28          The Board reviewed the minutes for December 23, 2003. *Ann Welles moved to*  
29          *accept minutes with minor change and edits. Sue Bernstein seconded the motion.*  
30          *The vote was 4 in favor 0 opposed and 1 abstention (Andrea Carr-Evans).*

31          The Board reviewed the minutes for January 20, 2004. Ann Welles stated that she  
32          thought these minutes needed work. The Board wanted Jay Grande to review and

1                   then bring back for vote at the next meeting.

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3       **V.    Meeting adjournment**

4                   *Andrea Carr-Evans moved to adjourn. Sue Bernstein seconded the motion. The*  
5                   *vote was 5 in favor 0 opposed. Meeting adjourned at 11:15pm*

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8   Respectfully submitted,

9   Mary Reynolds

10   Recording Secretary

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13   **\*\*THESE MINUTES WERE APPROVED WITH AMENDMENTS AT THE**

14       **PLANNING BOARD MEETING OF FEBRUARY 1, 2005**

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      Thomas Mahoney, Chairman