

**W. T. PLANNING BOARD MEETING, MAY 18, 2009, 7:30 P.M.**

**PRESENT:** David Douglas, Leah Smith, Ginny Jones, Susan Silva, Eileen Maley

**ABSENT:** Jim Powell

**ALSO PRESENT FOR ALL OR PART OF THE MEETING:** Reid Silva, Bart Smith, Leza Smith, Bill Graham, Clark Myers, Dana Rezendes, Andrew Woodruff, Niki Patton, Diana DeBlase, Marjorie Mezger, Connie Breese, Kim Heath, Ken Child, Hal Child, Karen Child, Mrs. Moody, Dana Rezendes, Tony Rezendes, Simone DeSorcy

**MINUTES**

Minutes of the March 16, 2009 and March 30, 2009 meetings were approved as written.

**NEW BUSINESS**

**Public Hearing: Harrowby Form C Amendment:** David read the hearing notice and opened the public hearing. Reid Silva presented the plan. He said it was an amendment to the Form C plan dividing the estate of Mamie Irvine. He said the intent of the amendment was to push the road back from Lot 4, relocating it closer to Lot 5, owned by Sheriff's Meadow. It would require about 120 feet of retaining wall.

Abutter Bill Graham said there would be a large amount of construction vehicles impacting neighbors in order to make this happen. There would be too many dump trucks on one mile of road.

David asked how long the new road was. Reid Silva said about 750 feet. Leah asked how many houses would be served by the new road; Reid Silva said 3. Leah said it seems that the new road will parallel the existing road. Reid said they would be about 30-35 feet apart. Eileen asked whether the existing road would be abandoned. Reid said it will become just a driveway for the houses on Lot 4 (owned by the Levy family). Bart Smith said the Levys also own the former Guiney property next door. There is a lot of common traffic with Ziff the abutters. The owner is worried about children getting hit by construction dump trucks.

Ginny said she doesn't like to see parallel roads, as they don't make much sense. Further, landscaping trucks will end up taking the wrong roads.

Leah and Susan said they would need a site visit, as they don't normally like to create parallel roads.

Bill Graham said that this road is subject to a lot of traffic. It has subsided somewhat lately except for the Levy landscaping traffic, yet now there is a proposal to build a 900-foot parallel road, requiring the cutting and removal of trees, and bringing in rock for the retaining walls. The applicant says he is concerned about safety due to the trucks, yet he's the one bringing in the trucks. The road used to serve six families; now just two families own all of the properties. Why should a new road be created just to serve two families.

Bart Smith said the construction would take two to three weeks. A portion of the existing road would be vegetated. The parallel roads would only be for about 300-400 feet.

David said he is not usually against closing a driveway, but said he needs to take a look at this. A site visit was scheduled. Susan made a motion to continue the public hearing; all in favor.

**Site Plan Review, Feinberg, M3 L13:** Board members reviewed the plans for this complex with a residence in excess of 3,000 sq. ft. They agreed that a site visit should be made once the corners are staked and a ridge pole is in place.

### **OLD BUSINESS**

**Discussion: Rezendes Driveway Relocation:** Reid Silva presented a Google Earth map showing where the existing driveway is located and where the Rezendes would like to relocate it for the lots behind their house. Currently, all of the traffic has to drive through their yard. Preferably, they'd like to retain both accesses. This would be an amendment to a 1979 plan by Daniel Manter.

Eileen asked how close the new driveway would be to Nancy Arruda's existing driveway. Reid Silva said 115 feet. Leah asked whether the land between the two houses is wooded; Dana Rezendes said it is. Ginny asked whether the Rezendes and Arrudas could share a single curb cut. David said the new road is close to the Arruda house; this plan puts all the traffic next to her. Leah said she would feel more comfortable if the Rezendes showed this to Nancy Arruda.

Susan said she didn't want to see two curb cuts onto this lot. David said the Board needs a big reason, usually involving safety, to allow two cuts off a public road. Susan said the Board needed a site visit. She said she would lean towards allowing the new curb cut and abandoning the other. She urged them to speak with their neighbor.

**DAS:** Ginny gave an update on DAS, noting that the proposal now contains 18 poles in W.T., as opposed to the original 10.

**Continued Public Hearing, Patton Special Permit:** Susan reopened the public hearing. Niki Patton said that MA Natural Heritage had reviewed the proposal, and requested changes to protect the frost bottoms on the site. After about three site plan changes, they approved the plan which now shows 2 driveways onto the property from Dr. Fisher Road instead of one.

Hal Child asked whether the Board of Health had approved the well and septic plan. Leah said no, but any Planning Board approval would be pending approval by the Board of Health. Hal Child said this seems backwards. He is concerned that this amount of density will require a public water system.

Susan said that this plan does not conform to the note on the Form A plan, requiring the driveway to be at least 100 feet away from Old Holmes Hole Road.

Margie Mezger said that at the last meeting the viability of Dr. Fisher Road for this project was discussed; she would like this impact to still be considered. Leah said absolutely it would. Susan said that the current site plan's changes were to appease Natural Heritage.

Diana Douglas said she and her family have lived in the neighborhood for 18 years, and they appreciate the beauty of the area. It would have been convenient for them to have a circular driveway off Dr. Fisher Road, but they spoke with their neighbors and didn't change it because 2 driveways are too much impact on Dr. Fisher Road. This project claims to need two to protect the wildlife. Is this really the right site for this high density project?

Ginny said she didn't see anything in the letter from Natural Heritage mandating 2 driveways. Niki Patton said Natural Heritage prefers this layout. The accesses needed to be shifted to protect the area of concern. Ginny noted that this was not in their letter. Niki Patton said it was a result of verbal discussions.

Eileen said that the letter discusses an area of clearing; does this include the roads? Niki Patton said it does.

Hal Child asked if the zoning had changed to allow 3 houses on 3 acres. Susan said this section was approved at Annual Town Meeting to create affordable housing. Leah asked whether the separation of wells and septic meets Board of Health requirements; Niki Patton said it conforms. Hal Child asked whether Dr. Fisher Road is going to get more of these projects. The issue is density, endangering water quality. Susan noted that there are dense subdivisions off Old County Road.

Ginny read from minutes of a previous meeting when shared septic and well systems were discussed.

Ken Child said this new bylaw allows the developer to do whatever she wants. Ginny clarified that the Town has made a commitment to affordable housing; this bylaw is one vehicle, allowing increased density for permanently affordable housing.

Diana Douglas said that the Town, particularly the Board of Health, have had concerns about water use in the area due to the proximity of the school, a public water source. The natural flow of water from the north side of Dr. Fisher Road is toward the school. Niki Patton said that the project cannot go forward without permission from the Board of Health, but first they needed to appease the concerns of Natural Heritage. Diana Douglas said due to the ongoing nature of this concern, a ruling should be obtained from the Board of Health sooner rather than later.

Andrew Woodruff asked if water studies had been done in the area; Susan said in the past by the Board of Health. Andrew Woodruff said the 1,000-foot driveway separation should apply here. He said the original division of this property should have been referred to the MV Commission. He was surprised we're looking at so many driveways. Diana Douglas asked whether the Board could consider sending it to the MVC now. Susan said that Natural Heritage had reviewed it, and the Board and Health and Planning Board were reviewing it.

Margie Mezger said that she has lived in the area for 37 years. While she will not be directly impacted, she really cares about the area. She had hoped that Dr. Fisher Road was going to be better protected as a DCPC. For safety reasons, she feels this is an inappropriate location for this high density project. The traffic will be unbelievable. Some people will demand that the road be paved and widened for safety. This project will forever change the character of the whole area.

Karen Child said that there will be a huge impact on the neighborhood. It's now a quiet, old neighborhood that doesn't want paving. They work out the maintenance on the road. Three houses on three acres will set a precedent, and will change the Town. Traffic will increase, especially during the construction process. Trees will need to be cut down to deliver the modular homes. This will be an irreversible change. She thought the DCPC would have protected the road more. The Town needs to decide where such high density projects would be appropriate. We have plenty of housing right now, we just need to figure out how to use the existing stock, not build more. Eileen noted that the Town chose to provide more ways to provide affordable housing. Karen Child said we're going down the wrong road.

Connie Breese asked whether the history of Dr. Fisher Road meant anything when looking at this plan. Andrew Woodruff said the Town can accommodate housing through this bylaw but there aren't enough guidelines for the Planning Board to make decisions. Rural character was at the top of the concerns during visioning. This is a bad location for this project.

Board members said that Niki Patton should have an informal discussion with the Board of Health. Leah said she would still like to see combined systems. Niki Patton said she was willing to explore this, but has been told by the experts that separate systems are better. Leah said she would also like to see one vs. two driveways. Ginny said she sees nothing in Natural Heritage's letter requiring 2 driveways. There was a discussion that one curb cut could serve all 3 houses.

Ken Child asked how many total bedrooms there would be. Niki Patton said that 12 bedrooms would be allowed, but currently the proposal is for 3 3-bedroom houses. Ken Child suggested that she just build 2 houses for less impact on the neighborhood. Niki Patton said the affordable housing rules allows for this. Ken Child said the proposal is precedent setting and undermines zoning. Ginny noted that all of the houses could be

clustered to one side, resulting in less impact on the neighborhood. Niki Patton said this would not be agreeable to the buyers. People are expecting certain things based on what they're spending. There would be no takers for a clustered proposal.

Diana Douglas asked whether Natural Heritage was aware that Niki Patton is planning on adding on to the market-rate house.

Hal Child asked if there was any indication what the other two Thurlow lots would be used for. Susan said plans could change, but Martha Thurlow had indicated that she planned to save them for her children.

Ginny made a motion to continue the hearing until the Board receives a legal opinion re. the note on the Form A plan; all in favor.

**Committee Appointments**

David and Susan volunteered to be on the committee to redraft the wind turbine bylaw. Ginny made a motion to appoint Jim Powell to the Affordable Housing Committee; all in favor.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,  
Simone DeSorcy, administrator