

W. T. PLANNING BOARD MEETING, JUNE 1, 2009, 7:30 P.M.

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

ALSO PRESENT FOR ALL OR PART OF THE MEETING: Bart Smith, Leza Smith, Reid Silva, Kris Lukowitz, Clark Meyers, Jim Feiner, Niki Patton, Philippe Jordi, Maria Moody, Martha Sullivan, David Vigneault, Dana Rezendes, Tony Rezendes, Simone DeSorcy

MINUTES

Minutes of the April 27, 2009 meeting were approved as written.
Minutes of the May 18, 2009 meeting were approved as amended.

CORRESPONDENCE

In: Edwards Angell Palmer & Dodge re. Harrowby Property Co.
Paul Levey re. Harrowby Property Co.

OLD BUSINESS

Continued Public Hearing, Harrowby Property Co. Form C: David reopened the continued public hearing. Board members reviewed a letter from Edwards Angell Palmer and Dodge on behalf of William Graham in opposition to the Harrowby Form C Application. Reid Silva said that the letter had been submitted at the eleventh hour. Board members said they felt it would take some time to digest all of the information and issues in the letter.

Leah asked whether Natural Heritage had looked at the plan. Bart Smith said they had, and that there were no issues.

Reid Silva said the only new traffic generated on John Cottle Road would be by road construction, and this would be temporary, probably about two weeks. He estimated about 30 to 40 truck trips total. He said the construction traffic is not a big impact. Once completed, the relocated road will neither benefit nor hinder the rest of John Cottle Road.

Jim Powell asked how wide the new road would be. Reid Silva said 9 to 10 feet, somewhat narrower than John Cottle Road. Ginny asked how big the Levy house is. Bart Smith said it is 10,000 sq. ft. In 1996 it was 6,500 sq. ft., but additions have been put on. Ginny said the Board should have reviewed the additions per site plan review regulations; this is incremental growth.

Susan said there are a lot of issues with the road. It used to serve 6 families, now it only serves 3 families with mega projects being constructed over a long period of time. The original Irvine subdivision required a road association. She asked why the Levy family could not have their own interconnecting roads for their use. She questioned that the project could be completed in two weeks. She said there is a lot of anger in the neighborhood.

Leah said she felt the proposal wasn't to move a road, but really adding a new, parallel road. Reid Silva said that the property owner could put that driveway in tomorrow without needing Town approval. If it is safer and what the property owners want, why is it a problem for the Planning Board? It might not be perfect aesthetically, but how is this a Town issue as it is on private property? The animosity and anger in the neighborhood are real issues, but this driveway is not the driving force. A road association might address some of this.

Kris Lukowitz, Bill Graham's caretaker, said he lives on the road. He said property owners can do whatever they want on their own property, but the construction traffic which affects him and Bill Graham is constant, non-stop; to what end? Susan said she feels the road is overburdened. Reid Silva noted that there was not a single property owner present, only their caretakers. Bart Smith read aloud a letter to the Board written by Paul Levey.

Ginny made a motion to continue the public hearing to June 22 at 7:30 p.m. All in favor.

Continued Public Hearing, Niki Patton/Jim Feiner Special Permit: Susan read aloud a legal opinion letter from Ron Rappaport re. the note on the Form A plan requiring any driveway no closer than 100 feet from Old Holmes Hole Road. There was a general discussion.

Niki Patton said she spoke to the State (Natural Heritage) based on comments from the last Planning Board hearing. She could file an amended plan showing only one driveway cut. She presented two alternate plans: Plan 1 shows one driveway cut 100 feet from Old Holmes Hole Road; Plan 2 shows one driveway cut 40 feet from Old Holmes Hole Road. Both require grade changes. She read aloud a letter. She requested that the Board approve Plan 2 for snow plowing reasons. Ginny noted that the driveway would be difficult to plow regardless of how far it is from the public road. Eileen asked why the note was put on the plan in the first place; Ginny said the previous owner wanted to protect Old Holmes Hole road when she divided her property. She said that either plan is a big improvement over the previous one showing 2 driveway cuts.

Neighbor Martha Sullivan asked if the Board would be setting a precedent with this project. She noted that she could do the same with her property, as she has 2 sons who would qualify for affordable housing. She said she felt the applicant was manipulating zoning regulations for her own purposes. She asked what happens when people living in the affordable units no longer qualify. Susan said if the unit is sold out of the family it must be bought by an eligible recipient. There was a discussion re. the "vetting" of eligible purchasers. Martha Sullivan said it was an awkward law to enforce, and easy to abuse. There needs to be consistent rules throughout Town for the taxpayers.

Ginny said she would like to take a look at the road again relative to these two new plans. Leah agreed. Jim Feiner said he would flag the driveways. Susan said that at the

moment, without seeing the driveway locations flagged, she preferred Plan 1, as it gives more protection to Old Holmes Hole Road.

Ginny made a motion to continue the public hearing until June 29 at 7:30 p.m.; all in favor.

Rezendes Driveway Relocation: Leah said the new driveway site, as marked during the site visit, was okay with her as long as they do away with the existing driveway; Susan and Ginny agreed. Leah said that 3 trees, probably within the State layout, interfere with the line of sight and need to be removed. David said it is important to speak to the neighbors about the plans, and that a State permit would be required. There was a discussion that a public hearing would be required, as this is an amendment to a Form C plan.

NEW BUSINESS

Zoning Bylaw Change, Heliports: Joan Ames contacted the office to suggest amending the bylaw to prohibit heliports throughout Town. Board members agreed this should be added to Section 3.2-3.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,
Simone DeSorcy, administrator

Approved June 22, 2009