

TOWN OF WESTFORD
DEVELOPMENT REVIEW BOARD MINUTES
Minutes for July 14, 2010 Meeting
Approved on August 25, 2010

Board Members Present: Tony Kitsos (Chair), Dick Heaps, Jason Hoover, Don Maddocks, and Matt Wamsganz.

Board Members Absent: Eric Jacobsen and Casey Mathieu.

Also Present: Melissa Manka (Planning Coordinator), Richard Stabb, Nicole Bezio, Erik Brennen, Shan Garcia, Stearns Allen, Brad Holden, Linda Mathieu, Richard Mathieu and David Burke.

The meeting began at approximately 7:15 p.m.

Final Plat Public Hearing for a 2-Lot, 1-Unit Subdivision–Betty Lou Allen property

Shan Garcia and Brad Holden (surveyor) were present.

Brad said he fixed the northern lot line and it is now less than 15 degrees from perpendicular. Furthermore, he stated that Maurice determined that the pond located on Lot 2 is not a part of the WRO.

Melissa said there is a stream located on Lot 1 whose buffer extends onto Lot 2.

Tony said the WRO located on Lot 2 from the stream will need to be depicted on the survey.

Shan said he received a state wastewater permit.

The hearing was opened to the public and no comments were heard.

Dick MOVED to close the final plat public hearing.

Jason SECONDED the motion.

The motion PASSED: 5– 0

Sketch Plan Review for a 2-Lot Subdivision–Travis & Nicole Bezio property

Nicole Bezio was present.

Nicole began by stating she and her partner are seeking approval for a two lot subdivision that would result in one new building lot. Furthermore, she said she understood that the proposed driveway for Lot 2A would need to be moved due to the location of the extra wastewater system.

Jason asked if the terrain would allow for re-location.

Nicole said yes. She also said they would rather have two 11 acre lots.

Don asked if the proposed lot could be accessed by Route 128.

Melissa said the state access permit required one access for the Mathieu and Cobb subdivisions due to safety concerns. Also, access off Route 128 would impact the WRO.

The DRB went through the staff report.

The meeting was opened to the public.

Erik said his land abuts the Bezio's property and he would like to make sure that the property line between the two parcels is correctly depicted on the survey since it was erroneously depicted during the previous subdivision of the parcel and Casey Mathieu had to amend the survey to correct the error.

The DRB said the corrected survey should be referenced when re-subdividing the parcel.

Final Plat Public Hearing for Amendments to an 8-Lot, 7-Unit RPUD & Subdivision–Eva Paquin property

Richard Stabb was present to represent Eva.

Richard said Eva would like to amend Lot 4's driveway location because the individual driveway serving Lot 4 passes over a ledge outcropping. He said she would like to have Lot 4 share Lot 5's driveway to avoid the ledge. Furthermore, he informed the Board that blasting the ledge to construct Lot 4's driveway as approved would increase costs, require an extensive amount of blasting and create an unsightly area.

The DRB voiced their concern that headlights from vehicles traveling on the shared driveway would shine directly at the dwelling on Lot 5.

Dick said the Applicant could leave the house site as is and if a potential buyer for Lot 5 wanted to amend the location of the dwelling building envelope they could do so as long as the amendment didn't move the home westward.

Jason agreed. He said the intent of the building envelopes were to protect the tree line and views from Route 128. He added that it was a marketability issue so they could close the hearing and deal with the driveway amendment only.

Richard said he would like to talk to Eva about Lot 5's house site before the close of the hearing.

Dick MOVED to continue the final plat public hearing until July 28, 2010.

Matt SECONDED the motion.

The motion PASSED: 5– 0

Sketch Plan Review for a 2-Lot Subdivision & Boundary Line Adjustment–Richard Mathieu & Linda Mathieu properties

Richard Mathieu and David Burke (project engineer) were present.

David began by explaining that the area proposed for subdivision is located in the five acre zoning district. He said they would like to subdivide off the back 40 acres of Richard's lot and reduce the size of Linda's slightly to increase the size of the newly proposed lot.

Jason said a small portion of the proposed lot is located in the AFR 1 district.

Tony said the AFR 1 district should be depicted on the plans and the proposed lot should have at least 5 acres located in the AFR 2 district.

David said he would like to discuss possible uses of the structure located on the proposed lot. He said the Mathieu's would like to propose the structure as an automotive/machine repair use and two small scale industry uses. Richard said they will be storing vehicles for CCR, he would like to store his equipment in the building and they will be doing repair of equipment and vehicles in the structure.

Dick said he did not believe the structure needed its use to be approved if subdivided.

Tony said the building would not be able to be used then.

Tony asked if there would be walls installed to meet square footage requirements for each use.

David said they would rather not.

Don said page 18 of the Zoning Regulations stated small scale industry cannot be located in a structure more than 4,000 square feet.

The DRB discussed this issue at length in hopes of determining how to use this structure in conformance with the regulations.

David said he felt there was a discrepancy between page 18 and the definition of small scale industry so the definition should be used in determining whether the proposed use of the structure is in conformance with the regulations.

The DRB said they felt the structure was currently non-confirming as a 9,600 square foot accessory use and questioned whether making it a non-confirming primary use would make it less non-confirming.

The DRB decided to ask the Town Attorney about the structures non-conformance and the DRB's ability to approve a mixed use structure more than 4,000 square feet in size. The DRB will discuss the Town Attonrey's findings at their next meeting.

Dick MOVED to continue the sketch plan meeting until July 28, 2010.

Jason SECONDED the motion.

The motion PASSED: 5 – 0

Minutes of the June 23, 2010 Meeting

The minutes will be reviewed at the next DRB meeting.

Decision Deliberation: Final Plat Public Hearing for a 2-Lot Subdivision– David & Sandra Ashley property

The Ashley decision will be reviewed at the next DRB meeting.

Decision Deliberation: Final Plat Public Hearing for a 2-Lot, 1-Unit Subdivision-- Betty Lou Allen property

The Allen decision will be reviewed at next the DRB meeting.

Decision Deliberation: Request For Approval To Access Lot By Permanent Public Right of Way–Richard Bouffard Property

The Bouffard decision will be reviewed at next the DRB meeting.

Jason MOVED to adjourn.

Dick SECONDED the motion.

The motion PASSED: 6 - 0.

The meeting adjourned at approximately 9:34 p.m.

Submitted by,

Melissa Manka, Planning Coordinator