
Minutes of the Planning Board Meeting

January 6, 2015 - 7:00 PM

195 Main Street, Maynard - Room 101

Members present: Kevin Calzia, Chair, Bernard Cahill, Andrew D'Amour, Linda Connolly, Greg Tuzzolo

7:20 – Chair Calzia called the meeting to order

Continued Public Hearing: Keene Ave Subdivision - Continuation of hearing for the petition filed by H-Star Engineering, Inc., 200 Greenville Road, North Ipswich, N.H. 03071, requesting approval of a Definitive Subdivision Plan for property identified on Property Assessor's Map 19, Parcels 49, 52 and Keene Avenue (Paper Street). The applicant is requesting creation of six residential lots.

The public comment session has been closed; the Board is currently in deliberation. Town Planner Bill Nemser stated all amendments to conditions 1-9 have been made based on the comments from the last meeting and have been reviewed by Town Counsel.

9. Some items required prior to endorsement, last sentence to be reworded.
10. To be verified from Building Inspector
11. This setback requirement is for the developer, does not restrict future homeowners
12. No change.
13. No change.
14. No change.
15. No change.
16. No change.
17. Developer explained the covenant; use Form E without a bond. Bill Nemser stated the covenant must be recorded prior to endorsement of the plan, when covenant needs to be released the developer will post bond for the remainder of the project. No lots will be released until a bond is posted.
18. The Engineer clarified that the erosion and sedimentation control plan has not been fully approved by Conservation Commission yet, partial approval has been granted. Add sentence that Conservation Commission will be the reviewing agency for erosion and sedimentation control. Add adequate erosion control measures will be maintained at all times, as dictated by the Conservation Commission.
19. No change.
20. More stringent timeframe than 30 days. Change to 7 days or per Conservation Commission recommendation.
21. Four inches is Mass DEP standards, no change.
22. No change.
23. Captures comments from previous meetings.
24. No change.
25. No change.
26. No change.
27. Specific locations are covered by the erosion and control plan, there are no wetlands on site. Add ...stockpiled for a maximum of 120 days.
28. Two years is reasonable.
29. No change.

30. Significant changes must be approved by the Board, other changes can be approved administratively. Bill Nemser will reword the condition.
31. No change.
32. Needs to be more detailed wording, regarding acceptance of the road.
33. No change.
34. No change.
- 35.
- 36.
- 37.
38. Homeowners association needs to be specified. Add wording on stormwater management system maintenance. Developer felt it should be maintained by the DPW, an operation and maintenance manual has to be provided to Conservation for homeowners and town. The town engineer stated this is not a typical system and should be maintained by the homeowner association. Language needs to be specific, what are responsibilities of homeowners. The wording on condition six will also be amended.
39. No change.
40. No change.
41. No change.
42. Some rewording
43. All conditions and waivers shall be recorded at registry of deeds.
44. Construction times were clarified.
45. No change
46. No change
47. No change

The developer mentioned that Subdivision law states that within 14 days of closing the hearing a decision must be issued, the developer presented a letter to retroactively extend the time to render a decision to March 1, 2015.

Chair Calzia read into the record two comments from Max Lamson regarding the sidewalk location and a comment that the Planning Board should note in the decision that the applicant vehemently refused to mitigate impacts, this point is now mute, it has been addressed with developer and Board. The Board reviewed the waivers to make sure all changes have been incorporated.

Bill Nemser stated that the changes discussed tonight will be put into the conditions. The process is if the Board votes tonight, subject to conditions and revised plans, the record of vote will be recorded with the Town Clerk tomorrow, which starts the timeline for appeal. After the twenty day appeal period the final Definitive Plan then is endorsed and recorded.

Chair Calzia asked what the timeframe is for all the changes to be made, the developer stated if the vote is made there are two timelines, first is 20 day appeal period, second the applicant has 90 days to submit the final plans for endorsement. The covenant is recorded after the twenty day appeal period.

A motion was made by Greg Tuzzolo to grant the waiver for street offset for Keene Ave Subdivision as written, seconded by Bernie Cahill; the Board voted 4 to 0 in favor of this motion.

A motion was made Kevin Calzia to grant the waiver for street intersection angles for Keene Ave. Subdivision as written, seconded Greg Tuzzolo, the Board voted 4 to 0 in favor of this motion.

A motion was made by Linda Connolly to grant the waiver for street rounding radii for Keene Ave Subdivision as written seconded by Kevin Calzia; the Board voted 4 to 0 in favor of this motion.

A motion was made by Kevin Calzia to grant the waiver for driveways for Keene Ave Subdivision as written, seconded by Bernie Cahill; the Board voted 4 to 0 in favor of this motion.

A motion was made by Linda Connolly to grant the waiver for roadway section for Keene Ave Subdivision as written, seconded by Bernie Cahill; the Board voted 4 to 0 in favor of this motion.

A motion was made by Kevin Calzia to grant the waiver regarding sidewalks for Keene Ave Subdivision as written, seconded by Linda Connolly; the Board voted 4 to 0 in favor of this motion.

A motion was made by Greg Tuzzolo to grant the waiver for drainage pipe cover for Keene Ave Subdivision, seconded by Bernie Cahill; the Board voted 4 to 0 in favor of this motion.

A motion was made by Kevin Calzia to accept the Definitive Plan and conditions as amended this evening for the Keene Ave. Subdivision, seconded by Bernie Cahill; the Board voted 4 to 0 in favor of this motion.

Minutes review:

The Board reviewed the minutes of November 12, 2014.

A motion was made by Bernie Cahill to approve the minutes of November 12, 2014, seconded by Andrew D'Amour; the Board voted 5 to 0 in favor of this motion.

Other Business:

The Board agreed to postpone agenda item 5, 129 Parker Street Neighborhood Business Overlay District discussion. This will give the Board members time to read all the information that has been posted to dropbox, Board will send comments back to Bill Nemser for discussion at a meeting of a later date.

A motion was made by Bernie Cahill to adjourn, seconded by Linda Connolly.

Meeting adjourned 9: 54 p.m.