



# Town of Pepperell

## Planning Board

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### MINUTES

Monday, April 13, 2009

Pepperell Town Hall

**Members Present:** Nick Cate, Dennis Kane, Mark Marston, Rick McHugh, Steve Themelis

**Members Absent:** None

### CALL TO ORDER:

Mr. Cate called the meeting to order at 7:04pm.

### VOUCHERS:

- Payroll vouchers were endorsed. (4/18/09; 4/25/09)
- Quill vouchers endorsed \$150.24; \$16.73; \$31.48

### ACCEPTANCE OF MINUTES:

- The Board M/S/V to approve the minutes of March 23, 2009.
- The Board M/S/V to approve the minutes of April 1, 2009.

### BUILDING &/OR OCCUPANCY PERMITS:

- None

### ANR PLANS:

- None

### ACTION/DISCUSSION ITEMS:

- SP2006-08 – Shawnee Rd. Multi-family – Request for Extension  
Jack Visniewski was present to represent the applicant. He explained the original permit included improvement of an existing multi-family on the site as well as construction of a new multi-family structure. He further reminded the Board that the first request for extension was for a two year extension and the Board voted to grant a one year at the time. He stated the applicant is still not ready to proceed and would like another one year extension be approved. The Board felt this was a reasonable request. The Board M/S/V to grant another one year extension to SP2006-08 making the new expiration date October 23, 2010.

- 40B Plan for Hampshire Estates – Request for Comment  
The Board expressed concern regarding safety issues with the number of units proposed. The items discussed are on an attached listing. The administrator will put these comments and concerns into a memo to the Board of Selectmen.
- Julia Lane – Final Inspection Report from Town Engineer  
The Board was informed that the layout hearing was occurring this night. They were also informed of the final comments from the Town Engineer.
- Beaver Creek Circle – Request for Road Acceptance  
The Board was informed that the request was in for Beaver Creek acceptance at a future town meeting. They were also told that the progress for Beaver Creek is good and they will more than likely have everything complete for a fall town meeting.

#### **APPOINTMENTS/HEARINGS:**

- **7:15pm – Public Hearing – SP2009-01** – Application for Multi-family Residential Development Special Permit under Section 7300 of the Zoning Bylaws on property located at 4 Parker Hill Way shown on Assessors Map 23 Lot 25. Applicant: Albert Patenaude (Patenaude Construction), 12 Village Road, Pepperell, MA 01463

Mr. Cate opened the Public Hearing at 7:15pm and asked if anyone other than the media was taping the proceedings, asked all present to sign the attendance sheet, and confirmed payments for advertising and postage had been received.

Mr. Themelis read the legal notice for the record. Mr. Cate stated the purpose of the hearing.

Jack Visniewski, representing Mr. Patenaude, presented a plan for a multi-family development of three single family detached dwellings at 4 Parker Hill Way. He described the location, the lot description, the setbacks and the existing conditions. He stated the project proposed three modest detached single family units with three individual drives accessing directly off of Parker Hill Way. He explained the plan had adequate parking for each unit. He stated the plan proposes a lamp post at each drive to use as building address markers per the new proposed requirement for multi-families being presented at the upcoming town meeting. He explained the drainage systems which are sub surface systems similar to leach beds of septic tanks that will collect the run-off from the roof drains. He stated these sub surface systems could be located anywhere on the site with the piping directing the water to them. Mr. Kane questioned some clarifications and Mr. Cate stated that the plan must manage all development changes with regards to drainage.

Mr. Visniewski explained that the current conditions will not change much. Mr. Cate asked about driveway run-off. Mr. Visniewski stated the driveways will drain back into the lot to a small depression area that could be used similar to a rain garden if the owners choose to do some plantings. Mr. Themelis questioned if there was any silting up in these systems over time. Mr. Visniewski stated there is typically no clogging of these types of systems.

Mr. Themelis asked if the units will be condo units and asked the size. Mr. Visniewski stated they would be condos of a cape style with three bedrooms upstairs and kitchen, living room, and office/den/extra room downstairs. He further stated that there would be space available to add a garage. Any other additions would have to meet zoning. Each

unit will be owned not rented and the land will be owned by the association. One abutter questioned if any retaining wall was proposed on the site. Mr. Visniewski replied that there was no disturbance planned in the area near the common land and also none planned on the rear of the site and therefore no retaining wall was necessary. Mr. Visniewski answered another abutter question stating that there is 68 feet between units on one side and 56 feet on the other side without the garages. The existing house is currently 36 feet from the property line. The new dwelling will be 16 feet from the property line going up Parker Hill Way. Mr. Cate stated that the new design will likely alleviate some of the drainage to the property to the north since there will be more on the lot now. It was confirmed that the dwellings will have basements. An abutter stated he was concerned that an area the neighbors commonly use for dumping of leaves and clippings is soft. Mr. Visniewski did not have concerns. The question of sewer betterments arose. Mr. Patenaude stated he would be paying the same betterment as other residents. Someone asked about fences and stated concern of grading into the lot from the rear abutter. Mr. Visniewski stated there were no plans for a fence and he was not concerned about the activity of the Walsh Bros. in the back. Neighbors then questioned about why Parker Hill Way Extension had never been accepted by the town. They were instructed to contact the Town Engineer and Board of Selectmen with their concerns and questions. Mr. Themelis addressed the department comments that had been submitted. Mr. Visniewski confirmed all concerns of the Town Engineer had been addressed on a revised plan which he submitted to the Board at the end of the hearing. Comment from the Water Department was read. Conservation and Police had no comments. The Board stated they would recommend that the maintenance agreements and association guidelines be reviewed by town counsel prior to occupancy. Mr. Themelis made a motion to close the Public Hearing. Mr. Marston seconded the motion. All voted aye.

- **7:15 – Public Hearing cont. – Proposed Zoning Amendments to the Zoning Bylaw**  
Mr. Cate opened the continuation of the Public Hearing at 8:25pm. The Board reviewed the letter submitted from Town Counsel and agreed to the recommendations and deleted one proposed change due to it offering contradiction to another section. All other proposed amendments were fine. The Board M/S/V to submit the proposed zoning changes to the Board of Selectmen for placement in the upcoming town meeting warrant.  
The Board M/S/V to close the Public Hearing.

## **CORRESPONDENCE & DISCUSSION:**

The Board was briefly informed of the mail received. Mr. Cate asked the administrator to check on the status of the Pepperell Meadows affordable housing status for the DHCD inventory.

**CLOSE MEETING:**

With no further business to discuss the meeting was adjourned.

**APPROVED:**

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Nicholas A. Cate

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Mark F. Marston

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Dennis A. Kane

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Richard C. McHugh, Jr.

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Stephen C. Themelis