



# Town of Pepperell

## Planning Board

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### MINUTES

Monday, April 27, 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 7:07pm. Mr. McHugh arrived to the meeting at 7:45pm.

### VOUCHERS:

- Payroll vouchers were endorsed. (5/2/09; 5/9/09)

### ACCEPTANCE OF MINUTES:

- The Board M/S/V to approve the minutes of April 13, 2009.

### BUILDING &/OR OCCUPANCY PERMITS:

- None

### ANR PLANS:

- None

### ACTION/DISCUSSION ITEMS:

- SP2009-01 – Decision

The Board reviewed a letter from Town Engineer, Bob Lee. Mr. Lee had reviewed the final revised plan and offered his approval with a request to have soil testing prior to installation of drainage structures. The Board agreed this should be a condition of the Permit. The Permit Decision was revised to include this condition. The Board questioned the slope in the back of the property. Mr. Patenaude confirmed that no work was intended for that area and that the area was stable.

Mr. McHugh made a motion to endorse the Special Permit Decision with the conditions as written. Mr. Marston seconded the motion. All voted 'aye' to endorse the Special Permit Decision for a multifamily residential development at 4 Parker Hill Way.

- Review Annual Town Meeting Warrant Articles

Julia Lane – The Board was informed that Bob Lee had sent an e-mail to the developer’s attorney stating that it appeared no work was being done to complete the punch list. The Administrator further stated that she had contacted the attorney by phone late today to request an update and no information was available. The Board was informed that it is likely that Julia Lane will not be completed in time for Monday’s town meeting and therefore it would be necessary to push it to the fall meeting. Mr. Cate questioned if it would not be best to go ahead and accept the road and have the town do the remaining work required due to the dissolving of the developer’s company. This option will be investigated.

Zoning Amendments – The Board reviewed each zoning amendment article and endorsed a letter to the Moderator recommending approval for each.

- Meeting Schedule – The Board agreed to a meeting schedule of the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month with no 4<sup>th</sup> Monday meeting in May and to have a meeting on the Tuesday after the 2<sup>nd</sup> Monday in October due to a holiday. The Board stated they would possibly cancel one meeting in some of the summer months to allow time for vacations.

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

- **7:00pm – North Village Estates – Lou Berube, Al Patenaude – Progress updates**  
Mr. Berube and Mr. Patenaude were both present for the meeting. Mr. Berube stated that final paving is done. He said there are 7 lots left to be built. He also said that Jack Visniewski will be doing his as-builts and he has to complete a letter to the Conservation Commission after inspection from a botanist. He stated he would e-mail with a completion date that should be before 60 days is up. He also stated he would confirm punch list items with Bob Lee. He did state that he is of the opinion there is no drainage issue with the Donahue property.  
Mr. Patenaude stated he is close to completion. His as-builts are done and having a final review by the engineer, Jack Visniewski. He also stated that work regarding the site distance at Park Street is getting underway and will be coordinated with Bob Lee. He stated his deed for open space is complete. He estimated approximately two weeks for completion of the as-builts.
- **7:15 – Lindermuth Property – Maple Street – Conceptual Plan Review**  
Winn Mallett presented a plan to the Board for an Open Space Residential Developemnt on the Lindermuth property at 23 Maple Street. He stated the owner was looking for a way to divide and develop the property. He stated that the plan was to sell the practice for his veterinary business along with the barn it is currently occupying along with a house to be built on a lot carved out. He stated that he would like to carve out four other lots for cluster houses of small starter homes that would be affordable housing. He showed on the plan how all of this would occur at the front areas of the lot since the back areas on the lot are wetlands. He stated the lot has 348 feet of frontage which with the reduced frontage in the OSRD of 75 feet would allow for 4 or 5 new lots. These lots are shown on the plan with no street frontage and are carved out behind the main house location. He stated the rear of the lot that is wetlands could be deeded open space the town could get.

He stated that access could be from the current drive used for the vault next door and some configuration of the existing driveway onto the property. He said that these could be similar to a common driveway.

Mr. Mallett stated that the owner would be willing to offer the 25% affordable same as required by the 40B projects. He then went on to explain that the owners would like to keep the original house and divide a portion off for themselves and then have the remainder be elderly housing.

Mr. Cate explained that the OSRD requirements specify that you may only get as many houses as a traditional subdivision would allow and that must be proven with engineering. He stated there are requirements for with and without town sewer.

Mr. Mallett explained that the owner would tie into the sewer as the abutter to the sewer district and then the new houses could then tie in as abutters to him. It was explained to him that this is not what the sewer district intended and that intended for only the direct abutter to be allowed and then it would stop there. He was told he could confirm that with the Sewer Department.

It was pointed out that none of the new lots showed any frontage on Maple Street and this is not allowed. The Board agreed that based on the amount of frontage it would be possible to get probably 3 lots maybe 4 at the most but that each lot must have frontage on Maple Street to become a building lot.

Mr. Mallett asked if the Board could relax the zoning based on the fact that units would be affordable and that the Town might get additional open space. Mr. Cate stated that was not possible.

Mr. Patenaude who was in the audience asked to speak to the subject. He stated that the Berube portion of the North Village Estates was designed as a cluster development and that an original plan for a realistic traditional subdivision using the dimensional controls in place for that zoning district had to be presented prior to submission of a cluster plan and then the reduced frontage for cluster development could be used in preparing the final cluster development plan. Mr. Mallett seemed to understand the concept of frontage a little better after this explanation.

Mr. Cate told Mr. Mallett that if the plan he was showing to the Board now was presented for approval that it would not happen. He suggested getting a plan engineered using the requirements in the zoning.

#### **CORRESPONDENCE & DISCUSSION:**

The Board was briefly informed of the mail received. The Administrator advised Mr. Cate that she had confirmed with the owners of Pepperell Meadows that they were maintaining their affordable housing status.

#### **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