



# Town of Pepperell

## Planning Board

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### MINUTES

Monday, September 28, 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 7:05pm.

### VOUCHERS:

- Payroll vouchers 10/3/09 and 10/10/09 were signed.

### ACCEPTANCE OF MINUTES:

- The Board M/S/V to approve the minutes of April 22, 2009 Executive Session.
- The Board M/S/V to approve the minutes of August 10, 2009.
- The Board M/S/V to approve the minutes of September 14, 2009.

### BUILDING &/OR OCCUPANCY PERMITS:

- None

### ANR PLANS:

- The Board reviewed an ANR plan for 61/61A East Street. The checklist was reviewed and the plan was sufficient for acceptance. Mr. Marston made a motion, Mr. Kane seconded, and all members voted aye to endorse the ANR plan.

### ACTION/DISCUSSION ITEMS:

- ZBA Application – Heald Street Accessory Apartment  
The Board reviewed this application and had no comment.

- **ZBA Application – South Road Home Occupation**  
The Board reviewed this application. They asked about if the use was an allowed use in the district. They were told it was not. They were further informed of the Building Inspector's, Board of Selectmen's, and Town Counsel's opinions that this is not an allowed use and therefore cannot be permitted as a home occupation. The Board agreed to comment to the ZBA that they are in agreement with the written opinions of the Building Inspector and Town Counsel.
- **Village Road and Pond Circle Road Acceptance**  
The Board discussed the upcoming acceptance of Village Road and Pond Circle at town meeting. Mr. Themelis read the letter from Bob Lee regarding his review of the street acceptance plan. He also read the letter from Mr. Lee regarding his review of the as-built plans. The Board agreed that there were a few too many issues outstanding with the as-built plans for them to vote an acceptance. They agreed to notify the parties involved that they will address the issue first thing at the next meeting on October 13th and present their recommendation to the Board of Selectmen immediately so that they will have it in time for their hearing on the subject.  
The Board reviewed a request from Greta Donahue regarding planting a tree to replace one that was removed on the lot adjacent to her. The tree was removed in order to complete the drainage work at 28 Village Road. The Board stated that a tree could not be replanted as the drainage work would be in the way.  
The Board reviewed a request from the Diaz's at 28 Village Road regarding removing the remaining trees on their lot. They would like to leave only the fencing for screening. The Board tabled this discussion to a another time.

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

- **7:15pm – Public Hearing – SP2009-03** – Application for Special Permit under Section 9400 of the Zoning Bylaws on property located at 16 Groton Street shown on Assessors Map 25 Lot 32, 33, 34. Applicant: Shattuck Oil Company, 16 Groton Street, Pepperell, MA 01463.

#### **ACTION/DISCUSSION ITEMS:**

- **SP2009-02 – Pepperell Pharmacy – Decision**  
The Site Plan Review Permit was reviewed for the expansion of the Pepperell Pharmacy. Mr. McHugh made a motion to endorse the Decision with Mr. Kane seconding the motion and all members voting 'aye'.

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

Mail was reviewed without comment.

The Board agreed to cancel the meeting scheduled for October 26<sup>th</sup> in lieu of the Special Town meeting.

#### **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