

LUNENBURG PLANNING BOARD TOWN OF LUNENBURG

Emerick R. Bakaysa, Chair
Joanna L. Bilotta-Simeone, Vice-Chair
Thomas W. Bodkin, Jr., Clk.
Nathan J. Lockwood, Mbr.
Marion M. Benson, Planning Director



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Minutes
Public Hearing (Continuation)
Aro Estates, Howard Street
March 4, 2013

Meeting Posted: Yes

Time: 6:30 PM

Place: Town Hall, 17 Main Street, Lunenburg, MA 01462

Present: Emerick R. Bakaysa, Chair Joanna L. Bilotta, Vice Chair, Thomas W. Bodkin, Jr., Nathan J. Lockwood, Marion M. Benson, Planning Director

Motion, Ms. Bilotta-Simeone to enter into Public Hearing continuation for Aro Estates, to return to regularly scheduled meeting following Hearing, Second, Mr. Bodkin Jr., Roll Call Vote, Mr. Lockwood, aye; Mr. Bodkin Jr., aye; Ms. Bilotta-Simeone, aye; Mr. Bakaysa, aye.

The initial hearing was held on January 30, 2013, continuations held on February 13th and 27th; continued to this date. This continuation is for Board discussion and vote on requested waivers under the Rules and Regulations Governing the Subdivision of Land Section 4.2.5.1. for road length on dead-end streets for Aro 6, Aro 8, and Aro 9. The Rules and Regulations require a 650-foot maximum length.

Brian Milisci, Whitman and Bingham Associates, representing the Applicant, Kevin O'Brien, O'Brien Homes, indicated location of dead-end streets to the Board.

Aro 6: Cul-de-sac length in excess of 650 feet is Margaret Circle having a dead-end length of 1275 feet from the intersection of Margaret Circle and Rachel Road. Applicant has not formally filed with the Conservation Commission. Applicant states this was recommended by the Conservation Commission to eliminate wetland crossings as result of a tech review of the original submittal in 2008/2009. (Note- Original submittal was denied by the Conservation Commission.)

Aro 8: Cul-de-sac length in excess of 650 feet is O'Brien's Way having a dead-end length of 775 feet.

Aro 9: Cul-de-sac length in excess of 650 feet is Ted Court having a dead-end length of 725 feet from the intersection of Margaret Circle and Rachel Road. Ted Court was included in waiver requests, but a waiver may not be needed. Applicant wanted to err on the side of caution. Actual cul-de-sac length falls within the 650 feet; but if measured from an intersection, is 725 feet.

Mr. Bodkin Jr. feels as these are not a safety issue; there is no reason to deny these specific waiver requests. Mr. Bakaysa has no issue with granting these specific waivers on Aro 6, Aro 8, and Aro 9. Mr. Lockwood inquired if a waiver is needed for Aro 4. Mr. Milisci noted not if the subdivisions were developed in sequence; which is their intention. Mr. Bakaysa noted the Directives will state developing must be done in sequence. If built out of sequence, Applicant must request waiver for Aro 4 cul-de-sac as it would exceed length limit. Mr. Bakaysa recommended that the Applicant apply for a waiver for Aro 4 as subdivisions will be reviewed individually.

Mr. Lockwood feels these specific waivers should not be granted and that there are other ways to develop these subdivisions without granting these waivers. He noted that the Rules and Regulations Governing the Subdivision of Land stipulate the minimum conditions to be met. Is it about aesthetics, fire safety, water, sedimentation? He does not want to waive on the basis of one dimension. Section 1.1. notes "...*these regulations are adopted...for the purpose of protecting the safety, convenience and welfare of the inhabitants...*". Ms. Bilotta-Simeone has no issue with granting these specific waivers. Ms. Benson inquired of the Applicant if the buildable lot area would be less if these waivers are not granted. Mr. Milisci noted that would happen, but he could not give a specific number of lots at this time.

Motion, Mr. Bodkin Jr. to grant cul-de-sac waivers as requested for Aro 6, Aro 8, and Aro 9. Second, Ms. Bilotta-Simeone, Roll Call Vote, Mr. Lockwood, nay; Mr. Bodkin Jr., aye; Ms. Bilotta-Simeone, aye; Mr. Bakaysa, aye. Vote passed 3-1.

Mr. Bakaysa requested the Applicant update the waiver request for Aro 6 to have the wording consistent with waiver requests for Aro 4 and Aro 9 regarding wetland crossings being eliminated from original plan.

Attorney Bowen noted at the last continuation there had been discussion regarding a workshop. Ms. Benson will coordinate a meeting between engineers.

Discussion ensued regarding the next continuation date. Due to members' schedules, meeting to be tentatively scheduled for Saturday, March 16th, 1:00 PM. Possible remote participation from Attorney Bard? Ms. Bilotta-Simeone, Motion to continue hearing to March 16, 1:00 PM, Town Hall, Second, Mr. Bodkin Jr., Roll Call Vote, Mr. Lockwood, aye; Mr. Bodkin Jr., aye; Ms. Bilotta-Simeone, aye; Mr. Bakaysa, aye.

Ms. Bilotta-Simeone, Motion to come out of Public Hearing and go into regularly scheduled meeting, Second, Mr. Bodkin Jr., all aye.

Recessed Hearing at 7:15 PM.