



TOWN OF WARE

Planning & Community Development

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Planning Board Minutes December 2, 2015

- Planning Board members present:** Chris DiMarzio (7:04 p.m.), David Kopacz, Sr., Rick Starodoj (Chairman), Fred Urban, Joe Knight
- Planning Board members absent:** none
- Staff present:** Karen Cullen, Director of Planning & Community Development
Judi Mosso, Assistant to the Director
- Public:** As taken from sign-in sheet and observation: Karen Hubacz-Kiley (Bond Construction), Linda Kenyon, Jim Kenyon, John Beltrandi (Belco Construction), Jeanne Beltrandi, Todd Marion (MRT Development)

Chairman R. Starodoj called the meeting to order at 7:01 p.m.

1. Administrative
 - a. Approve minutes from November 4, 2015 - **Motion** by D. Kopacz to approve minutes as presented, seconded by J. Knight. So voted 4/0/0.
2. ANR 2015-06 James Kenyon - Although the agenda reads "Create 3 lots from Parcels 49-100-2 and 20-0-5 in Beaver Lake Residential district", Karen presented the more accurate description of two boundary line adjustments in the RR district. **Motion** by D. Kopacz to accept the ANR as presented. Seconded by F. Urban. So voted 4/0/0.

Chris DiMarzio arrived, 7:04 p.m.

3. Update: ANR 2015-05 (at Mill Yard)

We received a written statement from Peter Roberts, Gennady Solodar's Realtor, stating that Mr. Solodar is withdrawing his ANR application. **Motion** by F. Urban to accept the withdrawal of ANR 2015-05. Seconded by J, Knight. So voted 5/0/0. There was brief discussion if the ANR could possibly have been recorded at the Registry

without signatures. Karen and Judi will check. [*Update: no evidence that the ANR was recorded at the Registry.*]

4. Update on Pennybrook Estates Subdivision (Coldbrook Drive) – Todd Marion confirmed that the road has been completed. Karen reviewed the covenant (recorded at HDRD at book 8523, page 289) and prepared a draft release for the remaining lots. The covenant is separate from the surety, and now that the roadway is complete there is no reason for it to remain. **Motion** by D. Kopacz to release the remaining lots from the Covenant, and to authorize Karen Cullen to sign the release document. Seconded by C. DiMarzio. So voted 5/0/0.

Mr. Marion submitted an estimate of the cost of the remaining work to be done (installation of concrete bounds and guardrails, total \$34,471). The Board reviewed and discussed the remaining work and potential modifications to the plan including fewer guardrails. Mr. Marion proposes keeping the guardrails at the retaining wall (northeastern part of Coldbrook Drive), but not installing them at the retention pond nor where there are currently boulders at the southwestern part of the road. There was discussion about where guardrails are needed, percentage of slope change on the parcels; how slope change alters drainage; how drainage affects abutters; and the need for a public hearing since this would be a change to the approved plan. The Board wants Mr. Marion to seek approval from DPW Director Dick Kilhart regarding guardrails, slope and drainage. **Motion** by C. DiMarzio to reduce the surety from \$250,000 to \$35,000 to cover the cost of the concrete bounds and guardrails as shown on the approved subdivision plan. Seconded by D. Kopacz. So voted 5/0/0.

There was brief discussion about whether we need to hold a public hearing for the requested plan modification; the road acceptance process; the status of the home owner's association; and receiving an "as built" plan.

5. Update: Kulas Gravel Pit Phase 3 – Joe Knight recused himself from this item due to his relation to the property owner. Karen Hubacz-Kiley of Bond Construction updated the Board on the various phases of the pit, which is being performed under an agricultural exemption (§4.6 of the Zoning Bylaw). Phase I has been reclaimed, graded and seeded; Ms. Kulas expects to get a cutting from it next year. Phase II needs to be graded, but that cannot begin until after Phase III has begun; she is seeking approval to begin Phase III. There was discussion about volume; Ms. Hubacz-Kiley reported that for 2015, approximately 8,000-8,400 cubic yards were taken. **Motion** by D. Kopacz to approve the start of Phase III at the Kulas Gravel Pit. Seconded by F. Urban. So voted 4/0/1 (Knight).

Joe Knight returned to the meeting.

- 6. Plowing private subdivision roads – Karen prepared a report on plowing for winter 2015/16. There was discussion about the various roads. Mr. Beltrandi of Belco Construction (Wildflower Drive) discussed the drainage issues at the subdivision and specifically at lots 11, 12 and 13. He intends to clear a portion of this area and create a swale to direct stormwater to the existing drop inlet at lot 10. He also suggested installing a curtain drain along this frontage, within the right-of-way, to handle the water from this area and from the roof and curtain drains from the buildings on these lots. He will contact DPW for their approval.

The Board noted that Walter Drive remains in reasonable condition for plowing and that Coldbrook Drive has recently been completed and is therefore not a problem for plowing this year. They also noted that Belair Drive is not in a condition suitable for Town plowing. Furthermore based upon issues experienced last winter, the Town should not be expending resources to sand Belair Drive either. The owner of that subdivision has not contacted the department or the Board to discuss the situation. **Motion** by D. Kopacz to approve the staff’s recommendations on plowing private roads to be presented to the Board of Selectmen for their action, and to authorize Karen Cullen to modify the recommendation for Isabella Estates to recommend plowing and salt/sand pending the drainage modifications discussed above being made to the satisfaction of the DPW Director. Seconded by J. Knight. So voted 5/0/0.

- 7. Update: Tri-County Recycling (ABC&D)
The public hearing has continued this week; Karen has not been called yet to testify.

The Board discussed meeting dates; we do not anticipate a meeting on December 16. Next meeting is January 6, 2016.

- 8. Adjourn – **Motion** by C. DiMarzio to adjourn at 8:03 pm; seconded by F. Urban.

<i>Minutes Approved on:</i> _____	
Starodoj	_____
DiMarzio	_____
Urban	_____
Kopacz	_____
Knight	_____

*Respectfully submitted by Judi Mosso
Assistant to the Director*