

Present: Stephan Grozinger, Chairman; Jane Connolly, Vice Chairman; Don Saltzman, Ridge Young, Joe Limone – Katie Gregory late and David Allen absent

Land Use Director absent.

Meeting on tapes 1 -3 dated May 3, 2010

---

At 6:45 p.m. the Commission members celebrated Don Saltzman's birthday with cake and balloons.

APPROVAL OF MINUTES: Postponed until the next meeting.

CHAIRMAN'S REPORT:

Copy of this report is attached.

Regarding the item of 306 Lyons Plain Road (Faillace). The homeowner is pursuing the variances and approvals he needs in order to come into compliance.

Don Saltzman moved that the Commission approve sending an appropriate notice to Mr. Faillace to come in to a Planning & Zoning meeting and explain what he is doing to mediate the situation at 306 Lyons Plain Road. Seconded by Jane Connolly. Don Saltzman, Stephan Grozinger, Jane Connolly, Joe Limone and Ridge Young in favor (5) – Katie Gregory abstained and David Allen absent.

Stephan Grozinger to write a letter and the Land Use Director to follow up.

Zoning Officer Review –the members discussed the Zoning Enforcement Officer position's criteria and to postpone the review on May 17<sup>th</sup>, until the second meeting in July. Katie Gregory stated that she would not be in town for the second week of July. She suggested an executive session at this meeting for a discussion of the criteria. The Chairman stated that this was not possible without the Zoning Officer being present. After a discussion, it was the consensus of the Commission to keep to the planned review on May 17<sup>th</sup>.

DISCUSSION/DECISION CONT: SUBDIVISION TIME EXTENSION – BARCELLO SUBDIVISION, AUTUMN RIDGE ASSOCIATES, LLC, 9-11 HILL CREST LANE (PATRIOT NATIONAL BANK)

DISCUSSION/DECISION CONT: REQUEST FOR RELEASE OF SUBDIVISION BOND MONEY, BARCELLO/AUTUMN RIDGE ASSOCIATES LLC SUBDIVISION, HILL CREST LANE (T. BARCELLO)

Tom Barcello and Attorney Scott Harrington from Patriot Bank were present.

Stephan Grozinger referred to some history of this application that there are two requests: 1. Mr. Barcello - for the return of the bond money and 2. Patriot Bank for an extension of the subdivision approval which is set to expire later this year (October). A discussion followed regarding the work to be done which is a little above and beyond what is shown on the subdivision approval. The work is being required by the Town Engineer for top soil and seeding and Attorney Harrington felt the soil being put down would be completely destroyed by a future construction company when developing the two lots. At this point, Attorney Harrington stated that Patriot Bank would like to withdraw. A letter to that fact will be faxed to the Town.

Don Saltzman remarked that the bond is usually given back when the job is completed. A discussion followed regarding not releasing the bond and also not releasing the bond money until it is replaced. Mr. Harrington felt the numbers do not make a lot of sense for Patriot Bank and also they are higher than he thought. Don Saltzman stated that until the Town is advised that the development is done according to the conditions from zoning permits to construction, they are holding up their own future or somebody else who is financing the work. Until that happens the bond cannot be released. This is a complete subdivision and the applicant needs to overcome the legalities. It does show a clear conveyance to Mr. Suss of Hill Crest Lane (in the subdivision). Stephan Grozinger felt that the Commission needs to protect Mr. Suss.

Attorney Harrington referred to the driveway requirements that are within the subdivision approval and Mr. Barcello is asking for release of the subdivision bond.

Tom Barcello wants to discuss what the Town Engineer can release from the remainder of the subdivision bond. He also stated that he is not allowed to go on the property. Don Saltzman stated that if Mr. Barcello does not have the money and the subdivision is not complete – what happens? Stephan Grozinger – we seize the bond and stabilize the property; then the bank would be the owner of that stabilized property. Mr. Grozinger then advised Mr. Barcello to get something in writing from the Town Engineer regarding the amount of money needed for the stabilization.

BARCELLO AND PATRIOT BANK CONT:

Ridge Young felt the Commission should wait to hear from the Town Engineer. Tom Barcello asked if the Town Engineer can give a partial release of the work that has been completed?

Don Saltzman moved that the Commission approve denying the release of the subdivision bond. Seconded by Staphan Grozinger. Discussion regarding the improvements of the subdivision in accordance with the subdivision approval. Seconded by Stephan Grozinger. Vote in favor (6-0) David Allen absent.

DISCUSSION/DECISION: REFERRAL PURSUANT TO 7/7/08 LETTER TO ZONING ENFORCEMENT OFFICER, ZONING PERMIT APPLICATION. INTERIOR RENOVATION, BUILDING #1, WESTON SHOPPING CENTER, 190 WESTON ROAD (JOSH TOLK, MANAGER)

No one present. To be on the May 17<sup>th</sup> agenda.

DISCUSSION: PROPOSED AMENDMENTS TO FLOOD PLAIN REGULATIONS AND SECTION 3.11.6 OF THE SUBDIVISION REGULATIONS

The draft copy of the amendments to the Flood Plain Regulations were given to each member to look over. A discussion followed.

Motion:

Don Saltzman moved that the Commission approve the amendments to the Flood Plain Regulations and Section 3.11.6 of the Subdivision Regulations and that a copy be sent to SWRPA and the Town Attorney for their approval. Seconded by Joe Limone. Vote in favor (6-0) David Allen absent.

DISCUSSION: TOWN PLAN

Stephan Grozinger wished to talk to the members about a game plan for May 10<sup>th</sup> meeting with the Board of Selectmen. A discussion followed. The consensus was to listen politely and hear their input and hear what the public has to say and not to push people on implementation. Stephan Grozinger felt the Commission should have an active role in some of the proposed implementations. Once the Town Plan is approved, the Commission should wait until September to discuss further.

Meeting adjourned  
Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: Motion to approve (5-0) in favor David Allen and Katie Gregory absent

