

## OXFORD PLANNING BOARD MEETING MINUTES OCTOBER 7, 2013

Meeting brought to order at 7:00 p.m. by Chairman Richard Escolas. Members present at this time: Richard Escolas, Jeffrey Stafford, Norman LeBlanc, Donald Mosher, and Edward Hashey. Absent: Thomas Sullivan and Donald Mosher. Also present: Randa Tawadros, DPW Civil Engineer.

**7:00 p.m.: Plans Not Requiring Subdivision Approval:** None.

**Administrative Matter: Reschedule/Cancel Upcoming Planning Board Meetings:** Mr. Escolas stated that he would like to reschedule the first meeting of November which is supposed to be November 11 which is Veterans Day to November 4, 2013.

**MOTION** was made by Mr. Stafford and seconded by Mr. Hashey to reschedule the first meeting of November to November 4, 2013. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Mr. Escolas stated that the Board traditionally cancels the 2<sup>nd</sup> meeting in December due to the Christmas holiday.

**MOTION** was made by Mr. Stafford and seconded by Mr. Hashey to cancel the December 23, 2013 Planning Board meeting. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

**Minutes: September 23, 2013.**

**MOTION** was made by Mr. Stafford and seconded by Mr. Hashey to approve the Minutes of September 23, 2013. There being no further discussion, the Board voted in favor and the Motion carried. Abstain: Mr. Mahota.

**7:05 p.m.: Continued Public Hearing: 17 Joe Jenny Road – Applications for Special Permit and Site Plan Review and Approval – Applicant: Seaboard Solar, LLC – Action Date: December 8, 2013.** Mr. Escolas stated that the Board is in receipt of e-mail correspondence from Bertin Engineering dated October 7, 2013 requesting a continuance of tonight's meeting to October 28, 2013, and read the same into the record.

**MOTION** was made by Mr. Stafford and seconded by Mr. Mahota to continue the public hearing for 17 Joe Jenny Road to October 28, 2013 at 7:05 p.m. **Discussion:** Mr. Escolas stated that the Board is in receipt of a site plan review memorandum from Ms. Tawadros to the Board dated October 4, 2013. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

**Submission: 134 Southbridge Road – Application for Site Plan Review and Approval – Applicant: David Blevins (sale of Christmas trees).** Mr. Escolas read the application into the record. Present for the applicant was Mr. David Blevins. Mr. Escolas questioned the hours of operation and expressed concern regarding lighting at the site. Mr. Blevins stated that there are lights surrounding the Christmas trees; owner of the property has sufficient lighting for the parking lot. Mr. Stafford asked if the applicant has a plan for removal of the trees. Mr. Blevins stated that they are chipped up. Mr. Escolas stated that he does not feel that a public hearing is needed as it is a business use in a business district and considers the application minor.

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**MOTION** was made by Mr. Stafford and seconded by Mr. Mahota to accept the site plan application for the sale of Christmas trees at 134 Southbridge Road and to approve the plan based upon minor site plan review. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

**7:10 p.m.: Continued Public Hearing: 2 Old Webster Road – Applications for Special Permit and Site Plan Review and Approval – Applicant: DCE Realty Trust.** Planning Board members present for this continued public hearing were Mr. Escolas, Mr. Stafford, Mr. LeBlanc, Mr. Mahota, and Mr. Hashey. Present for the applicant was Mr. Damian Mroczka. Mr. Mroczka apologized to the Board. He stated that he has been away for personal reasons. Mr. Escolas stated that it has been 6 months since there has been activity on this project; any interested abutters or public has lost sight of the project. He requested that the applicant withdraw without prejudice then resubmit when ready; a new public hearing would be held and abutters would be notified. Mr. Mroczka stated that his engineer suggested that he request a 2 month extension. Mr. Escolas stated that it has been too long; Board has lost sight of the project. The Planning Clerk prepared a request to withdraw without prejudice on behalf of the applicant. Mr. Mroczka signed the request. Mr. Escolas read the request to withdraw the special permit and site plan applications without prejudice dated October 7, 2013 into the record.

**MOTION** was made by Mr. Stafford and seconded by Mr. Hashey to accept the applicant's request to withdraw the special permit and site plan applications without prejudice for 2 Old Webster Road dated October 7, 2013. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Mr. Escolas stepped down for the next continued public hearing.

**7:12 p.m.: Continued Public Hearing: 25 Ashworth Drive – Applications for Site Plan Review and Approval and Stormwater Management Permit – Applicant: Zhou Lu and Aiqin Shi.** Planning Board members present were Mr. Stafford, Mr. LeBlanc, Mr. Mahota, and Mr. Hashey. Present for the applicant was Mr. Normand Gamache from Guerriere & Halnon. Mr. Stafford stated that before any discussion is commenced, the Board has not received a revised plan nor has the DPW Engineer received revised plans and there are 2 Board members absent tonight. Mr. Gamache stated that he would like to present the revised plan to the Board tonight to review the changes and discuss when the hearing should be continued. Mr. Stafford reiterated that there are 2 Board members absent and the DPW Engineer has not reviewed the revised plans. Mr. LeBlanc stated that the issues should be worked out with Ms. Tawadros before they get to the Board. Mr. Gamache distributed the revised plans to the Vice Chair. He stated that he would like to continue the hearing to the next meeting as long as Ms. Tawadros has enough time to review the plans before then. Mr. Stafford stated that he would prefer to continue the hearing to November 4. It was discussed that the time for Planning Board action be continued to December 31, 2013. Mr. Gamache stated that he also has an ANR plan to reconfigure the lot. Mr. Stafford read the applicant's Request for Extension of Time for Planning Board Action into the record, to December 31, 2013 and to continue the public hearing to November 4, 2013 at 7:05 p.m.

**MOTION** was made by Mr. LeBlanc and seconded by Mr. Hashey to accept the applicant's Request for Extension of Time for Planning Board Action to December 31, 2013 and to continue the public

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hearing for the site plan and stormwater management permit for 25 Ashworth Drive on November 4, 2013 at 7:05 p.m. There being no further discussion, the Board voted in favor and the Motion carried.

Mr. Escolas returned to the Board at this time.

**Submission: 299 Main Street – Application for Site Plan Review and Approval – Applicant: Ben Champany (body art establishment).** Present for the applicant was Mr. Ben Champany. Mr. Escolas read the application dated October 2, 2013 into the record which includes a determination by the Zoning Board of Appeals, and deemed the submission complete. He asked the Board how this application should be addressed. Mr. LeBlanc stated that he believes the application should be considered for minor site plan review. He stated that the ZBA had a public hearing where abutters had the opportunity to speak and the decision has not been appealed; parking issue also has been taken care of.

**MOTION** was made by Mr. LeBlanc and seconded by Mr. Mahota to accept the site plan submission for a body art establishment at 299 Main Street and to approve the site plan based upon the minor site plan review process. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

**Submission: 112 Old Webster Road – Application for Approval of a Preliminary Subdivision – Applicant: Conrad Allen – Owner: 112 Old Webster Nominee Trust (8 lots).** Present for the applicant was Mr. Conrad Allen. Mr. Escolas read the application into the record. He stated that typically the Board accepts the preliminary subdivision application and lets it go through the appropriate Town Boards and Departments and the plans are reviewed by the Town Engineer.

**MOTION** was made by Mr. Stafford and seconded by Mr. LeBlanc to accept the submission of a preliminary subdivision for 112 Old Webster Road for 8 lots and to schedule the application as an Action Item on the agenda for the next Planning Board meeting. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

### **Action Item: Planning Board Recommendations for Warrant Articles for the October 9, 2013 Special Town Meeting:**

**Article 8:** Mr. Escolas read the warrant article into the record **to assess betterments for the installation of sanitary sewer on Leicester Street.** He stated that there are several businesses and one large eating establishment; have been failing systems in that area over time. Ms. Tawadros stated that the parcels are small. Mr. Stafford stated that this area seems to be a key area that needs sewer. Mr. Escolas stated that it is a continuation of what is already there on Route 20.

**MOTION** was made by Mr. LeBlanc and seconded by Mr. Hashey that the Planning Board recommend Article 8, as written. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

**Article 7:** Mr. Escolas read the warrant article into the record **for the installation of sanitary sewer on a portion of Leicester Street between Route 12 and Route 20.** Mr. LeBlanc stated that the sewer

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will be paid for by betterments which can be paid over a period of years; makes the properties more sellable.

**MOTION** was made by Mr. LeBlanc and seconded by Mr. Hashey that the Planning Board recommend Article 7, as written. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

**Article 13:** Mr. Escolas read the warrant article into the record **for an amendment to the Accessory Apartment By-Law.** He stated that the Board decided at the last meeting to make no recommendation because the wording was not correct and the Board does not want to address changes on the floor at Town Meeting.

**MOTION** was made by Mr. LeBlanc and seconded by Mr. Mahota to make no recommendation and to postpone indefinitely Article 13. There being no further discussion, the Board voted in favor and the Motion carried unanimously. **Discussion:** The Planning Clerk reminded the Board that the public hearing on this warrant article was not closed. **MOTION** was made by Mr. Stafford and seconded by Mr. LeBlanc to close the public hearing of September 23, 2013 to amend the Accessory Apartment By-Law. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

**Article 14:** Mr. Escolas read the warrant article into the record **for an amendment to the Sign By-Law.**

**MOTION** was made by Mr. LeBlanc and seconded by Mr. Stafford that the Planning Board recommend Article 14, as written. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

**Article 15:** Mr. Escolas read the warrant article into the record **for the acceptance of Jasmine Road as a public way.** He stated that the Board of Selectmen did accept the road layout plan and easements. Ms. Tawadros stated that the Town will maintain the road and drainage easements. She stated that the Town will not maintain the septic system; shared septic system will be maintained by homeowner's association.

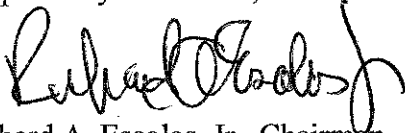
**MOTION** was made by Mr. Stafford and seconded by Mr. LeBlanc that the Planning Board recommend Article 15, as written. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

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### Adjourn:

MOTION was made by Mr. LeBlanc and seconded by Mr. Mahota to adjourn. There being no further discussion, the Board voted in favor and the Motion carried unanimously. Time: 7:35 p.m.

Respectfully Submitted,



Richard A. Escolas, Jr., Chairman  
OXFORD PLANNING BOARD  
/mh

### DOCUMENTS AND EXHIBITS

1. 17 Joe Jenny Road: E-mail correspondence from Bertin Engineering to the Board dated October 7, 2013; file
2. 2 Old Webster Road: Request to withdraw without prejudice from Damian Mroczka to the Board dated October 7, 2013; file
3. 25 Ashworth Drive: Request for Extension of Time for Planning Board Action dated October 7, 2013; revised site plan; file
4. 134 Southbridge Road: Application for Site Plan Review and Approval
5. 299 Main Street: Application for Site Plan Review and Approval
6. 112 Old Webster Road: Application for Approval of a Preliminary Subdivision
7. Warrant Articles for the October 9, 2013 Special Town Meeting

All documents and exhibits are on file in the Land Management Department