Town of Rutland
Planning Board

Minutes: December 10, 2019

Meeting Opened: 6:30 P.M.

Attendance:
Board Members Present: Norm Anderson, Marilyn Sidoti, Shawn Moore, Tim Nahrwold
Board Members Absent: Dick Williams
Staff Members Present: David George (Town Planner), Tomeca Murphy (Secretary)
Guests: Julian Votruba, Michael Votruba, Clea Blair, Jr., Carl Hultgren

Votes:

• Motion to accept meeting minutes from November 26, 2019—Motion made by Shawn Moore, seconded by Tim Nahrwold; vote unanimous at 6:35 P.M.

• Motion made to close the meeting—Motion made by Tim Nahrwold, seconded by Shawn Moore; vote unanimous at 8:05 P.M.

Notices from Abutting Towns
The board reviewed 2 notices from Holden: one for a new subdivision on Pine Tree Rd. and Bailey Rd. and the other for a ZBA issued special permit for an accessory apartment on Wachusett St.

ANRs
None

Subdivision Development: Brice Lemon Estates
C.B. Blair received the notification from the board regarding their displeasure with the presented plans for Rail Trail access. Mr. Blair and Julian Votruba from NE Environmental Design were both present and the proposal the board made for access was discussed. The board stressed that they do not want public access being granted via a private house property. Both Clea and Julian were agreeable to moving it to the other side of the pump house. They will work on revising the plan and will bring back to the board for approval. Also, core samples were completed and they're just waiting on the results from Yankee Engineering. The bounds are in and they will soon have an as-built plan to submit. The sidewalks are complete in phase 1, but the berm hasn't been done. It will just need to be seeded and a top coat done and phase 1 will be complete. Clea was hoping to get street acceptance for phase 1 on the agenda for Spring Town Meeting. The board is unsure if that's possible because a final site inspection isn't likely until April, which is cutting it close to May.

Hearing
Maple Hill Estates: 0 Maple Ave, 6 lot open space subdivision
Hearing continued from September 10, 2019. Opened: 7:01 P.M.

The board reviewed the fees for this application stating that $4,500 has been received of the total $12,500 that will be due upon completion. The second and third amounts of $4,000 each will be due at approval and the last third at bonding. Also requested was the $500 fee for the special permit application due immediately. A report dated December 10th, 2019 was received from Quinn Engineering and Carl Hultgren was in attendance to
explain and answer any questions. Item #1 was agreed on as being resolved regarding the zoning bylaw. Item #2 stated that open space calculations must be revised to exclude Parcel C. The applicant has since updated the lot count and the calculations are now correct. They removed Parcel C via a Form A. Item #3 was resolved and item #4 stated that a conservation restriction must be placed when the open space is not conveyed to the town. Julian Votruba said they will draft that up and the board will make it a condition of approval. Item #7 was resolved and item #12 was the list of waivers requested. Tim said he would like Chief Buckley of the DPW made aware of the drainage pipes for servicing purposes. Clea argued that drainage is not considered a utility and would be the responsibility of the property owners. The board would also like to see trees planted (Shawn abstained because he did not feel strongly one way or the other). The board agreed to grant all waivers with the exception of planting trees. Items #16 & 18 were regarding storm water—the report shows where water is draining from driveways to street drains. Carl suggested making this a condition upon approval. As it’s shown, it won’t work if garages are underneath, as they won’t drain to the street. Carl recommended that the approved plan match what will actually happen once house designs are finalized. The board was not concerned and considered that item to be resolved. Item #21 discussed the existing sewer on the site. Julian said it will likely be replaced with a new sewer line and approval will be required from the DPW. Item #25 discussed a discrepancy on the size of the pipes being used. Julian submitted a revised version to Quinn Engineering that day showing an 18” pipe. He will also get a copy to Dave George and the board considered the issue resolved. Item #26 discussed the calculation of the open space area, which will include all area not in the TC-2 district. The board was ok with the calcs as presented. Mr. Blair requested that Carl Hultgren attend all public hearings where a report is being discussed, to be paid for by Clea, and Norm was amenable to that. The board had no other questions or concerns and voted to close the hearing.

- Motion to close the hearing on the special permit and open space subdivision for Maple Hill Estates—Motion made by Tim Nahrwold, seconded by Marilyn Sidoti; vote unanimous at 7:34 P.M.
- Motion to grant the special permit with standard conditions to be detailed later and subject to town counsel review for Maple Hill Estates—Motion made by Shawn Moore, seconded by Marilyn Sidoti; vote unanimous at 7:48 P.M.
- Motion made to approve the 6 lot definitive subdivision with a 4 lot open space design option and 2 conventional lots with waivers and conditions to be determined prior to endorsement and subject to town counsel review—Motion made by Tim Nahrwold, seconded by Shawn Moore; vote unanimous at 7:49 P.M.

The board also voted on the individual waivers as follows:

- Motion to grant the waiver for street rounding under section 6.B.4—Motion made by Tim Nahrwold, seconded by Shawn Moore; vote unanimous at 7:43 P.M.
- Motion to grant the waiver to use 18” HTP drain pipes under section 7.B.2.E—Motion made by Tim Nahrwold, seconded by Shawn Moore; vote unanimous at 7:43 P.M.
- Motion to accept line C of item #12 to not use security bars—Motion made by Shawn Moore, seconded by Tim Nahrwold; vote unanimous at 7:43 P.M.
- Motion to allow use of flared ends in lieu of head walls—Motion made by Shawn Moore, seconded by Tim Nahrwold; vote unanimous at 7:44 P.M.
- Motion to waive use of granite headstones to Cape Cod berms—Motion made by Tim Nahrwold, seconded by Shawn Moore; vote unanimous at 7:45 P.M.
- Motion to waive street lights—Motion made by Shawn Moore, seconded by Marilyn Sidoti; vote unanimous at 7:45 P.M.
- Motion to deny waiver for street trees—Motion made by Tim Nahrwold, seconded by Marilyn Sidoti; vote unanimous at 7:46 P.M. (Shawn Moore abstained)
- Motion to grant waiver for landscaping in the cul-de-sac—Motion made by Shawn Moore, seconded by Marilyn Sidoti; vote unanimous at 7:46 P.M.
Subdivision Regulations
Dave recommended breaking the regulations into sections and having the board members review them on their own time so they can come to the meetings prepared with comments or questions. Dave can also break the regulations into smaller sections to make review easier and the board was agreeable to this suggestion.

Other
Marilyn shared that the conference room has been scheduled for January 15th for the bylaw subcommittee meeting, as well as for subsequent meetings. Marilyn asked if Dave George should be in attendance at the bylaw subcommittee meetings. He doesn't feel it's necessary, but he will keep the lines of communication open and is happy to help when needed.

Respectfully Submitted,

Tomeca Murphy, Secretary