

Middleton Planning Board
Middleton, MA
MINUTES OF THE MEETING
February 10, 2016

The Middleton Planning Board met at a regularly scheduled meeting on February 10, 2016 at the Fuller Meadow School, 143 South Main Street, Middleton, Massachusetts at 7:00 pm

The following board members were in attendance:
Chairperson Christine Lindberg, Clerk Rick Kassiotis, members John Knott, and alternate members Tony Tierno and Luciano Leone

Others present:
Katrina O'Leary, Planning Coordinator

Chairperson Christine Lindberg called the meeting to order at 7:02 PM

Chairperson Christine Lindberg appointed both alternate members to be voting members for this meeting.

Minutes January 12, 2016

MOTION: Made by John Knott to approve the minutes as written. Motion seconded by Rick Kassiotis. Vote 5-0 in favor, motion carried.

Continued Public Hearing – 7:00 pm – 161-163R N. Main Street Definitive Subdivision – Bay Development LLC

Represented by Jill Mann. They requested a continuance until the next scheduled meeting of the Planning Board on March 9, 2016 at which time they will provide an update.

MOTION: Made by John Knott to continue discussion at the next scheduled Planning Board meeting on Wednesday, March 9th meeting. Motion seconded by Luciano Leone. Vote 5-0 in favor, motion carried.

Subdivision Approval Not Required Plans - 5 & 7 Kassiotis Lane, 6 Norma Way

The owners of 5 & 7 Kassiotis Lane and 6 Norma Way have agreed to amend the lot lines dividing their properties as shown on the submitted plan. The land swap is about 22 square feet from lot 11 (on plan) to lot 10 and 22 square feet from lot 13 to lot 11. All parties are in agreement.

MOTION: Made by Rick Kassiotis to accept and endorse the ANR plan as presented. Motion seconded by John Knott. Vote 5-0 in favor, motion carried.

ZBA Recommendation - 25 Lonergan Road - Five H LLC - Special Permit - electronic message board

Represented by Jill Mann. Paradise Mini Golf is looking to replace the messaging section of their existing sign. The current messaging section contains letters that require manual adjustments to make an edit. They want to eliminate use of their current A-frame sign and to replace the messaging section of their sign with an electronic message board. The size will not change. Restrictions on the electronic message board include primary colors only (no neon), no flashing, no images only.

MOTION: Made by John Knott to provide a positive recommendation to the ZBA to allow the special permit to update to an electronic message board with the restrictions as discussed. Motion seconded by Rick Kassiotis. Vote 5-0 in favor, motion carried.

ZBA Recommendation - 10 Essex Street & 81 No Main Street-North Essex Realty Group-Special Permit Modification & Site Plan Modification-12 month extension of previously approved special permit use & site plan

Represented by Jill Mann. Approximately 18 months ago there was an agreement to construct a seafood epicurean shop at this location. This is no longer going to happen. The owner is searching for a new buyer and is looking to retain the special permit.

No action required.

ZBA Recommendations - 2 1/2 DeBush Avenue - Special Permit-earth removal

The applicant is requesting permission to export 5,000 cubic yards of loam - looking to take it out of town for disposal.

No action required.

MOTION: Made by Tony Tierno to provide a positive recommendation to the ZBA to allow this special permit. Motion seconded by John Knott. Vote 5-0 in favor, motion carried.

Other Business – Walnut Street Extension, Angelo Scippa: Certification of Plan under MGL c41, 81-X, Set surety amount and Accept surety

Certification of Plan - Plans have been reviewed by Katrina O'Leary and there have been no changes made.

MOTION: Made by John Knott acknowledging the plans have not changed since June 10, 2015 and allowing the Board to sign the set of plans before them. Motion seconded by Luciano Leone. Vote 5-0 in favor, motion carried.

Amount of surety. The applicant is putting up \$50,000. Bob LaBossiere, Superintendent of the Department of Public Works, has estimated a sufficient amount of surety to be \$46,684.

MOTION: Made by Luciano Leone to approve the amount of surety in the amount of \$50,000. Motion seconded by Rick Kassiotis. Vote 5-0 in favor, motion carried.

Form of surety. The applicant is presenting as surety an irrevocable line of credit through his bank with a letter of credit naming the Town as beneficiary. This is not usual form of surety. This has not been vetted by Town Counsel, letter was submitted for review on February 9, 2016 - only one day prior to the meeting.

MOTION: Made by John Knott to continue the discussion regarding the form of surety until the next meeting of the Planning Board on Wednesday, March 9, 2016. The Board is not prepared to vote on form of surety since there is no documentation for review. Motion seconded by Tony Tierno. Vote 5-0 in favor, motion carried.

Other Business - Zoning Amendments: Finalize Lot Shape Zoning Proposal for submission to BOS

Katrina O'Leary had discussed the proposed Lot Shape Zoning Proposal with the Master Planning Committee. They were comfortable with the proposal and preferred the factor 42. The Planning Board prefers the factor 40.

MOTION: Made by John Knott to move forward with the Lot Shape Zoning Proposal for submission to the BOS using the factor of 40 and to clarify the wording of the 165' requirement through the dwelling also be addressed and proposed this year. Motion seconded by Luciano Leone. Vote 5-0 in favor, motion carried

Adjournment

MOTION: Made by John Knott to adjourn. Motion seconded by Tony Tierno. Vote 5-0 in favor, motion carried. Meeting adjourned at 8:17 pm.

Respectfully submitted by Amy Becker, recording secretary

Minutes accepted at the March 9, 2016 meeting of the Planning Board.