

Middleton Planning Board
Middleton, MA
MINUTES OF THE MEETING
September 14, 2016

The Middleton Planning Board met at a regularly scheduled meeting on September 14, 2016 at the Fuller Meadow School, 143 South Main Street, Middleton, Massachusetts at 7:00 pm

The following board members were in attendance:

Chairperson Beverly Popielski, Clerk Rick Kassiotis, members Tony Tierno, David McGlone and alternate member Nick Bonugli

Others present:

Katrina O'Leary, Town Planner

Chairperson Beverly Popielski called the meeting to order at 7:00 PM

Minutes July 13, 2016

MOTION: Made by Tony Tierno to approve the minutes with one minor correction of a typographical error. Motion seconded by David McGlone. Vote 4-0 in favor, motion carried.

Chairperson Beverly Popielski appointed Nick Bonugli as a full voting member for this meeting.

Other Business

- A. Release of Restrictive Covenant: Pheasant Ridge Road Subdivision, Yvonne & John McAuley Represented by Jill Mann. The McAuley's are selling the subdivision but some title issues need to be rectified. The original subdivision plan was signed in 1987 which prevents the owners from selling or building on the vacant lots until the Board signs off that the subdivision is complete. The Lewis Drive subdivision which was signed by the Board in 2012 replaced the Pheasant Ridge Road subdivision. Therefore, the old restrictive covenants are meaningless.

MOTION: Made by Rick Kassiotis to abandon the Pheasant Ridge Road subdivision. Motion seconded by Nick Bonugli. Vote 5-0 in favor, motion carried.

MOTION: Made by Rick Kassiotis to release the restrictive covenant on the Pheasant Ridge Road subdivision. Motion seconded by Nick Bonugli. Vote 5-0 in favor, motion carried.

B. Subdivision Updates

(1) Norma Way/Kassiotis Lane (Olde Boxford Estates) - Developer: Ray Falite

A construction schedule was submitted to the Board and Mr. Falite has indicated that he will be done by the end of November. There had been a slight delay in regards to engineering and needing to reshoot some property lines. The trees are scheduled to be at the end of this current week and the curbing next week. Mr. Falite is very concerned about putting down the finish coat on the street while there is still no much personal construction going on at various house locations. Until the Town accepts the street any damage done would be his responsibility to repair. He spoke with Bob LaBossiere who also has some concerns about the final top coat being done before the end of the year.

John McCarthy – 3 Kassiotis Lane

Concerned that there are still 2 lots not completed – no foundations. One is owned but no construction has started. Was asking if there was anything in place that once you purchased a lot if you had to complete within a certain timeframe --- the covenant is that, once you break ground and begin construction, you must complete it within a year. He also expressed concern that when pulling out of Kassiotis to East Street visibility to the left is not good.

Mr. Falite's will be addressing the visibility issue when he finishes the entrance to the street. Bob LaBossiere has expressed concern regarding the road eroding away along the edge of the wetland and has requested that Mr. Falite install a guardrail. Mr. Falite is looking into installing a stone wall along the wetland at the entrance to the subdivision. There was a fair amount of discussion regarding this. While a stone wall is very nice, it would then become the Town's responsibility to maintain and maybe the reason Mr. LaBossiere had only requested some footings and guardrail.

Tom McCormack – 9 Kassiotis Lane

Raised the issue that the residents are still not receiving mail delivery to their homes. According to the Post Office, the street is too hazardous for the mail trucks.

Cheryl McCormack – 9 Kassiotis Lane

Agreed with the concern about the mail and the general state of the street and lack of management of the development on Mr. Falite's part.

The Board confirmed the understanding that the developer is responsible for the maintenance and plowing of the road until it is accepted by the Town. In order for the Town to consider a road for acceptance, the top coat of pavement must sit over one winter and then go for a vote at the next Town Meeting. Mr. Falite indicated he would be 100% completed by the expiration of the tri-partite agreement.

Chairperson Popielski also asked for an updated report at our next meeting on October 12th.

(2) Leitner Way

Represented by Chris Sparages of Williams & Sparages. After the subdivision was approved there was no construction for a number of years. Construction started in the fall of 2013 finishing the walls and the bridge that were needed in order to gain access to the rest of the land. There was still no official perk

test since they couldn't get to the area until the fall of 2014. Once construction was able to begin the project has been moving along. It is the plan for Leitner to remain as a Private Way. Several of the lots are already occupied and a couple of other are almost done.

The Board was asking about a completion date for the project. There is an insurance bond being held for this subdivision with no stated completion date. Mr. Sparages indicated they expect the subdivision to be completed with the last 2 homes by late 2017. The Board inquired regarding the sidewalk. Mr. Sparages was not sure; he will inquire and update Katrina O'Leary.

Town Planner Update

Sidewalk Fund – once all contributions are received there will be \$97,500 in the account. Katrina will review previous meeting minutes regarding Ridgewood Estates and the decision/conversation the Board had with Brent McKinley regarding that area.

The Town is working on prioritizing areas that need sidewalks. They are working in conjunction with the Walk/Bike Alliance to see where people are actually walking/biking to service those areas of need first. The Board also raised the idea that there are still many people in town that own horses and that might be something to look at also – the need for horse trails. The Town is also working to schedule a community forum on this topic.

Adjournment

MOTION: Made by Tony Tierno to adjourn. Motion seconded by Nick Bonugli. Vote 5-0 in favor, motion carried. Meeting adjourned at 8:45 pm.

Respectfully submitted by Amy Becker, recording secretary