

**APPROVED**  
**TOWN OF PELHAM**  
**PLANNING BOARD MEETING**  
**April 20, 2015**

The Chairman Peter McNamara called the meeting to order at approximately 7:00pm.

The Secretary Paul Dadak called roll:

**PRESENT:** Peter McNamara, Roger Montbleau, Paul Dadak, Paddy Culbert, Jason Croteau, Selectmen Representative William McDevitt, Alternate Tim Doherty, Alternate Joseph Passamonte, Planning Department Manager Jennifer Hovey

**ABSENT:** Mike Sherman, Planning Director Jeff Gowan

Mr. McNamara then appointed Mr. Passamonte to vote in Mr. Croteau's absence. (*this appointment was reassigned later in the meeting – see below*).

**OLD BUSINESS**

**Case #PL2014-00032**

**Map 28 Lot 2-12-3**

**MAMMOTH FIRE ALARMS REALTY TRUST - 112 Marsh Road - Applicant is seeking to make a change to a plan that was approved July 21, 1997 (Recorded Plan #28882). The plan shows the Wetland Conservation District buffer increased from 50ft. to 75ft. The applicant requests that the setback be changed back to 50ft. to enable the owners to construct an addition on an existing garage.**

Mr. McNamara noted Mr. McDevitt was not a member of the Board during previous meetings/discussions but assumed he had read the meeting minutes from those meetings. Mr. McDevitt stated he had read the meeting minutes and was comfortable and knowledgeable about the case. There was no objection by the Board, applicant or public for McDevitt remaining seated for the hearing.

Alternate member Mr. Doherty questioned if Mr. Sherman would be attending the meeting. Mr. McNamara appointed Mr. Passamonte to vote in Mr. Sherman's absence and appointed Mr. Doherty to vote in Mr. Croteau's absence, in the event he didn't attend the meeting.

Mr. Shayne Gendron of Herbert Associates, representing the applicant, came forward to discuss the case. He began by providing the Board with a planting schedule plan, a brief history of the case and a summary of the request. The proposed plantings would not be in the diet of the beavers living in the pond. A consultant from Delahunty provided recommendations. Woody shrubs were proposed to reestablish a Wetland Conservation District ('WCD').

Mr. Croteau arrived.

Mr. Gendron stated that the existing gravel area would be removed and replaced with loam and seed in conjunction with following the planting schedule to allow for natural regrowth and resume function as a WCD. The plants will be native to the area. Mr. McNamara asked for more detail regarding the buffer plantings. Mr. Gendron reviewed the recommended list of plantings that would be done to the north of the house along the existing tree line.

Mr. McNamara read aloud legal opinion (dated April 16, 2015) received from Attorney John Ratigan, Town Counsel that addressed the Board's question regarding the property deed.

*I agree with the opinion set forth in the Atty. Byrnes 2/24/15 email reply to the question that was posed. First, the PB can alter terms of a prior approval, provided that the effect is not to grant a variance from the zoning ordinance. The WCD buffer formerly was 50' at the time of the original approval that resulted in the offer of a 75' buffer that was incorporated into the plan and the Board's approval, and today the WCD buffer is 50'.*

*If a 50' buffer is approved by the PB, the PB is not taking action to order modification of the existing deeds. It's up to the property owner to decide whether the deeds require modification. The PB's action relates solely to the plan before it. I would expect that if a new plan with a new 50' buffer is approved, the property owner upon the sale of the lot will create a deed that refers, if nothing else, to the new plan.*

Mr. Doherty spoke regarding the WCD, which was an overlay district. In reviewing the purpose and intent of the district, he found nothing on the applicant's plan that went against the purpose and intent of that section in zoning. He noted that the district was also the Town's recreational district. It gave residents the rights to use the areas around all Pelham's bodies of water, up and down streams, and across the wetlands and the areas around the wetlands for recreation. People cross the district with boats, snowmobiles, four-wheelers, land on it with planes, hunt etc. He noted people plow snow on it so they could put (bob) houses on it in the winter and fish. Mr. Doherty commented that somehow the situation had gotten out of hand; someone had either made complaint to the Planning Department or created a situation where they didn't want recreation to happen in the district anymore. He stated 'permitted uses' clearly contained parks and recreation. This was how people boat and/or land planes on Little Island Pond and Gumpas Pond and enjoy the Town. Mr. Doherty stated they shouldn't let a person basically destruct Pelham's zoning because they want to continually complain to the Planning Department that their neighbor is enjoying the recreational part of their property.

He felt it would be a travesty if the Planning Board tried to change zoning for one person in the Town, where activities were clearly allowed. He noted utilities were also clearly allowed. He found several areas in Town where utilities were on people's properties; they didn't get special permits because they had been there for such a long time. He felt the Board should grant the applicant's request for special permit because the tank was in place. He didn't feel they should be going around Town and have people removing their existing tanks and/or water lines. He spoke of a situation at Little Island Pond where an electrical wire ran in the water from shore to the island, which wasn't considered to be a violation or it wouldn't have been allowed to be put in.

Mr. McNamara believed Planning Director Jeff Gowan had indicated in a prior memo to the Board if approval conditions discussed during meetings weren't imposed by the Board, he as the Zoning Administrator, would send the applicant to the Zoning Board for variance relief. Mr. Gendron told the Board they would be fine with Mr. Gowan's requests; however, they were only seeking the addition. Mr. McNamara read aloud the conditions recommended by Mr. Gowan:

- 1) The applicant bring the property into full compliance with Pelham Zoning before a building permit for the proposed work is issued;
- 2) The applicant install a planted buffer to the 50ft. WCD sufficient to prevent any vehicles or boats from crossing into the buffer and to prevent snow from being plowed into the buffer;
- 3) WCD signs to be erected at 50ft. intervals along the 50ft. WCD boundary.

Mr. McNamara asked Mr. Gendron if he would have any objections to any of the conditions being applied to an approval. Mr. Gendron wanted to know if Mr. Gowan was indicating that the tank was not allowed per Zoning. Mr. McNamara replied he was quoting Mr. Gowan's words. Mr. Gendron told the Board it was their opinion that the tank was better if left alone; however, if it had to be moved it would be. He added if the tank ever needed to be replaced, they would pull it out. Mr. McNamara understood that the applicant filed a request for Special Permit which would allow the tank to remain. Mr. Gendron answered yes.

Mr. Doherty commented Town Counsel (John Ratigan) indicated in a memo that the Board wasn't supposed to change Zoning (through their actions). He felt the Board would be changing Zoning if they were to take recreational vehicles out. He stated the notes (recommended by Mr. Gowan) would change Zoning; for that reason he didn't feel the notes should be added to the plan. Mr. McNamara replied that the Board could make reasonable conditions to the plan. He noted Mr. Gowan was the Zoning Administrator and per Mr. Gowan the applicant would be sent to the Zoning Board on those conditions. Mr. Doherty stated the Board should not include the notes on the plan.

Mr. McNamara opened the hearing to public input.

Attorney Robert Shepard representing Robert and Rhoda Cavanaugh (direct abutters) at 114 Marsh Road (Lot 2-12-2) came forward. He told the Board he wouldn't review the issues he previously brought forward: 1) deed restriction, 2) credibility/integrity of the Planning Board; 3) residential district (too much building for the district; and 4) Unclean hands. He stated seventeen (17) years ago the Planning Board reached an agreement with a property owner and as a condition of granting an approval there was to be a 75ft. buffer. If the present Planning Board votes to change it would basically delete the integrity of such an agreement. With regard to 'unclean hands', he understood Mr. Gowan's position was for the applicant to come into compliance before a building permit is issued. Attorney Shepard stated their position was that the applicant should be in compliance prior to coming in front of the Planning Board to request a change in the plan. He believed the Board was aware that his client opposed the request and understood the reasons for such. He asked that all prior testimony and information/exhibits be incorporated by reference. Mr. McNamara replied the testimony, information and exhibits were incorporated.

Mr. McNamara read aloud the applicant's request for Special Permit.

**MOTION:** (Culbert/Croteau) To accept, for consideration, the request for Special Permit.

**VOTE:** (7-0-0) The motion carried.

Mr. Doherty told the Board he contacted the propane company to ask them about the lifespan of an underground buried propane tank to find out when it would need replacement. He was told the estimate is one hundred years because they didn't have to replace any yet. He was also told that the tanks taken out of the ground (to have another company's tank installed) looked as they did the day they were put in because they were put in an anode bag as they are put into the ground.

**MOTION:** (Culbert/Croteau) To approve the Special Permit.

**VOTE:** (7-0-0) The motion carried.

The Board discussed conditions of approval. Again, Mr. McNamara read aloud the notes recommended by Planning Director Jeff Gowan.

Mr. Doherty spoke to Mr. Gowan's note regarding plowing in the buffer area. He commented if a person could plow into a pond to launch an ice house, he didn't see how plowing could be restricted from the 50ft. around it. He didn't feel note #2 should be included. Mr. McNamara understood that the applicant proposed to replant a buffer. Mr. Doherty didn't see a problem with including note #3 regarding WCD signage. He commented note #1 didn't need to be included because a person had to be in compliance with zoning to be issued a building permit. Mr. McNamara said they should, but apparently the applicant had not been in the past. Mr. Doherty questioned what the applicant was not in compliance with. Mr. McNamara replied there were two boats being stored within the 50ft. buffer. Mr. Doherty stated boats could be in the pond; it was part of recreation. Mr. McNamara noted Mr. Gowan, as Zoning Administrator, made it clear they couldn't. Mr.

Doherty pointed out there were boats within the 50ft. buffer all over the Town. Mr. McNamara said Mr. Gowan had made his opinion clear. Mr. Doherty stated per legal counsel the Board had the right to interpret Zoning. Mr. McNamara replied appeals of Zoning go in front of the Zoning Board.

Mr. McNamara asked to hear the Board's opinion. He said he would take a motion to either accept or deny the application, with or without the stated conditions.

Mr. McDevitt inquired if there were any other Zoning issues that weren't in compliance at present. Mr. McNamara replied there had been a number of Zoning issues. Mr. McDevitt didn't want to impose additional requirements on an applicant that hadn't been discussed. Mr. Gendron believed the main items brought out were the propane tank, which was now addressed, the boat being stored in the area that has been removed, and gas cans that have been removed. He told the Board that the applicant was looking to come into compliance; none of the mistakes on the property were done with malicious intent. The applicant will work with Mr. Gowan to straighten out any Zoning violation.

Mr. Passamonte confirmed the applicant would have to be in compliance prior to a building permit being issued. Mr. McNamara answered yes.

Mr. Culbert made a motion to approve the plan with the following two conditions 1) Install a planted buffer to the 50ft. Wetland Conservation District sufficient to prevent any vehicles or boats from crossing into the buffer; and 2) Wetland Conservation District signs to be erected in 50ft. intervals along the Wetland Conservation District.

Mr. McNamara confirmed Mr. Culbert understood the plan would probably end up going to the Zoning Board as a result of the motion. Mr. Culbert answered yes; he understood. Mr. Montbleau seconded the motion.

**MOTION:** (Culbert/Montbleau) To approve the plan conditioned on the following:  
1) Install a planted buffer to the 50ft. Wetland Conservation District sufficient to prevent any vehicles or boats from crossing into the buffer; and  
2) Wetland Conservation District signs to be erected in 50ft. intervals along the Wetland Conservation District.

**VOTE:** (6-1-0) The motion carried. Mr. McNamara voted no.

**PB Case #PL2015-0001**

**Map 7 Lot 4-180-17**

**TWO M CONSTRUCTION, LLC - Benoit Avenue - Proposed 2-Lot Subdivision**

Mr. Shayne Gendron of Herbert Associates, representing the applicant, came forward to discuss the plan. He told the Board the applicant was seeking to subdivide their 10-acre parcel into two 5-acre lots. A plan set was submitted to Keach Nordstrom (Board's engineering review firm) for review. Keach Nordstrom returned a memo outlining items that needed to be addressed. Mr. Gendron told the Board they answered many of the items and submitted an updated plan set to the Board. He discussed the property and called attention to the back lot that had a long driveway and existing bridge. A previous company received a dredge and fill from the State. He noted most of the driveway currently existed; a road profile has recently been done.

Mr. Gendron reviewed the road profile highlighting the existing grade and the proposed grade for the driveway that would work within the Town's most stringent criteria because the length was beyond 500ft. He noted the width would be 14ft. and include a turn-around area that would accommodate a WB-50 (tractor trailer). In the area of station +2 (mid-point), a pull off area was located for vehicles to pass each other. A request for special permit has been submitted for a couple areas that are in the Wetland Conservation District ('WCD'). Keach

Nordstrom asked for an additional test pit in the 4K area; details of the test pit for Lot 4-180-217 (for the lot closest to Benoit Avenue) are shown on the newest plan.

Mr. Doherty wanted to know the size of the 'tear' shaped wetland that was situated near the house at the end of the long driveway. Mr. Gendron replied the isolated wetland was over 2,000SF. Mr. Doherty questioned if at any point driveway was within 50ft. of wetland. Mr. Gendron answered yes; the areas near the driveway were included in the request for special permit. He approached the displayed plan and outlined the two specific areas. Area one contained 2,500SF (+/-), and area two contained 2,200SF(+/-). He noted that the driveway was basically established and the vegetation cleared in the area. To accomplish the proposed grading there was still work to be done.

Mr. Doherty questioned if work would be done entirely in the buffer or in the wetland itself. Mr. Gendron said there would be no wetland impact; there was already an approved dredge and fill that was carried out when the bridge was installed. The driveway had been extended beyond the bridge. The plan showed the actual location of the driveway.

Mr. Passamonte wanted to know when the bridge was built. Mr. Gendron informed that the dredge and fill was approved May 30, 2003.

Mr. McNamara told the Board a request for special permit had been received.

**MOTION:** (Culbert/Montbleau) To accept, for consideration, the request for special permit.

**VOTE:** (7-0-0) The motion carried.

Mr. Dadak confirmed nothing had changed with regard to the driveway crossing since the dredge and fill was carried out. Mr. Gendron said that was correct. Mr. McNamara confirmed that the applicant was coming in under Section 307-40a of the Zoning Ordinance. Mr. Gendron answered yes; he then provided the Board with photographs of the existing driveway that were taken in the late fall. He pointed out the driveway was roughed in and would need fine grading.

Mr. Doherty referenced Section 307-40, which states the Planning Board can grant a special permit if it had been referred to the conservation commission. He asked if it had previously been referred to have the bridge installed. To receive the State permit, Mr. Gendron replied it had to have been referred to the conservation commission. He provided the Board with a copy of the approved dredge and fill permit from May 30, 2003. Mr. Dadak confirmed there would be no additional width added to the bridge or driveway. Mr. Gendron answered no; he explained they had located all the corners of the bridge abutment and roughed in driveway. They were confident there was plenty of room to put the 14ft. driveway with grading. Mr. Croteau questioned if the driveway had been roughed in for the length to the proposed house. Mr. Gendron said it was just short of the area near the house, but past the area of the WCD.

#### PUBLIC INPUT

Mr. Tim Lepine of 20 Benoit Avenue told the Board he walked the property and found the driveway was not close to being roughed in as proposed. He explained when negotiating the purchase of his home in 2001, there were three 5-acre lots on the north side of Benoit, for an additional \$5,000 per lot or a choice of a 10-acre lot for an additional \$10,000. He chose to build on a 5-acre lot. It was then his understanding that Mike McCarthy of Two M would build his own property on the 10-acre lot and the bridge was for one single home. Mr. Lepine believed there had been a variance request that was denied in 2004. He provided the Board with a plan sheet obtained at the Planning Department that showed the lots at the end of the cul-de-sac having a combined frontage calculation of 396.68, which fell short of the requirements. Mr. Lepine didn't have a problem with the applicant putting a single house on the property, but would have a problem with two houses.

Mr. McNamara asked Mr. Lepine if he opposed the plan for reasons other than frontage. Mr. Lepine replied it was understood to be a 7-lot subdivision and now they were proposing an 8-lot subdivision.

Mr. Dave Janeczek of 17 Benoit Avenue stated when purchasing his property he saw the plan for development, which didn't include a plan for subdivision of the last property. Since that time, ten-twelve years has gone by and the neighboring houses have become well established and well taken care of. He had no objection to one house being constructed. Mr. Janeczek also discussed what he was told when purchasing his property, which was based on topography optimum building would be close to the street. Now, there was discussion about a lot being subdivided with a house being put up in back (of the road). He reiterated he was okay with one house on one lot as it was intended. Mr. McNamara inquired if anything was provided in writing. Mr. Janeczek answered no.

Mr. Darren Martin of 21 Benoit Avenue told the Board that the proposed driveway wasn't mostly constructed as was mentioned; he said it was actually near 25%. He said there were a lot of stories told to the residents when they were moving in and understood it probably had no bounds since it was not in writing. He spoke to the character of the neighborhood. He said when buying into the Town they had done a lot of research to see what is permissible. At that time he saw on the map there was not enough frontage to put in two properties. He didn't know where the additional frontage had come from, other than from his or Mr. Lepine's properties. Mr. Martin indicated that the Zoning Board turned down a variance for two lots because there was not adequate frontage. He noted that the plan displayed for the Board wasn't correct; there have been two lot line adjustments on his property that weren't being reflected. During the second lot line adjustment, the Board placed a restriction for no subdivision of his property. He was curious how his lot could be prevented from subdivision when the lot next to his was under consideration for subdivision.

Mr. McNamara wasn't familiar with the situation being described from years ago. He believed Mr. Martin would need to speak with the Planning Director to find out the specifics of what happened. He stated if the applicant met the Town's requirements, they were entitled to subdivide. If they don't they may go in front of the Zoning Board to request a variance. Mr. McNamara said he would ask Mr. Gendron to respond to the question about frontage; however Mr. Martin's situation was a separate matter.

Mr. Martin spoke about the meetings in the past, during which a member of the Forestry Committee was present and spoke about setting a precedent if the variance was approved given there were over 100 lots within the Town that could come forward with similar requests. He cautioned the Board about granting an approval not only because of the stipulations placed on his land, but also the precedent it could create throughout the Town. Mr. Martin was in support of the law and constructing a single-family home but was not in support of two houses being constructed.

Mr. McDevitt understood how difficult development could be for abutters. He explained that the State was very protective of an individual's right to do with their land as they saw fit within reasonable constraints imposed by planning and zoning boards. Mr. Martin understood, but went back to the stipulation placed on his land, that he may want removed so he could also develop. Mr. McNamara said it sounded as if there was a quid pro quo at the time of Mr. Martin's lot line adjustment. He didn't know the specifics and suggested Mr. Martin speak with the Planning Director. He added if the subdivision requirements were met the subdivision had to be allowed as a matter of law. He noted the Board had the engineering of the lot reviewed by Keach Nordstrom (Board's engineering firm) for deficiencies. Mr. Martin questioned if the question of frontage would be answered. Mr. McNamara said it would.

Ms. Tuyet Martin of 21 Benoit Avenue told the Board it was unfortunate they only had a verbal agreement from Two M that the lot across from her would have one house and they aren't honoring their word. She also heard if people opposed the proposal, the applicant would construct a duplex on one of the lots. She asked if they would be allowed to do so. Mr. McNamara replied they would be allowed if they met the requirements.

Ms. Martin discussed the character of the neighborhood, which had been well established. She hoped the Board would take into consideration what the residents had been told and their concerns with having an additional house as well as the 'threat' of putting in a duplex.

Mr. Dan Wiesen of 18 Benoit Avenue corroborate with the neighbor's comments that the driveway wasn't any more than 25% complete compared to what was shown on the plan. He asked that the Board take the plan into consideration as a 'plan' and not as the actual state of affairs. He didn't feel a duplex would be in character with the neighborhood and expressed his desire to not see it happen.

Mr. Martin inquired what weight the character of a neighborhood carried with the Planning Board. Mr. McNamara replied it depended upon how severely a neighborhood would be impacted. He understood the abutter's concerns given that when he purchased his home in Pelham twenty-five years ago was told the land behind wouldn't be developed and instead a huge development (of 65-70 lots) was done. Mr. Martin asked if his property value was affected. Mr. McNamara replied it wasn't radically changed. Mr. Martin was very concerned with a duplex being constructed across the street from him. He felt it didn't fit with the character of the neighborhood. Mr. McNamara stated if the requirements were met, the applicant could build a duplex. Mr. Martin felt the Board should come to the neighborhood to see the existing houses and how well they were maintained and spread out. He was very concerned with property values changing.

Mr. Culbert, who was sitting on the Board at the time of the Benoit Avenue development, stated he was against the development from the beginning and didn't feel it was developable land.

Mr. Gendron told the Board there was no proposal to build a duplex; they were showing single family homes on the property. Mr. McNamara asked for an explanation regarding the discrepancy in frontage (as shown on the plan submitted by Mr. Lepine). Mr. Gendron replied he didn't know where plan came from that was given to the Board by an abutter. He stated it was different from the recorded plan listed on the cover sheet of the subdivision. He showed the Board a copy of the recorded plan taken directly from the Registry of Deeds website. He noted his surveyor had done the calculations on the properties. There is 400.05ft on the existing lot to be able to subdivide. Mr. McNamara commented that Ms. Hovey had indicated that the original recorded plan was done by Herbert Associates and showed 400.05ft. frontage which was consistent with the plan presently in front of the Board. He went on to say in 2003/2004 a different engineering firm was short almost 4ft. and sought a variance. Mr. Gendron couldn't answer for the past shortage of frontage. He could only speak to the plan recorded at the Registry, which indicated the frontage to be 400.05ft. He believed Peter Zohdi of his office presented the plan in 2005. He stated it was always the intention to subdivide the lot being discussed. At the time there was a problem with the need for a special permit, which would have held up the approval; therefore a decision was made to subdivide the ten acres at a later time. Mr. Gendron believed they met the frontage requirement. He pointed out that Keach Nordstrom reviewed the geometry of the lots and they met the lot size requirements.

Mr. McNamara asked for comment regarding the completion of the driveway. Mr. Gendron knew the driveway was not all the way completed, but extended at least 200ft. beyond the existing bridge as photographs showed it to be roughed in. He commented about the requested special permit, which would take care of any area around the WCD. They were not looking to disturb any more than what was needed to construct a driveway.

Mr. Doherty spoke to the suggestion of placing a note on the plan for no further subdivision, which he felt should be done given that the land area of the parcels may accommodate a larger development. Mr. McNamara spoke of the provisions that would allow a conservation subdivision to be developed.

Mr. Montbleau addressed the public. He was familiar with Benoit Avenue and spoke of the development that could occur if regulations were met. He understood the neighbors didn't want disturbance; however, without

written agreements with the owner, if a proposed plan met subdivision regulations or conservation subdivision requirements, more lots could be developed.

Mr. McDevitt didn't feel two single family residences would do the damage to the neighborhood as some of the abutters felt it would. He discussed his property, which abutted Beaver Brook and a property that was developed. He wasn't happy about the development, but his neighborhood wasn't ruined by it. He agreed there should be a condition for single family homes and no further subdivision. He understood the abutter's concerns and had seen similar instances where people believed certain things, but without having it in writing had no guarantee.

Mr. McNamara noted Ms. Hovey checked the plan and indicated it only certifies each lot contains 35,000SF contiguous dry land. A duplex would require 55,000SF contiguous dry land. He had no issue with including a condition for single family homes.

Mr. Doherty pointed out the house on the back of the lot would be located approximately 500ft. from the road. He asked if it would be visible from the road. Mr. Gendron didn't believe it wouldn't be visible. Mr. Doherty added if the applicant decided to put a road and subdivision on the parcel it would definitely be visible. He wanted the Board to consider limiting the plan to no further subdivision.

**MOTION:** (Dadak/Culbert) To approve the Special Permit.

**VOTE:** (7-0-0) The motion carried.

The Board addressed the waiver requests as follows:

**MOTION:** (Culbert/Dadak) To approve the waiver to Section 10.03,F. – to not show all structures, wells and septic systems within 75ft. of the site.

**VOTE:** (7-0-0) The motion carried.  
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**MOTION:** (Culbert/Dadak) To approve the waiver to Section 11.11,B,2 - To allow the well radius on Lot 4-180-17 to be within the 15ft. building setback.

**VOTE:** (7-0-0) The motion carried.  
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**MOTION:** (Culbert/Dadak) To approve the waiver request to Section 11.04,C,(7) – To allow the building envelope to be accessible to a road by crossing the Wetland Conservation District.

**VOTE:** (7-0-0) The motion carried.  
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**MOTION:** (Culbert/Dadak) To approve the waiver request to Section 10.04,C,(1) – to allow the 15,000SF areas on lot 4-180-22 to not be in the 100ft.x150ft. shape.

**VOTE:** (7-0-0) The motion carried.

Mr. McNamara reviewed a list of proposed conditions as follows:

- 1) All items of Keach Nordstrom's letter of April 17, 2015 be met to the satisfaction of Mr. Keach

- and the Planning Director;
- 2) No further subdivision of the subject parcels;
  - 3) No duplexes be constructed on the subject parcels;
  - 4) Fire Department approval is required for both driveways.

As mentioned in Mr. Keach's April 14<sup>th</sup> letter, Mr. McDevitt wanted to make sure there was not a problem with the driveway slope not being approved by the Fire Department. Mr. McNamara said it was a normal requirement for the Fire Chief to review prior to a permit being issued.

**MOTION:** (Culbert/Dadak) To approve the plan subject to the conditions listed above.

**VOTE:** (7-0-0) The motion carried.

### **OTHER BUSINESS**

#### **Subcommittee Appointments**

**CIP** – Mr. McNamara and Mr. Culbert  
**Master Plan** – Mr. McNamara, Mr. Dadak and Mr. McDevitt  
**Zoning** – Mr. Passamonte

### **MINUTES REVIEW**

**April 6, 2015**

**MOTION:** (Culbert/Montbleau) To approve the meeting minutes of April 6, 2015 as amended.

**VOTE:** (6-0-1) The motion carried. Mr. Dadak abstained.

### **ADJOURNMENT**

**MOTION:** (Montbleau/Dadak) To adjourn the meeting.

**VOTE:** (7-0-0) The motion carried.

The meeting was adjourned at approximately 8:30 pm.

Respectfully submitted,  
Charity A. Landry  
Recording Secretary