

Planning Board
Minutes
November 15, 2022

Present: Tom Davidson, Chair
Gary Bohan
William Tessmer
Paul Carey
Kathy Robertson
Margaret Carroll

Meeting called to order at 7 p.m.

- 1) October 25, 2022 minutes approved as amended. Approved: 5-0.
- 2) Treasurer's report: No payments to report.
- 3) Town Planners Report. Nina Weisblatt from CMRPC reported she and Town Manager will be in a meeting to learn more about MBTA Communities. A report will be made at next meeting.
- 4) ANR- 89 Christian Hill Rd: Applicant not in attendance. Board discussed the application and identified questions and omissions. Motion made to deny the application as incomplete due to the failure to include the surveyor's stamp. The Board also noted the failure to submit a complete set of plans, clearly define straight line frontage, identify use and characteristics of adjacent lots. Board also requested that the incorrect spelling of the word "agricultural" in defining zoning be corrected. Approved: 5-0.
- 5) Regular Meeting suspended at 7:20. Continued Public Hearing opened on Governor's Landing. Applicant made a request to continue the hearing to December 13th. Motion made to continue to December 13, 2022, at 7:05. Approved: 5-0.
- 6) Regular Meeting resumed at 7:21: Regular Meeting suspended at 7:22. Continued Public Hearing opened on East Street Estates. Applicant requested a continuance but first provided an update on the status of outstanding issues. The applicant's engineer reported that he had been in touch with the DPW Director and was incorporating the demarcation of the drainage easement from the lots into the plan. Engineer and DPW were working to resolve the snow removal issue. The modification to soil required to make the retaining wall work are still being resolved. Board requested that attention be paid to a tree which was a priority to residents and to contact the abutters' list before the Board meets to make a final decision. Applicant agreed and projected that the plan would be ready for resident review and comment prior to the Planning Board's January meeting. Motion made to

Continue the Public Hearing to the December 13th meeting at 7:15. Vote 5-0. Motion made to grant the applicant's request to extend the time by which the Planning Board to December 27. Approved: 5-0. Regular meeting resumed.

- 7) 7:34 pm: Regular meeting suspended. Continued Public Hearing resumed on 206 Milford Street/Riverside – Minor Site Plan Review (change of use). Applicant confirmed that there would be no alterations to the exterior of the building except the placement of an emergency generator; no changes to parking or traffic; no changes to stormwater & drainage; and no changes to signage and lighting. Public hearing closed. Regular meeting resumed. Motion made to approve the site plan as submitted. Approved: 5-0.
- 8) 7:41 pm: Regular meeting suspended. Public hearing reopened on 0 Westborough Road (Assessors Map 8, Lot 37) – Large Lot Frontage Reduction (LLFR) Special Permit. Point of order raised. Board member noted that a change was made to the large lot reduction bylaws at the 2022 Upton Annual Town Meeting. Board member asked if applicant was aware of that change when applicant was submitting the plan for review. Zoning change was available on Planning Board website at the time the LLFR special permit application was made to the PB. Applicant asked if change had been approved by AG. Board member answered in the affirmative. Board member said it was not the intent of the LLFR bylaw to modify an existing conforming lot into multiple large lot reduced frontage lots such that none of the resulting lots are non-conforming. Board stated that the purpose of the newer bylaw was to codify the practice of the PB under the older bylaw. Public hearing closed. Regular meeting resumes. Motion made for the Board to deny the large lot frontage special permit application for zero Westboro Road as it fails to comply with Section 300-7.5.F(k) of the Upton Zoning Bylaw and to the extent that it fails to comply with the intent of the prior version of the bylaw. Motion to deny approved: 5-0.
- 9) 8:03: Paul Carey notifies members that the interview panel reached a decision to hire a candidate for Town Planner.
- 10) Next Meeting scheduled for December 13th at 7 pm.
- 11) 8:10 pm, Meeting adjourned.