

Approved 6/23/10

**HAMPDEN PLANNING BOARD
PUBLIC HEARING MINUTES
May 26, 2010
Town House**

Mr. Flynn opened the Public Hearing at 7:05pm.

The Hearing was scheduled on the application of Michael Cimmino for five special permits for four sub-standard frontage lots and a common driveway to access two of the lots on Highland Circle and South Monson Road. The Public Hearing was started on April 28th and continued to May 26th. Updated plans were not presented for the large, 59.8 acre lot (40 and 40-A) and therefore could not be reviewed. A separate Public Hearing will have to be held at a later date for a special permit for this sub-standard frontage lot (assessor's map 20 block 7).

Members Present – Cornelius Flynn, Chair, John Matthews, Joseph Kruzel, Robert Howarth and Judy Jackson, Associate Member.

Introduction of Board Members: Mr. Flynn introduced the Planning Board members.

Statement of Authority: Mr. Flynn read the Statement of Authority.

Legal Notice: The legal notice was read by Mr. Flynn.

Report from Other Agencies: The Tax Collector reported that the accounts are current, the Building Inspector has no concerns with the subdivision of the properties and no objection to the common driveway provided the applicant applies for a driveway permit prior to the issuance of any building permits. The Police Department found no traffic, police or safety issues. The Historical Commission had no comment. The Board of Health reported no issues with the lots. All have been perced and comply with Title 5 at this time.

Applicant's Presentation/Board Questions: Gary Weiner from Ecotec Environmental Associates, Inc. represented Mr. Cimmino who could not attend. Mr. Weiner explained that there would be three estate lots, one with access from South Monson Road and two, which will utilize a common driveway, with access from Highland Circle. The lots meet the criteria for estate lots and the driveways meet the zoning requirements. The driveway for the South Monson Road lot will have a retaining wall. The common driveway for the Highland Circle lots shows a minimum 14' and a turnaround for fire and safety apparatus and conforms to the Zoning Bylaws for a common driveway.

Audience questions/comments:

Dave Obuchowski, 18 Hillside Lane – What does the 100' minimum represent? Mr. Weiner stated that no structures can be in that area. Mr. Obuchowski added that there are covenants and the Hampden Heights Association in place now; the new homeowners are expected to be part of this. The Board informed him that this would be a legal issue and does not involve the Planning Board. Mr. Obuchowski will give a copy of the covenants to Mr. Weiner to pass on along to Mr. Cimmino. John Plaster, 181 South Monson Road – Concerned about clearing up to his property line. Mr. Weiner explained that the 100' setback is for structures and not clearing, but it would not be beneficial to the landowner to clear up to the line. Mr. Weiner added later that there is a 100' minimum clearing limit marked on the plan. How high will the driveway retaining wall be? Mr. Weiner noted that it would be 6' at its highest point per the plan. Is the lot sold yet? Mr. Cimmino is believed to be the current owner of all of the lots. Mr. Plaster is concerned about the placement to the home. It was explained to him that the home can go anywhere within the building envelope and that the special permit is good for two years.

Mark Groffman, 11 Hillside Lane – Will there be one house on each lot? Only one house is allowed on an estate lot.

Stephen Sugermeier, 64 Highland Circle – No further subdivisions? No, the lots cannot be subdivided further.

Jackie Holman, Bennett Road (Dad's property) – Large lot abuts this property. No action on this lot at this time. A new Hearing would have to be held and abutters would be notified.

Ridgeline and Hillside reviews will be done for the two lots with the common driveway. The prospective owners will stake out the houses and call when ready for a review.

Mr. Kruzel made a motion to approve the special permits for the three sub-standard frontage lots as estate lots (lot 41, 41-A, 44, 43, 43-A, 45, 45-A) as shown on the plans and also to approve the common driveway as presented. Mr. Howarth seconded. The vote was unanimous. (Assessor's map 20, blocks 8 & 9 and map 15, block 20-5)

The prospective owners of lots 41, 41-A, 44 and 43, 43-A previously left a copy of the common driveway maintenance agreement for review.

Mr. Flynn closed the Public Hearing at 8:05pm.

Plans presented:

1. Estate Lot & Common Driveway Plan, Highland Circle, Hampden, MA for Jason Abeid & Adam Powers, dated 3/8/10, prepared by Paul S. Smith Land Surveying.
2. Estate Lot Plan, South Monson Road, Hampden, MA for Michael Cimmino, dated 4/20/10, prepared by Paul S. Smith Land Surveying.

Submitted by: Deborah House, Clerk