

Planning Board Meeting Minutes

Date: November 13, 2019

Time: 7:37 pm

| | | | |
|---|--------------|---|----------------------|
| x | J. Hargraves | x | A. Pease |
| x | J. Lindquist | | T. Foster |
| x | T. Cantor | | W. Stacy (associate) |

Also Attending:

- Steve Breitmaier
- Harold Chattaway
- Bob Bertram, Barbara Bertram, Michael Bertram, and family

Meeting Opened at 7:37 pm.

ANR

- Kevin and Stephnie LeBlanc, Map 5, Parcel 56.1
 - 0 Greenville Rd
 - 2 lots are to be created (lots 1, 80,017sq and 2, 80, 278sq)
 - All were in favor, none opposed or abstained
- Bob Bertram, Barbara and Michael Bertram, Greenville Rd.
 - Looking to transfer land to an existing nonconforming property (at ½ acre) to bring it up to 1 acre; has over 300' of frontage along Greenville Road
 - There is an existing house, but the family that lives in the home is looking to add a garage. The potential location of the garage would cross over the existing lot line
 - Bob is also looking to move the pin from the current location on his portion of the property so that the frontage to the abutting property from which the ½ acre is pulled, is maintained
 - The Planning Board makes a motion to support the changes to the nonconforming lot to increase the size of the lot to 1 acre; Jeanie seconded; all were in favor, none opposed

Meeting Minutes

- Alan moved to approve the October 9, 2019 meeting, Terri seconded; all approved, none opposed
- Jeanie moved to approve the meeting minutes of October 23, 2019, Terri seconded, all were in favor, none opposed

Request for Extension of Time to Complete, Overlook Drive subdivision

- Steve Breitmaier - developer
- The request is for a 2-year extension
- The developer is looking to obtain approval from the Board of Health for septic and is continuing testing to provide to the BoH
- A citizen is concerned about arsenic in the soil, particularly along the right of way, as this was the site of apple orchards, according to information obtained from a landowner in the area
- The developer is looking for information on the validity of the statement that an apple orchard was in fact there, how long ago the apple orchard existed...
- The property in question for the extension was not originally part of the land that was owned by the Pappas family. The 50' from the right of way is part of the issue, where there is a question of whether the apple orchard extended to the right of way
- Since the 50' of right of way did not originally belong to the Pappas family, it is likely that the apple orchard did not extend to the right of way
- There will be a culvert placed to allow water run through the right of way. The developer has approval from the Conservation Commission in support of the culvert.
- The top soil will be removed and transported to the back of the lot to support the clearing and grubbing. Anticipated depth is 12" that will likely need to be removed/transported.
- Harold Chattaway's concern is that there is runoff from the property to his property and down the street; there is no noticeable deposit of silt/soil during the runoff
- The developer intends to put protection along the roadway to prevent silt runoff
- Requirement that silt fence is used to prevent movement of soil from the property so that it does not affect
- Alan motioned to approve the extension for 2 years (till 11/13/21), as long as the area along the roadway on the downhill side is lined with silt fence and wattles to prevent movement of silt; all were in favor, none opposed
- **Alan** to send the approval letter for the extension and copy Terri

Land Use Agent schedule application review and interviews

- Reviewed the current applicants
- Intend to start interviewing in January, 2020
- Will continue to accept applications through December, 2019
- **Jeanie** will reach out to the candidates; **Terri** to forward the applicants to Jeanie
- It will be decided at the December 4th, 2019 who will conduct the interviews

Items not anticipated by the chairman.

- The Planning Board will convene for December 4th, 2019 for the special permit meeting and not meet until January, 2020
- Running list of items for the Planning Board:

- 7/24/19 meeting: Update the marijuana definition (to be done later this year)
- 8/14/19 meeting: Re-examine the bylaws to remove Planning Board approving the driveway for lots
- 10/9/19: Review the bylaw that requires the 10 acres requirement for wetlands; if the lot is going to be put into protection

Meeting adjourned at 9:13 pm.

Submitted by:
Terri Cantor

FORM A

APPLICATION FOR ENDORSEMENT
OF PLAN NOT REQUIRING APPROVAL

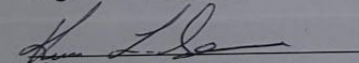
Date: 10-15-19

[File two (2) completed forms with the Planning Board, with the required filing fee.]

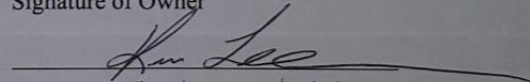
The undersigned, believing that the accompanying plan of his/her property in the Town of Ashby does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant Kevin & Stephanie LeBlanc
Address: 761 Foster Rd.; Ashby MA 01431
2. Name of Owner (if different than Applicant) Same
Address: _____
3. Name of Surveyor/Engineer Cornerstone Land Consultants, Inc.; David J. DeBay PLS
Address: 94 Shirley St.; Pepperell MA 01463
4. Deed of Property recorded in the Middlesex Southern District Registry of Deeds In Book _____
Page _____ Probate Court Docket No. _____
5. Property Address: 0 Greenville Rd.
Assessors Map/Block/Parcel: Map 5, Parcel 56.1
Zoning: Residential-Agricultural
Number of lots being created: 2
6. Is this property classified by the Board of Assessors under Chapter 61, 61A, or 61B? No

Signature of Applicant

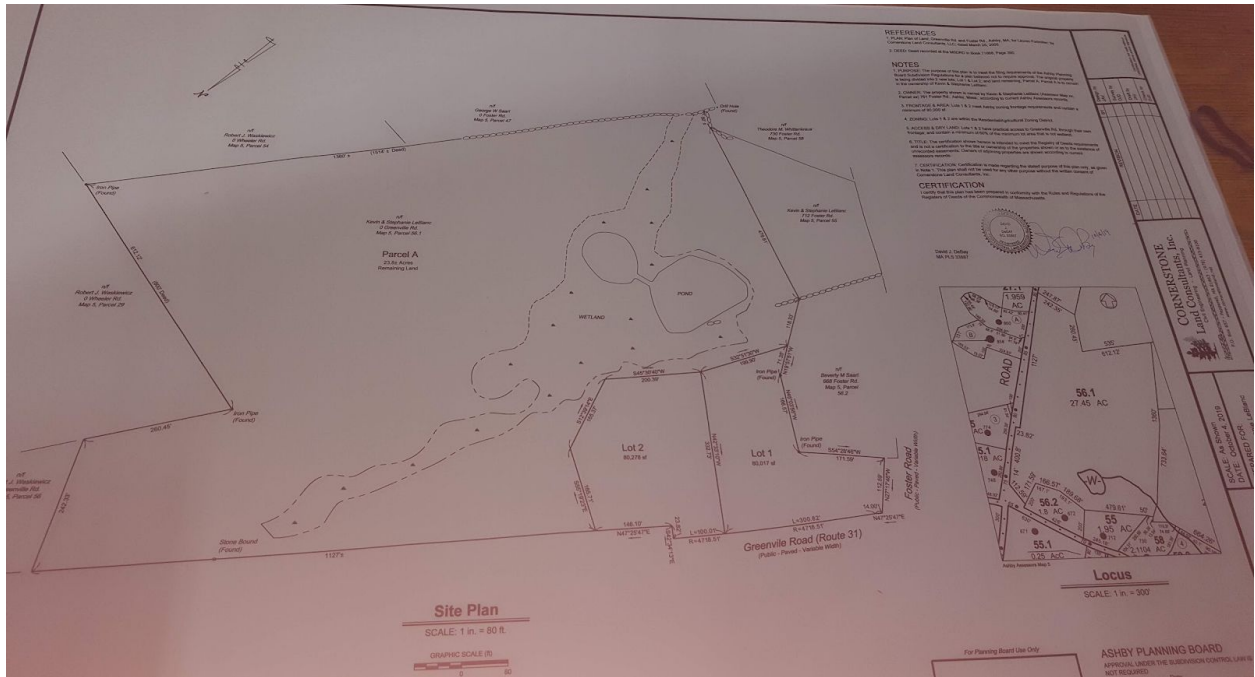

Stephanie LeBlanc

Signature of Owner


Stephanie LeBlanc

**Town of Ashby Planning Board,
895 Main St. Ashby, Massachusetts 01431
Tel. (978) 386-2427 x.20**

Map 5, Parcel 56.1



REFERENCES

1. PLAN: Plan of Land; Greenville Rd. and Foster Rd., Ashby, MA; for Lauren Fortmiller, by Cornerstone Land Consultants, LLC, dated March 25, 2005.
2. DEED: Deed recorded at the MSDRD in Book 71868, Page 390.

NOTES

1. PURPOSE: The purpose of this plan is to meet the filing requirements of the Ashby Planning Board Subdivision Regulations for a plan believed not to require approval. The original property is being divided into 2 new lots, Lot 1 & Lot 2, and land remaining, Parcel A. Parcel A is to remain in the ownership of Kevin & Stephanie LeBlanc.
2. OWNER: The property shown is owned by Kevin & Stephanie LeBlanc (Assessor Map ^S Parcel ^W 761 Foster Rd., Ashby, Mass., according to current Ashby Assessors records.
3. FRONTAGE & AREA: Lots 1 & 2 meet Ashby zoning frontage requirements and contain a minimum of 80,000 sf.
4. ZONING: Lots 1 & 2 are within the Residential/Agricultural Zoning District.
5. ACCESS & DRY LAND: Lots 1 & 2 have practical access to Greenville Rd. through their own frontage; and contain a minimum of 60% of the minimum lot area that is not wetland.
6. TITLE: The certification shown hereon is intended to meet the Registry of Deeds requirements and is not a certification to the title or ownership of the properties shown or as to the existence of unrecorded easements. Owners of adjoining properties are shown according to current assessors records.
7. CERTIFICATION: Certification is made regarding the stated purpose of this plan only, as given in Note 1. This plan shall not be used for any other purpose without the written consent of Cornerstone Land Consultants, Inc.

CERTIFICATION

I certify that this plan has been prepared in conformity with the Rules and Regulations of the Registers of Deeds of the Commonwealth of Massachusetts.



David J. DeBay 10/4/19

David J. DeBay
MA PLS 33887



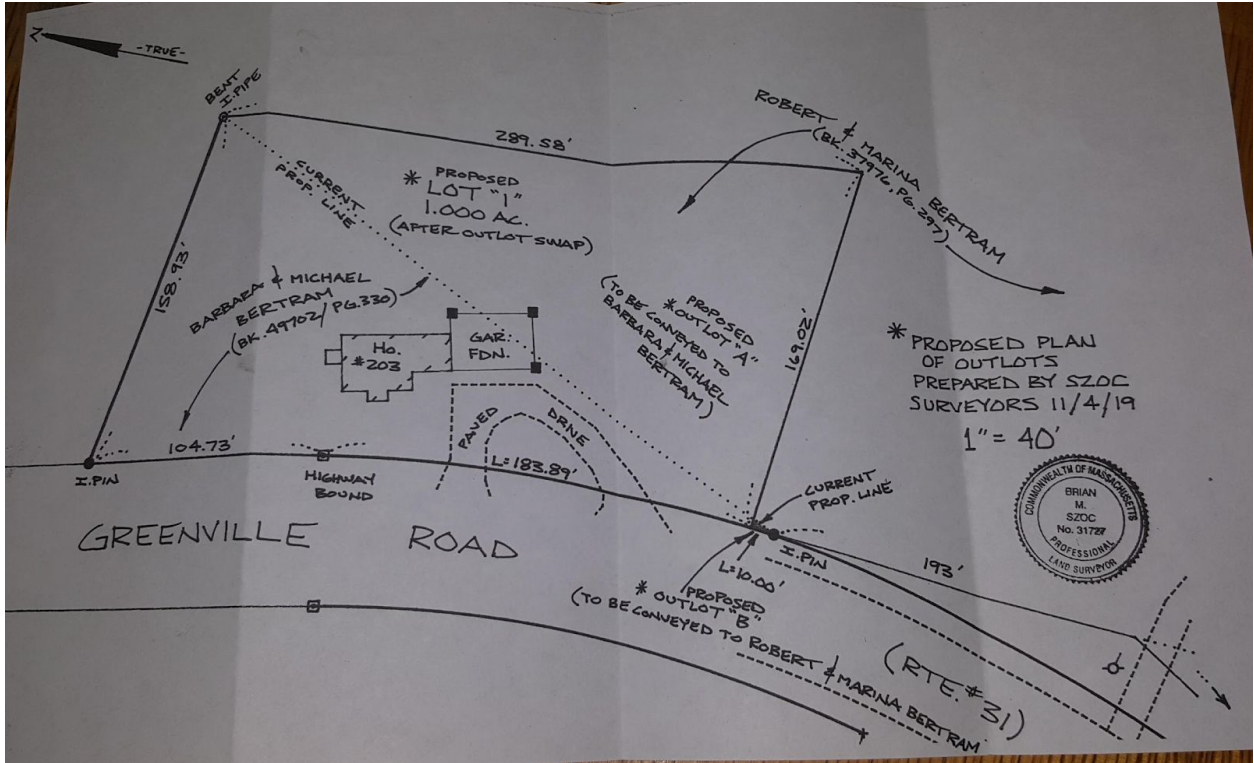
| | |
|-----------|-----|
| Design by | JAV |
| Survey by | DJD |
| Draft by | JAV |
| Check by | DJD |
| BY | |
| REVISION | |
| DATE | |

Certification not valid without ORIGINAL stamp and/or signature

CORNERSTONE
Land Consultants, Inc.
Civil Engineering - Land Planning
P.O. Box 657 - Pepperell, MA 01463 - (978) 433-8100
www.cornerstoneland.net

SCALE: As Shown
DATE: October 4, 2019
PREPARED FOR:
Kevin & Stephanie LeBlanc
761 Foster Rd.
Ashby, MA 01431

Bertram Family ANR (nonconforming lot)



Bertram Family ANR (original 1lot + nonconforming lot)

