

**TOWN OF WESTFORD**  
**DEVELOPMENT REVIEW BOARD MINUTES**  
**Minutes for Wednesday, January 14, 2015**  
Approved on January 28, 2015

**Board Members Present:** Wayne Brown, William Cleary, Jason Hoover, Eric Jacobsen, Tony Kitsos (Chair), Casey Mathieu and Matt Wamsganz.

**Board Members Absent:** N/A

**Also Present:** Melissa Manka (Planning Coordinator), Richard Adams, Kimberly Adams and David Burke.

The meeting began at approximately 7:15p.m.

**Sketch Plan Review for a 2-Lot Subdivision/Boundary Line Adjustment & Subdivision Amendment– Richard & Kimberly Adams property**

Richard Adams, Kimberly Adams and David Burke (engineer) were present.

David began by explaining the proposal.

David said the plan is to have Richard Adams own a 20 acre lot (Lot 3) and David Adams to own a 10 (Lot 2) and a 200 acre lot (Lot 1). He said this proposal would make Lot 1, which is a deferred development lot, non-conforming in terms of frontage. However, it would make Lot 3 conforming with regard to lot frontage and setbacks. He said he felt this was in keeping with the intent of the regulations.

The DRB questioned whether they could make any lot non-conforming. They said they would request a legal opinion in the matter.

Melissa asked whether David Adams proposed to merge Lots 1 and 2, which would make the non-conforming lot concerns a non-issue. Richard and David said no.

David said Lot 1 is accessed by Lot 2 and would continue to for the foreseeable future.

Jason asked whether the access road was located within deeded right of way.

David said he would check the David Adams' deed to determine whether access to Lot 1 has been legally granted by Lot 2.

The DRB was concerned about future access to Lot 1.

David asked that a condition be placed in the decision stating Lot 1 and 2 must be merged if Lot 1 is conveyed.

Melissa stated her concern with implementing that condition in the future given the fact that most individuals do not review DRB decisions prior to purchasing a property. She advised that these issues be addressed now as opposed to down the road.

David agreed with the survey requirements and asked that the site plans only depict Lot 3's wastewater system, well and building envelope.

David asked that he not be required to depict natural resources on the plans since there are none of significance present on Lot 3.

The DRB said prime agricultural and forest soils should be depicted on the site plans.

David asked that he be allowed to submit the State's wastewater exemption language as opposed to submitting a letter from the State stating Lots 1 and 3 are exempt from wastewater permitting requirements.

David asked that the survey note regarding steep slopes and ledge outcroppings be omitted until such time as Lot 1 is developed.

The DRB stated they would draft a letter to the Applicant once they received a legal opinion regarding the creation of nonconforming lots.

### **Minutes of the November 12, 2014 Meeting**

Matt MOVED to approve the minutes.

Casey SECONDED the motion.

The motion PASSED: 5 – 0.

Tony and Jason abstained.

### **Other Business, Citizens to be Heard & Announcements**

The DRB briefly discussed the Superior Court's decision on the appeal of the DRB's 2 Lot Sub-division, PUD, Site Plan and Conditional Use Approval and Home Occupation Permit for the Ted and Michelle Pelkey property located on Route 128.

The DRB briefly discussed the warning letter to be sent to Wayne Construction LLC and Fairfax abutters regarding the creation of a garage easement on DRB approved open space.

The DRB briefly discussed the wastewater and Act 250 permit requirements for the Rovers North property located on Route 128.

The meeting adjourned at approximately 9:03 pm.

Submitted by,

Melissa Manka, Planning Coordinator