

TOWN OF WESTFORD
DEVELOPMENTAL REVIEW BOARD MINUTES
Minutes for July 26, 2021.
Approved on August 9, 2021

Board Members Present: Matthew Wamsganz (Chair), William Cleary (Vice-Chair), David Baczewski, Dennis Angiono, Francois Ross, Jesse Labrecque, Andrew Collier

Board Members Absent: n/a

Also Present: Melissa Manka (Town Planner), Callie Hamdy (Minute Clerk), Colen Johnson (TCE), Jonathan Czapski, Celistine Czapski, Chapin Kaynor, Denny Collins, Beth Griffin

The meeting began at 7:15 pm

DISCLOSURES

There were no disclosures.

AMENDMENTS TO THE AGENDA

There were no amendments offered.

CONTINUED: FINAL PLAT PUBLIC HEARING FOR 3 LOT RESUBDIVISION 1/WRO CROSSING

Owner: Jonathan & Celistine Czapski. Property approx. 49.4 acres located on Rogers Road in the Rural 10 & Water Resource Overlay Zoning Districts. The applicant proposes to re-subdivide/reconfigure two lots into three single-family dwelling lots.

Colen Johnson from Trudell Consulting Engineers was present. The general layout in terms of house sites has not changed, but minor changes including the driveway to Lot 3, had occurred. Originally each lot had a proposed accessory dwelling, but that has now changed so Lots 1 and 3 do not have accessory dwellings, but Lot 2 does.

They had asked for conditional use approval to improve the road to driveway standards and had begun on that work per select board permission. For wetland crossing they have a wetland-crossing permit pending and will be adding a culvert. Some sections of the driveways were in the WRO, and this was to minimize tree clearing. The applicants are also asking for the driveway of lot 2 to be part of an existing access, marked by a break in the stone wall. They are not proposing to cut, this would include only surfacing on top within the WRO to meet the existing grade. They are requesting the conditional use for impacts for the driveway for Lot 2 and the access for Lot 1 to match the existing access.

Utilities will be underground but kept within the driveways as much as possible which is required via the zoning regulations. They are proposing Lot 2 and Lot 3 to share an access off Rogers Road. In that area there is some shallow ledge, there will be no cutting, just meeting existing grade. Because of this the utilities will be installed slightly away from the driveway to avoid unnecessary ledge cutting. Their goal is to follow existing topography.

Regarding the emergency turnaround, Colen explained that there is an existing trailhead, and they are going to use that area to make a turnaround as well as another area near Lot 2. There will be enough room at the house sites for other vehicular turnarounds. Another thing to note is that the property is currently in Current Use, the proposal is to remove all of Lots 1 and 3 and 2 acres of Lot 2 from Current Use, but the rest will remain in the program. Previously the lots were more irregularly shaped, but they have been changed to be more straight per previous staff comments. Each house would have its own well and wastewater system.

Regarding the upgrade to Rogers Road there had been a lot of back and forth with the Selectboard and construction should be starting soon per that agreement. A road name, Whitsunday Lane, had also been approved. This would total 2.6 acres of disturbance if it were built all at one time. The intent is that more than 45 acres is going to remain undisturbed and undeveloped. As far as layout of house sites, the proposal is for them to be tucked into the woods.

Matt Wamsganz began to look into the staff report. There was a proposed impact of 997 sq ft to steep slopes, this included driveways and all associated grading. Other than the utilities being inside the road there is no reason to cut into the steep banks in that area.

Colen explained Lots 1 and Lots 3 would be taken out of current use and 2 acres of building envelope from Lot 2. Approx. 6 acres would be removed from Lot 2. Melissa asked for clarification on when those would be removed. Colen explained as soon as he knows the plat is finalized.

Colen had spoken to the fire department regarding Rogers Road but not regarding the driveway, but the turnarounds that are proposed and done so in accordance with the zoning regulations. Matt asked if it was a requirement of this application. Melissa explained it is not absolutely required because it's off a Class IV road. If it looks like it's complicated, we'll get the fire department's opinion, but ultimately that is up to the DRB.

Matt thought they had made a good effort to lessen impact, especially by using the existing logging road. From a numbers standpoint, the impact has increased by staying on the existing logging road, but far less clearing is now involved. If they try to stay out of the WRO they would be cutting a significant number of trees.

Dave thinks this is a very reasonable proposal, especially with the limiting of disturbance. He liked the effort they had put in. Overall, it achieves what they are looking for. Bill had no problem with it because it could also be used as a logging road. Francois thought it a logical solution. Bill had a general thought that they must get all the permits from the state and must answer to a higher authority than the DRB, except for the WRO, which is ours. We have 100 ft buffer for wetlands while the state has 50 ft.

Matt opened the floor for public comment. Melissa had written public comments from Ann Brown. It pertained to wastewater and potable water, Matt understands her concern, however this is not within the town's jurisdiction and is a state matter.

Chapin Kaynor was present. A lot of good engineering went into this, and he approves to the driveway locations and adjustments made. The roadwork that has begun on Roger's Road looks great and he supports the Czapski's doing whatever they want with their land. However, Lot 3 has a four-bedroom house within 50 feet of his property boundary. As a neighbor he's just a little nervous of the impact to him and is also concerned about the proximity to his property and Rogers Brook to the wastewater system. Matt explained again that they have no authority over those the wastewater.

Chapin asked Colen why the wastewater needed to be this close to which Colen explained that's where the soils were. It was a side yard setback, which could be 25 ft, but it is 50 ft. Colen also explained that storm water is proposed as well. Matt understands the concern, but we have no jurisdiction. Chapin explained they could say that that area could not be subdivided. Colen explained they already had a wastewater permit from the state, and this meets state regulations, which are robust. He feels confident in the design to meet all requirements and that it won't be a detriment to human health.

There was no more public comment. Dave made a motion to close the public hearing, Francois 2nd. Motion passed 7-0.

CITIZENS TO BE HEARD, ANNOUNCEMENTS & OTHER BUSINESS

There was no other business.

MINUTES OF JULY 12, 2021

Bill, motioned to approve the minutes as amended, Francois 2nd. Motion passed 7-0.

The meeting adjourned at 8:25pm

Submitted by,
Melissa Manka, Town Planner

Callie Hamdy, Minute Clerk