

TOWN OF WESTFORD
DEVELOPMENTAL REVIEW BOARD MINUTES
Minutes for August 9, 2021.
Approved on October 11, 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), Jennifer Desaultes (TCE), Lee McClenny, Katherine Latimir, Kara Collier, Jennifer Simpson (Hillside Homes), Jeremy Hoff

The meeting began at 7:15 pm

DISCLOSURES

Andrew recused himself as he is an interested party.

AMENDMENTS TO THE AGENDA

There were no amendments offered.

CONTINUED: FINAL PLAT PUBLIC HEARING FOR 5 LOT, 4 UNIT PLANNED UNIT DEVELOPMENT & SUBDIVISION – OWNER: UPPER 23 LLC (21.85 acres) on Sanctuary Road in the Rural 3, Rural 10 & Water Resource Overlay Zoning Districts. This is a proposal to re-subdivide a deferred development lot (Lot 1B) into 4-single family dwelling lots and a designated open space lot.

Matt Wamsganz wanted to go into deliberative session to discuss a legal opinion. Francois Ross seconded. Motioned passed 6-0. Matt Wamsganz, William Cleary, David Baczewski, Dennis Angiono, Francois Ross, Jess Labrecque, Melissa Manka and Callie Hamdy were present.

Francois motioned to come out of deliberative session, Dennis seconded. Motion passed 6-0.

Jennifer Desaultes from TCE had no updates to present. Matt explained that based on information gathered by the board either they close the hearing as is, or the hearing is continued if the road is brought up to current road standards, the existing fire pond is brought up to current standards or a new one is built and revisiting the number of lots based on the regulation that the board help maintain the character of the area.

Jennifer asked if bringing the road up to the current standards would be in conjunction with the concerns of the fire chief regarding slope and width? That was correct, Melissa explained that if it meets dimension tables for residential roads and driveways it was okay.

Jennifer thought the client would be willing to do either the upgrade to the existing pond or construct a new one. To her it makes sense to upgrade the existing pond as the fire chief deemed that one non-functional. Melissa explained that the right to upgrade and/or access would be a civil matter they'd

need to look into before they head down that avenue as the current pond is owned by the subdivision on Sanctuary Road.

The number of lots calculation was based on the character of the area and not the density calculation. It appears the original density calculation was correct, but it was open to interpretation. Based on the character of the area was also vague. Jennifer requested guidance regarding what that meant. If they were to propose three units would that fit within the character of the area? Matt explained that would be a good direction to go and Bill added strategically thinking which unit to remove would make the most dramatic effect to fit the character of the area. Jennifer was satisfied with that information and was comfortable with continuing to another time.

Matt opened the floor to public comment. Lee McClenny thought the conversation that took place about the character of the area sounded like the board is suggesting that removing one lot but maintaining the layout would be okay and he doesn't believe the rest of the interested parties feel that way. The interested parties would prefer a more dispersed layout to meet the existing type of subdivision on the road. Kara Collier explained where one would not have to think about buffer areas would be ideal. Bill explained it is their hope that armed with this new information that Jennifer will go back to the applicant and come up with a solution that will satisfy everyone. Andrew Collier explained they are happy working with TCE to look at options before they go to the board and to help TCE understand the interested parties opinion. Bill thought it was worthy to note that if the applicant were to agree to these conditions that the homeowners association would get significant advantages such as the upgraded road and fire pond.

Matt explained that this is one of the most difficult decisions they've ever had to make as a board and it's an extremely complicated situation. They are trying to be careful and do everything correctly. Jennifer Simpson explained that at this point Hillside Homes' concern is that the fire pond and the road never met the standard, but all signed off by TCE. There is just a history of things done by TCE and they feel that when they come up with their final proposal they'd want a secondary opinion from another engineer as they are not confident the standards they are proposing are what's actually going to happen or are possible. The association's engineer double-checking before everything is finalized would satisfy them. Melissa explained the plans would be public record so that would be possible. Jennifer Desaultes explained that they take the complaints about the previous engineering seriously. She's hoping to present plans that will greatly improve upon the old and gain trust.

Andrew's concern is if it gets to the end of things and somebody starts working on the road and that's current residents only access and egress and a builder walks away and they wouldn't have access to their property in a worse case scenario. Melissa will look into that. Bill suggested to Jennifer Desaultes that she mentioned the possibility for bond to the applicant. Jennifer mentioned that the property is still for sale so somebody could buy it still.

Francois Ross made a motion to continue the hearing on Oct. 11 at 7:00pm at the Westford Public Library. Dennis Angiono seconded. Motion passed 6-0.

CITIZENS TO BE HEARD, ANNOUNCEMENTS & OTHER BUSINESS

There was no other business.

MINUTES OF JULY 26, 2021

Jesse Labrecque motioned to approve the minutes as amended, Dave Baczewski seconded. Motion passed 7-0.

Francois Ross motioned to adjourn at 8:23, Andrew Collier seconded. Motion passed 7-0.

The meeting adjourned at 8:25pm

Submitted by,
Melissa Manka, Town Planner

Callie Hamdy, Minute Clerk