

December 15, 2009

Meeting called to order at 7:30 p.m. .

Present: J. Marot, G. Kashgagian and K. St. George

Ian Ward – I am here to get your signature on a waterways application for Betty's Neck Farm. This is just a formality. Jim – I believe that this is new. We did not have to sign them in the past. I see that Conservation has signed off. Application was signed by Jim.

Form A

Jamie Bissonnette – this is a Form A on behalf of my father. This is just an exchange of land. The property is located at Gillian Drive and Jamie's Way. Greg – I make a motion that we sign the same. Kevin – 2nd the motion. Jim – all in favor. Vote was unanimous. Check in the amount of \$200. was received.

Cedar Pond

Atty. Jacobi – I am here on behalf of Ron Turowitz - Cedar Pond Preserve. Chris was looking for a plan of the site. I believe that we have made that available to him. I believe that he is also looking for a drainage plan as concerns lot 26, 30 & 31. I have also brought with me at this time 4 signed copies of the Third Amendment to the Tri-Party Agreement that have been signed by both Ron and the Bank. You will not that the same is only until April. That is because we have to do a new loan closing. We will at that time have to extend the third amendment to after 4/17/10. Ron's loan expires but we need to do the loan again at that point we will extend another 8 months to December 2010. I believe that Dan has given you the requested plan. Jim – 24B, 23B, 30 and 31 were changed and that never came back to the Board. That directly involves the pond. Dan is not providing us with what we need. Chris – the storm that we had the other day everything was flooded. If he takes out 30 and 31 what is going to happen. Jacobi – you are talking 26, 30 & 31. Dan is going to address it. Would you like Dan to appear at a meeting. I think he should be here to answer your questions. Jim – this does not show what we are looking for and he knows what it is that we need. Jacobi – what exactly are you looking for. Chris – the upland circle is in the drainage. Greg – he has to show us that the water is not going to end up in the road. Jacobi – what do you want? Jim – this shows the old bog and the overlay. I am not sure. It does not show the new basins. Chris – the basins are full. Jim – this floods this backyard when it rains These two lots are cut off completely. Jacobi – the swales and the drainage get everything with Lots 30 and 31. Those will have a high priority for Ron since he has just signed a

purchase and sale with a builder. He is hoping to get this going and get enough to pay the bank. He has signed with Mark Carol for 5 lots down there. I will get Mr. Aguiar here at the next meeting. When I say you have to do this, he will do it. Jim—I don't think DEP or our own have been okayed. Jacobi – 2 -5 – plan is the sized version. Jim – we need something on file that agrees with what they are doing. Jacobi – I will have the guys out there to meet with Chris. I told him that Chris had some question about the water. Dan said the water would stay for 24 hours and it should be dry if you were to go out there now. Chris – these are underground. The ones I could see down were clean. The others were full. I don't know what kind of storm calculations they used. Jacobi – we would like some money to pay the paver. You are holding \$211,000. We would like you to release \$60,000. leaving \$151,000. Letter from Chris concerning estimates for work done was made a part of the file. Chris – His numbers are probably okay. He has also installed the street trees. One of the things that you will have to take into consideration is what will happen if any damage I done to the lots. Jim – are you saying that this is pretty close? Chris—it is pretty close. The wild card is any drainage issues. Ron – I don't know if that includes the sidewalks. Greg – I make a motion that we release \$60,000 of the funds that we are holding. Kevin – 2nd the motion. Jim – all in favor. Vote was unanimous. Pauline to prepare letter and send to Mr. Jacobi. Letter should be addressed to TD Bank and Cedar Pond Realty. LLC Jacobi – I will contact Dan Aguiar and let him know that you will be expecting him to appear at your meeting on January 19, 2010 at 8 p.m.

Meetings

January meetings will be 1/5/10 and 1/19/10.

ZBA Petitions

Sharon Gonsalves --28 Central Avenue

Jim – this seems to be excessive for the lot, they would need a sideline variance. It is in violation 5.1 side yard set back and the coverage exceeds what is allowed. Greg – I make a motion that we recommend disapproval of the petition as the plan shows excessive coverage of the lot, that a variance would be necessary under 5.1 for side yard setback and the percentage lot coverage exceeds 20%. Kevin – 2nd the motion. Jim – all in favor. Vote was unanimous.

Tom & Darleen Green--46 Shore Avenue

Jim – the lot is only 10,000 square feet. I believe that it is excessive for the lot. No matter how I look at this it appears to be a 3 story home.

Greg – I make a motion that we recommend disapproval of the petition as the plan shows excessive coverage for a lot which is only 10,000 square feet. Kevin – 2nd the motion. Jim – all in favor. Vote was unanimous.

Jim – letters to be sent to ZBA.

7 Woodland Ridge Drive

Jim – Pauline do you know if anything further has been done concerning the water problem on Woodland Ridge Drive. Pauline – I believe that Chris can tell you something about that since he went out with Bob to see the site. Chris – they dug a trench to run along the lot. I don't think it is going to take care of it. They need an easement and even then I don't know that it will take care of the problem. The water is just running down. Jim – we need to have Rita or Bob send a letter requesting a storm water plan (See 6.7.3).—Sec. 239.02. Kevin – I make a motion that we send a letter to Rita and/or Bob requesting that a letter be done on this. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

Cedar Pond Preserve

A general discussion was had with some of the members of Conservation. Jim – we are concerned with the drainage in there and wondered if at this time Conservation had any concerns. Joe Chamberlain – Lot 1, 3 & 5 came to us well over 1 year and nothing was done further. At this point it has been denied. Jim – he was in tonight and said that he has 5 lots under agreement. They are scheduled to come back with their engineer on January 19, 2009. Some of the lots that we are concerned with are lots 31, 30, 17, 18, 16, 23, 24 and 22. Lot 6 is just a foundation.

Kevin – I make a motion that we adjourn. Greg – 2nd the motion. Jim – all in favor. Meeting was adjourned at 10:30 p.m.