



Williamsburg Planning Board

141 Main Street, P.O. Box 447

Haydenville, Massachusetts 01039-0447

Ph: (413) 268-8400

Fax: (413) 268-8409

Minutes for meeting on March 4, 2013 Approved	Members:	present	not present
	Jim Locke	x	
	Steve Snow	x	
	Tim McQuestion	x	
	Bob Barker		x
	Steve Smith	x	
	Others present:		

Chairman Jim Locke called the meeting to order at 7:25PM.

1. The Board reviewed and approved minutes from the meeting on February 4. The minutes were unanimously approved with the correction of one typographical error.
2. The Board reviewed an ANR land division for Clayton and Elizabeth Neeley of 61 South Street. The board reviewed drawings dated January 7, 2013 provided by Mr. Randall E. Izer, surveyor with Harold L. Eaton & Associates of Hadley. Mr. Izer had also provided check #729 for \$50. The Board unanimously approved a motion made by Tim McQuestion and seconded by Steve Snow to accept the plans.
3. Steve Snow gave a recap of the PVPC commissioners' meeting which he had recently attended. Snow also reported that the Citizen Planner Training Collaborative would be hosting a conference on March 16 in Worcester, and that he and Bob Barker were interested in attending. The Board unanimously passed a motion made Tim McQuestion and seconded by Steve Smith to expend \$50 each for Barker and Snow to attend the conference.
4. Chairman Locke reported on his and Bob Barker's attendance of a Medical Marijuana Listening Session at Holyoke Community College. Locke noted that many useful points of view had been expressed at the meeting. In discussion, the Board noted that it needs clarification on the law. The state Department of Public Health is supposed to publish guidance in the near future.
5. The Board reviewed a draft letter from town counsel Pat Cantor regarding the unfinished subdivision on Eastern Avenue Extension. (A copy of draft letter is included on page 3.) The Board discussed the next steps to firmly present its position and encourage performance by the developer. Steve Smith moved to authorize the chairman to send the letter as drafted with dates filled in. The motion was seconded by Steve Snow and passed unanimously.

6. The Board discussed the Solar bylaw. Locke had worked on the paragraph numbering changes needed to fit the new sections into the existing zoning bylaw. The Board reviewed Locke's draft of 2-18-13. Next, Locke will produce a full copy of the zoning bylaw with the new sections and numbering inserted and with changes highlighted.

The meeting adjourned at 8:42PM.

Respectfully submitted,
Steve Smith

Draft letter considered during the March 4 meeting:



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CERTIFIED RETURN RECEIPT REQUESTED MAIL
AND FIRST CLASS MAIL

February, 2013
Gerald and Deborah Lashway
PO Box 748 18 Eastern Avenue
Williamsburg, MA 01096

Dear Mr. and Ms. Lashway,

This notice is to confirm the decisions and agreements made between you and the Planning Board at the Planning Board meeting of November 19, 2012 [if there were any subsequent meetings at which the matter was discussed, please add those dates] regarding the Eastern Avenue Extension Subdivision ("the Subdivision") and to address the relevant events since then.

As you know, the Board approved the 6-lot definitive Subdivision plan on October 16, 2006, but the Subdivision was not completed within two years as required. As you also know, security is required for completion of a subdivision and the security that has been in place for the Subdivision has been a covenant on all of the lots.

At the November 19, 2012 meeting, upon your request, the Board agreed to release the covenant on Lot 1 only. At that meeting, your attorney, Timothy O'Leary, agreed that in exchange for the release of the covenant on Lot 1, you would post a bond in the amount of \$30,000 by December 1, 2012. The bond was not posted by December 1, 2012, notwithstanding that on November 19, 2012, the Board released the covenant on Lot 1. As of the date of this notice, the bond has not been posted. The bond must be posted immediately.

In addition, at the November 19, 2012 meeting you agreed, through Attorney O'Leary, to submit the necessary documentation under the Board's Subdivision Rules and Regulations ("Regulations"), Procedures for Full Release, Section 6.:14.2, a-1, and to complete the Subdivision by June 1, 2013.

The Board hereby informs you under the Regulations Section 6:14.g that the Subdivision is not complete as to finish paving. The necessary work to complete the Subdivision is as described in your Dec. 5, 2012 Proposal-Contract from All States Asphalt.

Section 6:14.h of the Regulations requires compliance with this notice and correction of the items identified in the notice within 30 days. However, due to this being the winter season and your stated difficulty obtaining documents from your engineer, the Board is allowing you until June 1, 2013 to comply, except for the posting of the bond, which must be done immediately.

Based on the above, the following requirements must be satisfied:

- Posting of the \$30,000 bond immediately.
- By June 1, 2013: Provision of a full set of Record Plans per the Regulations, Section 12, copy attached
- By June 1, 2013: Compliance with the Regulations, Section 6:14.2, copy attached
- By June 1, 2013: Laying of the final paving coat of blacktop, per your Dec. 5, 2012 Proposal Contract from All States Asphalt, or equivalent agreement, as may be approved by the Board in sufficient time prior to June 1 so as to allow for completion by June 1, 2013.

Failure to comply with the above may cause the Board to: a) draw on the existing security to complete the improvements; or b) schedule a Public Hearing in order to rescind approval of the Subdivision. We much prefer not to have to do either, and hope you will cooperate with the Board in resolving this matter. Please note that by sending this notice, the Board does not waive any remedies that may be legally available regarding enforcement under the Subdivision Control Law.

Sincerely,

Jim Locke, Chair
cc: Town Clerk, Selectboard, Town Counsel, Building Inspector, Atty. Timothy O'Leary

Tim McQueston Steve Snow Steve Smith Bob Barker Jim Locke
Williamsburg Planning Board