

**TOWN OF NORTHFIELD
PLANNING BOARD
August 2, 2010
MINUTES**

Members present: Wayne Crowley, Fran LaBranche, Glen Brown, Dick Maher, Todd Ryan, Doug Read, Kim Robichaud and Mike Murphy. Members absent: James Knowlton.

Minutes: July 12, 2010: Dick Maher moved, seconded by Todd Ryan to accept the minutes of July 12, 2010 as read. Motion passed.

William Ware & Elissa Crosby: Continuation of an application for a 3 lot subdivision of 84.76 acres at 520 Bean Hill Road (Tax Map R17 Lot 25) in the R1 zone. Wayne Crowley reviewed the status of the application to date: waivers approved, site plan conducted and new plans have been submitted with abutters mailing addresses and site specific soil data on the three lots. Dave Jeffers has reviewed the final plan and indicated that all is complete. Fran LaBranche questioned the lot numbering on the plan but it was determined that the town's assessor will assign numbers. After members carefully reviewed the plan, Doug Read moved, seconded by Glen Brown to approve the 3 lot subdivision of 84.76 acres at 520 Bean Hill Road as submitted. Motion passed. Chairman Crowley signed the final plans and mylars for recording.

Other: Wayne Crowley brought the Board up to date on the status of the David and Barbara Foster issue relative to determining if their lot can be buildable. The Fosters and their attorney spoke with the Selectmen asking them to have the Planning Board make a decision on this issue. Attorney Nadeau explained that she is not able to appeal any further as there has been no decision made. Wayne has contacted Attorney Serge to determine whether the current board has the authority to change a plan approved 20 years ago. Atty. Serge determined that the current Board can make changes if an application to amend the original plan is submitted and the abutters of the entire subdivision are notified. The new application must comply with the current subdivision regulations and the Board must take action on the application. The Fosters did submit an application to "clarify" the original subdivision for the August 3, 2009 Planning Board meeting, but the Planning Board chose not to act upon it.

Fran LaBranche expressed concern about setting a precedent for changing any old subdivision, but members felt that each situation must be considered on an individual basis and a precedent would not be set. Fran LaBranche stated that perhaps this is not a decision for the Planning Board to make and it would be better for it to go to a judge to decide. Wayne Crowley has reviewed the original plan and minutes and it seems the lot was determined non buildable in order to allow the whole subdivision to meet the criteria of a minor subdivision.

Wayne Crowley suggested that the Board should look at a Bio-sludge ordinance as the town does not currently have any restrictions. This will be further investigated.

Meeting adjourned at 7:45 PM.

Respectfully submitted,
Eliza Conde, Secretary

Minutes approved September 13, 2010