



**Town of Tyngsborough  
Planning Board**  
25 Bryants Lane,  
Tyngsborough, Massachusetts 01879-1003  
Office: (978) 649-2300 ext 115

Tyngsborough Planning Board Meeting Minutes February 1, 2007

Attachments: 1-Meeting Agenda APPROVED

Members Present:

Caryn DeCarteret, Chairman  
Darryl Wickens, Vice Chairman  
John Forti, Secretary  
Mark Pease, NMCOG Liaison  
Joyce M. Harrington (Clerk)

Members Absent: Jesse Johnson (Consulting Engineer)

To take action on agenda items (see attached agenda) and any other business brought before the Board.

Administrative 1 ANR Plan application – Richard Gilbert – Ducharme Lane presented by Attorney Pete Nicosia

Mr. Nicosia came in front of the Board for an ANR application presenting Mr. Richard Gilbert of Ducharme Lane. . This one parcel has one lot with 3 houses plus one that burned down. Mr. Gilbert would like to re build the 4<sup>th</sup> house. The Board informed the applicant that the fourth house would not be possible to be rebuilt as it was considered abandoned. The Board signed the ANR for the other 3 lots.

Administrative 2 Discussion Tyngs Crossing 28 Farwell Road - Presented by Douglas Deschenes

The Board reviewed the open items to be addressed:

1. Obtain written acknowledgement from ANR Lot C owner that trees to be planted to replace those removed are not be cut down - (possible future deed restriction in the case of sale of home?)  
An agreement to preserve and maintain the tress and landscaping within Lot C was received in the Planning Board office on January 10, 2007, this agreement is on file.
2. Address problems with Form H: Property owner Tyngs Crossing, LLC not Dennis Page (personally) and plan referenced in Form H is ANR plan not subdivision plan  
Attorney Deschense updated the Form H and will submit a copy to Attorney Zaroulis for his review.
3. Developer working with Historical and outside wall expert to reconstruct wall according to their direction. Developer to submit letter from Historical upon completion  
The Planning Board did receive a letter from the Historical dated December 27, 2006. The Historical Commission visited the site and is satisfied with the work being done; The Commission will continue to monitor the progress and will send a letter to the Planning Board on the completion of the wall.
4. The current grading around CB5 will not convey any water to the structure. Water would have to “pond up” significantly in the surrounding area before it enters the catch basin.  
The letter submitted by Landtech for Jesse Johnson to review and advise.

The Board previously requested that the applicant supply a copy of the recorded plans, as they had only submitted the Form H. Upon receipt of the recorded plan, it was discovered that they had only recorded the top page. The Board then requested (upon verification from the Registry) that all pages be recorded. The applicant did supply new Mylar plans to be signed by the Board. They will then be recorded (after Ross does a final check of the plan to make sure there are no changes from that which we approved).

Administrative 3 Walter Eriksen – Street acceptance – Chestnut Hill Estates

Mr. Eriksen did not appear before the Board.

Administrative 5 Pat Flaherty – Application Preliminary Subdivision 93 Lakeview Ave

The applicants file the Preliminary Subdivision and the Board signed in the application and scheduled the hearing for February 15 at 7:35PM

Administrative 4 Scott Connell – Discussion Subdivision

Mr. Connell came in front of the Board for an informal discussion of a Preliminary Subdivision. The Board had a brief discussion and the Board planed a site walk with Mr. Connell and Jesse Johnson (Consulting Engineer). Mr. Connell has not filed at this time.

Administrative 6 Special Permit Application 2 Bridgeview Circle – James Andrews Limousine & Coach Service.

Mr. Andrews did not appear before the Board.

Administrative 6 Special Permit application T.I.L.Q. 14 Bay State Road – Doreen St.John

The Board signed in the application and set the Hearing date for March 1, 2007 @ 7:05PM

Administrative 7 ANR Plan application – Attorney Joseph Clermont 59 Althea Avenue

The applicant would like to convert the three (3) existing lots at 59, 61, and 63 Althea Avenue into two (2) lots. The lots at 63 and 61 Althea Avenue currently have an existing dwelling constructed in 1921, along with a garage and septic system which services the existing dwelling. The remaining lot at 59 Althea Avenue contains a single family dwelling constructed in 1921, which will be retained by the applicant.

Motion: M.Pease The Planning Board approve the ANR plan entitled 59 Althea Avenue for Frank J and Betty A. Schneider plan dated Dec 4, 2006. The General Laws, M.G.L.c. 41, 81L, 'Subdivision' shall mean the division of a tract of land into two (2) or more lots...provided, however...the division of a tract of land on which two or more building were standing when the subdivision control law went into effect in the...town in which the land lies into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.

Second: D.Wickens

Carries

Administrative 8 Informal Discussion – Dr. Hill Locust Road.

Dr. Hill is looking to relocate his Dental office in Town he would like to purchase land and build his own office. He had some questions for the Board.

Administrative 9 Approval of Minutes of January 18, 2007

The Board did not approve the minutes

Administrative 10 Bills

The Board signed the following bills  
David E. Ross and Associates  
W.B. Mason

Administrative 11 Informal Discussion ANR – 168B Lakeview Ave

The Home owner of 168-168B Lakeview Ave, would like to subdivide her land, there are 2 homes on one lot. The Board informed her she would need to get Affidavit stating prior owners of this parcel/home. The Board informed her to see Z.B.A.

Motion: D.Wickens to adjourn at 9:45PM  
Second: S.Nocco  
Carries:

Minutes taken and respectfully submitted by  
Joyce Harrington, Clerk