

Mendon Planning Commission Minutes (Draft)
March 7, 2016

Present: Justin Lindholm, Phil Douglas, Fred Bagley, Nicole Kesselring and Teri Corsones were present. Zoning Administrator Steve Cosgrove was also present for a portion of the meeting. The February 1, 2016 draft minutes were approved with no changes.

McDonough Subdivision Permit Application: In response to the requests made at the February 1, 2016 meeting, Charles McDonough submitted a revised "Declaration of Easements, Charles P. McDonough and Amanda Wheeler, Second Amendment" (hereinafter "Declaration"), as well as a draft narrative description for Lot 1 of the proposed subdivision.

The 6-page draft Declaration provides that it supersedes and replaces a Declaration of Easements dated December 19, 2012 and recorded in book 95 at page 758 of the town of Mendon land records, and a First Amendment thereto, dated April 9, 2014 and recorded in book 97 at page 369 of the town of Mendon land records.

Members reviewed the revised Declaration and noted that it now includes each of the revisions specified in the February 1, 2016 minutes, with the exception of comment 4. That comment recommended that the definition of "utilities" in paragraph 3 "include cable, phone, electric and all other utilities with the exception of water and sewer utilities treated elsewhere in the Declaration." The revised Declaration notes only that water and sewer utilities are treated elsewhere in the Declaration. Members were satisfied with the revision.

To bring about consistency between paragraphs 4(a) and 5(b) with respect to the method of allocating costs among owners of shared utilities, members requested a revision to line 6 of paragraph 5(b), to provide that the costs referenced therein shall be shared by the owners of Lots 3 and 4 in proportion to the number of the bedrooms in the residences on Lots 3 and Lot 4, instead of sharing the costs equally.

With respect to the narrative description for Lot 1, members noted the following inconsistencies between the narrative description and the survey map, and requested corrections to the narrative description as follows:

1. Revise the third course to read N56-29-41E, 35.78', instead of N56-49-41E, 35.78';
2. Revise the seventh course to read S64-18-33W, 380.54', instead of S64-18-37W, 380.54'; and
3. Add "formerly Hunt" immediately after each reference to "Dholakia".

Phil Douglas made a motion to approve the application to subdivide the previously approved 7.4 acre parcel (known as Lot 1 of the previously approved McDonough subdivision) into new Lot 1 (comprising 2.75 acres, +/-) and new Lot 4 (comprising 4.63 acres, +/-), conditioned on Charles P. McDonough and Amanda Wheeler executing the revised "Declaration of Easements, Charles P. McDonough and Amanda Wheeler Second Amendment" instrument described above, including the revision to paragraph 5(b), and conditioned on the three revisions described above being included in the narrative description for Lot 1. Nicole Kesselring seconded the motion and the motion carried, 4 – 1.

The next meeting of the Mendon Planning Commission is scheduled for Monday, April 4, 2016, at 5:15 p.m. at the Mendon Town Office.

Respectfully submitted,

Teri Corsones