



## **Planning Board**

May 31, 2022  
7:30 PM  
Virtual (Zoom)

Planning Board members present: Ray Yacouby (Chair), Derrick Chin, Jon Cappetta, and Sam Bajwa.

Also present: Kristen Guichard, Planning Director and Zoning Enforcement Officer

Ray Yacouby read the guidelines for virtual meeting.

Ray Yacouby called the meeting to order at 7:35PM.

Jon Cappetta called the roll: Ray Yacouby-Aye, Jon Cappetta- Aye, Derrick Chin-Aye, Sam Bajwa - Aye

### **I. Regular Business**

1. Citizen Comments – None
2. Approve Previous Meeting Minutes: Jon Cappetta motioned at 7:41PM to approve the minutes from 4/27/2022 as amended. Derrick Chin seconded the motion. Roll Call Vote: Sam Bajwa – Abstain, Ray Yacouby-Aye, Jon Cappetta- Aye, Derrick Chin- Aye.

### **II. New/Special Business**

1. PB 22-1 62 Pope Road – Deliberate and Vote  
Jon Cappetta moved to approve PB22-1. Sam Bajwa seconded the motion.

John Cappetta stated that he was inclined to approve the permit but was disappointed that the Applicant did not follow the correct procedures given the experience and number of years the builder has done business in town.

Sam believes there was a violation so there should be accountability, but was not sure if that was possible. He suggested asking for a donation to the sidewalk fund.

Ray noted and Kristen Guichard confirmed that the Town did not adopt the section of State law that authorizes the Board to impose fines for violations of the Scenic Road Bylaw. Kristen noted that that Board can choose to retroactively approve or deny the application with a request for the wall to be remedied.

Ray Yacouby, agrees that it was an egregious violation of the bylaw. He stated that unfortunately, the Planning Board does not have the authority to impose a fine or punishment unless they voluntarily offered a donation. He stated that he would like a decision to include the findings that: they modified the wall to meet the Historical Commission's standards, but also that the actions taken by the Applicant were an egregious violation of the bylaw.

Jon Cappetta moved to approve PB22-1. Sam Bajwa seconded the motion.

Jon Cappetta called the roll: Sam Bajwa – Aye, Jon Cappetta – Aye, Derrick Chin – Aye, Ray Yacouby – Aye.

## 2. Election of Board Officers

Ray Yacouby announced that Derrick Chin will be resigning at the end of his term. He noted that Derrick started with the Planning Board in 2009 as an Associate Member and then moved to full membership in 2011. Derrick received recognition as a volunteer by receiving the Francis Faulkner award. All members and staff thanked Derrick for his service.

Ray asked for a nomination for chair. Sam Bajwa nominated Ray Yacouby. Jon Cappetta seconded the motion.

Ray nominated Jon Cappetta as Vice Chair. Sam Bajwa seconded the motion.

Ray nominated Sam Bajwa as Clerk. Jon Cappetta seconded the motion.

Jon Cappetta called the roll for all motions together: Derrick Chin – Aye, Sam Bajwa – Aye, Jon Cappetta – Aye, Ray Yacouby – Aye.

### **Continued Regular Business:**

1. Board Members' Reports: No updates

2. Administrative Updates and Reports:

a. Town Meeting Updates

- i. Kristen Guichard gave an update on the next steps required to submit the packet to the Attorney General and make the revisions into the Bylaw. Ray Yacouby stated his thanks to Board members and staff.

- b. Powder Mill Corridor Project
  - i. Kristen gave an update on the Powder Mill Project with Maynard. The second phase of the project will begin in the fall with public outreach workshops to come.
- c. Bruce Freeman Rail Trail Wayfinding
  - i. Kristen gave an update on the BFRT Wayfinding project.

Jon Cappetta motioned to adjourn the meeting at 8:16PM. Derek Chin seconded the motion.  
Roll Call Vote: Ray Yacouby- Aye, Jon Cappetta-Aye, Derrick Chin- Aye, Sam Bajwa – Aye.

**Documents used at this meeting:**

**05.31.22 Agenda**

**DRAFT 04-27-22 Planning Board Minutes**

**PB – How to Participate Remotely**

**6464 scenic road hearing request**

**6464 scenic road supplemental info**

**6464.WALL&DRIVEAB**

**6464 stone wall pics 08032022**

**Mullins Cert**

**Planning Board Continuation Agreements**

**Legal Ad**

**Terra Email 2.11**

**Terra Email 2.15**

**60-62 Pope Road – Scenic Road – Planning Div. Memo**

**Assessors Dept Comments 1-6-22**

**Building Comments 1-6-22**

**Engineering Comments 1-6-22**

**Fire Comments 1-6-22**

**HC Comments 3-10-22**

**Health Dept Comments 1-6-22**

**Historical Commission Comments 1-20-22**

**Water Dept Comments 1-6-22**