



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

MINUTES  
January 7, 2016  
**APPROVED**

Attachments:

1. Meeting Agenda
2. Ava Lane Bond Calculation Worksheet – 1/7/16
3. Letter from Andover Consultants regarding Ava Lane – 1/6/16
4. Interim As-Built Plan for Ava Lane – 1/6/16
5. ZBA Request for Comments for 6 Cummings Rd.
6. BOS Request for Comments for Lakeview Ave./Frost Rd. 40R Smart Growth Overlay District Project

Members Present: Tom Delmore, Chairman  
Kimberly O'Brien, Vice Chairman  
Corliss Lambert  
Steve O'Neill  
Steve Nocco

Members Absent: Pat Sands, Associate Member

**7:00pm -** Meeting called to order by Chairman Tom Delmore

**1. Ava Lane**

Board engineer R. Oliva prepared a bond estimate for Ava Lane based on the interim As-Built and the work completed thus far. It was noted that the plans do not indicate where the sewer stub tie-ins are located for each home, and should be added to the plans. Peter Cricones was present at the meeting and said that he would work that out with the Sewer Dept.

**S. Nocco:** Motion to set the bond amount for Ava Lane at \$42,150

**S. O'Neill:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passes: 5-0**

**REQUEST FOR COMMENTS**

1. ZBA: 6 Cummings Road Variance

The Board expressed concern with the potential damages in the event that the flag pole were to come down for any reason. They commented that the pole placement should consider a “fall zone” that would not be within a public way or interfere with any public utilities or abutting properties.

2. Board of Selectmen: 40R Smart Growth Overlay Zoning District Project at Lakeview Ave. & Frost Rd.

The Board issued the following comments to the Board of Selectmen regarding this project:

The conceptual development of the parcel shown as 1 Lakeview Ave. is partially located within an Interim Wellhead Protection Area (IWPA) and also appears to contain a wetland area per MassGIS data. The proposed development, as shown, may encroach upon these wetlands. In addition, the commercial component of the project is within a Residential (R-1) zoning district. With no business/commercial entities in the vicinity, this lends to “spot zoning”, which is not allowed. Finally, the potential traffic impacts, as well as infrastructure and long term service impacts could be sufficient enough to negate any incentives the developer quotes in his proposal.

There have been several serious concerns voiced to the Board from residents all over Tyngsborough. Therefore, the Board respectfully requests that the Board of Selectmen vote to deny submitting this application to DHCD for eligibility.

**ADMINISTRATIVE**

**Minutes:**

**S. Nocco:** Motion to approve the minutes for December 17, 2015 as written.

**C. Lambert:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passed: 5-0**

**7:25pm**

**S. O'Neill:** Motion to Adjourn

**K. O'Brien:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passed: 5-0**

Minutes respectfully submitted by,  
Pamela Berman  
Planning Board Administrative Assistant