

**ROXBURY PLANNING COMMISSION  
REGULAR MEETING  
OCTOBER 16, 2008  
MINUTES**

**CALL TO ORDER**

Robert Munson, Chairman, determined a quorum and called the meeting to order at 8:25 PM.

Present: Robert Munson, Arlene Kershner, Ralph Wescott and Damien St. James, Regular Members; Barbara Henry, First Selectman; Christopher Dannen and Attorney Gregory Cava.

**APPROVAL OF MINUTES**

The minutes of the Regular Meeting held September 11, 2008 were reviewed.

Motion by Arlene Kershner to approve the minutes of the Regular Meeting held September 11, 2008 as presented. The motion was seconded by Robert Munson and carried. Ralph Wescott and Damien St. James abstained because they were not present at that meeting.

**OLD BUSINESS**

**Smart Development Committee**

The minutes of the last meetings of the Smart Development Committee were circulated. The Smart Development Committee have been doing considerable research and will have an informal presentation in the future for the Planning Commission.

**Scenic Road Petition – East Flag Swamp Road**

Arlene Kershner reviewed the criteria which was presented for East Flag Swamp Road to be considered for designation as a scenic road. It is:

- Unpaved
- Bordered by mature trees and stone walls
- No more than 20 feet wide
- Offers scenic views
- Blends naturally into the surrounding terrain
- Free from intensive commercial development and intensive vehicular traffic

Motion by Arlene Kershner to approve the designation of East Flag Swamp Road as a scenic road according to the Roxbury Scenic Road Ordinance. The motion was seconded by Damien St. James and carried unanimously.

**Alan and Edward McLean – 102 Battleswamp Road – Lot Line Revision**

The Commission members reviewed a two-page mylar for a lot line revision to the property consisting of 84.623 acres located on Battleswamp Road. Existing Lot 11-16 is 4.424 acres. Existing Lot 11.35 is 80.203 acres. Proposed Lot 11-38 will be 40.042 acres and proposed lot 11-35 will be 44.585 acres. A letter from Attorney Sconyers regarding his request for the Planning Commission to accept the two-page mylar was reviewed.

Motion by Arlene Kershner to approve the application of Alan and Edward McLean for a lot line revision of the property located at 102 Battleswamp Road. The motion was seconded by Robert Munson and carried unanimously.

**NEW BUSINESS**

**Christopher and Theresa Dannen – 71 South Street – Lot Line Revision**

Attorney Gregory Cava presented a letter regarding the chain of title which proves that the property is indeed two separate lots. Deeds for the chain of title were also submitted to the Commission. The original area of Parcel 1R is 4.149 acres and the original area of Parcel 2R is 6.032 acres. The proposed area of Parcel 1R will be 7.206 acres and the proposed area of Parcel 2R will be 3.005 acres.

The driveway for the proposed new dwelling will be off Apple Lane. The question of creating a 3-acre lot in view of the new zoning amendment requiring 4-acre new lots. It was explained that the property is in Zone A which still only requires 3-acre lots.

Robert Munson questioned what maps were presented to the Zoning Commission when renovations were made to the main dwelling and the barn. The barn was on a separate lot and should not have been allowed as an accessory on a separate lot without a primary dwelling. Christopher Dannen said that at that time he did not research the deeds and only used the survey information showing the property as one 10-acre lot which his surveyor provided.

Robert Munson expressed his concern that the property was allowed to be formally represented to Zoning as one lot.

Gregory Cava noted that there were no maps on record with the Town Clerk for the property.

The Commission inquired what the tax bills for the property showed. Mr. Dannen could not recall the details of his tax bill. It was noted that occasionally in cases of two adjacent lots under one ownership the tax bills have been combined overtime. When a new assessor's map is prepared these adjacent properties could be shown as one property as the single tax bill would mistakenly indicate.

Gregory Cava said that what ever the situation, the lot line revision would rectify the situation.

Motion by Damien St. James to approve the application of Christopher and Theresa Dannen for a lot line revision to the property located at 71 South Street. The motion was seconded by Arlene Kershner and carried unanimously.

## **COMMUNICATIONS**

Minutes from the most recent Zoning Commission and Inland/Wetland Commission meetings were circulated.

Motion by Damien St. James to table discussion on the minutes until the next meeting to give members an opportunity to review them. The motion was seconded by Ralph Wescott and carried unanimously.

Motion by Ralph Wescott to adjourn at 8:50 PM. The motion was seconded by Damien St. James and carried unanimously.

Respectfully submitted,

Christine M. Giordano,  
Planning Administrator

*These minutes are not considered official until approved at the next Regular Meeting of the Roxbury Planning Commission.*