

Attorney Donovan suggested that the Planning Board recommend to the Building Inspector that a temporary CO be issued on Lot 9 subject to the following conditions;

- 1) **Prior to the issuance of the temporary CO, the town should be reimbursed for the expense of the planning board engineer and town counsel's time spent on this matter.**
- 2) **Haul road restoration plan approve to be developed and reviewed and approved by TRC.**
- 3) **Haul road restoration to be completed within thirty days of approval by TRC.**
- 4) **Review of drainage onto Lot 14 with a development of a plan by the developer and/or builder to eliminate potential flow onto Lot 14 for approval by TRC.**
- 5) **Riprap to be place at outlet to foundation drain.**
- 6) **Flowage easement for the 20ft wide strip of land along the boundary of Lot 10, which will be reviewed by town counsel.**

The board and Mr. Falzone agreed that both the haul road restoration and drainage work would be completed within thirty days of TRC approval.

Motion by JM Lord to authorize the issuance of a temporary Certificate of Occupancy for Lot 9 with the conditions, as outlined by Attorney Donovan. Seconded by Bill Epperson.

Roll Call Vote: Katy Sherman – Yes; Steve Carter – Yes; Jim Finn – Yes; Tim Durkin – Yes;

Bill Epperson – Yes; JM Lord – Yes; Patricia Losik – Yes

Motion passed.

Chair Losik suggested that discussion move on to Lots 7 and 8. She read Danna Truslow's recommendations regarding Lots 7 and 8. She also referred to Joe Noel's letter regarding his concerns. She asked Mr. Noel to speak to his concerns.

Joe Noel, Wetland Scientist, stated that the area about 10ft on either side of the monitoring well up to the foundation drain on Lot 8, has all the indicators that it is a recently created wetland. Downslope from that is where the driveway is proposed for Lot 7. That area has soil compaction that basically inhibits the water from moving through from the created wetland area to the natural wetland system. This contributed to holding the water up slope and causing that wetland to form. It would be a matter of putting the culvert in. An additional recommendation would be to have the created wetland added to the plan at some point, so the future owner of Lot 7 will realize this is an area now designated as wetland. It would be important for the future owners to know this is an area that cannot be filled in.

Speaking to Mr. Noel, Chair Losik asked if he agrees with Danna Truslow's recommendation of the riprap at the culvert drain on the downstream side where it goes into the larger wetland between Lots 7 and 6.

Mr. Noel replied that is probably a good spot because there is a pretty good slope there. The riprap would be a good idea along that stretch to slow the water down.

Chair Losik asked if this would be sufficient.

Mr. Noel stated that he looked at the wetland between the driveway on Lot 6 and the proposed driveway for Lot 7. He reflagged that wetland and looked at that area. He did not really go downslope. He commented that they placed it, at what he thought, was an accurate elevation. The water is not draining out of that wetland any quicker than it actually would have.

Chair Losik asked if he is referring to the culvert on the Lot 6 driveway.

Mr. Noel confirmed. He does not think there is a need for any riprap on the driveway for Lot 7. Just a little at the outlet to the culvert is all that would be needed there.