**NOTE FOR FILE**

**1.30.2013**

**Meeting with Danielle West-Chuhta (Corporation Counsel); Barbara Barhydt (Dev Rev Services Manager); Jean Fraser (Planner); Marge Schmuckal (Zoning Administrator) and David maargolis-Pineo (DPS Dep Eng).**

Purpose of the meeting: to review the current proposals for Ice Pond Drive dead end (new subdivision street that stops short of the property boundary and does not extend across the frontages of the last two lots) in the context of the Subdivision an ordinance and 14-403- to establish whether the Planning Board has the authority to waive the requirement and if so, how?

Key points agreed:

1. That the Subdivision Ordinance requires that the street be designed to allow a future extension/connection, which would require the ROW to extend to the property boundary. There is also a prohibition against creating spite (or malice) strips.
2. Abutting land is now conservation land and under the control of the Falmouth Land Trustand includes trails; should have connectivity of pedestrian links.
3. Staff will advise the Planning Board that they have the ability to waive the requirements under Sec 14-506 in view of the wetland setbacks; the status of the Falmouth land (conservation easements etc) and the objective of reducing impervious surface. The PB Report will have PB findings for the waiver and there will be an associated condition of approval to be quoted on the final plat along with a note at the location of the ROW end (which could confirm status in relation to 14-403).
4. The plans should show the ROW shortened to match the paved street, with the land between the end of the paved street and the Falmouth boundary reverting to one or both of the abutting lots as long as they each meet the frontage requirement under zoning.
5. A 20 foot wide easement between the end of the ROW and the Falmouth boundary needs an associated public access easement from the ROW to the property boundary. It should cover potential use for pedestrians and bikes. It also should clarify that the trail within the easement is for public access to the abutting trail system and state who to maintain and be liable for it as won't be city (discussions still going on between applicant and Falmouth Land Trust)..
6. The access for the stormwater maintenance would also need an easement from the end of the ROW.