

## **PLANNING BOARD MEETING MINUTES**

### **January 28, 2010**

**PRESENT:** Chris Farrell, Daniel Doucette, Doug Shearer, Don DuBerger, Dudley Jensen, John Howarth, Clement DelFavero, Louis Gallo, Peter Meier

**STAFF:** Coreen Moore, Town Planner, Dody Adkins-Perry

**ALSO PRESENT:** Paul Gately, Diana Barth, Jim Mulvey, Phil Herr, Ford O'Connor, Gray Curtis, Bob Schofield, Michele Ford, Sallie Riggs, Kerry Horman, Dick York, Tudor Ingersoll, Phyllis Ingersoll, Mark Bartlett, Scott Zane and other members of the public

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Ann Gratis, Recording Secretary

Chairman Farrell called the meeting to order at 7:03P.M.

Mr. DelFavero made a MOTION to approve the minutes of 12/10/08. The MOTION was seconded by Mr. Meier with eight in favor and one abstention.

**Discussion:** Wind Energy Bylaw

Phil Herr, Grey Curtis, Bob Schofield – both from the Wind Energy Advisory Committee.

Phil: fall zones needs to be cleared up. In some areas it's 1 ½ times the height and in others it stated the height of the tower plus 10'.

Mr. Howarth stated we want to protect the neighbor's property, an engineer stated the pole will crumble on its self.

Phil stated there needs to be a permanent easement on the abutting property and that would allow the fall zone to be closer. Preserving environmental and scenic resources can be further down the road. Won't make it for this meeting. Phil stated it would be challenging to write language about a turbine not fitting in to a neighborhood. There is no insurance liability clause and one should be added.

Mr. Doucette would like to look at the RWES 75' maybe exceed to 150' and the CWES eliminate the 400' height.

Phil stated there can be fewer sites with more power for a taller turbine. 480'. The applicant has to prove that the height would be appropriate.

Phil changed "tower height" to "WECS height" throughout the bylaw. This encompasses the overall height – pole plus blades.

John York spoke against this at town meeting. There are four different setback requirements listed throughout the bylaw. Should be reduced to one or two. Thinks the 1 ½ times is excessive. The drawing shows a roof mounted turbine but they are not addressed in the bylaw – size limit, is the mount on the building suitable, etc. Ascertainable paths – what is that? Be careful of just throwing language in and not knowing what it means.

Mr. Doucette: remove the 1.5 times height and keep height of tower plus 10'. The paths was concern about ice shearing off the blades. We are more concerned with the abutters.

John York – say things more directly. State to Town Meeting what you are trying to do with this bylaw – safety, etc.

Phil: will add liability insurance paragraph, remove 1.5 times height, remove paths, power lines, etc., will expand on the purpose and intent, more information on building mounted turbines, and RWES height plus 10' not to exceed 75' to the property line.

Jim Mulvey – address visual impact?

Public Hearing will be 2/25/10

**Discussion:** DCPC bylaw changes

Sallie Riggs submitted draft language.

Chairman Farrell stated the road needs to be safely accessed.

Mr. Howarth stated originally the road was supposed to come off of Rt. 25 not Edgehill Rd.

Coreen stated the original plan talked about 10 million sf. This project is projected at 500,000sf. A much greater reduction.

Sallie stated it will be a long process.

Chairman Farrell stated the access needs to be tweaked but it's a good start.

Mr. Meier made a MOTION to sponsor the article and hold the public hearing on 2/25/10. The MOTION was seconded by Mr. Doucette with all in favor.

**Discussion:** Kingman Yacht Center : residential site development /re-development bylaw

Ford O'Connor, Scott Zane, Mark Bartlett

Will provide engineering for septic plans to show it can be done for three 3 bedroom homes and one 3 bedroom duplex. Not prepared to answer yet.

Proposal is for 2 bedroom units similar to Brookside. Will have final numbers by 2/25/10. Would like to use the previous article as a place holder. Seeking, empty nesters, retirees, and summer people using the marina. Wastewater plant will cost \$1.5-2 million to build, minimum. The system will be modular so parts can be shut off in the off season. More units brings more revenue and allows us to build the plant. It's a win win situation with the new regulations coming through. Reduction of nitrogen into the water is a huge plus. Protect the integrity of the bay.

Chairman Farrell stated this Board would have to approve the buildings too when it came time for that.

Scott stated this is step one.

Chairman Farrell would like to know how many systems in that area failed in the last five years. Try to find out which abutters would be interested in hooking up.

Coreen will do a map and a letter to the abutters.

Jim Mulvey asked in the future, who will maintain it? How will it be funded?

Phil Herr stated if the private sector fails, the public has a problem.

Public Hearing will be 2/25/10.

**Discussion:** Affordable Housing bylaw

Kerry Horman, housing specialist. The Housing Partnership met tonight and support this bylaw. It will be cost effective and scattered around town according to the precinct map. Would only be a few lots each year with a cap of 12. It's more restrictive than a 40B.

Coreen stated the lots would have to be on Town Accepted roads, with a minimum lot size of 10,000sf with 80' of frontage. The house would have to meet gross floor area, setbacks, board of health, etc. Mainly it's for lots that have been combined for tax purposes only but not by deed. Another option would be to build a smaller house on the lot and make the existing house the affordable. This would have to meet state regulations.

Public Hearing will be 3/11/10.

**OLD/NEW BUSINESS**

**Discussion:** Back Lot division

Coreen explained the change. Making the driveway at least 10' from the property line and the 35' width has to be the entire length of the driveway. A 25' vegetated buffer around the entire property (especially meant for wooded lots).

Chairman Farrell asked about runoff?

Coreen said she can add that all stormwater runoff must be kept on the lot.

Hearing will be 3/11/10.

**Discussion:** Shape Factor

Coreen stated this has been something she's wanted to fix since she started working for the Town. This will remove the small pieces of land that are formed when lots need to meet shape factor and if combined in the future, the lot becomes non-conforming.

Mr. Meier made a MOTION to hold the hearing on 3/11/10. The MOTION was seconded by Mr. Howarth with all in favor.

Mr. Howarth made a MOTION to adjourn. The MOTION was seconded by Mr. Doucette with all in favor.

With no further business before the Board, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,  
Ann T. Gratis