

# **Planning Board**

## **Minutes of January 10, 2001**

**ROLL CALL:** Russ Wilder, Chairman - Present

Alan Carpenter, Vice Chairman - Present

Lisa Linowes, Secretary - Present

Margaret Crisler, Selectmen Member - Present

Walter Kolodziej, Regular Member - Excused

Ross McLeod, Regular Member - Present

Wayne Morris, Regular Member - Present

Lee Maloney, Alternate - Present

Roger Hohenberger, Selectmen Alternate - Present

*Ms. Maloney replaced Mr. Kolodziej on the Board.*

### **PUBLIC HEARING:**

Mr. Wilder explained the format of the public hearing.

**Citizen Petition #1.** Mr. Wilder read the proposed amendment and described the area on the map. Ms. Linowes asked whether the land containing Apple Acres is contiguous with the land being proposed to change zoning to Rural Zone. Mr. Sam Nassar, owner, explained the ownership of the land and his intentions with it.

Mrs. Crisler made a motion to recommend. Seconded by Mr. Morris. Ms. Linowes asked what Mr. Nassar's intentions would be with the land under the current zoning and with the proposed changes. Mr. Nassar explained his intentions with the land and that it depends upon many variable so he hasn't committed to anything at this point. Vote taken. Passed 6-1. Ms. Linowes opposed.

**Citizen Petition #2.** Mr. Wilder read the proposed amendment and described the area in question. Mr. Alan Daigneault, 17 Gordon Mountain Road, explained the intent of the proposed amendment. Mr. Morris made a motion to recommend. Seconded by Mrs. Crisler. Passed 7-0.

**Citizen Petition #3.** Mr. Wilder read the proposed amendment and described the area in question. Mrs. Crisler also described the area, the surrounding area is all house lots, and the area is more rural in character. Mr. Carpenter asked about stated-owned land near the parcel. Ms. Linowes expressed her concern about neighborhood businesses in Town and in the area in question. Mr. Morris expressed his concerns about housing in the area and that he would

rather see it remain neighborhood due to taxes. Mr. McLeod expressed his thoughts on the difficulty of the decision. Mrs. Crisler made a motion to recommend. Seconded by Mr. Carpenter. Failed 3-4. Mr. Morris motioned to not recommend and Ms. Linowes seconded. Passed 4-3.

**Citizen Petition #4.** Mr. Wilder read the proposed amendment. Mr. McLeod explained how this amendment improves the current ordinance which included pinning the height of towers to average tree height instead of 150' in areas that have a tree canopy, removing lattice and guy wire towers (use of monopole towers), requirement of co-location first, bonding for removal of tower structure as well as ancillary facilities on the ground, and provides for camouflage.

Public input began with Mr. Sam Nassar, Searles Road, asked about HAM radio requirements and restrictions. Mr. McLeod explained the HAM radio requirements.

Mr. Jack Gattinella, 13 Golden Brook Road, expressed his concern about the proposed ordinance and the posting of the proposed amendment. Ms. Linowes and Mrs. Crisler expressed their concern about the proposal, that it should be in the site plan regulations. Mrs. Crisler made a motion to recommend. Seconded by Ms. Linowes. Passed 4-1-2. Mr. McLeod and Mr. Carpenter abstained. Mrs. Crisler made a motion to show vote on Warrant. Seconded by Mr. Morris. Passed 7-0.

**BOS Petition #1.** Mr. Wilder explained the BOS petition in general. Mr. Wilder read a memo from David Sullivan, a memo from the ZBA, and the proposed amendment. Mr. Gattinella was recognized by Mr. Wilder to represent the ZBA. Mr. Gattinella expressed the concerns of the ZBA and explained the situation regarding the cemetery on the hill on Range Road.

Mr. Mark Lyons, 158 Range Road, expressed his concern about the ordinance that that without it the Town has no jurisdiction. He stated that he is in favor of some form of this proposal.

Mr. Dennis Tremblay, 76 Turtle Rock Road, stated that he was in favor of the ordinance.

Mr. Roger Hohenberger, Selectman, explained the BOS process for amending the petition.

Mrs. Crisler addressed Mr. Gattinella's points. Ms. Linowes asked why the petition had a 25' setback rather than a greater setback. Mrs. Crisler stated that it was because of the state regulations.

Mr. Morris made a motion to post for the next available meeting on January 24, 2001. Seconded by Mr. McLeod. Passed 7-0.

**BOS Petition #2.** Mr. Wilder read the proposed amendment. Mrs. Crisler explained the impetus behind the proposed amendment. Mr. Gattinella expressed his concern about the mention of standards. Mrs. Crisler explained. Mr. Carpenter made a motion to recommend. Seconded by Mr. Morris. Passed 7-0.

*Ms. Linowes left the Board.*

**Zoning Amendment #2.** Mr. Wilder read the proposed amendment. Mr. Michel Nikitas, 17 Bella Vista Road, expressed his concern about the amendment, and stated he is against the amendment.

Ms. Elvira Barone, 20 Bella Vista Road, stated she is against the proposal, and that she did not receive notice.

Mrs. Crisler and Mr. McLeod explained that business uses in the rural zone are required to be non-intrusive with no exterior changes. Mrs. Crisler made a motion to recommend. Seconded by Mr. McLeod. Passed 6-0.

**Zoning Amendment #4.** Mr. Wilder read the proposed amendment. Ms. Diane Gardner, 32 Nottingham Road, expressed her concern about the proposal, stated that it's too restrictive, and that the Great Ponds do not have that level of protection. Mr. Hohenberger asked about grandfathering. Mr. Wilder explained that there is grandfathering.

Mr. Tremblay asked whether obligate species are endangered. He also stated that vernal pools would be eyesores because of the restriction of cutting vegetation. Does it effect lot sizing?

Mr. Nassar expressed his concern about how this effects the Town.

Mr. Morris stated that the Great Ponds are protected. Mr. Carpenter stated that water quality is the primary reason and that the Town can't do enough to protect water quality. Mrs. Crisler stated she is in favor because of water quality. Mr. McLeod expressed his concerns. Mr. Carpenter made a motion to recommend. Seconded by Mrs. Crisler. Passed 5-1.

**Amendment #7.** Mr. Wilder read the proposed amendment. Ms. Barone, 20 Bella Visa Road, expressed her concerns about the acreage requirement being eliminated. Mrs. Crisler made a motion to recommend. Seconded by Mr. McLeod. Passed 6-0.

**Amendment #8.** Mr. Wilder read the proposed amendment. Ms. Gardner expressed concern that Amendment #8 and #2 are for one farmer to start a golf course.

Mr. Wilder mentioned other areas in Town that would benefit. Mr. Morris stated the purpose is to protect open space. Mr. McLeod stated that this is not spot zoning; it is all rural areas. Mr. Carpenter expressed his concern for the protection of open spaces and the tax implications. Mr. Carpenter made a motion to recommend. Seconded by Mr. Morris. Passed 6-0.

**Amendment #1.** Mr. Wilder read the proposed amendment. Ms. Kathleen DiFrusia, 38 Horseshoe Road, asked what currently exists in the area and what uses would be allowed under the proposal. Mr. Wilder explained. Mr. Morris made a motion to recommend. Seconded by Ms. Maloney. Passed 6-0.

**Amendment #3.** Mr. Wilder read the proposed amendment and a letter from Attorney William Mason. Mr. Tremblay expressed his concern and the 15% increase in density. He stated the Town should look at whether 20,000 is sufficient for a house lot; open space lots are smaller; the 30,000 requirement would result in greater costs for house lots. Mr. Wilder and Mrs. Crisler clarified and explained why it was changed. Mr. Morris made a motion to recommend. Seconded by Mr. Carpenter. Passed 6-0.

**Amendment #5.** Mr. Wilder read the proposed amendment. Ms. DiFrusia asked for clarification of the purpose of the amendment. Mr. Wilder explained the purpose of the amendment. Mr. McLeod made a motion to recommend. Seconded by Mrs. Crisler. Passed 6-0.

**Amendment #6.** Mr. Wilder read the proposed amendment. Mr. Carpenter made a motion to recommend. Seconded by Mr. McLeod. Passed 6-0.

The Board discussion ensued regarding the January 24 meeting and notifying the Conservation Commission and Trails Subcommittee.

Mr. McLeod made a motion to adjourn. Seconded by Mr. Carpenter. Passed 6-0. Meeting adjourned at 10:20 pm.

These minutes are in draft form and have not been submitted for approval.

Respectfully submitted, Eric Twarog