

**GROTON PLANNING BOARD
DECEMBER 19, 2002
MINUTES**

Chairman Degen called the meeting to order at 7:30 PM in the Town Hall

Members present: Degen, Barringer, Clements, Eliot, Lewis, Perkins and Wilson

CARMICHAEL ESTATES II RELEASE

Rice Paving completed the final paving at the Carmichael II subdivision on November 11, 2002 to the satisfaction of Judith Nitsch Engineering, Inc. and the Highway Surveyor. Lumbermens Insurance forwarded the Town a check in the amount of \$60,000.00 which is on deposit with the Town Treasurer.

Stamski & McNary will install survey monumentation and prepare as-built plans for \$18,000.00. The Town of Groton Highway Department will plant street trees and finish the landscaping in the spring. The Board will also pay outstanding engineering bills from this account.

The motion was made by Lewis to execute the release for Lumbermens Mutual Casualty Company as set forth in the agreement, dated October 21, 2002, for the Carmichael Estates II subdivision. The motion was seconded and passed with Degen, Barringer, Clements, Lewis, Perkins and Wilson in favor; Eliot abstaining.

SPECIAL PERMIT DECISION – SPRINT/TABCOM PROPERTY

The Board discussed draft special permit findings and conditions for Sprint telecommunication tower on land owned by the American Baptist Churches of Massachusetts. Attorney Scott Lacey represented Sprint at the meeting. In addition, the Board has comments of the draft decision from its consultant, RF engineer David Maxson.

The motion was made by Barringer to grant a special permit to Sprint to utilize the provisions of Groton Zoning By-law Section 218-25.1 Personal Wireless Services Facility to construct a 120-foot monopole style telecommunications tower and install associated radio equipment as shown on the plan entitled, "Sprint PCS, Site No. BS54XC141B; Site Plans Located at: American Baptist Church, 47 Prescott Street, Groton, Massachusetts; Issued for Zoning," prepared by McFarland-Johnson, Inc., dated November 3, 2002, and as described in the "Revised Visual Resource Evaluation Report – November 2002; Application of Sprint PCS for a Proposed Wireless Telecommunications Facility; Site BS54XC141B, 47 Prescott Street, Town of Groton, Middlesex County, Massachusetts," prepared by VHB/Vanessa Hangen Brustlin, Inc., based upon the following findings and with the following conditions:

Findings:

The Planning Board made the following findings based upon the criteria set forth in Zoning By-Law §§ 218-25.1 and 218-32.1:

1. **Social, economic and community needs:** The proposed 120-ft monopole telecommunication tower will serve the communications needs of the community by improving the quality of wireless communication within the Town of Groton and surrounding areas.
2. **Traffic flow and safety:** There are no traffic flow or traffic safety issues associated with the proposed facility.
3. **Adequacy of utilities:** The Groton Electric Light Department has indicated that it will be able to serve the proposed telecommunication facility as designed. No other utilities are required.
4. **Neighborhood character:** The proposed facility will be sited in a wooded area in a residential zone with few existing residential uses in close proximity. The tower will be adequately screened locally by existing vegetation and by location.
5. **Impacts on the environment:** The proposed facility will have minimal impact on the natural environment. The

facility will be located in a thickly wooded area consisting of primarily evergreen trees. The visual impact will be low as evidenced by the balloon test required in §218-25.1E(2) and by the “Revised Visual Resource Evaluation Report – November 2002; Application of Sprint for a Proposed Wireless Telecommunications Facility; Site BS54XC141B,” prepared by Vanasse Hangen Brustlin, Inc.

6. **Fiscal impact on the Town:** The proposed facility will not have an adverse fiscal impact on the Town because it will not have a negative effect on the valuation of nearby properties and it will not require any town services. In addition, the applicants will pay personal property taxes to the Town of Groton for the value of the facility and associated facilities.
7. The applicant demonstrated to the Planning Board's satisfaction that the proposed facility could not be located at a more appropriate site and still meet the applicant's needs to provide wireless services coverage as required by federal law.
8. As required in § 218-25.1, the personal wireless services tower will be setback from the property lines of the lot upon which it is to be located for a minimum distance that is at least equal to the height of the tower
9. The applicant demonstrated to the Planning Board's satisfaction that the proposed personal wireless services tower is the minimum height necessary to provide suitable coverage from the applicant's antennas and at least two additional wireless service antenna arrays.

Conditions:

1. The applicant shall reimburse the Planning Board \$7132.64 for professional engineering and appraisal services incurred during the review of the special permit application. The amount shall be paid in full prior to commencement of site alterations or the issuance of a building permit.
2. The applicants must obtain any other permits required from other boards, departments, or agencies including application for any required variances from the Zoning Board of Appeals.
3. Within 30 days of energizing each and any carrier's transmitter antenna array and on the annual anniversary date of the issuance of the special permit, the applicant shall submit to the Building Inspector evidence that the facility is in compliance with all state and federal requirements, including compliance with radio frequency emissions in effect at the time. The facility must cease operations if any emissions exceed these requirements.
4. The applicant, at its expense, will improve and maintain the access road to the site to the minimum standard required for all weather access by emergency services.
5. Any extension, addition of cells or construction of a new or a replacement personal wireless services facility or accessory structures, buildings or equipment shall require the issuance of a new special permit under this chapter.
6. The placement, construction and modification of a personal wireless services tower and its accessory structures, buildings and equipment shall be performed in accordance with all applicable local, state and federal requirements for the operation of such a facility. In addition, the following location and siting requirements shall apply:
7. § 218-25.1 states, “The required setback for a personal wireless services tower from designated wetlands, water bodies and areas with a slope in excess of 5% shall be at least 150 feet.” The applicant shall obtain a variance from the Zoning Board of Appeals of this provision.
8. Fencing shall be provided to control access to the base of a personal wireless services tower in order to prevent access to the tower. The fencing shall be compatible with the scenic character of the town and shall not consist of barbed wire or razor wire.
9. Announcement signage shall be provided that indicates "No Trespassing" and "Danger" and a telephone number

which shall provide twenty-four-hour access to the operator of the facility in the event of an emergency. Signage shall not be placed above a height of ten feet and shall comply with all other signage requirements set forth under Chapter 196, Signs.

10. Accessory structures for the personal wireless services tower shall be limited to one structure per antenna or dish or other transmitting device, but shall not exceed six (6) structures as shown on the plan. Accessory structures shall be constructed so as to share a common wall. No structure shall exceed 400 square feet in size and 10 feet in height. Each structure shall be of the same design and color as every other accessory structure.
11. Clearing of vegetation and trees at the site of a personal wireless services tower shall be performed in a manner which will maximize preservation of natural beauty and conservation of natural resources and which shall minimize marring and scarring of the landscape or silting of streams.
12. The timing and method of clearing rights-of-way leading to a personal wireless services facility shall take into account soil stability, the protection of natural vegetation, the protection of adjacent resources, such as the protection of natural habitat for wildlife, and appropriate measures for the prevention of silt deposition in watercourses.
13. Clearing of natural vegetation should be limited to that material which poses a threat or an obstacle to the personal wireless services tower. The area to be cleared shall not exceed 60' x 60'. The applicant shall remove any additional material, man-made or natural, if it poses a threat to public safety.
14. Clearing of portions of the location for the personal wireless services tower shall take place only when necessary to the construction, maintenance and operation of the tower.
15. The visual impact of any personal wireless services facility and any personal wireless services tower shall be minimized to the maximum extent possible by:
 - a) The height of the proposed monopole structure will be 120-ft as stated in the application. However, the base of the structure shall be capable of supporting an increase in height to 150 ft in order to accommodate other carriers in the future.
 - b) Light gray galvanized finish shall be used on the portion of the outside of a personal wireless services tower that rises above the tree line in order to blend into the landscape. Antennas and exposed components on the tower shall be painted or colored to match the tower.
 - c) Night lighting of the personal wireless services tower (aside from security lighting at the base of a tower) shall be prohibited unless required by the Federal Aviation Administration. If the Federal Aviation Administration requires lighting, then the lighting used shall be the minimum lighting required. The applicant shall submit a site plan to the Planning Board for site plan review prior to adding any lights to the facility.
 - d) The personal wireless services tower shall be sited in such a manner that the view of the tower from other areas of the town shall be as minimal as possible.
 - e) There shall be a minimum of one parking space for each personal wireless services tower to be used in connection with the maintenance of a personal wireless services tower and the facility; however, the Planning Board may require additional parking spaces depending upon the number of providers and antennas and dishes that are to use the facility. The site shall not be used for overnight or permanent storage of vehicles.
16. Performance guaranty - The carriers shall provide a bond, in a form acceptable to the town, or shall place into escrow the amount of \$100,000.00 to cover the costs of removing the facility from the subject property and, furthermore, said funds shall be held by an independent escrow agent to be appointed by the carrier and the Planning Board. The amount of the surety shall be certified by an engineer, architect or other qualified professional

registered to practice in the Commonwealth of Massachusetts. The carriers shall authorize and, as necessary, shall provide the authorization of the owner of the property to allow the town or the escrow agent to enter upon the subject property to remove the facility when the facility has been abandoned or discontinued.

17. The facility shall be deemed to be abandoned or discontinued if it has not been used for the provision of personal wireless service for a period of one year or more. Once abandonment or discontinuance has occurred, the carrier shall remove the facility from the subject property within 90 days. In the event that the carrier fails to remove the facility, the town shall give notice to the carrier and, if appropriate, the independent escrow agent that the facility shall be removed forthwith, and the town or the escrow agent, after affording written notice seven days in advance to the carrier, shall remove the facility.
18. In the event the amount of the surety is insufficient to cover the costs of removal, the town shall place a lien upon the property to cover the difference in cost.
19. The applicant shall provide the Town with a Certificate of Insurance for coverage of bodily and other injury for \$5,000,000.00. The applicant shall maintain insurance coverage for as long as the tower exists.
20. Annual certification shall be provided by the owner or operator of the personal wireless services facility to the Planning Board and the Building Commissioner demonstrating continuing compliance with the standards of the Federal Communications Commission, the Federal Aviation Administration and the American National Standards Institute.
21. Prior to the commencement of construction at the site, the applicant shall submit the following information to the Building Inspector:
 - a) Certified drawings and structural engineering calculations, prepared by a registered professional engineer in the Commonwealth of Massachusetts.
 - b) Documentation of bonding and insurance certificates as required in Conditions 21 and 24 above.
22. This special permit shall not be in effect until a certified copy of the special permit decision is recorded at the Middlesex South Registry of Deeds as required in GL Chapter 40A, Section 11, and Groton Zoning By-Law Section 218-32.1. No construction or site alteration shall commence nor shall any necessary permits be issued by any Board or official until evidence of such recording is submitted to the Planning Board by the applicant.
23. This special permit shall lapse in 24 months, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A, Section 17, from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. The recording of the special permit shall constitute commencement of substantial use.
24. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion was seconded and passed unanimously.

SPECIAL PERMIT DECISION – SPRINT/CROWLEY PROPERTY

(Chairman Degen stepped down and did not participate; Vice Chairman Barringer chaired the discussion. Member Wilson abstained because he was not a member of the Board during the time of the public hearings and original special permit decision process.)

At its meeting on September 5, 2002, the Planning Board voted, with six in favor and one opposed, to accept the Agreement for Judgment for Sprint Spectrum, L.P. v. Town of Groton Planning Board, Civil Action No. 02-10365-MLW, dated August 16, 2002.

The Board discussed special permit findings and conditions for Sprint telecommunication tower on land owned by

Jeffrey Crowley located at 550 Main Street. Attorney Scott Lacey represented Sprint at the meeting. The Board referred to the draft decision in the January 9, 2002 Planning Board meeting to formulate its decision.

The motion was made by Perkins that, in accordance with the “Agreement for Judgment, Sprint Spectrum LP v. Town of Groton et al (Planning Board), United States District Court (District of Massachusetts), Civil Action No. 02-10365-MLW,” dated August 16, 2002, entered with the US District Court on August 22, 2002, to grant the special permit to Sprint to utilize the provisions of Groton Zoning By-law Section 218-25.1 Personal Wireless Services Facility to construct a 120-foot monopole style telecommunications tower and install associated radio equipment on land owned by Jeffrey Crowley, 550 Main Street, Assessors Map 216, Parcel 91, on the northeasterly side of Main Street, as shown on the plan entitled, “Sprint Spectrum, L.P.; Site Name: Crowley; Site Number: BS54XC118A,” prepared by Tectonic Engineering Consultants, dated January 26, 2001, with revisions through July 24, 2002, based upon the following findings and with the following conditions:

Findings:

1. **Social, economic and community needs:** The proposed 120-ft monopole telecommunication tower will serve the communications needs of the community by improving the quality of wireless communication within the Town of Groton and surrounding areas.
2. **Traffic flow and safety:** There are no traffic flow or traffic safety issues associated with the proposed facility.
3. **Adequacy of utilities:** The Groton Electric Light Department has indicated that it will be able to serve the proposed telecommunication facility as designed. No other utilities are required.
4. **Neighborhood character:** The proposed facility will be sited in a wooded area in a residential zone that includes many existing residential uses. The tower will be visible from many nearby residential properties, though it will be adequately screened by existing vegetation. The applicant submitted a real estate study entitled, “Communications Tower Site Specific Impact Study concerning 550 Main Street, Groton, Massachusetts,” prepared by William Patuszek, dated May 17, 2001, which concludes that there will be no substantial difference in property values if the facility is constructed. Conditions attached to this special permit are intended to keep the impact of the facility on the neighborhood to a minimum.
5. **Impacts on the environment:** The proposed facility will have minimal impact on the natural environment. The facility will be located in a wooded area within an existing stand of trees, primarily evergreens that will be preserved as a condition of this special permit. The visual impact will be moderate as evidenced by the balloon test required in §218-25.1E(2) and the “Photo Simulation Sprint Spectrum LP – Crowley, Proposed 120’-0” Monopole Installation, Site Number: BS54XC118A, 550 Main Street, Groton, MA 01450,” prepared by Tectonic Engineering Consultants, dated June 30, 2001.
6. **Fiscal impact on the Town:** The proposed facility will not have an adverse fiscal impact on the Town because it will not require any town services. The applicant will pay personal property taxes to the Town of Groton for the value of the facility and associated facilities.
7. The applicant demonstrated to the Planning Board's satisfaction that the proposed facility could not be located at a more appropriate site and still meet the applicant's needs to provide wireless services coverage as required by federal law, and that the proposed tower height is the minimum necessary for the purpose. The applicant submitted documents including “Statement of Site Acquisition Specialist,” prepared by Brady Goodell, dated August 30, 2001, and letter dated November 5, 2001 from Brady Goodell to the Town of Groton Planning Board as evidence of alternative sites considered.
8. The applicant demonstrated to the Planning Board's satisfaction that it has made a good faith effort to collocate the proposed services upon an existing structure or facility.

Conditions:

1. The applicant must obtain any other permits required from other boards or departments including the resolution of the variance with the Zoning Board of Appeals.
2. Within 30 days of energizing each and any carrier's transmitter antenna array and on the annual anniversary date of the issuance of the special permit, the applicant shall submit to the Building Inspector evidence that the facility is in compliance with all state and federal requirements, including compliance with radio frequency emissions in effect at the time. The facility must cease operations if any emissions exceed these requirements.
3. Page 6 of Sprint's application to the Department of Public Health states, "In order to demonstrate the realistic worst case, we will hypothetically for this exercise downtilt the main lobe 5 degrees below the horizon toward the exposure area, a scenario which is actually realistic." The downtilt of the lobe shall not be greater than 5 degrees at any time.
4. The applicant, at its expense, will improve and maintain the access road to the site to the minimum standard required for all weather access by emergency services.
5. Any extension, addition of cells or construction of a new or a replacement personal wireless services facility or accessory structures, buildings or equipment shall require the issuance of a new special permit under this chapter.
6. The placement, construction and modification of a personal wireless services tower and its accessory structures, buildings and equipment shall be performed in accordance with all applicable local, state and federal requirements for the operation of such a facility. In addition, the following location and siting requirements shall apply.
7. Notwithstanding the requirements of § 218-20, the personal wireless services tower shall be setback from the property lines of the lot upon which it is to be located for a minimum distance that is at least equal to the height of the tower.
8. The required setback for a personal wireless services tower from designated wetlands, water bodies and areas with a slope in excess of 5% shall be at least 150 feet. The applicant shall obtain a variance from the Zoning Board of Appeals of this provision.
9. Fencing shall be provided to control access to the base of a personal wireless services tower in order to prevent access to the tower. The fencing shall be compatible with the scenic character of the town and shall not consist of barbed wire or razor wire.
10. Announcement signage shall be provided that indicates "No Trespassing" and "Danger" and a telephone number which shall provide twenty-four-hour access to the operator of the facility in the event of an emergency. Signage shall not be placed above a height of ten feet and shall comply with all other signage requirements set forth under Chapter 196, Signs.
11. Accessory structures for the personal wireless services tower shall be limited to one structure per antenna or dish or other transmitting device, but shall not exceed six (6) structures on the tower. Accessory structures shall be constructed so as to share a common wall. No structure shall exceed 400 square feet in size and 10 feet in height. Each structure shall be of the same design and color as every other accessory structure.
12. Clearing of vegetation and trees at the site of a personal wireless services tower shall be performed in a manner which will maximize preservation of natural beauty and conservation of natural resources and which shall minimize marring and scarring of the landscape or silting of streams.
13. The timing and method of clearing rights-of-way leading to a personal wireless services facility shall take into account soil stability, the protection of natural vegetation, the protection of adjacent resources, such as the protection of natural habitat for wildlife, and appropriate measures for the prevention of silt deposition in watercourses.

14. Clearing of natural vegetation should be limited to that material which poses a threat or an obstacle to the personal wireless services tower.
15. Clearing of portions of the location for the personal wireless services tower shall take place only when necessary to the construction, maintenance and operation of the tower.
16. The visual impact of any personal wireless services facility and any personal wireless services tower shall be minimized to the maximum extent possible by:
 - a) The applicant has demonstrated to the Planning Board's satisfaction that the proposed personal wireless services tower is the minimum height necessary to accommodate the transmitter/receiver. The height of the proposed monopole structure will be 120-ft as stated in the application.
 - b) Light gray galvanized finish shall be used on the portion of the outside of a personal wireless services tower that rises above the tree line in order to blend into the landscape.
 - c) Night lighting of the personal wireless services tower (aside from security lighting at the base of a tower) shall be prohibited unless required by the Federal Aviation Administration. If the Federal Aviation Administration requires lighting, then the lighting used shall be the minimum lighting required. The applicant shall submit a site plan to the Planning Board for site plan review prior to adding any lights to the facility.
 - d) The personal wireless services tower shall be sited in such a manner that the view of the tower from other areas of the town shall be as minimal as possible.
 - e) Collocation of personal wireless services facilities is encouraged. When technically not practical, any new personal wireless services facility shall be sited so that the resulting personal wireless services tower is separated from every other facility and tower so that if one tower falls, it will not strike another.
 - f) There shall be a minimum of one parking space for each personal wireless services tower to be used in connection with the maintenance of a personal wireless services tower and the facility; however, the Planning Board may require additional parking spaces depending upon the number of providers and antennas and dishes that are to use the facility. The site shall not be used for overnight or permanent storage of vehicles.
17. Performance guaranty - The carrier shall provide a bond, in a form acceptable to the town, or shall place into escrow the amount of \$100,000.00 to cover the costs of removing the facility from the subject property and, furthermore, said funds shall be held by an independent escrow agent to be appointed by the carrier and the Planning Board. The amount of the surety shall be certified by an engineer, architect or other qualified professional registered to practice in the Commonwealth of Massachusetts. The carrier shall authorize and, as necessary, shall provide the authorization of the owner of the property to allow the town or the escrow agent to enter upon the subject property to remove the facility when the facility has been abandoned or discontinued.
18. The facility shall be deemed to be abandoned or discontinued if it has not been used for the provision of personal wireless service for a period of one year or more. Once abandonment or discontinuance has occurred, the carrier shall remove the facility from the subject property within 90 days. In the event that the carrier fails to remove the facility, the town shall give notice to the carrier and, if appropriate, the independent escrow agent that the facility shall be removed forthwith, and the town or the escrow agent, after affording written notice seven days in advance to the carrier, shall remove the facility.
19. In the event the amount of the surety is insufficient to cover the costs of removal, the town shall place a lien upon the property to cover the difference in cost.
20. The applicant shall provide the Town with a Certificate of Insurance coverage for bodily and other injury for \$5,000,000.00. The applicant shall maintain insurance coverage for as long as the tower exists.

21. Annual certification shall be provided by the owner or operator of the personal wireless services facility to the Planning Board and the Building Commissioner demonstrating continuing compliance with the standards of the Federal Communications Commission, the Federal Aviation Administration and the American National Standards Institute.
22. Prior to the commencement of construction at the site, the applicant shall submit the following information to the Building Inspector:
 - a) Certified drawings and structural engineering calculations, prepared by a registered professional engineer in the Commonwealth of Massachusetts.
 - b) Documentation of bonding and insurance certificates as required in Conditions # above.
23. This special permit shall not be in effect until a certified copy of the special permit decision has been recorded at the Middlesex South Registry of Deeds as required in GL Chapter 40A, Section 11, and Groton Zoning By-Law Section 218-32.1. No construction or site alteration shall commence nor shall any necessary permits be issued by any Board or official until evidence of such recording is submitted to the Planning Board by the applicant.
24. This special permit shall lapse in 24 months, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A, Section 17, from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. The recording of the special permit and subsequently approved ANR plan shall constitute commencement of substantial use.
25. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion was seconded and passed with Barringer, Clements, Eliot, Lewis, and Perkins in favor; Wilson abstaining.

PLANNING BOARD REPRESENTATIVES

The Planning Board discussed its representatives to the Weed Management Committee and Earth Removal Advisory Committee.

The motion was made by Barringer to appoint Joshua Degen as the Planning Board's representative to the Weed Management Committee and Robert Lewis as alternate. The motion was seconded and passed unanimously.

The motion was made by Lewis to appoint Scott Wilson as the Planning Board's representative to the Earth Removal Advisory Committee. The motion was seconded and passed unanimously.

PLANNING BOARD WORK SESSION

The Board reviewed draft zoning amendments prepared by Attorney Mark Bobrowski including revisions to the Water Resource Protection Districts, Open Space Residential Development and Major Residential Development, Subdivision Phasing, and Residential Compounds.

Water Resource Protection Districts – Member Lewis expressed his concern about including the Town Forest as a potential well site unless the Board knows the original landowners' intent. The land is presently in the Secondary Water Resource Protection Districts.

Member Barringer expressed concern about land uses in areas where the zones are contiguous such as the Lost Lake-Knops Pond area. A portion of the lake is in DEP's Zone II and a portion is in Zone III. The Board will ask Mark Bobrowski if the more restrictive regulations apply in such situations.

The Board discussed who should be the special permit granting authority – the Zoning Board of Appeals or the Planning Board. Under the existing by-law, the ZBA acts as special permit granting authority. However, the Planning

Board uses consulting services on a regular basis and may have more access to professional expertise. The Board will discuss the matter with the Board of Selectmen and ZBA members at the joint meeting on January 16, 2003.

Open Space Residential Development – The Board felt strongly that the wetlands should be delineated before the Basic Number of Lots is determined. Member Lewis said the Board must have a conventional, Basic Number of Lots plan first. The wetlands must be shown on the plan to determine if lots comply with zoning. Member Lewis said the existing by-law states that the number of conventional lots equals the number of units that can be constructed. Other members of the Board agreed.

Member Eliot suggested that the Board consider using a formula to determine density bonuses. Member Clements said the proposed 50% density bonus seems too high.

Member Perkins said the Board should carefully review the open space requirements.

Chairman Degen said the Board must also review TDR provisions to be sure TDR's are working to preserve land with high quality and important natural resources.

Member Wilson said the Board should have a more flexible design approach with more latitude early in the process. He agreed with Mark Bobrowski's suggestion that the Board should use the services of a landscape architect to work with the applicant in the design phase.

Members agree that they would like to combine the Flexible and Cluster Development provisions rather than having two separate sections with different requirements.

Member Lewis said the purpose of the by-law should be to encourage the creation of neighborhoods with a variety of housing types including housing for families with children.

Major Residential Development – The Board discussed the need to review and amend the Major Residential Development provisions. The by-law is difficult to interpret and causes confusion for the Board, applicants, and legal counsel.

Phasing – The Board discussed the subdivision phasing recommendations. Member Lewis said the Board must consider the impact and inconvenience for residents if there is a lengthy build-out period in a subdivision. Member Wilson stressed that the subdivision phasing must be combined with a town-wide cap on building permits.

Residential Compounds – The Board questioned what the minimum frontage requirements are for residential compounds and wanted to know what the incentives are to encourage developers to use these provisions.

GIBBET HILL ORCHARD

The Board discussed the possibility of asking Attorney Mark Bobrowski to assist in the negotiations with the developer of the proposed Gibbet Hill Orchard development.

Member Eliot said the Board must be clear on whether Mr. Bobrowski's role would be acting as a consultant or legal advisor because he cannot do both.

Member Wilson said the Board should also consider using the services of a landscape architect such as Harry Dodson who prepared the design manual for South Kingston, RI.

The Board will ask Mr. Bobrowski if he is interested in providing the Board with consulting services for the Gibbet Hill Orchard development. If he is, the Board will ask him to attend the January 9, 2003 public hearing continuation.

Meeting adjourned at 11:00 PM

Respectfully submitted,

Michelle Collette
Planning Administrator