

**PLANNING BOARD
AUGUST 21, 2014
MINUTES**

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

Members present: Barringer, Burke, Perkins, Vega, and Wilson

Member absent: Giger and Svarczkopf

PUBLIC HEARING – TCOD DESIGN GUIDELINES

The Board held the continuation of the public hearing to consider the “Groton Center Design Guidelines – Groton Town Center Overlay District,” prepared by Dodson and Flinker, dated July, 2014.

Chairman Barringer said he still has concerns about outdoor LED lighting being too bright. He suggested that the Board recommend that lighting not be greater than 3500K wherever possible and that the Board include this as a requirement in the Site Plan Review Regulations. The Board agreed.

Member Burke said he agreed with the language changes suggested in the email from Bob Pine which states:

Side note on page 14: The principal facade and entrance doors should face the street, be easy to locate, and have convenient pedestrian access from the sidewalk.

Text on page 14: New buildings should have relatively short setbacks that provide direct and convenient pedestrian access to front entries. Occasional modest building setbacks that articulate the succession of contiguous facades, as well as niches for public seating, landscaping, and recessed entry ways can add interest to the pedestrian experience, and are therefore encouraged.

Members of the Board agreed that encouraging setback variations is desirable.

Chairman Barringer noted that many of the photographs are from more urban communities. Member Wilson said the photographs help illustrate the Town’s design aspirations.

The Board voted unanimously to close the public hearing.

COMMENTS TO BOARD OF SELECTMEN

The Board received a request for comments from the Board of Selectmen on two earth removal permit applications submitted by Robert Black for Burnt Meadow Road and Elliot Blood for 94 Main Street. The motion was made by Perkins, seconded by Burke, that the Board had no comments on either application. The motion passed unanimously.

OPEN MEETING LAW REMINDER

Chairman Barringer reminded the Board that the Open Meeting Law prohibits serial conversations or deliberation in person, by telephone, or by email outside a public meeting. He

cautioned Board members not to “reply all” when responding to email messages sent from the Land Use Department or other members. The Land Use Director/Town Planner can disseminate and collate information, but any discussion must take place at a posted, open meeting.

SHARED DRIVEWAY – 99 INDIAN HILL ROAD FIELD CHANGE

Applicant Donald Spigarelli and design engineer Stan Dillis met with the Board to request a field change for the shared driveway serving three lots at 99 Indian Hill Road. Mr. Dillis described the four-foot cut at the intersection of the two individual driveways. He said increasing the slope of the shared driveway from 8% to 10% will alleviate the cut and save existing trees. The slope of the driveway at the intersection with Indian Hill Road is 3% as required in the regulations. Mr. Dillis submitted a written request for a waiver of the maximum of 8% slope to allow a 10% slope.

The motion was made by Burke, seconded by Wilson, to find that the requested waiver is a minimal change to the Special Permit based upon field conditions and to grant the waiver to allow the slope to exceed the 8% maximum requirements for the grade of 10% for a distance of 150 ft. The motion passed unanimously.

PROPOSED ZONING AMENDMENT – SCHEDULE OF USE REGULATIONS

The Board reviewed the proposed zoning amendment to the Schedule of Use Regulations for Essential Public Services. The amendment will be considered separately from other amendments on business districts and uses. The Board agreed to leave the existing provisions on utilities in place pending the Town Meeting vote on the proposed amendment. The existing provisions are:

	R-A	R-B	B-1	M-1	C	O	P
Telephone, telegraph, power and gas transmission and radio-television broadcasting facilities	SP	SP	Y	Y	N	N	Y
Underground gas and utility transmission	Y	Y	Y	Y	SP	Y	Y
Use of land for a public utility	SP	SP	SP	SP	N	N	Y

Peter Jeffrey and other residents were in attendance and stressed that this amendment is very important right now because of the proposed Northeast Direct (aka Tennessee Gas) Pipeline.

Member Burke said the utilities still have the option to appeal to the Department of Public Utilities under Chapter 40A, section 3. However, the proposed amendment leaves local control first. Chairman Barringer read the following from Chapter 40A, section 3:

“Lands or structures used, or to be used by a public service corporation may be exempted in particular respects from the operation of a zoning ordinance or by-law if, upon petition of the corporation, the department of telecommunications and cable or the department of public utilities shall, after notice given pursuant to section eleven and public hearing in the town or city, determine the exemptions required and find that the present or proposed use of the land or structure is reasonably necessary for the convenience or welfare of the public; provided however, that if lands or structures used or to be used by a public service corporation are located in more than one municipality such lands or structures may be exempted in particular respects from the operation of any zoning ordinance or by-law if, upon petition of the corporation, the department of telecommunications and cable or the department of public utilities shall after notice to all affected communities and public hearing in one of said municipalities, determine the exemptions required and find that the present or proposed use of the land or structure is reasonably necessary for the convenience or welfare of the public. For the purpose of this section, the petition of a public service corporation relating to siting of a communications or cable television facility shall be filed with the department of telecommunications and cable. All other petitions shall be filed with the department of public utilities.”

Mr. Jeffrey asked about including setbacks for pipelines from public schools or residential structures. Member Burke said such setbacks could be included in the findings and conditions of the special permit.

Mr. Jeffrey suggested that the Board consider adopting a moratorium similar to the moratorium for telecommunication towers adopted by a number of communities in 1997 and 1998. Chairman Barringer said a moratorium would have to be voted on by Town Meeting.

The Board reviewed and approved the following proposed amendment to be filed with the Town Clerk with notice to be advertised on August 29 and September 5, 2014. The Board will hold the public hearing on October 2, 2014.

1. Amend Section 218-4 Definitions by adding the following new definition:

ESSENTIAL PUBLIC SERVICES -- Services provided by public and private utilities, whether underground, surface, or overhead gas, electrical, steam, transmission systems and accessories thereto, such as towers, wires, sub-stations, switching stations, compression stations, and other constituent facilities, and structures, vaults, pipes, and water storage tanks

2. Amend Section 218-13 Use Regulations by deleting the following uses :

	R-A	R-B	B-1	M-1	C	O	P
Telephone, telegraph, power and gas transmission and radio-television broadcasting facilities	SP	SP	Y	Y	N	N	Y
Underground gas and utility transmission	Y	Y	Y	Y	SP	Y	Y

And by replacing it with the following use:

	R-A	R-B	VCB	NB	GB	I	O	P
Essential public services	PB	PB	PB	PB	PB	PB	PB	PB

The motion was made by Burke, seconded by Perkins, to file the proposed amendment with the Town Clerk with notice to be advertised on August 29 and September 5, 2014. The Board will hold the public hearing on October 2, 2014.

Meeting adjourned at 9:00 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner