



PLANNING BOARD

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TOWN OF SANDWICH

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MINUTES
March 20, 2012

APR 05 2012

S. HILL M. A. M. M. M.
RECEIVED & RECORDED

7:02pm
Meeting Room
Town Office Building,
16 Jan Sebastian Drive

Present: Sarah Regan, Chair, Dan Marsters, Vice Chair, Joe Vaudo, Amy Lipkind, and John Campanale
Asst. Town Engineer Sam Jensen
Absent: Hank Rakov

Approval of Minutes

Mr. Campanale motioned to accept the minutes of February 7, 2012 and February 21, 2012. Ms. Lipkind seconded. Mr. Vaudo did not vote for the minutes of February 7, 2012 as he had not attended that meeting. Ms. Regan, Ms. Lipkind, Mr. Marsters, and Mr. Campanale voted in favor of the minutes. The vote for the minutes of February 21, 2012 was unanimous.

Board Discussion

81X Filing

24 Teaberry Lane

Cotter

Attorney Brian Garner, representing Mr. Cotter, sent a letter to the Board with a new plan that he states qualifies under M.G.L. Section 81X that can be recorded without endorsement/approval of the Planning Board. An 81X filing is basically for the purpose of documentation.

Assistant Town Engineer Sam Jensen explained that the Board has three options:

1. Consider the plan and determine if it qualifies under Section 81X
2. Consider what is shown on the plan and determine if it provides a sufficient basis for future adequate access determination
3. Would the Board even care to comment on the plan

Ms. Regan said that this was not a public hearing, but an opportunity for the Board to become familiar with the plan that has been submitted. Atty. Garner can put it on the agenda at a later date for formal Board consideration. The Board decided that Mr. Jensen could respond to Atty. Garner and let him know that he is free to come forward with a plan in the future and make a presentation before the Board.

Board Discussion

Pierre Vernier Turnaround



Barbara Siggins, 20 Pierre Vernier Drive, and Bruce Frasier, 23 Pierre Vernier Drive, were present. The subdivision residents are seeking permission from the Board to clear vegetation to put in a turnaround. This turnaround is for the purpose of having their street eligible for snow plowing. Mr. Jensen has already met with the applicants and has measured the proposed turnaround. He told the Board that the street really needs one. Of several options, the one presented is the best since it involves the least amount of clearing and grading.

There was no public comment.

Mr. Marsters motioned that the Board give approval to the cutting of vegetation on Pierre Vernier Drive to allow for the turnaround to be constructed. Mr. Vaudo seconded. The vote was unanimous.

Board of Appeals Request for Comment

The Board had no comment on 100 Cranberry Trail, variance request or 585 Route 6A, special permit request.

Public Hearing

Proposed Solar Photovoltaic Overlay District

Zoning Bylaw Changes for May 7, 2012 Town Meeting

Ms. Regan read the Public Hearing Notice into the record. She then reminded the Board of the latest e-mail from Town Counsel regarding correspondence from the base. She wondered if the Board felt that any additional language needed to be inserted due to the proximity to the base. After some discussion, the Board felt that Section 4187 would take care of any issues regarding notification to the base or any other concerns that might be heard.

Mr. Vaudo then asked if the 15 acre minimum lot size was "in or out". Town Counsel had suggested that even in a by-right district, there should be a minimum lot size requirement.

Ms. Regan asked if there was any public comment.

The following addressed the Board:

- Damien Houlihan, Sarah Cody, and Kevin Burgess of the Energy Committee spoke and voiced concern over having a minimum of 15 acres for the Industrial Zone. Mr. Burgess also read a letter from the Energy Committee into the record.
- Attorney Jonathan Fitch said that the Industrial Zone does have a minimum lot size requirement and he is concerned that the Green Community Act people will look at this minimum of 15 acres as a discouragement to development. He also said that anyone who has interest in developing any area in the flight path of Otis planes is well aware of the restrictions and requirements.
- Selectwomen Linnell Grundman said that the amendments should be brought forward to the Board of Selectmen
- Asst. Town Engineer Sam Jensen reminded the Board that setbacks are critical as far as screening goes
- Gary Hogg of Ethos company said that the base has had input as far as glare issues in the flight path are concerned.

- Mr. Harold Mitchell, 2 Settlers Path, spoke in favor of a 10 acre minimum lot size in the Industrial Zone.
- Mr. William Burbank, 25A Beachway Road, stated his concern with the use of the word "large" scale. He feels that this might cause opposition to the article.

Recommendation Vote – Proposed Zoning Bylaw Amendments

Ms. Regan read proposed Amendment, Article 1.

Ms. Lipkind moved the Board recommend that town meeting approve the following proposed by-law amendment:

Item #1

Amend Section 2140 at the end of line 3 as follows: ***"The low density residential environment may include compatible uses as set forth in Section 2310."***

Mr. Vaudo seconded.

Voted:

Sarah Regan	Yes
Dan Marsters	Yes
Amy Lipkind	Yes
Joseph Vaudo	Yes
John Campanale	Yes

The vote was unanimous.

Mr. Vaudo moved that the meeting adjourn. Mr. Campanale seconded. The vote was unanimous.

Ms. Regan read proposed amendment, Article 2.

Ms. Lipkind moved the Board recommend that town meeting approve the following proposed by-law amendment:

Item #2

Amend Section 2130 by adding a new line to the list of Principal Uses allowing Large Scale Ground Mounted Solar Photovoltaic Power Generation by right in the Industrial District and by Special Permit in the R-2, RD-1 and RD-2 Districts.

Mr. Vaudo seconded.

Voted:

Sarah Regan	Yes
Dan Marsters	Yes
Amy Lipkind	Yes
Joseph Vaudo	Yes
John Campanale	Yes

The vote was unanimous.

Ms. Regan read proposed amendment, Article 3.

Ms. Lipkind moved the Board recommend that town meeting approve the following proposed by-law amendment:

Item #3

Amend Definitions Section in the appropriate alphabetical location as follows: **Large Scale Ground Mounted Solar Photovoltaic Installation: "A facility for the generation of electric power from sunlight where the collection systems are mounted on the ground and not on the roofs of structures. Ground mounted systems shall have a minimum rated capacity of 250kw individually."**

Mr. Vaudo seconded.

Voted:

Sarah Regan	Yes
Dan Marsters	Yes
Amy Lipkind	Yes
Joseph Vaudo	Yes
John Campanale	Yes

The vote was unanimous.

Ms. Regan read proposed amendment, Article 4.

Ms. Lipkind moved the Board recommend that town meeting approve the following proposed by-law amendment:

Item #4
Add Sections 4180-4195 “Large Scale Ground Mounted Solar Photovoltaic Installations” as a new use allowed by right in the Industrial Zone
 And by Special Permit in R-2, RD-1 and RD-2 Zones.

Mr. Vaudo seconded.

Voted:

Sarah Regan	Yes
Dan Marsters	Yes
Amy Lipkind	Yes
Joseph Vaudo	Yes
John Campanale	Yes

The vote was unanimous.

Mr. Vaudo moved the Board adjourn. Mr. Campanale seconded. The vote was unanimous. The meeting adjourned at 8:02pm.

Respectfully submitted,

 Marilyn K. Bassett