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Planning Board Minutes Tuesday January 31, 2006

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**Memorial Building
150 Concord Street, Public Hearing Room**

8 Those present:, Ann Welles, Vice Chairman, Sue Bernstein, Andrea Carr-Evans, and Carol
9 Spack, Clerk arrived at 8:05. Thomas Mahoney, Chairman was absent. Also present: Jessica
10 Levengood and Jay Grande arrived at 10:00pm.
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13 **Meeting was called to order at 7:40 pm**

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15 **I. Approval of Minutes**

16 The Board reviewed the minutes for January 24, 2006. *Sue Bernstein moved to*
17 *approve the minutes of January 24, 2006. Carol Spack seconded the motion. The*
18 *vote was 3 in favor and 0 opposed.*
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20 **II. Zoning Discussion**

21 Discussion continued on the status of the three “Land Disturbance” By-Laws and
22 whether to take them forward to Town Meeting as three separate revised by-laws or
23 to attempt to combine into one. Pros are: presents a more streamlined and efficient
24 process both to TM members as well as for the applicants; will be easier to revise
25 later as one by-law rather than three; subject matter is complementary; ease in
26 discussion during review process to refer to one by-law rather than back and forth
27 between three. Con was that the formatting may be cumbersome. Jessica will
28 continue working on a draft combination “Land Disturbance By-Law” and circulate.
29 Carol will draft a combination based upon the format of the Business Districts in the
30 Zoning By-Law. Based upon this change and the effect it might have on the timeline
31 for Annual Town Meeting, Board members felt it would be best to continue with the
32 changes and be prepared that this By-Law may not be ready for April’s Town
33 Meeting. In that case, this would be heard at the anticipated June Special Town
34 Meeting.

35 1. An evaluation of the items originally intended for the Annual Town Meeting was
36 made:

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38 a. **“Land Disturbance” Trinity** – may not be ready
39 b. **LID** – may not be ready
40 c. **Manufacturing District** – expected to be ready

- 1 d. **Historic Reuse** – expected to be ready
- 2 e. **Construction Hours** – haven't discussed; will not be ready
- 3 f. **Ability to make formatting changes to Zoning By-Law without TM vote** –
- 4 Jessica updated the Board on email exchange with Valerie, where she stated that
- 5 the Clerk's office would be unable to take on that responsibility. We will
- 6 continue to explore with Town Counsel the possibility of Jay being designated to
- 7 make these changes; may be ready
- 8 g. **Groundwater Protection Changes per DEP Letter** – Jessica updated the Board
- 9 that conversation has begun with Peter Sellers and Bill Sedewitz on this issue,
- 10 that it does not seem to have an immediate urgency. DPW/Engineering will take
- 11 more of a lead with the Board's staff performing the administrative tasks
- 12 associated. This will wait until fall.
- 13 h. The P&Z meeting this coming Monday (Feb. 6, 2006) will serve as more of an
- 14 update rather than an involved presentation.
- 15 An action item to revisit in the fall was briefly discussed: Board of Health/wells
- 16 issue. Another was to remember to press on Enforcement language which would
- 17 give Jay enforcement authority.
- 18 Jay and Jessica met with Joe Mikielian and Mike Foley from the Building
- 19 Department earlier in the day to hear their comments on the draft LID By-Law.
- 20 Jessica reported that they had serious reservations about the draft and their ability
- 21 to support it. The major concerns were focused on the lack of technical expertise
- 22 which would be necessary in identifying triggers, evaluating the applications and
- 23 projects, monitoring and enforcement. The overall feeling is that the Building
- 24 Department does not currently have the knowledge or staff time. They did not
- 25 object to the purpose of the by-law or the LID techniques, but felt they would
- 26 perform better as a part of the Subdivision Regulations, Site Plan Review and
- 27 other applicable sections of the Zoning By-Law. They were informed about
- 28 Donna Jacob's intent to create a checklist for them and felt that would be essential
- 29 and would need to review it. The Board agreed with Building's comments that
- 30 the Enforcement section is currently unclear as written. Discussion concluded
- 31 with several items to be included in a memo for Town Counsel to evaluate and
- 32 several items for Donna Jacobs to review. It was also discussed that it may be
- 33 effective to have Chris or Glenna attend a working session in the future. Based
- 34 upon these issues and the effect they might have on the timeline for Annual Town
- 35 Meeting, Board members felt it would be best to continue with the changes and be
- 36 prepared that this By-Law may not be ready for April's Town Meeting. In that
- 37 case, this would be heard at a later Town Meeting.
- 38 i. The draft Historic Reuse By-Law was presented and given a full read-through.
- 39 The goal is to encourage keeping large, historic residential structures as
- 40 residential (by providing a density bonus), aiming to make it financially feasible
- 41 to retain these buildings and uses rather than to have them torn down and
- 42 subdivided or sold for uses which may be less agreeable to the neighborhood. It
- 43 was pointed out that this by-law will only trigger a small number of projects
- 44 throughout the town but would most always also trigger Site Plan Review. There
- 45 are a few outstanding issues to resolve.

1 j. After a break at 10:15pm, the Board addressed the proposed addition to both
2 Light and General Manufacturing District language in the by-law. This change
3 includes a trigger for Special Permit when a use will have 8,000 or greater square
4 feet of gross floor area. It was stated that this proposed change is simply
5 capturing something currently unregulated and is a number consistent with other
6 sections of the Zoning By-law.
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8 **III. Meeting Adjournment**

9 *Andrea Carr-Evans moved to adjourn. Carol Spack seconded the motion. The vote*
10 *was 4 in favor and 0 opposed. The meeting adjourned at 11:30pm.*

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12 Respectfully submitted,
13 Mary Reynolds
14 Recording Secretary
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17 ****THESE MINUTES WERE APPROVED WITH AMENDMENTS AT THE PLANNING**
18 **BOARD MEETING OF MARCH 9, 2006.**

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22 Thomas Mahoney, Chairman
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