

DRAFT

**PLANNING BOARD
Minutes of the Meeting
Tuesday, October 6, 2009
Town Hall, 120 Main Street
Top floor conference room
7:00 PM**

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Staff present: John Simons, Chairman
Richard Rowen, regular member
Timothy Seibert, regular member
Michael Walsh, regular member
Courtney LaVolpicelo, regular member
Michael Colantoni (alternate member)

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Staff present: Judy Tymon, Town Planner
Mary Ippolito, Recording Secretary

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Chair called the meeting to order at approximately 7:05 pm.

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Chair announced there are no POSTPONEMENTS:

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Chair called for DISCUSSION:

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CDD1 & CDD2 ZONING DISTRICTS.

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Chair: Judy and Chair made a site visit and walked the area to get a sense of the different parcels. Chair: needed to see how the houses in the district are positioned against the abutting houses in the neighborhood. Unless you can see the wetlands you need to see the limitations there. Set up a site visit w/PB members. Chair: Judy to set up a meeting with Al McGregor because he's got wetland issues. See what Mr. McGregor wants to do.

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Judy: to do the same with Scott Hajjar who is located on the other side of the street.

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Chair: feels that the best use for this Corridor Development District is in the existing building; maybe promote a business use in the existing building and to allow for add on which would help because that area is so narrow.

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RR: there is a strip of land behind those 3 houses on Hillside Road; can it be used as a driveway? Chair: issue is there is a 4th house there and the strip runs across all 3 lots in the guys back yard. RR: can people buy the land close to #114 and build on it a block off those streets? Chair: play with dimensional requirements to give flexibility to people.

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Judy: ask Atty. Urbelis a question about the right of way for people on each side of the paper street; generally the people own 1/2 of their side of the street. Chair: set up site visit w/PB. Try to get abutters to know what we're doing. The 24th is a good date for most PB members to make a site visit at 9am. Judy: send out a reminder.

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Chair called for CONTINUED PUBLIC HEARING:

William Gillen, Kelsey Lane 3 lot subdivision. Leaving existing house on existing lot, two new lots and new roadway within R-2 zoning district. Engineer to submit revised change from cul-de-sac to roadway. Meeting still open. DRAFT A DECISION.

Motion by MW to close the public hearing on Kelsey Lane, 2nd by RR, vote was unanimous.

Judy: page 5 #2, take out reference to Watershed SP. Page 3 top of page 4 Judy listed waivers separately,

Chair: page 2 Judy listed dates add the date we received an extension for time to file a decision. Chair: did Judy model this on the other projects? Judy yes, on the Salem St., decision.

RR: page #2 item C the PB finds the subdivision etc.....RR: we're just creating two lots, so that the lots are less intrusive? Judy; yes.

TS: top of page #4 see section 5.2..... typo there are too many numbers? Judy; that's a waiver.

RR: Is this a road built to driveway standards if so then we ought to state that is what it is? Chair: the driveways go out to existing public right of way.

Judy: requirements for location for test pits is shown on the Mylar - see page 4 under prior to endorsement of plans. Demonstrate 2 feet of soil existing for rain garden and max high water table.

RR: page # 6 - Section 6 at bottom of the page ...why did we put that in there it's overkill? Judy: the requirements of a letter from an engineer? Judy: we usually get a letter from an engineer. Chair; indirectly to the extent that it impacts the drainage, or to the extent of a Watershed SP...the dimensions in our decision. Judy; it really should say "engineer" because that's what we usually get.

TS: page #5 - 6 keep referring to lot singular should they not be plural? RR: each lot requires a permit to build a house on it.

Motion by RR to approve a definitive subdivision for Kelsey Lane as amended this evening, 2nd by MW to approve an amended definitive subdivision, vote was unanimous.

CONTINUED PUBLIC HEARING;

New Cingular Wireless, PCS LLC ("AT&T"). – 0 Chestnut Street, Map 98C, Parcel 2. Renewal of a 2006 Special Permit which allowed co-location of 12 coaxial cable antennas on existing tower facility along with approximate 11'x20' equipment shelter for

1 its ancillary equipment within the fenced compound within the R-2 zoning district.
2 Meeting still open.

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4 Chair; Judy provided the requested information from the last PB meeting. Judy: There
5 are two addendums to Dr. Haes' report. He provided more information regarding criteria
6 for selecting the sites for the RF measurements see memo dated September 25th.
7 Engineer provided a final affidavit saying the project is complete. Post inspection done
8 2009

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10 Motion by RR to close public hearing on Cingular Wireless, 2nd by MW, vote was
11 unanimous.

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13 Decision edits: RR the very first sentence isn't a sentence...Judy: we usually put a colon
14 it eliminates the period.

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16 Chair: in findings of fact put in specific input from Dr. Haes...Judy: did add these
17 documents on page 4 and 5.. Simons: wants this mentioned in the finding of facts. Chair:
18 #3 there was only one person here and that clearly overstates this should be framed that
19 PB listened to all input and answered all questions etc.... and PB believes there is
20 compliance.

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22 MW: that individual never submitted any further request of documentation/information?
23 Judy: correct.

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25 MW: put the two addendums in the finding of fact. Chair; Judy to make a reference of
26 his input up front in findings of fact. MW: refer to the summary of 2 percent of the
27 allowable limit as to AT&T believes it 1 ½ of one reading (less than a 10th).

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29 RR : page 3 item 2 upgradesrequirements need more than a structural report...if they
30 change out equipment they will have to come back here and make a new application.
31 Chair: it has to be a new application, take this sentence out.

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33 Courtney: section #3clarify 3 years from the date the motion was filed? Judy: put in
34 three years from the date of the decision? Chair, yes put that in the decision.

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36 RR: on page 3 item B put in the submission should count from a year from now that we
37 expect the next report.

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39 Chair called for a motion.

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41 Mr. Tryder spoke but was not standing by the microphone as his voice was barely
42 audible; he requested to reopen the public hearing? Chair: stated PB closed the public
43 hearing.

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45 Mr. Tryder: will appeal this case in court and wants to submit a document from his
46 lawyer of which he is waiting for this evening. Chair: you can submit that document to

1 the Town Planner, as long as it's noted that it was received after the public hearing was
2 closed. Judy; that information must be noted in the decision.

3 Mr.: Tryder: was there any discussion about what he raised at the last PM meeting? In
4 terms of the date of the renewal? RR: to the PB satisfaction they answered those
5 questions.

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7 Mr. Tryder: has proof that the dates that Anderson & Kreiger presented were wrong
8 dates.

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10 Chair: Mr. Tryder you didn't give us anything over the past two/three weeks. We had
11 another hearing before this one tonight.

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13 Mr. Tryder, he couldn't get here any sooner.

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15 Motion by MW to approve SP for AT&T for Cingular Wireless for renewal of a wireless
16 SP with amendment be adopted/approved as amended tonight, 2nd by TS, vote was
17 unanimous.

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21 **MINUTES OF THE MEETING:**
22 **September 1, & September 15, 2009 "Minutes"**

23 No motion was made to approve the "Minutes".

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26 Motion by MW to adjourn, 2nd by RR, vote was unanimous meeting adjourned at
27 approximately 7:50 pm.

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30 By order of the Planning Board

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33 Approved
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43 Please note: The Planning Board reserves the right to take items out of order and to discuss/or vote on
44 items that are not listed on the agenda.