

TOWN OF SUTTON
Planning Board
Pillsbury Memorial Hall
Meeting Minutes
September 10, 2013

Present: Planning Board Members: Carrie Thomas and David Burnham, Co-Chairpersons; Julie McCarthy and Roger Wells, members (Peter Blakeman and Bob DeFelice, members; were absent); and Dan Sundquist, Ex-Officio; Carole O'Connell, prospective alternate; and Laurie Hayward, Land Use Coordinator (LUC).

The meeting was called to order at 7:07 PM, by Carrie Thomas, Co-Chairman.

Administrative:

Minutes of previous meetings: Wells moved to take up the minutes from the meeting of August 27, 2013. He noted that there was one item that he thought should be amended. There ensued a brief discussion regarding the correct number of a citation from the Regulations. Burnham checked the Regulations and the correction was agreed on to change the citation from Article VIII.2.k to Article VIII.2.n; it was seconded and voted unanimously to approve the minutes as amended.

Correspondence: None.

Old Business:

ITW Cell Tower - PB Site Plan Review Application- Status the Board took up the issue of the ITW cell tower Application for Site Plan review. Wells spoke about the importance of developing a standard for completeness and suggested perhaps there should be a committee that reviewed the applications specifically to determine whether they meet that standard. The Board agreed that the work underway to improve the applications and the Regulations will mitigate this issue for the future.

The discussion about when to accept an application continued and included the considerations of time limitations. Thomas questioned whether there was a concern about having the vote regarding completeness on the same evening as the first Public Hearing, noting that the public typically comes to the first hearing to understand the issues and not always subsequent hearings. The LUC offered that the Zoning Board of Adjustment had already held multiple hearings and a balloon test on this same cell tower proposal and that means that the interested public is already somewhat informed on this project.

Further, it was pointed out any time concerns could be worked through especially concerning any added documentation or information necessary and that there was always the possibility of asking the applicant to agree to an extension. And that, where the extension is to allow the applicant to provide more information in order to give the Board what it needs if it is to approve the Site Plan, applicants have an incentive to agree to the extension.

Regarding whether the application was "complete enough", it was agreed that after the third set of documents were provided, Blakeman who was not present but had reviewed all of the submissions, had judged it to be complete enough" for the Board to take it up and vote on its completeness at a meeting. Wells pointed out that the Applications that the Board is working on improving should take into consideration that it should make very clear what is required in order to have a "complete" application. There was also some discussion regarding what version of the Regulations is in effect at this point. It was agreed that the version that is on-line on the Town website is in fact the version in use. The front page of that version shows 1991; however, it was revised in 2005 as shown on the second page and it does note sections are "under revision". Thomas suggested that the LUC confirm what version is being used and report back to the Board.

There was also some discussion about whether it makes sense to let the applicant know about the Board members' current concerns and ask that, if they have anything additional to add that would help the Board, they send it to the LUC early enough for her to get it out to Board members. Sundquist recommended that the LUC drop the applicant a note explaining that there is some level of concern regarding the driveway and the run-off and how it will be dealt with in greater detail.

O'Connell explained that she had received letters regarding this project in her capacity as President of the Historical Society. She noted that she is surprised about the amount of official interest in this project. She did note that there is nothing specific that she knows of that is of specific historical interest on the property in question.

Use of Electronic Means of Communication by the Planning Board- the LUC explained that she had not yet completed the research on using electronic means of communication; but, does hope to have the information for the next meeting. Sundquist noted that the LUC should run the idea past town counsel before presenting it to the Board.

Other Business:

Capital Improvement Plan (CIP) for the 2014 Budget- the LUC explained that the Budget Committee will soon begin work on the Budget and that Elly Phillips has already sent out forms for Department Heads to complete. The forms ask for both Operating Budget requests and Capital Budget requests. The LUC will keep track of the Capital Improvement requests as they become available. The LUC also noted that she is looking for guidance from the Planning Board on what it is that they would specifically like her to do in connection with the CIP process.

Separately Wells asked if the Board should consider requesting that they be able to have someone "on retainer" and that it be someone who could provide guidance to the Board on engineering and other questions that require specialized knowledge that the Board members do not have. Sundquist noted that this is not a CIP item; but, it might lead to an increase in the amount budgeted for professional services which is currently used mostly for legal services. The LUC pointed out that, in specific cases it is appropriate to have the applicant pay for costs connected to getting professional third party assessments on applicant proposals. The LUC further explained that when the ITW application came before the ZBA, the ZBA asked ITW to provide written agreement to pay/reimburse the consultants fees and they did agree to do so. Burnham pointed out that this should be clearly stated in the fees structure and is in the current Regulations. It was agreed that there should be money allocated for this in the 2014 Budget and that the fees structure should clearly show that the applicant will pay for professional review in connection with its application. Thomas suggested the Board use this sort of professional support to develop information for future use.

Sundquist suggested that Blakeman could be asked to provide information on costs for this sort of services. Sundquist also noted that this could be part of a process that the Board could develop for Review of Applications with support from a professional. Wells noted that Blakeman already acts as consultant for Eastman. Sundquist agreed that there might be an opportunity and that Blakeman might be interested. It was agreed that this would likely require that Blakeman step down from the Board.

Sundquist then addressed the history of CIP work since the first CIP, noting that before Bob DeFelice had done the work on the CIP. The LUC offered to put together a spreadsheet showing historical CIP line items and then forecasting the next several years. She asked if the Board wished to set a specific committee to work on this. Thomas noted that the Board is so small that the Board is the committee. Wells offered to work on reviewing anything that the LUC put together.

Proposed Alternate, Carole O'Connell, left the meeting at this point.

There ensued a conversation regarding the Budget and Budget process. The LUC described the process based on her work the prior year with the Budget Committee. There was also a discussion about different types of Capital Reserves needs that the town has at this point in time. There was also a brief discussion about the Planning and Zoning Operating Budget. Sundquist noted that the budget for next year should not be cut. The LUC explained that she had begun to put together a recommendation. At this point she expects the budget request to look a lot like the budget

that the voters approved two years earlier and returns hours to the number the previous Land Use Coordinator worked. There was more discussion about making sure that there was enough in the professional budget to cover both legal and technical consulting services. The members offered to assist the LUC in framing a justification for the budget on a line by line basis.

Agenda Item for Reports- Sundquist asked that the LUC include a regular agenda item of “Board of Selectmen Reports” or “Reports” for every meeting. He did explain that there was work under way on improvement to Birch Hill Road. Sundquist asked if anyone connected to the Board had had any public input on the Birch Hill project. The LUC stated that she had not heard anything.

Status of the Mapes Application- McCarthy asked for the status of the Mapes Site Plan Review Application. The LUC explained that she had within the past day or so received an email from Patty Mapes. In the email, Mrs. Mapes indicated that they are continuing to pursue getting the application in; however, their financial problems make it difficult to foresee when they could come up with the money for the fees. The LUC asked whether the Board could offer any relief- maybe with a payment plan. Sundquist confirmed that he was aware of the financial issues and that rarely, but in a few instances in the past, there have been fee waivers approved by the Planning Board. He further stated that from the Select Board’s point of view, he could suggest that the Planning Board waive the fees. It was agreed that the LUC convey this to the Mapes and ask that they write a letter requesting a waiver of fees to accompany the Application for Site Plan Review.

Regulations and Zoning on lots that are located part in Residential and part in rural-agricultural zones- Burnham asked if there is anything that specifies, for example that the requirements that are most restrictive be applied to the entire lot when a lot falls into two different zones. He is concerned that this be considered and maybe clarified when working on the Regulations and should be part of the Ordinances as well.

Work Session:

The Board then took up the review of the Site Plan Review Application and Check List as revised by the LUC based on the previous work sessions. Wells explained that he had gone through the draft in detail and had made many notations about changes that he felt should be made. He noted that his suggestions were more about formatting and finding a way to identify exactly what requirements for documents are met. He passed the recommendations on to the LUC. The LUC noted that she was perplexed by changes to the instructions that made each sentence a paragraph in itself making 7 relatively short paragraphs into 13 paragraphs. There was also a suggestion that the sign-off page be changed including that it be clear that the applicant needs signatures only where they used professional services in the development of the plan. The merits of one line bullet points were briefly discussed including that they often made it easier to keep the reader/applicant’s attention. It was agreed that the LUC would make a couple of revised drafts, one to incorporate what Wells proposed and one that incorporated some but kept much of what had been approved from the previous meetings and email both drafts to the members before the next meeting. At the end of the session it was agreed that the LUC would incorporate the evening’s revisions into the document including a numbering error that Thomas pointed out and have it ready for the next meeting which would also, because there were no public hearings scheduled, be a work session.

Next regular meeting is scheduled for Tuesday, September 24, 2013 at 7pm.

There being no further business, the meeting was adjourned at 8: 35 PM.

Respectfully submitted,

Laurie Hayward
Land Use Coordinator