

GROTON PLANNING BOARD

April 25, 2012

Meeting convened at 7:09 pm.

Present: Miles Sinclair (Selectboard liaison), Steve (Slim) Spafford, Celine Richer, Deborah Johnson, Dave Labar, Russ Carruth, Sharon Nelson (alternate and clerk).  
Public present: Bill McQuade (Agent for AT&T Mobility), Jiri Hajek (ZBA Chair), Joe Koslow

Minutes of March 28<sup>th</sup> read and accepted. Clerk told board that her notes for Feb. 29<sup>th</sup> meeting held no specifics for definition of “permanent” in Signage section of Site Plan Review Regs. Celine recalled an example given at Feb’s meeting as “something put into ground”. Deb is in favor of amending Site Plan Review regs to give specifics for definition of “permanent”. We’ll consider this at a future meeting.

First on the agenda was Mr. McQuade, applying for Site Plan Approval for proposed expansion of use of the SBA Tower and modification of existing facility on Tenney Mountain, Map 8, Lot 2, sub Lot 1. Board agreed with conditions for approval set by ZBA at its meeting on April 2, 2012:

1. The existing tower compound security chain link fence shall be maintained in place at all times during construction, and the final chain link fence configuration as shown on plans (Sheet A-1) shall be in place 60 days after the construction ended.
2. Sheet A-1 (set revised 3/5/12): note “Future Chain Link Fence (by others) to be revised accordingly, and a copy of new plans resubmitted.

A new Sheet A-1 has been resubmitted with wording changed to “Future Chain Link Fence by AT&T (typ.)”. When board members examined the compound plan on sheet A-1 they saw that the proposed AT&T equipment shelter was half out of the fence. Russ said he would like fencing to enclose the equipment shed. Other members agreed. Mr. McQuade agreed to have the fence connect to the SW corner of the equipment building instead of the NW corner as pictured. This puts the southern edge of the building right on the fence line.

Miles said he didn’t feel the application was complete. He reminded us that we had required US Cellular to include many more details on plats and Miles feels we should treat all parties the same. Deb said that US Cellular’s compound plan had not matched with its checklist. Chair went upstairs for US Cellular file so that Miles could review it. As we read through the checklist submitted by McQuade with the application, we found ourselves in disagreement with Mr. McQuade on F2 and H3, both concerning access. The ZBA recommendation in its Ruling reads “It is the concern of Groton ZBA that the existing access appears to be in disrepair and therefore in all probability unsafe for periodic maintenance, inspection and construction access as well. Groton ZBA therefore recommends to explore and commence discussion with the tower compound owner (SBA Towers, LLC) and all relevant landowners and developers in the westerly direction from your project to identify the most likely connection from the Iberdrola Wind Farm Turbines #12 and #13, and thereby establish a more reliable, adequate and safe maintenance access.” Chair asked Bill if he has talked with Iberdrola regarding access.

He replied that he had not but his company had. Jenny asked if we had authority to require better access. Board members discussed the inadequacy of access for emergency vehicles but realized that access is not in Groton. ZBA Chair Hajek told us that when a site plan goes beyond the boundaries of Groton the Planning Board can classify the project as “regional” and ask the applicant to clear the plan with the other town’s regulations. Also, when the project is on leased land, the Board can ask about the conditions of the lease. Mr. Hajek also reminded us that we could send a letter to SBA, the land owner, to stress the need for better, safer access. Dave said he would like to see SBA improve access for fire and medical vehicles. Deb agreed. Chair will send letter. Jiri also suggested that conditions of approval be written on a plan. Having perused the US Cellular file, Miles stated that he felt this AT&T application was complete. All agreed. Public Hearing opened at 8:50 pm. There was no input from public. Celine moved to accept the application for a waiver, based on information submitted. Dave 2<sup>nd</sup>. All agreed. Next Celine moved to grant Site Plan approval, subject to changing fence connection from NW to SW corner of equipment shelter, as well as incorporating conditions in ZBA decision. Chair 2<sup>nd</sup>. All agreed and signed the documents. Hearing closed at 9:10 pm.

New Business – Voluntary Lot Merger for Fe Rodriguez, Map 1 Lots 48-2&3, Bailey Hill Rd.

Chair reviewed application for Board and found it to be complete. Celine moved to approve merger of two lots. Deb 2<sup>nd</sup> and all agreed.

Chair read a letter from Alan Barnard referencing Alan’s belief that some of the changes in recently approved (by PLBD) Subdivision and Site Plan Review regs should have gone before the town for a vote. We reviewed our work with a professional planner who had assured us that we did not need to bring our changes to the townspeople for their vote. Chair agreed to check with LGC about Alan’s concerns.

Under Old Business, Chair read email from Jeffrey Blezcharczyk of Wetlands Division of DES which did not answer the Chair’s question to DES, “Are you investigating Eithier’s excavating without a permit?” Instead the email addressed Eithier’s application for a road. Board is stymied as to how to determine if Eithier is excavating. Miles recalled that in last conversation with town counsel, Laura said we might be able to get an administrative inspection warrant. Chair will call her about this possibility as well as to determine her legal opinion as to whether or not dated Google Earth maps would be admissible evidence of excavation.

Joe Koslow was present to discuss growth management, having heard Chuck Stata’s comment at Town Meeting. Mr. Stata had talked about the success of the wind power project, resulting in money coming to town which may bring more people here to reside. Joe wanted assurance that our Board would be ready to regulate that possible new growth. The Chair and others let Mr. Koslow know that we, as a town board, are readying for the growth. Evidence of this is our desire to update the existing Master Plan, last item on our agenda. We had come prepared to share suggestions for improved survey questions to glean residents’ wants, needs and opinions about the growth of Groton. Due to the late hour no board member except the Chair wanted to get into this endeavor. Deb told us that OEP has visioning ideas and suggestions for revising a town’s

Master Plan and examples of survey questions to elicit public opinion. We'll come to our May meeting prepared to write superb survey questions.

Adjournment was unanimously agreed to at 10:05 pm.

Sharon Nelson  
Clerk