

Groton Planning Board Minutes
9/25/13

Present: Chairman Steve (Slim) Spafford, Deb Johnson, Celine Richer, Dave Labar, Jenny Burnett, Alternates Sherry Nelson and Ray Blake, and Select Board liaison Miles Sinclair. Absent: Russ Carruth

Meeting came to order at 7:06.

Minutes of 8/28/13 read, Miles moved, Celine seconded to approve the minutes as read. All were in favor except Deb who abstained.

First Order of Business: the Public Hearing for the Carpenter/Gannon Lot Line Adjustment. The Hearing was opened at 7:12. Public notification of the hearing in the form of the newspaper ad was displayed, as were the abutter notice letters and the return receipts. A list of abutter names was read, and those few who did not sign for receipt were indicated.

The Hearing regards a proposed Lot Line Adjustment on the East corner lot where Edgar Albert Road meets North Groton Road. 3.7 acres from the Cynthia Carpenter lot is to be transferred to the 1.1 acre corner lot owned by Jeff Gannon, increasing the Gannon lot to 4.8 acres. Tom Hahn, Licensed Land Surveyor with FORECO, oriented the Board and present abutters to the details of the transfer. He explained that the irregular new boundary at the back of the new corner lot reflects the center line of a feeder stream to Halls Brook. All seemed in order and Jenny moved, Celine seconded that we accept the Lot Line Adjustment as presented. Votes were unanimously in favor, plats were signed and the Hearing closed at 7:40.

Under Old Business Slim explained that when John Faucher came in to meet with Pam to finalize the bill for *his* Lot Line Adjustment, he mentioned that he had perhaps caught an error in the procedure of the PB when it accepted Pilcher's subdivision. In the Subdivision Regulations, under "Minimum Requirements for Proposed Subdivisions, section H says that existing structures must have an approved septic plan for both construction and operation. Mr. Pilcher had an approved plan but no septic system existed when we approved his subdivision.

Miles asked if there was a legal way to rescind permissions already granted, and we weren't sure. There was also discussion around how a lot line change should not have anything to do with an existing structure. Chuck Stata was in attendance and said that if a property had running water, a septic was needed and was otherwise not required. The Board decided to further research regulations and get legal counsel with the possible goal of amending section H to be less stringent.

Next we went to new business. The Chair described an email request from a firm by the name of JUWI Wind to appear before the Board at a Master Plan work session to discuss a Meteorological Tower installation. The Planning Board determined that these work sessions should be reserved for working on the Master Plan and regular Planning Board business should be conducted during their monthly planning Board meeting.

Finally we addressed Steve Whitman and Dan Sundquist from Newfound Lake Region Association (NLRA), here to offer continued support as we explore ways to plan the future of Groton toward the interests of Town residents. When they asked for the gist of where we are at this point, Jenny expressed

frustration that we had spent a lot of time with the survey of Town residents, the responses to which she felt revealed no surprises. Sherry disagreed, feeling that the responses did reveal nuances in opinion.

Deb summarized, saying that we have been working on the Master Plan with a committee. We have responses from surveys that basically reflected a desire by residents to retain the rural character of Groton and to not host another wind farm. She wanted to work toward ordinances that could be voted in to zoning and site plan regulations that would be obstructions to wind farm development, specifically a height restriction. Steve replied that most towns have a 35' height maximum for structures. He added that any dimensional limits do need to be reflected in zoning regulations. Cell towers are exempted by the FAA from these types of regulations although he is not sure about wind towers. Overall, Steve felt that this was not the most promising way to go about the protections we are may seek.

Jenny asked what they suggested, and Dan stated that we should have clauses in the site plans of cell towers, ordinances that are typical in many towns, that carefully spell out performance criteria so the town can increase their influence. It would have to be a standing ordinance with stringent review around permanent structures because the more you can control during site plan review the better. He added that Meteorological (Met) towers are likely not applicable because they are temporary structures.

Deb reiterated her desire to find a pathway to hinder progress of what townspeople don't want, and said she felt that we "gave away the house" in previous dealings. Steve cautioned that the Town needs to be very careful about appearing to have prohibitions.

Chuck Stata spoke up from the audience, stating that since we have approved Met towers in the past, even though we had no real other option, precedent has been set. An option that the ZBA thought of was zoning areas more tightly with more specificity around commercial development, examples being regions for industrial development, regions for no trailers, etc. He added that the Master Plan is not a legal document, and that the ZBA can't use it to site zones. Any of this would take hearings and a ballot vote.

At this point Steve and Dan reminded us that they are in the last stages of the funding cycle for NLRA. Their ability to help us is soon to expire. Steve said the main things we need for our Master Plan is a current vision statement for the Town and a clearer plan for future land use, which they can help us with while time remains. They suggest we use the maps they presented to us help us toward these goals.

At Deb's suggestion, Dan and Steve agreed to send examples of Master Plans with this kind of content. Steve said that Groton needs narrative in its Master Plan that states what we would like for the future to protect our natural and scenic resources, an example being ridgeline ordinances, to float before the Town and see if it generally captures what people would like.

Dan is willing to put a natural resources chapter, or "the guts of one", to get a discussion about future growth moving into the Master Plan. He said that he believes a lot of the work has been done, and we just need to put it in a narrative form. To facilitate this, he is also willing to do a quick exercise with our Master Plan Revision Committee involving "blind voting" on different issues to save endless committee work and to ensure that the most skilled debaters don't always prevail. The end result would be a more customized map, tweaked to reflect responses that would further guide us in planning for future growth.

At this point Steve said that a Hazard Mitigation Plan and the Newfound Lake Watershed Plan are tools that we can add to the Master Plan Appendices as non-binding resources. We can refer to or cite these

documents in discussion or from within the Master Plan, both to educate ourselves and the townspeople, and to avoid reinventing the wheel. Our online version of the Master Plan can and should have numerous links to external resources. A few printed copies in the Town Hall can accommodate residents without Internet access.

Steve went on to clarify that a Town's Master Plan should be updated regularly and endorsed by the townspeople via a simple Public Hearing- maybe people attend and maybe they don't. Then zoning can be updated based on guidance from the Master Plan.

When brief discussion revealed that the Board hoped to have changes ready for Town Meeting, Steve allowed he believed this was very ambitious. Given that new language to protect the Town needed to be "shopped around", giving the townspeople a chance to understand and comment, we would be on a **very** tight schedule to update the Master Plan and write new zoning before Town Meeting time.

From the audience Mark Watson asked why we couldn't just develop ordinances without a revised Master Plan. Steve responded that to avoid challenge there must be something in the Master Plan to "hang your hat on", something that reflects why this or that requirement is backed up. He said it can be a small hat hook, but it must be clearly connected. He noted that we have some requirements in Site Plan, but they need to be in zoning. Dimensional requirements and use regulations need to be in zoning. In his experience and opinion, to avoid chaotic documents we need to take care of the housekeeping end first.

We agreed to have Dan on the agenda for the next Master Plan Revision Committee meeting, scheduled for 7:00 PM October 16th. A heads up on what we would likely change on the map would help guide his presentation.

The next regular Planning Board meeting will be October 30th at 6:00 PM.

Sherry moved, Celine seconded that we adjourn, all were in favor and the meeting closed at 8:58 PM.

Submitted by Jenny Burnett
Clerk