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MEETING MINUTES
GEORGETOWN PLANNING BOARD
Wednesday, September 11, 2013
Memorial Town Hall – 3rd Floor
7:00 p.m.

Present: Mr. Harry LaCortiglia (arrived at 8:03 PM); Mr. Christopher Rich; Ms. Tillie Evangelista; Mr. Tim Howard (arrived at 7:41 PM); Mr. Bob Watts; Mr. Howard Snyder, Town Planner; Ms. Wendy Beaumont, Administrative Assistant.

Meeting Opens at 7:15 PM.

Approval of Minutes:

1. Minutes of July 24, 2013.

2. Minutes of August 14, 2013.

Mr. Watts - **Motion** to accept the minutes of July 24, 2013 and August 14, 2013 subject to any changes made by colleagues at this meeting.

Ms. Evangelista - **Second.**

Motion Carries: 3-0; Unam.

Correspondence:

1. Town of Newbury: Legal Notice for Zoning Board of Appeals.

2. Town of Newbury: Public Hearing Notice - Board of Selectmen & Planning Board.

3. Town of Rowley: Public Hearing Notice – Medical Marijuana Dispensary moratorium.

4. Tom Ford: Request for continuance of Public Hearing regarding 124 Tenney Street.

5. Engineering Alliance, Inc.: Letter of response and updated Site Plan documentation.

6. Jon Metivier: Building Inspector regarding 124 Tenney Street and non-conformities.

7. Jon Metivier: Building Inspector regarding operations at 1 Industrial Way.

8. Andrea DeGiovanni: SOLAR Survey submission to State and solar initiatives.

Mr. Snyder - In regards to 124 Tenney Street, we received an email from Mr. Metivier (Building Inspector). He prepared a written response regarding the applicant's comments for 1 Industrial Way. I did not receive this in time for tonight's meeting. The applicant has requested a continuation of the Public Hearing as well. You received in your packet an updated Site Plan.

Mr. Rich - Before we do anything with 124 Tenney Street, I think the proper order is to have a motion to allow the petitioners request for a continuance. then a motion to include all of the correspondence concerning it to be carried over to the next meeting and be presented at that time.

Ms. Evangelista - **Motion** to open the 124 Tenney Street Special Permit and Site Plan Approval hearing.

Mr. Watts - **Second.**

Motion Carries: 3-0; Unam.

Ms. Evangelista - **Motion** to continue the hearing to the September 25, 2013 meeting.

Mr. Watts - **Second.**

47 **Motion Carries: 3-0; Unam.**

48
49 Ms. Evangelista - **Motion** to accept correspondence marked Exhibit 1 for 124 Tenney Street.
50 Mr. Watts - **Second.**

51 **Motion Carries: 3-0; Unam.**

52
53 Mr. Snyder - Mr. Chairman may I recommend recognizing the person in the audience and that
54 we may want to start with him?

55
56 Mr. Steven Evangelista - I just came to listen to the meeting. I work at Caruso & McGovern
57 Construction Inc. at 1 Industrial Way. The building inspector came in and talked to me.

58
59 Mr. Rich - Let's pull out that correspondence from the building inspector.

60
61 Mr. Steven Evangelista - I just wanted to hear what the discussion was.

62
63 Mr. Snyder - {Reads the letter from the building inspector.} He did prepare a written response
64 but I did not have it in time for tonight's meeting.

65
66 Mr. Steven Evangelista - I have a letter here from him.

67
68 {Mr. Rich reads letter from the building inspector in regards to a concrete crushing operation}

69
70 Mr. Rich - Comments from the board?

71
72 Ms. Evangelista - Based on that letter, you inquired as to if you needed permits form the town?
73 Do you have any paperwork or documents that we could trace?

74
75 Mr. Steven Evangelista - The engineer and our attorney did. Yes, there is a paper trail.

76
77 Ms. Evangelista - I think we should try and get a hold of that to see what transpired. To go to the
78 selectmen for the permit is not the steps that you do.

79
80 Mr. Steven Evangelista - I believe we went to the state for the permit and the town was cc'd the
81 whole way through.

82
83 Ms. Evangelista - Usually the DEP deals with the conservation board. What was the business
84 when you were doing this?

85
86 Mr. Steven Evangelista - We have 12 crews every day that go out for National Grid in 35 cities
87 and towns and we need to make a lot of product for our bases, when we lay pipe etc...

88
89 Ms. Evangelista - So this would be labeled a transport terminal?

90
91 Mr. Steven Evangelista - No. We bring in product and process it down to usable gravel.

92

93 Mr. Rich - I would like more information. Whether the town was notified or not, there is case
94 law if the zoning enforcement officer is incorrect. Who was the building inspector - Charlie?
95
96 Ms. Evangelista - I think so.
97
98 Mr. Rich - I think we should continue this and I appreciate you coming here.
99
100 Mr. Snyder - In brief, there is an application before the board and the applicant mentioned that
101 there was a use behind and he wanted to know how it had been permitted.
102
103 Mr. Rich - If it was originally permitted as a contractor's yard and you changed the use then...
104
105 Mr. Steven Evangelista - It is still a contractor's yard – we use a lot of it for our own use.
106
107 Mr. Rich - It could be construed as a change in use.
108
109 Ms. Evangelista - Did you build a structure there?
110
111 Mr. Steven Evangelista - No.
112
113 Ms. Evangelista - You definitely needed a permit and right now with the limited information that
114 you've given us. You are going to have to start the process over again and apply for a permit
115 because right now it sounds like you don't have one from the town.
116
117 Mr. Rich - I would like to see the paper trail. Can you ask your attorneys for it? Paper trail from
118 beginning to the end and when we get that information I think we will forward it to town counsel
119 and ask for their opinion.
120
121 Mr. Steven Evangelista - Tell me what you need and I will ask our attorney.
122
123 Mr. Snyder - Mr. Steven Evangelista, once you get all the information you can come in or give
124 me a call and I will start processing it.
125
126 Mr. Rich - We will put it on the agenda for the September 25th meeting.
127
128 Mr. Steven Evangelista - I will have my attorney contact Mr. Snyder.
129

130 **Public Hearing:**

131 **1. 124 Tenney Street: Special Permit and Site Plan Approval – Continued.**

132 Ms. Evangelista - **Motion** to open the hearing.

133 Mr. Watts - **Second.**

134 **Motion Carries: 3-0; Unam.**

135
136 Ms. Evangelista - **Motion** to continue to Wednesday, September 25th.

137 Mr. Watts - **Second.**

138 **Motion Carries: 3-0; Unam.**

139

140 Ms. Evangelista - **Motion** to accept all the correspondence which is marked as exhibit one
141 and put on the agenda as such.
142 Mr. Watts - **Second.**
143 **Motion Carries: 3-0; Unam.**
144

145 **2. Bylaw Amendments: Solar and Wind Energy Generation – Continued.**
146

147 Mr. Watts - **Motion** to open the hearing.
148 Ms. Evangelista - **Second.**
149 **Motion Carries: 3-0; Unam.**
150

151 Mr. Snyder - You have updated copies of the articles. These have been revised per discussion at
152 the last public hearing about it being better described in tiers about how an application would be
153 made in terms of kilowatts. What I did is to break it down into use with categories of on-site
154 commercial, residential or wholesale. If an installation comes in for sale of the energy to the
155 whole sale market – that is one type of application. Everything else would fall into the other
156 category - if it is ground mounted for consumption onsite or ground mounted for residential.
157

158 Mr. Watts - Ground mounted residential is still for that site?
159

160 Mr. Snyder - Designed primary for use onsite. There was previously discussion about how the
161 excess energy needs to be put on the grid.
162

163 Mr. Watts - My understanding is that we don't have the facility to put it back on the grid.
164

165 Mr. Snyder - You have the ability to put it back on the grid - it depends on the agreement.
166

167 Mr. Watts - You put it on the local grid in Georgetown but we can't push it back out.
168

169 Mr. Snyder - If Georgetown can't buy it then we need to go out and find someone else.
170

171 Mr. Rich - There are certain agreements in the grid structure that we are not a part of. That
172 would allow them to sell it off.
173

174 Mr. Snyder - Ms. Evangelista and I had a discussion but there was some idea that if it was
175 ground mounted for residential use that there may be something written in the bylaw about not
176 having it in the front yard.
177

178 Ms. Evangelista - I feel there should be provisions because the town is 95 percent residential.
179

180 Mr. Rich - Are there set back provisions? If someone has a 300 foot front yard and a 20 foot
181 back yard...
182

183 Mr. Snyder - They can request a waiver.
184

185 Mr. Rich - I think a setback requirement may be more logical. Maybe put in the bylaw it has to
186 be 60 feet from any public way.
187

188 {Mr. Howard arrives at 7:41 PM.}
189

190 Ms. Evangelista - I don't think it should be allowed in the front of anyone's home. It is not
191 attractive.
192
193 Mr. Snyder - If the applicant has a big lawn that can't be seen then they can request a waiver.
194
195 Mr. Rich - Who would grant the waiver?
196
197 Mr. Snyder - The Planning Board.
198
199 Mr. Rich - Is the criteria set out as to what is needed for a waiver?
200
201 Ms. Evangelista - The trouble is that neighbors may be closer to it.
202
203 {Discussion held in regards to the setback requirements in the bylaw and how to reflect the
204 changes discussed.}
205
206 Mr. Rich - I have a problem with saying you can't have it in your front yard.
207
208 Mr. Howard - I agree.
209
210 Mr. Watts - What are the limits we can place on this kind of thing?
211
212 {Ms. Evangelista reads correspondence from Town Counsel from 2011.}
213
214 Mr. Rich - So it would be up to the code enforcement officer. So if someone installed a panel
215 that impaired drivers on the street that they may have to remove the panel it would be up to him.
216
217 Ms. Evangelista - One bylaw from other towns is that if you wanted to put it somewhere within
218 their vision you would need a letter from the abutters saying it is ok with them. That may be a
219 solution.
220
221 Mr. Rich - I don't think we should ask anybody anything.
222
223 Mr. Watts - We ask abutters for their opinion. I am for people doing what they want unless...
224
225 Mr. Rich - I don't have a problem with health and safety issues.
226
227 Mr. Snyder - If they put in a ground mounted facility it would need to be a site plan application
228 so the abutters would be notified and could come in and speak. If it is roof mounted then this
229 does not apply.
230
231 Mr. Rich - Wouldn't they have to get a permit from the building inspector?
232
233 Mr. Snyder - Only if it has a roof.
234
235 Mr. Howard - I think if you are putting in a solar unit and it is within the set back then you
236 should have to go to the Planning Board.
237
238 Mr. Snyder - To make sure it is not a nuisance to others and make sure it doesn't impact
239 things off the property.

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Mr. Watts - I am torn about this because yes if it is going to be unsightly.

Mr. Snyder - The Planning Board should have a chance to review it.

Mr. Howard - Remember those houses they tore down as they were an eyesore? The bottom line is that if you want to be a slob there is no guideline. I don't think we should have a whole lot to say about it if someone wants to put in a solar array.

Ms. Evangelista - How would you feel if you were selling your home and you couldn't sell it because the neighbor has panels in their front yard? Out tax is based on the market value of the home. So the value would go down.

Mr. Watts - Most people do take care of their property.

Mr. Howard - I don't think you can impose something that is not infringing on current laws or zoning setbacks.

Ms. Evangelista - Some communities do have restrictions like that.

{Mr. Rich reading of Town Counsel's letter from 2011 - chapter 40A section 3.}

Mr. Rich - he will have to get an electrical engineer etc... who could afford that?

Mr. Watts - So if someone comes in and they want to put up an array and they say we don't have any blueprints - who on the board is going to be fine with that?

Mr. Rich - I am thinking about people suing the town. I don't think it is a reasonable regulation.

Mr. Watts - You're going to have to do that.

Mr. Rich - No you don't. The solar contractor would come in with his plan and shows the plot plan of the property etc...

Mr. Watts - That's all fine but what if he doesn't have that?

{Mr. LaCortiglia arrives at 8:03 PM.}

Mr. Rich - It is basically the same limitation we have in medical marijuana. If you go into our bylaw - what we would be putting a resident through would make it unaffordable for anyone to do.

Mr. LaCortiglia - I thought we were doing three things- one being the large scale commercial to sell it, then the onsite generation to use and any excess would be sold and then the residential installation.

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Mr. Watts - We are talking specifically about residential. Ms. Evangelista brought up the question as to whether it is appropriate putting it in a front yard. We need to know what kind of restrictions we can appropriately place on ground mounted units. The letter states we can't do much except to protect the public health, safety or welfare. Mr. Rich is looking at how we protect the town from being sued by being overly restrictive.

Mr. Rich - This is a tough call – we encourage solar generation of power and if we write a regulation that ends up being that only the rich can do it - that defeats the whole purpose.

Mr. LaCortiglia - I have not seen this modified bylaw yet.

Ms. Evangelista - About the money part - when you're involved in zoning that's the last thing you think about. My answer would be for the applicant to think of an alternative way that is cheaper and to bring it to use again.

Mr. Howard - This is standard zoning.

Ms. Evangelist - This is a special permit.

Mr. LaCortiglia - When we talk about the large scale commercial facility, is there any question that we would need at a minimum a site plan approval?

Mr. Watts - My recollection in regards to the sale of excess power is...

{Discussion held in regards to the process of when power goes back on the grid how it is processed.}

Mr. Rich - I have no problem for a large scale manufacture to go through these steps but when you get to a resident and you ask them to do all this...

Ms. Evangelista - These were followed by the states recommendation for a bylaw. So you object to the states bylaw?

Mr. Rich - I think the state may be in violation of state law. I think I could argue that making a resident go through all those steps is exclusionary to a homeowner.

Mr. Watts - A resident has to go through certain steps for projects.

Mr. Rich - I am saying that that list is unreasonable.

Mr. LaCortiglia - Is a roof mounted unit under this bylaw?

Mr. Snyder - No, it is excluding from this.

331 Mr. LaCortiglia - So as long as I put it on my roof I am ok. Does the board feel as though I
332 need to bring drawings in for that?

333
334 Mr. Howard - No.

335
336 Mr. Watts - What if someone calls their cousin "Vinnie" to do the work and not a licensed
337 professional?

338
339 Ms. Evangelista - Money and cost is not a concern for us for anything that comes through the
340 permitting process. . The applicant will say that that is a lot of money and I would say to
341 them to come up with an alternative that is cheaper and then for them to bring it forward.

342
343 Mr. Rich - Harvard wanted to build a dormitory but the city wanted a parking lot and they
344 made it so hard and costly that the city lost the case. What I am saying is that this list for
345 solar ground mounted units is unreasonably restrictive because of the cost they have to go
346 thru.

347
348 Mr. Snyder - What is written in here is that the Planning Board can request the applicant to
349 submit a request for a waiver.

350
351 Mr. LaCortiglia - I hate it when we bring a bylaw to Town Meeting and it gets approved and
352 then the Attorney General guts it on us.

353
354 Ms. Evangelista - All of our bylaws go to Town Counsel before they get to the warrant.
355 They should be on top of it. The state has already approved it.

356
357 Mr. Snyder - The difference between this bylaw and the states bylaw is that it was written by
358 Kilowatts usage and this is being broken down by use. (Wholesale, commercial, residential.)

359
360 Ms. Evangelista - The amount of voltage is the difference.

361
362 Mr. LaCortiglia - What we have to look at from a zoning perspective is if the system is a
363 nuance. A plan would be presented to a special permitting granting authority. At what point
364 would it become offensive to have this in your yard?

365
366 Mr. Rich - At what point do you look over you fence and see a rusty trailer in someone's
367 yard...

368
369 Ms. Evangelista - Well my kids played ball on the front lawn and if my neighbors had panels
370 they could be broken.

371
372 Mr. Rich - I am talking about the constitutionally about telling people what they can or
373 cannot do on their property. I think that is unfair.

374
375 Mr. Watts - What if they put up a greenhouse?

376

377 Mr. LaCortiglia - It would have to be set back from the property line.
378
379 Mr. Howard - My point is that as long as it confirms to the set back then we should not have
380 a whole lot to say about it.
381
382 Mr. LaCortiglia - Do you think it should be by-right? You would need to go to the building
383 inspector for a permit to do it.
384
385 {Mr. Snyder reads that section of the bylaw.}
386
387 Mr. Howard - I think you set the limit.
388
389 Mr. Rich - Where is the local ordinance that says what the building inspector can approve?
390
391 Mr. Snyder - Basically everything that is not roof mounted needs to go through a site plan
392 approval process. In here it states that the units be screened so that it doesn't impact your
393 neighbor's property. You don't have to go through all of the steps. They come in and state
394 they don't want to provide all of the requirements and in here under general provisions are
395 setbacks, visual impact and utility connections.
396
397 Mr. Snyder - We need to maintain continuity of the terms. In the bylaws it is commercial,
398 ground mounted or on site consumption.
399
400 Mr. LaCortiglia - I don't think the average homeowner should have to have a permitting
401 process that is the same as an industrial facility.
402
403 Mr. Snyder - It allows the Planning Board the authority to say you do not need to give us this
404 information.
405
406 Mr. Fowler - I think Mr. LaCortiglia is on the right track. Perhaps you need to go by the
407 generation expected out of the units.
408
409 Mr. LaCortiglia - Today it would be defined one way and in ten years it would be a different
410 size.
411
412 Mr. Watts - There are two issues - one is wattage and the other is the visual impact.
413
414 Mr. Howard - My point is that as long it conforms with the setbacks we should not have a
415 whole lot to say about it. I think it should be by-right.
416
417 Mr. Snyder - It is defined in here that an as-right may proceed without the need for a special
418 permit...may be subject to site plan approval. Basically everything that is not roof mounted
419 needs to go through a site plan approval and it needs to be screened. They would have to do
420 electrical drawings.
421
422 Mr. Howard - It has to confirm to the setbacks.

423
424 Mr. Snyder - Our bylaws state a structure as having a roof. The discussion now is about
425 residential installation on the ground and with 60 kilowatt hours.
426
427 Mr. Rich - What you are saying is if I put up a sign, you don't need a building permit to put it
428 up as it has no roof? They do need a permit.
429
430 {Ms. Evangelista reads the description of a structure.}
431
432 Mr. LaCortiglia - At what level does the homeowner - what hoops are we making them jump
433 through?
434
435 Mr. Howard - When you say kilowatt hours - that is a measure over the amount of time. Is
436 that per month, day, week etc...?
437
438 Mr. Snyder - 60 kilowatt capacity - a much smaller area.
439
440 Mr. LaCortiglia - Years to come the size will be much smaller than in today's world.
441
442 Ms. Evangelista - We can only work on today's technology.
443
444 Mr. Watts - Can we get back to the document? Section 7 of paragraph 8 on page 5 - this is
445 the area I believe you consider not good for the homeowner.
446
447 Mr. Rich - Why does that have to pertain to a homeowner?
448
449 Mr. Snyder - It doesn't - you can write things in for residential use.
450
451 Mr. LaCortiglia - I like that as long as it is changed from 60 kilowatt capacity to square
452 footage.
453
454 Mr. Watts - So all they would have to do is go to the building inspector and he would ensure
455 they were operating within town zoning rules etc..
456
457 Ms. Evangelista - I don't see that as a solution because if the applicant has to come for a site
458 approval - you're saying they don't?
459
460 Mr. LaCortiglia - Do we require one for a shed?
461
462 Ms. Evangelista - This is not a shed.
463
464 Mr. LaCortiglia - As a homeowner you would only go to the building inspector.
465
466 Ms. Evangelista - Maybe we should ask town counsel their opinion on this question.
467
468 Mr. Watts - I don't think there is anything putting anybody at risk.

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Mr. Fowler - I am looking at this as to the cost. I checked with the building department and you can build a shed 12x16 and nobody can say anything.

Mr. LaCortiglia - It would be easier for a homeowner to maintain a system on the ground. I firmly believe that we need to figure out how big it is and that is your threshold.

Mr. Howard - I would determine that by the use of power and that will translate to the panel size and we could amend it in the future. You should be allowed to generate your own electricity.

Mr. Rich - Like your home can only occupy a certain percentage of your lot – the solar array can only cover a certain percentage of the available open space subject to set backs?

Mr. LaCortiglia - So you are saying that I can't build a house that is up to a certain percentage of the lot?

Mr. Howard - There is a certain percentage of your lot that can be built on and as long as the panels don't exceed that percentage.

Ms. Evangelista - I'd like to make a **Motion** to ask Mr. Snyder to find out from town counsel. I don't think we can say a resident does not have to come to us. I don't think you can just go to the building inspector.

Mr. Howard - **Second.**

Mr. Rich - I think what they will say is that you have to have a bylaw. You don't need permission from Georgetown electrical is there is state law saying they have to pay you back for unused electricity.

{Discussion held in regards to excess power, how it would go on the grid and how the process works.}

Mr. Rich - It is time for Georgetown electric to get with the 21st century.

Mr. Watts - They do not have the technology to do it.

Mr. Rich - They do – they just have not signed the agreement to get on the grid. Let them generate anything they want. The resident should be able to generate what they want.

Ms. Evangelista - I am talking about the appearance on a residential lawn - that is why we have regulations so that we can protect the taxpayer's value of their property. Do we want a community of panels on front lawns?

Mr. Howard - I don't care.

514 Mr. Rich - On the percentage of land coverage that gives a restriction - that it cannot occupy
515 more that another percentage of the remaining property.
516
517 Ms. Evangelista - I don't see a restriction in the current book at all.
518
519 Mr. Rich - Let's ask the building inspector
520
521 Mr. LaCortiglia - Am I hearing right, that the size of ground mounted array should be a
522 percentage of the property?
523
524 Mr. Rich - It would be the footprint of the remaining property of which the house does not
525 occupy within the setback and any other restriction.
526
527 Mr. Howard - I would like to limit it to square feet of panel and if over then go to the
528 Planning Board.
529
530 Mr. Rich - In the perfect world, how many panels do you need to run an average size house?
531
532 Mr. Snyder - I just heard that if it is not residential everything else will be special permit.
533 The bylaw is written for it to be an as-of-right.
534
535 {Discussion held in regards to what as-of-right means.}
536
537 Mr. Snyder - As-of-right doesn't mean that you can just do it. {Reading of the section of the
538 bylaw.} As-of-right means you can put it in residential areas but will be subject to the
539 setbacks.
540
541 Mr. Howard - So is they were not compliant with set backs then why would they come to us.
542
543 Mr. Snyder - Site plan and special permits will need to come before the board.
544
545 Mr. Rich - Site plan review is s different standard. Before us would be only issues that
546 would protect the public health safety or a public nuance. I think that the threshold only has
547 to be or should be that there are no violations of public safety. It has to go thru all the set
548 back and land area coverage.
549
550 Mr. LaCortiglia - Are we saying that for a commercial facility it is by-right?
551
552 Mr. Snyder - If you are a commercial facility, you are allowed to put that up with a site plan
553 approval.
554
555 Mr. Rich - But if we write the bylaw and it differentiates between residential and commercial
556 with certain conditions and criteria...
557

558 Mr. LaCortiglia - I see the large scale production facilities for outside sale with a special
559 permit. I see the industrial for onsite use as a special permit and I see resident as by-right
560 with a limitation under a certain square footage.

561
562 Mr. Howard - I would say like a ten percent of the lot area.

563
564 Mr. Rich - If a developer wants to do a green development and in the middle is a solar farm
565 for all the houses - then are we going to create something...

566
567 Mr. LaCortiglia - The problem is that sat some point we will have to hit the use codes.
568 Residential zone is going to have a P for permitted and I believe the industrial zone will have
569 a D there for special permit.

570
571 Mr. Howard - I think if we can do it as home owners then I think a business can do it too. If
572 you are using most of your power, I don't think you need to jump thru any hoops.

573
574 Mr. Watts - Let's focus just on solar and not wind.

575
576 Mr. LaCortiglia - What if I have a business and maybe I can put up a ton of panels?

577
578 Mr. Rich - There was a case like that - remember the farmer that put up panels to run his
579 farm and there was enough to run the whole town and they said no.

580
581 Ms. Evangelista - The problem with Georgetown is that there are resident's very close to
582 businesses.

583
584 Mr. Rich - We can write in the bylaw that it needs to be a certain number of feet from
585 residences.

586
587 Mr. Snyder - The bylaw ties into the other bylaws that require the 100 foot setback in
588 residential areas.

589
590 Mr. Rich - So that would take a project like Martell Way all industrial out of that loop of not
591 allowing it near residents.

592
593 Mr. LaCortiglia - So it should be by-right?

594
595 Mr. Rich - Unless it falls within so many feet of a residence then they would go in for a
596 building permit.

597
598 Mr. LaCortiglia - I am still going to fall for the idea that that is for a special permit. I feel
599 bad for Mr. Snyder because he has to write it all up.

600
601 Mr. Snyder - I think if we get into a bylaw that states both special permit and permit granting
602 authorities it will get very confusing.

603

604 Ms. Evangelista - The historical commission is trying to protect certain areas and if residents
605 there are allowed solar panels then you lose the historical appearance.
606

607 Mr. Rich - They have their own regulations for historical areas.
608

609 Ms. Evangelista - They would have to follow the zoning rules. If it was votes that residents
610 can put one up with our any regulations, I think the historical commission will come in with
611 stricter regulations. It would change the whole character of the street if we just allowed solar
612 farms to be put anywhere. It is different if it is a municipal building.
613

614 Mr. Watts - People have to be given the license to make stupid decisions for their property.
615 This is a brave new world with this regenerative power and it is a complicated issue. There
616 has to be some reasonable and rational limitations. I like the idea of leveraging the
617 maximum square footage on a property.
618

619 Mr. Howard - I think it should be a percentage of the open land. Maybe limit it to the size of
620 the house so that gives people the option.
621

622 Mr. LaCortiglia - I think what I am thinking is that someone's got to be able to put a high
623 powered solar system in – my concern is that we are not saying you can't do that and that we
624 are making this special permit incredibly hard.
625

626 Mr. Howard - But if it is under the size of the threshold.
627

628 Mr. Watts - One of the implications is that this is rapid technology. This is not a hundred
629 year solution – this will be revisited.
630

631 Mr. Fowler - The idea is for the homeowner to generate electrically for their own use and if
632 they can't get repaid for it then what's the sense of them spending the money? The idea was
633 to go green and the difference between selling it and generating enough for themselves.
634 What's to prevent someone in the future to put in a power plant?
635

636 Mr. Snyder - They won't put a power plant in if they don't have a market for the power.
637

638 Mr. Fowler - The idea is to create for-use energy for his home.
639

640 Mr. Howard - He's only selling it if the electric company is going to buy it.
641

642 Mr. Fowler - So when someone get their permit it will have to somehow be built in the
643 amount of electricity. I like the square footage of the house idea.
644

645 Mr. Rich - Don't you think that would be decision of the homeowner?
646

647 Mr. Fowler - I thought the idea was that you are putting this in to be green and for use of the
648 home.
649

650 Mr. Rich - In today's world that house may need 4000 square feet of panels. And if in the
651 future they make the panels smaller then it will be up to him what to do with the excess
652 power.

653
654 Mr. Fowler - You also need to look at energy used and consumed and if in the future the
655 panels are smaller he will have to apply for another t permit.

656
657 Mr. Rich - At what point does Uncle Sam get out of your life?

658
659 Mr. Fowler - When you are generating all power on your own.

660
661 Mr. Watts - I think we are getting ahead of ourselves in terms of our concern. We cannot
662 create terms for twenty years from now. We need to keep it simple. By making it a
663 percentage and in the future it can be changed if needed.

664
665 Mr. LaCortiglia - Percentage of what?

666
667 Mr. Howard - I think roof area is good. The percentage would be half the roof area.

668
669 Mr. Watts - Not every property is ideal for this type of system.

670
671 Ms. Evangelista - Don't you think it should be put in back yards and if they can't then they
672 come in for a waiver?

673
674 Mr. Howard - I think it should go anywhere they want it to.

675
676 Mr. Rich - The character of the world is changing. Georgetown can't stay in the dark ages
677 forever.

678
679 Mr. LaCortiglia - You should be able to put it anywhere in your yard as long as it is under
680 144 square feet. (12x12)

681
682 Mr. Rich - I like Mr. Howard's idea because it is fifty percent of your roof.

683
684 Mr. LaCortiglia - That is an enormous amount and I am not in favor of that for the character
685 of the community.

686
687 Mr. Howard - Is it prettier on the roof?

688
689 Mr. Rich - It states: "Except where necessary to protect the public health safety or welfare of
690 the people." It says nothing of the character of a community. This country has decided that
691 we need to get off the dependency of how we generate our power. Communities have to
692 adjust.

693

694 Ms. Evangelista - Not at the expense of loosing the character of this town. We want to make
695 it visually conducive to the neighborhood and I think the word “conducive” should be in
696 there.

697
698 Mr. Rich - That is one thing I would like to know from town counsel is if that can be
699 included in a restriction.

700
701 {Mr. Snyder reads the visual and safety impacts on a site plan review criteria.}

702
703 Mr. Rich - Each neighborhood has its own character. If it is offensive visually, you will
704 know it when you see it.

705
706 Mr. Watts - There are lots of buildings in town I thought were not great and I got used to it.

707
708 Mr. Howard - **Motion** that we don’t require residents to come to us for a special permit in
709 regards to roof or ground mounted solar array that is less than 50 percent of the area of
710 the main structures roof. We can make additional restrictions but we have to start
711 somewhere.

712
713 Mr. Watts - I will **Second** that for discussion purposes. We need to make sure that it is
714 big enough to have an impact on the homeowner’s electric bill. If we make it too small
715 then in effect we make it useless and people won’t do it.

716 **No actual vote taken for this motion.**

717
718 Mr. LaCortiglia - We are drawing a line so that if you want to go bigger then come for a
719 special permit but if you want to go smaller then it would be a by-right.

720
721 Mr. Snyder - The state went buy kilowatts so I will bring in a visual example to the next
722 meeting.

723
724 Mr. Rich - In the future it may be that so many customers have to generate their own power.
725 They have been ordered to buy back a certain amount of power. They have been ordered to
726 have 20 percent of their customers off the grid within a certain period of time. By giving 50
727 percent we are giving them the maximum but it gives them the opportunity to have the same
728 amount without going to the Planning Board.

729
730 Mr. Watts - What if they want to put some on the roof and on the ground?

731
732 Mr. LaCortiglia - It would be either or – roof or ground mounted?

733
734 Mr. Howard - Yes – either or. They can still come before us and ask us if they want to do
735 both.

736
737 Mr. Rich - But if we find that you cannot have a solar array on roof or on the ground that is
738 more than the 50 percent of roof size...

739

740 Mr. LaCortiglia - What if I want to use my roof and the yard?
741
742 Mr. Howard - That is not addressed in this.
743
744 Mr. LaCortiglia - Should it be?
745
746 Mr. Snyder - Nothing on the roof is considered in the bylaw.
747
748 Mr. Rich - We could put in the bylaw that no residential array, roof or ground mounted may
749 exceed 50 percent of the total square footage without approval (special permit).
750
751 Ms. Evangelista - Accordingly to the Clean Energy Results booklet it says the biggest
752 potential risk is shock or electrocution... perhaps we should be looking to the Fire
753 Department for information?
754
755 Mr. Howard - Let's just start with building blocks for now – we need to start somewhere.
756
757 Mr. LaCortiglia - You don't want to go with 144 square foot?
758
759 Mr. Howard - No, that is too small.
760
761 Mr. LaCortiglia - I think arrays bigger than that should be special permit.
762
763 Mr. Howard - Maybe state that this is what you can do without coming to us and anything
764 over that they would have to come to us.
765
766 Mr. LaCortiglia - I think that is too large and wish you would lower the percent. I think 20
767 percent of the roof is a good size.
768
769 Mr. Howard - We are not turning the property into a solar farm by allowing less than 2
770 percent of the area to be covered.
771
772 Mr. Snyder - What I can do is some research about a 20 x 50 area and how much production
773 would come out of that. And I could see about what type of permit people have been getting
774 from the light department for them to put panels on the roof. Maybe we can see what the
775 average residential need is.
776
777 Mr. Howard - Can we let the motion ride until the next meeting.
778
779 Mr. Rich - I believe we can continue the discussion then.
780
781 Mr. LaCortiglia - **Motion** to continue this discussion (hearing) at the next meeting on
782 September 25, 2013.
783 Mr. Watts - **Second.**
784 **Motion Carries: 5-0; Unam.**
785

786 Mr. Howard - I think the 50 percent is reasonable.

787

788 Mr. Snyder - The board needs to get a picture in their head.

789

790 Mr. LaCortiglia - I see it as though what some people might consider offensive and because
791 it is a by-right thing it won't have the benefit of having us say there needs to be trees put up
792 to screen it etc...

793

794 Mr. Rich - It is an interesting concept that you have the right to use half your roof but if you
795 decide to go onto the land then you can only use a certain percentage of the area.

796

797 **Member or Public Report:**

798 **1. Any concern of a Planning Board Member and/or member of the Public.**

799 {None.}

800

801 **Planning Office:**

802 **1. Hazen Court and Rodger's Way:** Draft graphic outlining revision to Official Town Map.

803

804 {Mr. Snyder shows what the road signage would look like on the screen.}

805

806 Mr. LaCortiglia - Do we now vote to approve the map and we don't have to go to town
807 meeting for that?

808

809 Mr. Snyder - According to town counsel it is a scribe's error so we just correct the error and
810 it does not require a town meeting. I will double check.

811

812 Mr. LaCortiglia - **Motion** to amend the existing official town map to reflect the
813 correction of the town map as represented by the graphic shown tonight - Exhibit #2.

814 Mr. Watts - **Second.**

815 **Motion Carries: 4-0-1; (Ms. Evangelista abstained).**

816

817 Ms. Evangelista - So we have lost Hazen Court by changing it to Jewett Street. I don't think
818 we should do this - that sign has been up there since 1965 it is a historical thing.

819

820 Mr. Watts - I think we should ask Ms. Beaumont to send each of the residents a little note
821 saying what we have done.

822

823 Mr. Rich - Ms. Beaumont could you make sure that all the residents get notified and maybe a
824 copy of the exhibit as well?

825

826 Mr. Snyder - Yes. I will copy them.

827

828 Mr. LaCortiglia - **Motion** to adjourn.

829 Mr. Watts - **Second.**

830 **Motion Carries: 5-0; Unam.**

831

832 **Meeting adjourned at 10:08 PM.**