

DATE: April 26, 2012  
TIME: 6:00 P.M.  
PLACE: Fire Station  
FOR: Regular Meeting  
PRESENT: Jonathan Hankin, Chairman; Suzanne Fowle Schroeder; Jack Musgrove;  
Ethan Culleton; Richard Dohoney  
Brandee Nelson, Associate Member  
Chris Rembold, Town Planner

**FORM A'S:**

There were no Form A's presented.

**MINUTES: APRIL 26, 2012**

Mr. Musgrove made a motion to approve the minutes of April 26, 2012 as amended, Ms. Schroeder seconded, all in favor.

**CPA:**

At the last meeting the Board heard a presentation regarding the Community Preservation Act. The Board decided at the last meeting to take a vote of support for the CPA.

Mr. Musgrove made a motion to send a letter of support for the CPA, Ms. Schroeder seconded.

There was a brief discussion. All in favor.

**KINO LANE SUBDIVISION:**

Eileen Allee was present to discuss changes to the approved landscape plan for the Kino Lane subdivision. Ms. Allee said she would like the option to plant Sycamore trees instead of Red Maples.

Mr. Rembold asked why she wanted to change the species of tree.

Ms. Allee said the Red Maple is a smaller tree. The front yard is big, so a bigger tree might look better. It would be nice to have an option.

Mr. Rembold said you would still plant three trees so it would be just a change of species.

Ms. Allee said correct. She said she would also like to put up some split rail fence to help block the driveway.

Mr. Hankin said it wouldn't be much of a visual block.

Ms. Allee said she might like to plant some lilacs near the fence.

Mr. Hankin said what was approved on the landscape plan was a minimum of what has to be planted. You can add as much as you want as long as you meet the minimum.

Mr. Musgrove said he is fine with a different species. Ms. Malik submitted the species of trees shown on the landscape plan. We want trees that would be approximately the same size or larger and planted in the location shown on the plan.

Mr. Dohoney said the Board expects the minimum amount of plantings as shown on the plan. If the plan shows trees planted in a certain location then the same number of trees of similar size is expected to be planted.

Mr. Musgrove added that more is permissible.

Ms. Schroeder said she remembered that the purpose of not planting trees along the road was to maintain the open field feeling. The goal was to maintain the character of the open field.

Mr. Rembold said he did not think the Board was required to vote on this matter.

Mr. Dohoney said if an abutter complains the applicant could be required to plant exactly what is shown on the plan.

Mr. Hankin said that is a good point but it only applies to the subdivision road. It doesn't apply to the rest of the property.

Mr. Musgrove suggested talking to the neighbors to avoid any issues.

Mr. Rembold said the plans state substantial conformance so if the trees are similar in size it shouldn't be an arguable point.

Ms. Allee thanked the Board for their time.

**UPCOMING ANNUAL TOWN MEETING:**

Mr. Rembold said the first item to be discussed would be the two moratoriums on large scale solar arrays. One of the moratoriums was put on by the Selectmen. The second moratorium was submitted by a citizen's petition.

Mr. Musgrove said Town Counsel wrote an opinion on the moratorium, which stated that the town can't have a moratorium against something permitted by State law.

Mr. Dohoney said he felt Town Counsel made a sound opinion.

Mr. Musgrove said neither submittal followed a zoning path which would require a public hearing by the Planning Board. This is a zoning issue so it would be required to

go through the Planning Board. He said the moratoriums are nonsense and he would say so at the Annual Town Meeting.

Ms. Nelson said she felt the moratoriums were premature as neither the Planning Board nor the Energy Committee have had a chance to further review the issue after being asked to do so by the Board of Selectmen.

Andrea Panaritis of 30 Seekonk Road said the citizen's petition is not without end it would last until the town had time to review its policy on solar technology. She said there are many people who do not share the Planning Board's view on this issue. It is not clear that the moratorium would not be legal.

Mr. Hankin asked if Ms. Panaritis is an attorney.

Ms. Panaritis said no.

Mr. Hankin asked if Ms. Panaritis had a written opinion from the Attorney General's office.

Ms. Panaritis said no but she could informally share what she had been told.

There was additional discussion in a similar tone.

Mr. Rembold commented that he felt the discussion was counterproductive and suggested the Board move on to the next issue. He said there would be a workshop on this topic on May 21. He hoped that as many people as possible will turn out to discuss it. Regardless of the vote at the Annual Town Meeting the workshop will take place.

The Board decided to take no position on the matter and move onto the next topic.

Mr. Rembold said the other zoning issues include the rezoning of Nolan Drive, the language to allow a longer review period in the telecommunications bylaw and the reinsertion of the original language for the front yard setbacks. Mr. Hankin said if no one else is interested, he would present the Planning Board's report on these zoning articles. Everyone agreed.

**TOWN PLANNER'S REPORT:**

Mr. Rembold said there will be a workshop on solar energy on May 21. He said he intends to present accurate information and to gather information so the Town can decide how to move forward with the issue. He said this would not be an official meeting of any board.

Mr. Musgrove asked Deb Philips, a member of the Board of Selectmen, if the board had authorized the Planning Board to hire a consultant to assist in writing a bylaw on solar energy.

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Ms. Philips said, yes.

Mr. Rembold said there would be a meeting at Crissey Farm by the DOT to discuss the Main Street reconstruction project. The meeting would be held on May 3 at 7:00 P.M. DOT is accepting public comment at that meeting.

Mr. Musgrove made a motion to adjourn, Mr. Dohoney seconded, all in favor. The meeting was adjourned at 7:18 P.M.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kimberly L. Shaw".

Kimberly L. Shaw

Planning Board Secretary