



Town of Pepperell

Planning Board

1 Main Street, Pepperell, Massachusetts 01463-1644

978-433-0336 Phone 978-433-0338 Fax

planning@town.pepperell.ma.us

MINUTES

Monday, January 25, 2010

Town Hall

Members Present: Nick Cate, Dennis Kane (arrived late), Mark Marston, Rick McHugh, Steve Themelis

CALL TO ORDER: Mr. Cate called the meeting to order at 7:05pm.

VOUCHERS:

- Payroll vouchers for weeks ending 1/30/10 and 2/6/10 were endorsed.

ACCEPTANCE OF MINUTES:

- The Board M/S/V to approve the minutes of January 11, 2010.
- The Board M/S/V to approve the Executive Session minutes of January 11, 2010 and to hold release of these minutes until the issue is resolved.

BUILDING &/OR OCCUPANCY PERMITS:

- None

ANR PLANS:

- East Street – Tully
The Board reviewed an ANR plan to combine 2 lots, 64 – 68 East Street, and M/S/V to endorse the plan.

ACTION/DISCUSSION ITEMS:

- SP2009-03 Decision
The Board reviewed the Site Plan Review Permit Decision for Shattuck Oil Co. for redevelopment and improvement of the business property located at 16 Groton Street. Mr. Marston made a motion to approve the Site Plan Review and endorse the Decision. Mr. McHugh seconded the motion. All members present voted 'aye'. Mr. Kane was not present for the vote.
- Review Proposed WRPOD Bylaw Amendment & Schedule Hearing
The Board reviewed the proposed amendment to revise the WRPOD bylaw which will describe the areas for protection based on the DEP Zones 1, 2, & 3 and additionally the

areas defined in the 1985 SEA study done for the Town.

The consensus was to present the bylaw amendment for town meeting approval with the changes to Section 8120 and subsections 8121, 8122, 8123, & 8124. The zoning map will indicate the areas based on the two references stated and no written description of the areas will be provided. The subsection 8124 will serve as the guideline to any property owner who wishes to challenge the WRPOD classification on their property.

The proposed amendment is to be circulated to the Conservation Commission, Town Engineer, Sewer Division, and Water Division for their review and comment prior to the public hearing. The public hearing will be scheduled for March 8, 2010.

- Review Proposed Wind Energy Bylaw & Schedule Hearing

The Board reviewed the proposed Wind Energy Conversion Facilities Bylaw. Several comments were noted.

The Board unanimously agreed that the small scale WECF should be allowed in all zoning districts which reflects the written language in 6370.

The definition for Utility Scale WECF requires addition of a comment received from the Town Administrator that denotes that besides selling to the wholesale market this type can also be used to power a private plant or facility and not go back to the grid.

The authority for Building Inspector should read the Building Inspector is the issuing authority for a small scale WECF, etc.

There was discussion on the requirement for performance security and why this was necessary. It was felt this was for safety purposes mostly and it was pointed out that it may be required not shall be required.

The Board opted to delete 6371 as it had concern over the may exceed criteria and did not think there should be the ability to allow a variance to the height. It was agreed that anything over the 65 feet would be classified as a large scale facility and would then be required to follow those requirements.

Deletion of 6371 will require renumbering to the remaining subsections. And a few typos were noted.

The Board agreed there needs to be an additional section with language for the utility scale WECF.

The Board will review the changes at the next meeting and determine whether or not to move forward.

Provided all is good with the changes to the Wind Bylaw, the Board will schedule the public hearing for the WRPOD Bylaw and the Wind Bylaw for March 8, 2010 at 7:15pm.

- Review Proposed Special Permit Rules & Regulations Revisions/Fee Schedule & Schedule Hearing

The Board reviewed the Fee Schedule opting for only one change. The change was to the cost for Planned Unit Development with the change to the additional fee for residential and commercial being combined and at \$200 for either one. The remainder of the fee schedule was fine.

The Rules and Regulations were reviewed. It was explained that the biggest change to these was the reorganization of the contents. Most specifically taking the site plan review portion and making it more understandable in its own section since it is not specifically a special permit. The new title of the document will be the Planning Board Rules and Regulations for Special Permits and Site Plan Review.

The Board agreed to move forward with scheduling a public hearing for February 8 at

7:15pm to adopt the new regulations and fee schedule.

APPOINTMENTS/HEARINGS:

- None

CORRESPONDENCE/OTHER:

Board was informed of e-mail from Bob Lee telling them there was an error of \$550 in the Meisner Brem quote for Julia and Beaver Creek.

The members were reminded to complete the ethics training online and submit their certificates.

APPROVED:

Nicholas A. Cate

Mark F. Marston

Dennis A. Kane

Richard C. McHugh, Jr.

Stephen C. Themelis