



Town of Pepperell

Planning Board

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MINUTES

Monday, March 8, 2010

Town Hall

Members Present: Nick Cate, Dennis Kane, Mark Marston, Rick McHugh, Steve Themelis

CALL TO ORDER: Mr. Cate called the meeting to order at 7:10pm. Mr. Kane arrived at 8:15pm.

VOUCHERS:

- Payroll vouchers for weeks ending 3/13/10, 3/20/10, and 3/27/10 were endorsed.
- Lowel Sun voucher for \$142.80 for publishing legal notices for the bylaw amendment public hearing was endorsed.

ACCEPTANCE OF MINUTES:

- The Board M/S/V to approve the minutes of February 22, 2010.

ANR PLANS:

- Brookline Street – Pepperell Sewer Department
The Board reviewed an ANR plan to carve out a parcel for the Sewer Department's pump station for their new sewer extension project. A letter outlining the request from Bob Lee, Town Engineer, was read by Mr. Themelis. The Board asked for confirmation of the location of the home and business of property owner, David Burton. It was confirmed through the Assessors records that these were located on an adjacent lot and not the lot being subdivided. The Board reviewed the ANR checklist and were satisfied with the contents of the plan. The Board M/S/V to endorse the plan.

ACTION/DISCUSSION ITEMS:

- Schedule Public Hearing for Citizen's Petition
The Board reviewed the request from citizen Maureen Allen of 80 South Road to amend the zoning bylaws with a new definition of kennel, commercial and adding a definition for accessory pet day care facility and adding it to the table of uses. The Board agreed to schedule the hearing for March 29th at 7:45pm. Some discussion regarding the Board's

thoughts on how to proceed with the request took place. The Board was in agreement that the proposal did not appear to be something that they would support for town meeting acceptance. The members also agreed that the current bylaws regarding kennels seems to be sufficient.

- **Parker Hill Way Acceptance Recommendation**
The Board agreed that they were okay with the town's acceptance of the Parker Hill Way extension portion of the roadway and agreed to forward this comment to the Board of Selectmen.
- **Beaver Creek Circle/Julia Lane Update**
The Board was informed of the status of these roadways. It was discussed that the engineers are currently working to get the as-builts completed and have been given a deadline of the March 29th meeting. An e-mail update from Bob Lee also informed them of his progress in procuring punch list item completion. It appears everything will be in place for the May town meeting.
- **ZBA Application Comment Request – 28 Hollis Street**
The Board reviewed the application for expansion of the non-conforming use at Clark's Auto Body and had no comments for the ZBA regarding this application.

APPOINTMENTS/HEARINGS:

- **7:15pm – Public Hearing – WRPOD Bylaw Amendment & Wind Energy Bylaw**
Mr. Cate opened the Public Hearing at 7:45pm. Mr. Themelis read the legal notice for the record.
The Board began discussion on the WRPOD Bylaw amendment. Mr. Themelis read the comments of Bob Lee and agreed to revise the explanation based on his recommendation. The consensus was to provide an explanation without using actual dates to keep it simplified and easy to understand but will have the necessary dates available if questioned or can ask Mr. Lee to speak to this subject at the town meeting.
Mr. Themelis then read the comments of the ConsCom. It was agreed that changing the descriptions to Zone A B & C would be confusing since DEP already has zones with these labels in their regulations referencing surface water zones. The Board agreed to further clarify the ConsCom's comments regarding the severability clause before finalizing the amendment.
The Board also agreed an updated official map showing the WRPOD zones as described in the written description proposed should be presented for acceptance at the town meeting.
The Board M/S/V to continue the hearing on the WRPOD amendment to March 29th at 8:15pm.
The Board then reviewed the Wind Energy Bylaw. Mr. Themelis read the comments of Bob Lee and agreed to incorporate all but one into the bylaw. The Board did not agree to that a change to the reference to "reasonable" should be changed in the section regarding advertising on the wind energy facility.
Resident Carolyn Adab was present and offered a few comments and questions to the Board. After reviewing all of these the Board agreed that changing the double negative grammar in Section 6340 was appropriate. Also, the Board agreed to change all references to applicant to all be applicant and/or owner to alleviate any confusions.

The Board M/S/V to continue the hearing on the Wind Bylaw to March 29th at 8:15pm.

CORRESPONDENCE/OTHER:

Mail was reviewed. The Board offered a few additional comments regarding the citizen petition and instructed the administrator to check with town counsel for advice on proceeding with not recommending the proposed amendment at town meeting. The members agreed again that they did not think they wanted to support the amendment as they did not want to allow kennels in the residential zones.

APPROVED:

Nicholas A. Cate

Mark F. Marston

Dennis A. Kane

Richard C. McHugh, Jr.

Stephen C. Themelis