

**MINUTES OF THE PLANNING BOARD MEETING OF MARCH 6, 2017
AT THE JESSE SMITH LIBRARY COMMUNITY ROOM
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

I. CALL TO ORDER:

Meeting was called to order at 7:05 p.m., Leo Felice, Vice-Chairman, presiding.

Members Present: Leo Felice, Mark Tremblay, Dov Pick, Bruce Ferreira, Michael Lupis and Christopher Desjardins.

Members Absent: Jeffrey Partington, Jeffrey Presbrey and Robert Woods.

Others Present: Attorney Robert Mitson, Joseph Raymond, Building Official and Christine Langlois, Deputy Planner.

II. ATTENDANCE REVIEW:

Mr. Felice acknowledged that Mr. Partington, Mr. Presbrey and Mr. Woods were excused.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of February 6, 2017** were read. *A motion to accept the minutes, as presented, was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously*

IV. CORRESPONDENCE:

- Memo from the B.R.A. regarding the re-appropriation of Affordable Housing funds for the Downtown Pascoag Redevelopment District;
- Zoning Board Agenda for March 2017;
- Letter to Mapleville Farms LLC regarding land development review process.

At this point in the meeting, *a motion was made by Mr. Ferreira, and seconded by Mr. Desjardins, to address Old Business after New Business items. The motion carried unanimously.*

V. NEW BUSINESS:

Minor Subdivision: Wayne Faring, 860 East Wallum Lake Road, Pascoag; Map 121, Lot 1: Pre-Application for a Rural Residential Compound: Attorney David D'Agostino, and Wayne & Sherrie Faring, owners, were in attendance to represent their request. [The property consists of 86.5 acres and contains two existing dwellings. The applicants had previously received relief from the Zoning Board in regards to having two dwelling units on a single lot. They are now requesting consideration to subdivide the property as a rural residential compound. The applicant had submitted three plans which included a conventional plan of 13 lots and two proposed RRCs with five lots – the preferred plan proposing three lots accessed by a RRC roadway and the existing dwellings each having their own frontage on Wallum Lake Road.] Attorney D'Agostino informed the Board that engineer, Nick Piampiano, was unable to attend the meeting this evening. He said that he believed the proposal before the Board meets the requirements of the rural residential compound ordinance and is a better use of the property than a conventional subdivision. He turned the presentation to the owner, Mr. Faring, to offer a background on the property.

Mr. Faring told the Board that he and his wife have lived on the property for the past 28 years. He said that they are looking to retire and downsize and probably find some other place to

live. By allowing him to subdivide using the rural residential compound regulation, he could possibly get equity out of the property, making it more feasible to continue to live in the current home. Mr. Felice asked him to address the conventional plan [displayed] that was submitted which proposes 13 lots. Mr. Faring said that it was just taking the land and blowing it out to what the maximum might be. But in reality, a lot of these lots can never be built. He pointed out where his home is located [on proposed Lot 1] and that he really didn't want to share the land with 13 other people. With the first conceptual RRC [curved cul-de-sac giving frontage to both of the existing dwellings and three new lots], he pointed out that there were issues with wetlands. The second conceptual RRC [RRC roadway with three new lots; each dwelling on their own lot with frontage on Wallum Lake Road] is the preferred plan.

Mr. Tremblay questioned why the driveway, to proposed Lot one, is accessed through the adjacent property and, if so, will it continue to be used? Mr. Faring said it is a shared driveway between his property [860 Wallum Lake Road] and 930 Wallum Lake Road and would continue to be access to Lot 1. Mr. Tremblay asked if the second driveway to the property was Mr. Faring's access and will it continue to be his access? Mr. Faring said it was and would continue to be. Mr. Tremblay then asked if the two units, on one lot, would continue to use each separate access. Mr. Faring responded that they would.

Mr. Pick questioned the reason for preferring Concept plan 2 over Concept plan 1. Mr. Faring responded that Concept plan 1 would have a detrimental effect on proposed Lot 2 [his home] having more traffic and the close proximity to the intermittent stream. Mr. Pick asked if Lot 1 dwelling is part of his family. Mr. Faring stated that it was currently being rented.

Mr. Ferreira expressed issues with the property having received zoning relief in 2008 for the second dwelling and now requesting to subdivide the property. He noted that in the zoning resolution there were statements made at the time that nothing further would occur with the property and further documentation provided with the submission noting that such statements were not made. The property was committed to something with the Town thru the Zoning Board and now the applicant is reneging on the original agreement. Mr. Faring said he feels he did renege on anything. Mr. Ferreira requested documentation from the Zoning Board to straighten out this situation.

Mr. Felice suggested that Mr. Faring get clarification from the Zoning Board before anything else proceeds. Attorney D'Agostino agreed to do that. Mr. Felice then pointed out the issue of allowing only 83 feet of frontage for proposed Lot 1 in Concept plan 2. Mr. Faring asked how much frontage the Board would like and the Board suggested he work with his engineer to come up with a more realistic design.

Major Subdivision: Oakland Village, Victory Highway & Oakland School Street, Oakland: Request for Revision to Map 162, Lot 91 (formerly Lot 12): Scott and Jeremiah Adler, principals, were in attendance to represent their request to consider the revisions of the "country store" concept for Lot 12 (Old Victory Highway) of the Oakland Village subdivision. Mr. Scott Adler stated that they were here to express their concerns regarding the economic sustainability of building the structure. He stated that he did not wish to construct a building that may remain vacant for some time as there has not been any interest in the concept. He said that they are here tonight to request guidance from the Board as to a solution for this lot. Mr. Jeremiah Adler presented a flyer that he had prepared at the beginning of the process outlining the country store concept. He said that he had spoken with

Tom Kravitz who had provided several names of local store owners who may be interested in opening a small storefront in Oakland. Unfortunately, not one person expressed any interest in opening a second store. They loved the idea, but were concerned with the feasibility of making it work. The Adlers then presented two scenarios for consideration: the first scenario proposed relocating the house with frontage on the subdivision roadway, leaving a small section of land (along Old Victory Highway) being jointed to the Oakland-Mapleville Fire Dept. lot; the second scenario proposed the frontage on Old Victory Highway with access from the subdivision roadway. Mr. Tremblay questioned how much of the lot was previously dedicated for the country store parking. Mr. Adler stated 15 spaces. Mr. Tremblay noted that the option 2 scenario allows for parking should a professional office be proposed for that dwelling. Mr. Adler agreed. Mr. Ferreira asked how far the subdivision had progressed and was told that this was the last lot to be constructed. Mr. Felice asked what type of structure was proposed in option 1. Mr. Adler said that it would be a single-family house with a home occupation. The Board noted that when the concept was first reviewed, it appeared to be something appealing. Upon further review, it may not have been a good fit. Mr. Raymond pointed out that the property is within a Village Commercial zoning district. Any change from the mixed use will not conform to the zoning district regulations. Attorney Mitson suggested revisiting the minutes of the actual Planning Board decision for better clarification of the approval and have further discussions. *A motion was made by Mr. Ferreira, and seconded by Mr. Desjardins, to review the minutes of the Planning Board approval of the project and continue the review of this request to next month's meeting. The motion carried unanimously.*

VI. OLD BUSINESS:

Continued Discussions & Recommendation to Town Council Ordinance Subcommittee on Revisions to Zoning Ordinance dealing with Ground-Mounted Solar Photovoltaic Installations: *Section 30-211. Ground Mounted Solar Photovoltaic Installations and Section 30-71. Zoning District Uses, Section 4. Public and semipublic uses: (17) Solar photovoltaic installations:* Attorney Mitson began the discussion by highlighting the reasons for revising the current ordinance: *the ordinance does not permit installations that are less than 250 KW; the ordinance does not currently comply with some of the State mandates; the recent ground-swell of renewable energy which the Town should embrace, encouraging home use and setting performance standards [size] and which zoning districts where these installations are best suited within the Town.* The Board was provided with language that he had suggested based on previous discussions and presentations, along with further modifications made by both Deputy Planner and Building/Zoning Official. The Board offered several suggested changes, one of which included the elimination of the area requirement for each type of solar energy installation definition. However, they felt that the size requirement should be included within the Development Plan Review Regulations and should be more flexible with location. Attorney Mitson said the Board could approach area by square footage or percentage of lot coverage. Mr. Raymond added that the ordinance should contain standards for site plan review that mirror the standards for the Zoning Board to grant special use permits.

*A motion was made by Mr. Tremblay to approve the proposed language changes for Section 30-211. Roof and Ground-mounted Solar Photovoltaic Installations, eliminating the language, "**which occupies approximately _____ square feet of lot area,**" from each definition of the type of solar energy installation, and to include proposed changes to **Section***

30-201. Development Plan Review and Section 30-71. Zoning District Uses; and for the proposed language to be reviewed for technical accuracy by Christopher Kearns, of the Office of Energy Resources and the Board's legal Counsel, Attorney Mitson. The motion received a second from Mr. Ferreira. Under discussions, it was decided that one of the standards for a special use permit can be the Planning Board approval of the proposals. The motion then carried unanimously.

VII. OTHER BUSINESS:

Report from Administrative Officer: The Board reviewed the report from the Administrative Officer for the month of February. They noted that during February, a Certificate of Completeness was issued for: *James M. Kollett, Jr., 112 Centennial Street, Pascoag (Administrative-two lots merged)*. There were no plans rejected as incomplete. The following plan was endorsed: *James M. Kollett, Jr., 112 Centennial Street, Pascoag (Administrative-two lots merged)*.

Recommendation of Members Considered for Reappointment: *Leo Felice, Dov Pick and Robert Woods:* Mr. Felice noted that all three members were up for reappointment to the Board. *A motion was made by Mr. Tremblay to endorse the reappointment of Leo Felice, Dov Pick and Robert Woods as all have served faithfully. The motion received a second from Mr. Ferreira and carried unanimously by the Board.*

A motion to adjourn was then made by Mr. Pick at 9:15 p.m. The motion received a second from Mr. Tremblay and carried unanimously by the Board.

Recorded by: _____
M. Christine Langlois, Deputy Planner