

PLANNING BOARD

TOWN OF PETERBOPROUGH, NH

Minutes of February 19, 2018

Members Present: Chair Ivy Vann, Alan Zeller, Bob Holt, Joe Hanlon, Ed Juengst, Jerry Galus, Rich Clark and Dario Carrara

Staff Present: Peter Throop, Director and Laura Norton, Administrative Assistant, Office of Community Development

Chair Vann called the meeting to order noting “this is the second regularly scheduled meeting of the Planning Board for February.” Chair Vann then introduced the members and staff, reviewed the order of business and explained how the meeting would be managed (much like a session at the State House where individuals may speak once on the subject with a limit of five minutes each). “We are not answering any questions about the ordinance” she said adding “this is a public hearing where we will take comment, and after closing the hearing, discuss the comments and whether or not we want to make any changes which would require another public hearing, or move the amendment to ballot.” She concluded “having said that let’s begin with the preliminary.”

Preliminary Consultation - Design Review: Related to proposal to develop and operate a secure, independent, substance abuse treatment facility to be located at 25 and 30 Bridge Street, Parcel Numbers U021-003-000 & U021-002-000 on property currently owned by Springfield Realty Corporation. This property is located in the Village Commercial Zoning District.

Jim Callahan stood and introduced himself as an attorney in town who was representing Stephen Bryan, 1810 Realty Group, Inc., Dorchester, MA the applicant. He told the members the preliminary discussion was for the development, construction and operation of a secure, independent, residential substance abuse treatment facility. He then introduced John Christian, CEO, Modern Assistance Programs, Quincy, MA; Damien Turini, VP & Clinician, Modern Assistance Program; John McGahan, President/CEO – The Gavin Foundation, Boston, MA; and Maddy Kotiuga, Architect, Bruce Hamilton Architects, New Ipswich, NH.

Mr. Callahan pointed out a tract of land located behind the Rite Aid Pharmacy on a projected graphic. “It is a long and skinny parcel of land between Route 202 and the back of the Plaza” he said adding “it is not visible from the road, you wouldn’t

even know it was there.” Mr. Callahan told the members “as noticed the premises is owned by Peterborough Shopping Center, LLC and has provided authorization for Mr. Bryan to proceed with site plan review and associated approvals.” When Chair Vann asked for an orientation of the parcel Mr. Callahan pointed out other recognizable businesses in the area.

Mr. Callahan told the members they were looking forward to developing the project under the new zoning regulations. “We are really interested in form based code” he said adding “we hope it is adopted but we are seeking approval based on both sets of zoning regulations to cover the bases.” Mr. Callahan then told the members as a secure substance abuse treatment facility, it is not a halfway house or a methadone clinic. “That is what it *isn't*.” he said. He went on to note the project included a 64-bed facility that the applicant and his team would speak about.

Chair Vann interjected “just as a reminder, this is non-binding on either side, it is a chance to hear the idea and think about any issues that may be addressed by the Board *before* an application is made.”

Mr. Bryan stood and gave a brief biography of his professional life as well as his background in construction and real estate development. He told the members he specialized in developing real estate in the realm of social service components (elderly, social services needs and mental health issues). He pointed out the lack of treatment facilities in New Hampshire and that he had founded a team of professionals to put together and supply a service that the region so greatly lacks. He then re-introduced John Christian and John McGahan to speak about the Modern Assistance Program and what is being offered. Mr. Christian began with “we have 100,000 covered lives. We place people in treatment, we offer treatment.” He also noted many New Hampshire residents were exported out of state due to the lack of services. Mr. Christian told the members they’d had conversations with both the Fire and Police Chiefs as well as the executive team at Monadnock Community Hospital.

Mr. McGahan gave a brief overview of the self-contained, short-term (less than 30 days) residential program for medical detoxification and clinical stabilization facility. “This is an acute clinical treatment program with stepdown services” he said adding “64 beds, 32 for detox and 32 for stepdown with an average length of stay of 5-7 days for detox and 10-14 days in stepdown. We will have about 70 full and part-time employees including medical staff (Medical Director and Nurses) for acute care, clinicians, counselors, case management services for next level care and support staff including housekeeping, maintenance and administration.” He noted the building itself will be two stories and 30,000 square feet. We are recovery specialists and we hope to fill a need in the community.”

Mr. McGahan explained the admission process including a medical, psychological and social screenings “If medically stable they are assigned a room and the program begins. He noted two group sessions in the morning, two in the afternoon (AA, Alanon, NA groups) and activities in the evening. He told the members what participants bring into the facility with them is minimal and they are not permitted packages or visitation. “14 to 21 days before the next phase of recovery is a short time to do it right” he said.

Chair Vann opened the Preliminary to the public.

Jill Schaffer Hammond asked about payment for the program with Mr. Christian replying “personal health insurance, Medicare, Medicaid and some private pay.” Doug Williams asked “what is it about the location that appeals to you?” Mr. Christian replied “this site is local, other treatment facilities are quite a distance away.” Mr. Callahan interjected “it is a secure facility, patients won’t come and go into the community.” Jim Walsh asked “what is it called?” Mr. Christian replied “Acute Treatment Services.” Mr. Walsh then asked “drug and alcohol treatment? And do they come in by choice?” Mr. Christian replied “yes and it is not court driven.” Loretta Laurenitis asked about the ratio of men to women and their age ranges. She also asked “do you have any concerns with the liquor store being right there?” Mr. Christian replied “patients are 18+ and it is mixed gender, typically a 70/30 ratio of men to women.”

Tim Donovan noted he had a comment and that was that there *were* many people going out of state for treatment “it is encouraging to hear you are willing to come to New Hampshire. Peterborough is an altruistic town and this offers people a chance to stay in state.”

Mr. Callahan noted that being on the cusp of the two zoning regulations noted that the premises was currently located in the Village Commercial District and “commercial uses are permitted by right.” He went on to note the zoning ordinance defined commercial use as an occupation, employment or enterprise that is carried on for profit by the owner or licensee (retail sales, grocery store, personal and professional services) and while part of treatment protocol involved medically supervised detoxification, a significant aspect of the program involves provision of therapeutic treatment modalities. “I would like to respectfully request the Board and/or the Office of Community Development make an administrative decision that this treatment facility be deemed a commercial use as contemplated in the District use regulations” he said. Mr. Callahan noted under the new zoning the facility would be located in the T-5 Town Center District “and would be permitted by right.” He then distributed a graphic of the proposed building. Architect Maddy Kotiuga answered several questions and a brief discussion about the building type and Transect Zone followed.

Mr. Callahan noted they may request waivers for the porch (not going the full length of the structure) and doghouse dormers. "This is very preliminary but it is a long building, we would like to break it up with some dormers" said Ms. Kotiuga. Chair Vann replied "we would have to talk about that." Mr. Clark asked "are you going to bring the lot down to grade or build it up on the hill? Mr. Callahan replied "build it on the hill."

With no other questions from the Board or the audience Mr. Callahan asked "what is next?" Chair Vann replied "you put together a site plan review application with all relevant pieces and we schedule a public hearing." Mr. Callahan looked to the members and said "thanks a million, we are excited about the new zoning changes and that hopefully we'll be the first one out there. We have checked off a lot of boxes, this is a win-win."

Planning Board Response to Newspaper Article published February 15, 2018:

Chair Vann read a letter composed by the members of the Planning Board to address several statements printed in the *Viewpoints* section of the local newspaper. She noted a serious misreading of the proposed ordinance and emphasized the zoning simplification does not allow any more density in any residential neighborhood than is allowed under current zoning. This letter has been attached at the end of the minutes.

A motion was made/seconded (Hanlon/Zeller) to endorse the letter, sign and send it to the Monadnock Transcript Ledger with all in favor.

Public Hearing on a draft Zoning Amendment: Zoning Simplification - The purpose of the proposal is to simplify the Zoning Ordinance by amending Articles I, II, IV, V, XI, and XII (new) to:

- a. Repeal and replace the existing residential, commercial, and mixed-use zoning districts in Article II "District Regulations" and the Traditional Neighborhood Overlay Zones with new districts and regulations that:
 1. Retain existing uses and standards permitted in the Rural District;
 2. Consolidate and reduce the multiple residential, commercial, and mixed-use districts;
 3. Integrate the uses and standards embodied in the recently adopted Traditional Neighborhood Overlay Zones I (2014) and II (2017) and the existing residential, commercial and mixed-use districts, into the new simplified Residential and Mixed-Use Districts;

4. Add a simplified table of “Allowed Uses by District” and clarify uses in the Monadnock Community Health Care District.
 5. Add “Building Types” that are permitted in each new district in Article II with the intent of replicating the look and feel of the existing development in Peterborough (detailed descriptions of Building Types and Standards are added in a new Article XII);
 6. Revise and integrate minimum parking standards into Article II and relocate other parking regulations and design requirements from Article V of the Zoning Ordinance to the Chapter 233 Planning Board Site Plan Regulations.
 7. Update purposes and definitions in Article I to be consistent with proposed changes to Article II;
 8. Revise the official zoning district descriptions and zoning maps to reflect the proposed changes in Article II (Zoning district descriptions and maps formerly in Article X, are now in Article XI).
- b. Eliminate the requirement of owner occupancy for all Accessory Dwelling Units (Article IV).

Chair Vann told the audience “this was a lot of work, I am not going to read it to you, I’ll just do a quick description of what changes and what does not.” She reiterated how the hearing would be managed and that at the end she would close the public hearing and the Board would deliberate on the next course of action.

After reviewing the synopsis of the changes to Articles I, II, IV, V, XI, and XII Chair Vann told the audience “the goal is to create as few nonconforming lots as possible.” She reviewed the three primary considerations: past adoption of a number of Overlay Districts “that have accomplished what the people have said they wanted through the Master Plan,” the adoption of a form based code “so new buildings are appropriate and in scale to what we have,” and not having nonconforming lots “make lots in places like Hunter Farm Road, Sand Hill Road, Mountain View Drive and Pine Ridge conforming. This makes it easier to get a mortgage or build a garage. It is easier to do everything”

Chair Vann then briefly reviewed the Transect Zones of the Form Base Code as well as a history of the Traditional Neighborhood Overlay Zones I and II (additional density to in town neighborhoods with existing town water and sewer). She noted the (numerous) public workshops for the amended ordinance to allow 5000 square foot

minimum lot sizes, parking at the side and rear of buildings, town water and sewer and 40% lot coverage “so you cannot put a giant house on a tiny lot, that is not the goal” she said. She also reviewed the Building Type Summary and noted “nothing else changes, none of the rules of health of the ecosystem (wetlands, floodplain, shoreland) have changed. This is zoning that can apply easily and fairly” she said.

Chair Vann then read a letter submitted for the record from Jo Anne Carr who thanked the Board for their significant efforts but expressed remaining concerns about the maximum density and impervious surfaces that may disregard natural and cultural resources, form based code design standards across the districts, the definition of Accessory Dwelling Units (ADUs) and the suspension of owner-occupied ADUs.

This letter has been attached at the end of these Minutes

Chair Vann noted the (numerous) workshops that had been held and how the townspeople had been enormously beneficial in the process. Mr. Holt interjected “it is really a continuation of the work that has gone on for so many years.” Chair Vann agreed adding “since West Peterborough.” Mr. Juengst told the group “I was not on the subcommittee but I attended the workshops and found them to be good. The Planning Board listened to the things brought up and addressed everything in a very positive manner to help shape the form base code we have today.” Mr. Hanlon added “I was more resistant than most of the others throughout this process but overall it is permissive to those wanting to build and it encourages density in the downtown.”

Mr. Carrara pointed out that as the Zoning Administrator for the past six years “zoning has become more complicated, it takes much more time to review what people can and cannot do with their property.” He went on to say “nothing against the ZBAs and Planning Boards that have gone before us. Zoning in the 1970s and 1980s has changed. “This brings properties into conformance with flexibility. We are headed in the right direction with this proposal” he said.

Chair Vann opened the hearing up to the public for comments. She reminded the audience they had five minutes to speak and would be given a four-minute warning for punctuality.

Loretta Laurenitis introduced herself and ran through a list of concerns including putting the ordinance on hold to afford more time to meet with community groups about the implications the zoning may have on them, the spirit and intent of changing the traffic and parking, changes in boundary lines that affect properties and whether or not owners should have been notified, missing definitions, restrictions of form and size, design standards for high versus low traffic roads, the change in owner occupied

ADUs, environmental issues and finally “I cannot see where Office District has been removed.” Thank you so much” replied Chair Vann.

Francie Von Mertens introduced herself and began by saying “this is a major change, you want the voter to be knowledgeable and you have to have more meetings. This is major, this is major.” Ms. Von Mertens voiced her concern about density, buildouts and town water. “This is forever, we don’t know what is going to happen in the world and Peterborough is going to become a desirable place to live. This impacts the town forever, we’d better do it right” she said. Ms. Von Mertens noted concern over greater impervious surfaces being allowed, absentee landlords, the lack of earned neighborhood amenities if development is allowed by right and making the ordinance simpler in general “what is wrong with Village, Rural and Residential? “ she asked adding “it is hard for us. We need explanations.” “Thank you so much” replied Chair Vann.

Jim Walsh introduced himself and told the members he was concerned about the commercial side of the ordinance and the restrictions of business. “Actual new business properties as well as the perception this creates” he said. Mr. Walsh noted the involvement of many private citizens in town who are working hard to attract new businesses to the town and while he was starting to see a turn to a friendlier environment he also noted the town’s reputation of being anti-business. “The perception is there” he said adding “and this flies in the face of those private citizens working so hard to improve jobs and the tax base. These are real concerns, not just talk and the perception of a limit for a commercial building to 100 by 100 feet in a commercial district excludes a *whole* lot of things.” Mr. Walsh also noted his concern for the building types presented in the ordinance and said “the more regulations the greater the difficulty to increase the business community in Peterborough.” “Thank you so much” replied Chair Vann adding “it is actually 120 by 120 feet in the Commercial District.” With a smile Chair Vann asked “is there anyone *for* this ordinance?”

Steven Graves introduced himself and told the members “I am aware of the new zoning and I am affected by it.” He went on to say there had been numerous workshops “to the point that when my wife was leaving for the last I asked her really? *another* one? Don’t people understand what is happening?” He told the members “I have a full understanding of it, my wife went without me because I felt I knew about it. With all due respect I find it hard not to understand, it is plain and simple.” He concluded by saying he felt the Board had gone above and beyond in their efforts for distributing information about the ordinance. “The ordinance changes my lot but makes it clearer for them to set clear limits on new buildings and growth in the Downtown. I believe that is what we need. I totally support it and you have my thanks.” “Thank you so much” replied Chair Vann.

From the audience someone asked Mr. Graves “where did you get the information?” Chair Vann cited the eight public workshops, notices posted in the local newspapers and notice boards in the town’s public buildings, the Town Website, posted Zoning Subcommittee meeting Minutes and handouts.

Carol Kraus introduced herself and simply said “I agree with Steven who just spoke. We value your work.” “Thank you” replied Chair Vann.

Ryan Griffiths introduced himself and also noted the value of the dedication of the Planning Board. Mr. Griffith told the audience “we moved here from northern Virginia, we chose Peterborough because of how it looks.” He noted his concern about absentee landlords and ADUs without owner occupancy and asked “does having workforce housing actually create a workforce?” He also noted concerns about parking. Mr. Griffith concluded by noting “that is all I wanted to say, I am afraid the town is going to change and I don’t want to move again, I am afraid it will change into something else.” Chair Vann replied “thank you so much.”

Sarah Stenberg introduced herself. “I have been to all but one of the workshops and I am in favor of the new zoning” she said adding “I feel like saying *take a deep breath*, it is not a grand change that is proposed. I hear the over the top rejection and I get a *not in my backyard* feeling.” Ms. Stenberg told the members she lived on High Street. “It is a mixed street with old homes, the elementary school and McDowell Colony but I am alarmed when I hear that this is great place to live...but not for certain kinds of people.” She concluded “there are always ways to build on zoning and improve it. We are not locked into it forever (and with a smile said) I don’t think we will become northern Virginia. Change is a hard thing and the Planning Board has made themselves very available to the community.” “Thank you so much” replied Chair Vann.

Heather Peterson introduced herself and noted she had done some research on form base code (formbasecode.com). She went on to note the code was used for cities with their poster child being Nashville, Tennessee. Ms. Peterson told the audience “we are a market town, not a bedroom community. People from outside come in to do their shopping. She noted her concern over the lack of commercial space as well as constraints on building sizes. “Commercial properties have sold at much less than their assessed values” she said, adding “this concerns me.” Ms. Peterson went on to review the property tax rate (“which is in the top 10% of the state”) and the commercial/residential ratios and told the audience “the last tax assessment showed commercial at 19% and that included the retirement communities and large apartment complexes.” Ms. Peterson concluded by noting her concern about making a balance in the town for businesses and retail space.

Jill Shaffer Hammond introduced herself and told the group “I am in favor of this” she said adding “the interaction makes it more conforming and legal and the intent is that as we grow we look more like we look like.” She concluded by noting the business and retail spaces currently not occupied in town saying “something else is going on here, it is not the fault of zoning (and) as a recovering lawmaker, once it is passed, you can change it. The current zoning has a lot of patching we need to pick it up and shake it out.” “Thank you so much” replied Chair Vann.

Doug Williams introduced himself and pointed to the lack of commercial land. “We need more than residential to support and balance the town” he said. He asked the Board if they had a plan for the future “we need some other things” he said adding “people will shop somewhere else, we need a long range view to stay in existence.” “Thank you so much” replied Chair Vann.

Francie Von Mertens interjected a point of fact on data-based comments on tax impact via-a-vis an Ad hoc study out of Vermont on New Hampshire towns. Basically speaking she told the audience “more commercial does not necessarily mean less residential taxes. You *cannot* generalize that more commercial will generate less residential taxes, there is not straight line in the comparison, it is variable. It is counterintuitive and hard to grasp but you *cannot* develop your way to lower taxes” she said.

Andy Peterson introduced himself and thanked the Board for their response to his article in the newspaper. Mr. Peterson mentioned cluster regulations and how they affect the number of units as well as the review of the amendment before them. He noted single family and duplex homes in the Family district where multi-unit apartment complexes could be built within a few feet of their boundary lines. “40 or 100 or more units” he said.

Mr. Peterson told the group “I love this town, I was born here in 1956 and have worked on hundreds of projects before this Board with positive elements for the town. I live here, pay a mortgage and property taxes and have property interests.” He went on to note the town had been built on the hard work and generosity of those that came before us. “We stand on the shoulders of Mrs. Cheney who build beautiful homes and buried the electrical wires in the Depot Square area with her own money.” He went on to say “and we have the same type of citizens investing in Peterborough today.” He gave examples of commercial to residential tax percentages (“what used to be 50/50 is now 20/80” he said.) As Mr. Peterson was advised of his four-minute warning he replied “it is hard to fit 61 years of experience into five minutes.” He went on to tell the Board “you are solving a problem you created with the Traditional Neighborhood Overlay Zones. This ordinance needs more work. A philosophy that allows our town to

come with emphasis on triple-deckers and devalues commercial bases will be a very different town.” Chair Vann replied “thank you so much.”

Seth Chatfield introduced himself also as a resident who had lived most of his life in Peterborough. “I am on a town Board but I am here as a citizen” he said. He went on to say “zoning exists as guidelines for what can be done now. It is not a brand new idea to suddenly have a way to judge what to do on a piece of land. It is not a giant sweeping change, it is a simplified system to what we currently have for land use in Peterborough.” Mr. Chatfield told the audience the ordinance is not something to be afraid of. “Personally, I am in favor of it” he said. “Thank you so much” replied Chair Vann.

Chair Vann asked the public if there was anyone else who wanted to speak, there being none, she closed the public hearing. The Board reviewed the comments that had been raised and discussed whether there were any changes they wanted to make to the ordinance.

Chair Vann took a moment to review tax impacts and zoning. She cited Urban Planning Consultant Bob Gibbs and his philosophy on the successful development of commercial property. She cited several percentages of numbers of household or residents required to sustain large commercial endeavors. For example, she noted a town the size of Peterborough (6200 residents) could sustain 50,000 to 70,00 square feet of retail and said “my sense is the we are not going to attract much more retail than we have.”

Mr. Hanlon noted the importance of using the infrastructure (sewer, water and roads) already constructed. Mr. Galus agreed adding “the infrastructure is underutilized, we don’t need more water and sewer, we need more water and sewer users to share a fixed cost.”

The conversation turned to ADUs and the elimination of the owner-occupied requirement. Char Vann told the members “I was there when that batch of sausage was made” (at the State House) and gave a brief background on the Municipal and County Government Committee discussions. She noted duplex buildings “which do not require an owner occupancy requirement. I find that (having no owner occupancy requirement in one and requiring owner occupancy in the other) morally ambiguous and difficult.” She went on to say if people are exhibiting bad behavior in ADUs “we’ll have to deal with it.”

Mr. Carrara reiterated ADUs are allowed in single family homes, can be up to the greater of 750 square feet or 30% of the size of the principal residence and may be

attached or detached. Mr. Juengst agreed there was good reason to revoke the owner occupancy requirement.

Mr. Holt reviewed the perception of the goals of zoning and Chair Vann read 245-1.1 *Purpose and Enacting Clause* of the ordinance to the audience. When she finished she added “This is all Mom and apple pie, we are not going to achieve nirvana in Peterborough but this is probably what it would look like.” She reiterated the goal as they were amending the zoning ordinance was to apply the existing zoning equally and fairly and reduce the number of nonconforming lots.

The members briefly discussed whether or not they should hold another public hearing or move the ordinance to ballot and concentrate on informational sessions. They reviewed the timeline involved in the countdown to Town Meeting. Mr. Holt noted there were no substantial changes and suggested they move the ordinance to the ballot. Chair Vann replied “OK there are no changes but what about additional information from public interaction?” Mr. Clark interjected “people have had countless opportunities to talk about this, we are not going to make everyone happy but we have given plenty of information. We should move it to the ballot and get on with scheduled information sessions. We have done our due diligence, we are ready to go.”

A motion was made/seconded (Juengst/Zeller) to move the zoning amendment for 245 Articles I, II, IV, V, XI and XII to the May Town Meeting ballot with all in favor.

Solar Energy Systems Public Workshop: The purpose of this proposal is to consider adding a new section to address regulatory requirements for solar installations.

Mr. Throop gave the members a brief background on an RFP out of Massachusetts for the development of large scale solar fields (a 20-megawatt, utility scale system) and the Town had been approached with a proposal for a 100-megawatt solar array on a 130 acres parcel of land. He noted the town has permitted solar installations as an accessory use, for residential and commercial principal uses, but not as a standalone commercial enterprise. Mr. Throop indicated that several citizens concerned about climate change and renewable energy asked the Select Board to create an Ad hoc Energy Committee. Members of this committee and the Conservation Commission participated in researching and drafting an ordinance to regulate and permit solar energy generation.

Mr. Throop noted Committee members Joel and Anne Huberman were in the audience. He added Emily Manns, JoAnn Carr, Francie Von Mertens, Steve Walker, Dorie Drachman, Rodney Bartlett and Chris Anderson had also participated. “They did a ton of research, pulled model ordinances and helped create this draft. It was a great

process” he said. He pointed out that the draft is a first step to allow modest systems limited in size to a scale comparable with the Town’s municipal system. “Until we have a chance to better understand the potential adverse impacts of larger systems and can gather public input about those larger systems, we wanted to cap size to what we know.” He noted, “the types of impacts that we are concerned about and that ordinances from other places address include excessive deforestation, habitat loss, soil disturbances, changes in stormwater runoff, erosion, and visual impacts to residential neighborhoods and roads.” Mr. Throop then projected a graphic with a chart of array sizes and the dimensional requirements for a free-standing solar development. “No parcel is perfectly square or flat” he said as he pointed out the necessary 3:1 ratio of the height of trees to the edge of the panels and vegetative or non-vegetative buffers. “You can see a large array can have a pretty big impact.” When asked, Mr. Throop noted there was negligible adverse impact with rooftop panels. “We encourage as much rooftop systems as possible” he said adding “and they can be residential/commercial and shared/community solar energy systems.” When asked how big a system could be Mr. Throop replied “we are capping this for now at a nonutility scale of one megawatt. That will be the limit.” Chair Vann interjected grayfields and parking garage roofs were also potential locations for solar arrays.

Mr. Throop reviewed the ordinance (*Authority, Purpose, Definitions, Uses by Districts Free-standing and Roof-mounted Systems*). He told the members the roof-mounted systems would be exempt from the height standards. Mr. Clark asked for clarification with Mr. Throop replying “if the building height limit is 50 feet and solar panels add three feet to a 50-foot high building it technically becomes 53 feet tall but is exempt to the standard.” Mr. Clark asked “what about lollipops?” adding “they can up to 12 feet high.” Mr. Throop interjected “lollipops systems are like the ones found on the roof of the MicroSpec Building in town” with Mr. Clark adding “they look like radio antennas.”

Mr. Huberman noted the lollipop system are very expensive and doubted their frequent use. “I don’t know” replied Mr. Clark, if the building is not facing south people will engineer ways to collect the energy.” Addressing the Board with a smile Mr. Huberman concluded “well if the roofs are not facing the right way we suggest *you* suggest to *us* lollipops should be under more stringent review!”

Mr. Throop reviewed utility connections, access, and abandonment and decommission processes and guidelines. He noted small arrays would be reviewed via Site Plan Review and said “I expect when we continue our work on this next year to consider larger systems, we would most likely require a Conditional Use Permit.” He continued “our goal right now is to get something into the ordinance so the smaller systems can be permitted while making sure the neighborhoods and community is adequately protected.” He reviewed the timeline (countdown) to the deadlines to move the

proposed amendment to ballot. “It is pretty critical this gets on the books” said Chair Vann. She then suggested they move the proposal to a first public hearing March 12, 2018 at 6:30 p.m. After additional discussion on nonconforming rooftops, rooftop sail systems and a height limitation (Mr. Clark suggested twelve feet) for lollipop systems, the Board asked that language be added to address visual impacts associated with taller roof top mounted systems.

Mr. Throop commented to the members that the amendment had been reviewed by the Town Attorney.

A motion was made/seconded (Hanlon/Zeller) to move 245-4.9 Solar Energy Systems ordinance to a public hearing on March 12, 2018 at 6:30 p.m. subject to the adding a provision addressing visual impacts associated with taller roof-top systems, with all in favor.

The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Laura Norton

Administrative Assistant