

MINUTES
PLANNING BOARD MEETING
DECEMBER 16, 2015

PRESENT: Ed Dekker, Chairman, Liz Freeman, Tim Jones, Bert Hamill, Dave Lage, Deirdre Daley, Louise DelPapa

The meeting was called to order at 7:06 p.m. at the Town Office.

Deirdre Daley was appointed to fill Ned's vacancy.

7:06: PUBLIC HEARING ON THE AMENDMENT TO THE ZONING ORDINANCE ON LIGHTING AND DARK SKY PROTECTION ORDINANCE

Ed gave an overview of the amendment. Ed requested discussion or questions from the Board or audience. Ashley Saari questioned who would handle complaints received and Ed responded the Board of Selectmen or their designated agent. Ed stated a second hearing is not necessary as no changes were made to the amendment. Liz made a motion to forward the amendment to the Town Clerk to be included on the Town Warrant. Bert seconded the motion and it passed unanimously.

7:30: PUBLIC HEARING ON THE AMENDMENT TO THE ZONING ORDINANCE ON COMMERCIAL AND INDUSTRIAL NOISE

Ed gave an overview of the amendment and went over the changes made at the meeting held on 12/3/15. Ed explained that the strike-outs in the draft ordinance have been eliminated and the wording in bold are additions. The changes made at the last meeting (12/3/15) are as follows: Paragraph 5, a. Noise Limits, the sentence should read; "All commercial and industrial noise emissions shall not exceed the noise limits in **Table 3A** anywhere at any time on another property unless the owner of that property has granted a noise easement to the facility or **a special exception has been granted by the ZBA according to paragraph 5b of this article.** Table 3A heading should read; (strike the Town of New Ipswich) **Operational Noise Limits.** The chart on Table 3A; all of the L01's were change to **L10.** Table 3B was added to the amendment; **Noise Limits by Special Exception for Non-Residential Properties.** Paragraph 6, change Table A to now read; **Table 3A and Table 3B.** Paragraph 7, change noise level L01 to **L10.** Paragraph 9, will be changed to add sub paragraphs **a.** and **b.** As the Board review the document, two more changes were added: On table 1, a note to add reference of the EPA levels document. On paragraph 8, Noise Compliance, the sentence should read; "Compliance noise measurement are the financial responsibility of the **owner of the facility** and shall be independently performed by a qualified professional approved by the **Board of Selectmen when directed by the Board of Selectmen or their designated agent.**" Liz will make the corrections and email a copy to Louise and the Board. Bert made a motion to approve the changes as amended. Deirdre seconded the motion and it passed unanimously. Liz made a motion to have a second hearing already noticed for January 6, 2015. Bert seconded the motion and it passed unanimously.

DIMENSIONAL CONTROLS-ZONING ORDINANCE

Bert mentioned there is no setback for the rear of the property. The Board discussed this issue and agreed to draft an amendment to Dimensional Controls for minimum rear setback for structures of 20 feet. Liz will write the amendment. Deirdre made a motion to amend the zoning ordinance for minimum rear setbacks for structures of 20 feet in all districts. Dave seconded the motion and it passed unanimously.

CAPITAL IMPROVEMENT PLAN

Bert attended the Selectmen's meeting on December 1, 2015 and George Lawrence asked if the Board would be updating the Capital Improvement Plan. Bert stated that he had worked on this four years ago with Ned. Liz stated by law we do not need a plan but she feels it is a good practice. Bert said it took months to get the information needed and he would be willing to work on the plan, but not chair the committee. Bert said he would ask around to see if he can find someone willing to work on this committee.

GROUND WATER PROTECTION ORDINANCE

Liz stated Bob Boynton of the Conservation Commission was to submit a definition and maps for the Ground Water Protection Ordinance. As of this date, Bob has not responded to this request. Liz stated she did not feel she was qualified to complete the ordinance and felt the Conservation Commission has not put the effort into the ordinance. Liz stated she has already put many hours of work into the ordinance. Dave said he would email Bob to get the information needed.

ROBERT CLOSE– GRAVEL PIT COMPLAINT

Mr. Close sent an email regarding the change in operating hours of the Bruce White gravel pit, Turnpike Road, from 7:00 a.m. to 7:00 p.m. Ed stated the allowed hours of operation stated in the gravel ordinance is 7:00 a.m. to 7:00 p.m. and they changed the hours to reflect the ordinance. Mr. Close stated that as an abutter he should have been notified of the change. Mr. Close's major complaint was the incredible amount of noise from machinery very close to his property and affecting his ability to work and enjoy living in his home. Mr. Close would like the hours changed to 7:00 a.m. to 4:00 p.m. The Board would like to meet with Bruce White and Robert Close on January 20, 2015 to discuss the matter.

The meeting adjourned at 9:50.

Respectfully submitted by:

Louise DeIPapa
Land Use Clerk

