

**COHASSET PLANNING BOARD MINUTES**

**DATE:** WEDNESDAY, APRIL 7, 2010  
**TIME:** 7:00 P.M.  
**PLACE:** COHASSET TOWN HALL – moved to SELECTMEN’S OFFICE  
41 HIGHLAND AVENUE, COHASSET, MA 02025

**Board Members Present:** Alfred S. Moore, Jr. – Chairman  
Jean Healey-Dippold, Clerk  
Charles A. Samuelson  
Clark H. Brewer

**Board Members Absent:** Stuart W. Ivimey, Vice Chair

**Recording Secretary Present:** Jo-Ann M. Pilczak, Planning Board Administrator

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**Meeting called to order at: 7:10 P.M.**

**7:10 P.M. ADMINISTRATION**

- **VOTE TO APPROVE MARCH 24, 2010 MEETING MINUTES**  
**MOTION:** By Member Brewer to approve the March 24, 2010 meeting minutes  
**SECOND:** Member Healey Dippold  
**VOTE:** 4 – 0 MOTION CARRIES
- **LEED FOR NEIGHBORHOOD DEVELOPMENT WEBINAR – DISCUSSION** – postpone discussion to April 21, 2010 meeting

**7:15 P.M. DISCUSSION WITH AEC – WIND TURBINE BYLAW UPDATE**

AEC members Andrew Willard, Jeffrey Patterson, Mimi White and Marie Caristi-MacDonald in attendance. AEC intends to sponsor public hearings April 27 and May 20 to obtain public input. They anticipate drafting potential changes for the 2011 ATM. AEC has no preconceived notions about specific changes right now. Member Moore noted that the Planning Board is not interested in any particular agenda but would like to address this bylaw that appears to be unworkable in its current state and should either be rescinded or amended. Moore added that the AEC can come to the Planning Board for informal discussions to work out any issues before the public hearings. Member Brewer stressed the importance of complying with the Green Communities Act program (although compliance can be accomplished without wind turbines) so the Town qualifies for grants. Member Samuelson thought there were only two locations in town where turbines can be built – Scituate Hill and the Golf Course. He thought the town would have to resolve financing issues if placing one at the Recycling and Transfer Facility (RTF) and wonders how the town could manage a project like this. Samuelson questions whether it is even worth the time and effort to put any more attention towards this bylaw. Member Brewer disagreed stating that: a large number of people are interested in wind turbine technology to create a green and sustainable culture; the intent of the bylaw was very good; the CCI Energy turbines were not approved because of a zoning technicality; and, there are locations within the Cohasset borders that the majority could agree would have the least impact on the community, property values etc. AEC member Mimi White also disagreed stating that, in addition to environmental benefits, it is important to save money on energy and the best way to do that is with wind turbines and that there is no question that the AEC wants to put energy into reworking the bylaw. Samuelson further stated the opinion that the bylaw is fine the way it is with the exception of changing the work “shall” to “may” to give the Planning Board more discretion in its decisions. AEC member Andrew Willard noted that CCI Energy came in with a proposal for two 100 meter towers and that if their proposal was for one tower, they may not have had problems with the residential district line. He added that the AEC has continued looking at placing a turbine at the RTF and have completed flicker, noise and acoustic studies. Member Moore noted that zoning should protect the rights of private owners but when the town has a plan, it affects the rights of everyone, not just one individual – perhaps a question should go to Town Meeting again to determine if the Town even wants a turbine, then, proceed accordingly. Willard noted that the town has taken 3 votes where the town has said they are in favor of wind power, but perhaps they were not in favor of the CCI Energy proposal or the bylaw as it was ultimately written. Willard believes the AEC owes it to the town to air this issue one last time and if the town really doesn’t want turbines, the bylaw could be gotten rid of and the town would have to wait for the State to impose something without the town’s consent. AEC member

Jeffrey Patterson noted that he does not think the original bylaw was drafted with one developer in mind but wants the AEC to bend over backwards to begin this process with a blank slate and get input from the public. Member Healey Dippold thought it makes sense to open the whole topic up to the town for ideas. She feels there are a few spots in the bylaw that could be reviewed and reworded, citing the lack of objective standards that exist regarding visual impact as an example. The AEC agreed that they would reset their target date as 2010 Fall STM. Attorney Kenneth Ingber (who represented CCI Energy filing) suggested that the group needs to start with objectives first, then write the bylaw so that the language reflects the objectives— warning that the language should not force the analysis.

Member Brewer followed up this conversation asking what planning process the Board should enter with the AEC regarding alternative energy. Samuelson suggested the need for a master plan as there are several issues in this town that the Board should take a position on and create a list of what things the Planning Board would like to see happen – alternative energy options, sidewalks, waterfront development, current trends such as an aging population that might not be able to transport themselves around town, aging population moving in with their children and its effect on in-law regulations such as accessory dwellings, etc. – and then go about identifying how the Board would like to accomplish these things. Member Brewer expanded on this stating that perhaps each member should be assigned a specific area of responsibility to accomplish these things. Member Moore noted that much (at least half?) of the goals in the draft master plan have been accomplished so it is now outdated and perhaps it is time for a new one, setting new goals. ***Board agreed that each member should come to the April 21<sup>st</sup> meeting with 5 ideas/topics/issues that he/she thinks the Board should have a policy position on and which could become master plan table of contents/studies/actions.***

**8:15 P.M. 2010-2016 OPEN SPACE & RECREATION PLAN – REVIEW, COMMENT**

Board concerned about the language on page 9-1, Section 9.0 (a) point 3. Board notes there are no such things as building bylaws. Board is also not sure that zoning bylaws are designed to support the goals of the open space and recreation plan and other planning documents. Board does not feel that zoning bylaws should be driven by the goals of the open space and recreation plan. Indeed, it should be the looked at in terms of whether there are zoning bylaws that prevent parts of the open space plan from going forward. The wording looks as though the open space & recreation plan is the driving force when the zoning bylaws should be the driving force that the open space and recreation goals should comply with – not all zoning bylaws are oriented towards open space – perhaps those zoning bylaws that are oriented towards open space could be tailored, but many are not.

Board would like this reworded to be more accurately reflect what the Planning Board does: “ Review zoning bylaws to assess whether they support the goals of the Town and make recommendations to appropriate boards as necessary.” The Board does not review the zoning bylaws to assess whether the zoning bylaws support the goals of the open space and recreation plan. In addition, review of zoning bylaws occurs continually as a result of hearings where problems are unearthed and the bylaws are amended appropriately.

**MOTION:** By Member Brewer to add wording to the draft endorsement letter to the OS&R Committee indicating that the Board can endorse the OS&R plan with the wording in 9.0(a) point 3 changed to:

“ Review zoning bylaws to assess whether they support the goals of the Town and make recommendations to appropriate boards as necessary.”

**SECOND:** Member Samuelson

**VOTE:** 4 - 0 MOTION CARRIES

**MOTION:** By Member Brewer to congratulate Member Samuelson on having passed the Coast Guard Captains Licensing exam.

**SECOND:** Member Healey Dippold

**VOTE:** 3 - 0 MOTION CARRIES

**MOTION:** By Member Brewer to adjourn at 9:20 P.M.

**SECOND:** Member Healey Dippold

**VOTE:** 4 - 0 MOTION CARRIES

**NEXT REGULAR MEETING: WEDNESDAY, APRIL 21, 2010 AT 7:00 P.M.**

**MINUTES APPROVED:**

**DATE:**