

Minutes, Planning Board meeting, September 20, 2012

Present: Diane Poland (Chair), Joe Strzegowski, Mike Kurkulonis, and David Barten.
Absent: Kate Eugin-Moore.

The meeting began at 7:05 pm. There were six agenda items:

(1) Minutes—the minutes for the meeting of September 6 were unanimously accepted.

(2) Sinclair Water Works—David was asked to report on his research into this Town-owned water works. He presented an old assessors' map (2000) which shows the exact location of the 7.9 land-locked acres owned by the Town. The plot lies northwest of the French's property and abuts it on its southern edge. It abuts the Zales land on its eastern and northern edges. While the plot would seem closest to the French's property as a point of access, Russ French said there used to be a road that extended from Pine Hill Road to it.

In 1916, Alexander Sinclair purchased this land on which there was a cistern fed by four springs. This water works was passed on to his son, Harry, who seemed to have sold 4 acres to Jeanette Sibley, Ruth Kirsh, and Hazel Amsden before 1938. The 4 acres were put up for auction in 1961, for the failure of their estate (an estate dating to 1938) to pay taxes. But no bid was made on the land, and the Town claimed it. How 4 acres became 7.9 is not clear, but in 2012, the 7 plus acres is owned by the Town. It would seem that no one from the Town has been to check on this cistern or the property in recent memory.

The Planning Board has taken an interest in this plot as a possible municipal water source for the center of town, or should the water source be unreliable as a piece of land that could be cleared of forest and used for solar installation, or land that could be swapped for ownership of other privately-owned land in Burkeville, which could be used by the Town in some way.

To determine what, in fact, the Town owns, Joe suggested that members of the Board hike to the Water Works, by accessing it from the French's property. Joe volunteered to lead a hike. David and Diane said they would go. David volunteered to talk to Russ French to get permission to cross the family's property. Date of hike is to be arranged, once David has talked with Russ.

(3) Bylaws—The discussion about these was in response to Peggy Sloan's (FRCOG planner) presentation at the previous meeting. She had made several suggestions about streamlining and updating the Protective Bylaws. After discussing her suggestions, the proposal was made that FRCOG should be asked to examine our Protective Bylaws by way of making them more accessible and less antiquated in the way they are written. Joe noted that FRCOG would not do this for free, and the Town would have to come up with the payment. He noted that Peggy had indicated that there might be grant money available to pay for an up-grading.

Mike and Joe then focused on section 22.1 and 23.1 of these bylaws and a discussion ensued about lack of clarity in what is said in these sections. It was agreed that the gray areas need to be clarified before FRCOG becomes involved. Diane suggested that Joe and Mike, and Rick Bean, get together before the next meeting to bring clarity to what is written.

Once the Bylaws have been streamlined, and should the AG's office accept them, they would have to be placed before the Town at an Annual or Special meeting. The question was, whether the Board should place all changes before the Town at one time, which could prove a mouthful Board should place the entire set of revised Bylaws before the Town, despite the possible difficulty.

(4) Rezoning—Having discussed a revision of the Protective Bylaws, there was a focus on the distinction between General Bylaws and Protective Bylaws. Joe suggested that the latter should be called Protective Zoning Bylaws. It was agreed that this should be done. This point evolved into a discussion about the gray area in which the protective bylaws regarding numbering of houses fall: Should they be under General Bylaws, rather than Zoning Bylaws, in which case they would be the law of the Town, and apply to all houses, the older ones predating the existing zoning laws not being exempt.

As it is, the bylaws about numbering apply only to new houses created after the existing bylaws were passed. Also, the point was made that the bylaws as they exist, while they call for penalty should bylaws not be followed, are not being enforced, because it is not clear who is supposed to be enforcing them. The suggestion was made that the County Building inspector should be the enforcer of the law as it exists.

Joe suggested that the numbering bylaw should be made one of the of the General Bylaws and therefore Town law, no house, old or new being exempt. The law should be enforced, despite the likelihood that there would be resistance, and a stiff penalty attached of \$50 for failure to comply. The reason for the need for this change is public safety: Those serving the Town as emergency workers should be able to determine the exact location of every house or place of business in town. As it is, there is still some confusion.

The suggestion was made to ask Lee Whitcomb to visit the Board and to describe the current situation. Diane will ask Lee to come to the next meeting.

*[revised-- Diane will contact Peggy Sloan regarding next possible steps for getting FRCOG assistance with updating our Bylaws. Meanwhile, it was agreed that the only Bylaws that need immediate work are the new house numbering bylaw and the solar site designation bylaw.]

(4) Master plan—Diane suggested that we speed up the process of creating one by editing and certifying the one that exists. While it was agreed that we need to finalize a plan, and what exists as a draft has elements that are acceptable, the draft lacks any substantial statement about economic development. To aid in shaping

this, it was agreed that we need to invite women and men from the business community to tell the members what would help promote business activity not only along the Rt. 116 corridor but throughout the town. Diane said she would invite these persons to the October 18 meeting.

*[revised—As regards economic development in Burkeville, Diane will move forward in getting feedback from ConCom regarding wetland issues and possible offsets. At the next meeting, the Board will discuss possible ideas about development and send them to John Gates for ConCom to look at.]

*[revised—There was a discussion on how best to actually produce a MP document. It was agreed that the Board look to FRCOG as a possible solution. Diane will contact Peggy Sloan about this.]

(5) All-committee meeting on October 15- Diane said that while Rick Bean was going to take the leading role as moderator for this meeting, the Planning board was to have a central place, especially as regards how projects planned or in progress were to be kept visible to all committees and information about progress updated. Diane presented a short document in which she detailed her idea for an RMM or Rolling Master Plan.

The document says: “The RMM (probably both as an excel and Web-based document) will keep chronological track of all projected and ongoing activity from the first fancy to the final bill. The RMM will: record an initial description of the project, including timeline; keep a rolling update of all milestone steps proposed and achieved; track significant changes and delays, financial updates and other relevant information.” Diane proposed that “The RMM will be maintained by the Planning board through timely contact with the Town Committees and Select Board and with the assistance of the Town Administrator.” She adds: “A version of it [the RMM] will be posted on the Town website (project descriptions and progress, minus sensitive information)”.

Diane’s proposal provoked a lively discussion over whether the role of the Board was to act in this capacity. It was suggested at the end of the give -and- take that while what she had outlined had real merit and was needed, the Board should wait to see what the new Town administrator, when hired, will actually have as duties, for logically he or she is the person to act in the way Diane had outlined for the Board.

*[revised—It was agreed that when the new Town Administrator is hired that the Board would meet with him /her to request information on a regular basis regarding town projects that relate to Planning Board activities, but that the Planning Board would not take an supervisory or oversight role.]

(6) FRCOG courses—Joe mentioned that the courses offered for Planning Board members were now detailed and dates given. Diane thought she would like to take one.

Diane asked for a motion to end the meeting. Joe motioned , and David seconded.
The meeting ended at 9:20 pm.

The next meeting will be October 4, at 7:00 pm.

Respectfully submitted,

David Barten, clerk