

RANDOLPH PLANNING BOARD

Minutes of Meeting
December 5, 2019

Members Present: John Scarinza, Roberta Arbree, Robert Ross, Tim Mather, John Turner

Others Present: David Faulkenham, Tara Bamford, Edith Tucker, Jen Barton-Scarinza, Nate Peters, and Bob Potter

John Scarinza called the Public Hearing on the Forest Plan Amendment to order at 7:04 pm.

John Scarinza explained the Forest Plan Amendment for the Randolph Community Forest. Due to the forest tent caterpillar outbreak of the last few years combined with some additional factors, there was significant die back, especially at higher elevations. Salvage work is planned to preserve some of the value.

David Faulkenham shared a map of the intended areas to be harvested. There was severe mortality in the sugarbush, but the harvest will not disturb the Fuller's operation. The most severe areas will be clear-cut, and the rest will be thinned or be smaller patch cuts. There will be two crews working to salvage the timber as there is a limited time frame available before value is lost.

Edith Cloutier suggested that there be an explanation at the kiosk or in the quarterly newsletter explaining the reasons for the cut to the public. It was also suggested it be on the town website.

Nate Peters asked if there is any substantial softwood to be cut and Faulkenham advised it is primarily hardwood.

Bob Potter asked about the 77-acre parcel that was added a couple of years ago, and John Scarinza advised that nothing is planned for that area now, but a small grant may be available from Fish and Game.

John Turner asked if there was a way to avoid this happening again. It was explained that this was a natural occurrence, and that spraying is expensive and controversial. Spraying also kills other creatures along with the caterpillars, which would have an impact on the entire ecosystem.

On a motion by John Turner, seconded by Roberta Arbree, the Board voted unanimously to approve the Forest Plan Amendment.

Nate Peters asked if this will affect the snowmobile trail since harvesting will start this winter. David Faulkenham advised that Clint Savage from the Bureau of Trails has been notified.

On a motion by Roberta Arbree, seconded by John Turner, the Board voted unanimously to approve the Forest Timber Harvest.

The Public Hearing on the Forest Plan Amendment was closed at 7:24 pm.

The Public Hearing on the Land Use Ordinance was opened at 7:24 pm.

John Scarinza advised that the follow-up to the Master Plan update is to update the Land Use Ordinance to be sure it is in-line with the Master Plan. The amendments will also bring the Ordinance up to date with state law.

Tara Bamford reviewed Amendment 2, the Wetlands Conservation Overlay District. This will cover areas mapped by the two wetlands inventories done by the Conservation Commission on the Moose River and the Israel River. These studies and the maps will be available at the town office and at the town meeting. If wetlands, or the area within a 25-foot buffer were disturbed, a Conditional Use Permit would be needed from the Planning Board. Edith Tucker asked if existing uses would be grandfathered and was advised they would be. John Scarinza advised that aerial photos are available on Google from 2018 and could be used for reference. Tara Bamford pointed out a few minor changes to the wording, including eliminating the word city from page 1, paragraph 2F, taking the “s” off of wetlands on page 2, and changing DRED to the Department of Natural and Cultural Resources. John Scarinza asked about permitted uses, as Forest Management was listed as a permitted use, but agriculture was not. It was decided these would be combined under permitted uses in paragraph E.

Tara Bamford reviewed Amendment 3, the Shoreland Protection Overlay District. Bamford advised that this creates a riparian buffer of 25 feet from the high-water mark of year-round streams. There were no questions.

On a motion by Robert Ross, seconded by John Turner, the Board voted unanimously to approve Amendment 3, the Shoreland Protection Overlay District, with minor proofreading corrections.

Tara Bamford presented Amendment 4, the creation of a Steep Slope Overlay District, which would help to prevent soil erosion on steep slopes along with scenic views on ridgelines. There were no questions.

On a motion by Tim Mather, seconded by Robert Ross, the Board voted unanimously to approve Amendment 4, the Steep Slope Overlay District.

Tara Bamford reviewed Amendment 5, a revision to Section 6.04, which provides a process for temporary residences and a requirement for proper waste disposal. Bamford suggested that the Board add the word “lot” in paragraph C to make clear that it is the lot owner and not the RV owner that is referred to.

On a motion by John Turner, seconded by Roberta Arbree, the Board voted unanimously to approve Amendment 5, a revision of Section 6.04, as amended.

Tara Bamford reviewed Amendment 6, which adds Accessory Dwelling Unit as a permitted use. Bamford explained that this is less restrictive than the state requirement, as the accessory dwelling unit can be attached or detached. John Scarinza asked about requirements for septic and Bamford stated this would be covered by state law.

Amendment 7, which strengthens the controls on outdoor lighting in Section 6.02 was reviewed. Tara Bamford advised that the current language was weak. Edith Cloutier asked about the term “providing information” and was advised this would be for businesses.

On a motion by Robert Ross, seconded by Roberta Arbree, the Board voted unanimously to accept Amendment 7, strengthening controls on outdoor lighting in Section 6.02.

Tara Bamford presented Amendment 1, which reorganizes and renumbers the Land Use Ordinance, makes updates in keeping with state law, and adds more clarifying language and detail on several topics. Definitions were updated including adding solar energy systems for on-site use in 3.01, adding “lodging units” to the exclusions under dwelling units in 3.08, glare and IES under lighting, and high water mark.

In Article 4, Permitted Uses, roof or wall-mounted solar energy systems were added. Free standing systems would require a Conditional Use Permit. Details were also added as to what the Zoning Board should look at when considering special exceptions and the types of conditions they should add. Some fixes were also made to the non-conforming section.

In Article 5, some clarifying language was added stating that no more than one principal use shall be permitted for each 80,000 square feet of buildable land.

Article 6 adds a purpose and also adds flashing lights in Paragraph E.

Section 6.06 on Open Space Development adds how the Planning Board can grant a Conditional Use Permit. Impact Fees were removed from Section 6.07, and Development Exactions was added.

In Section 7.04, Regulation of Telecommunication Facilities, Tara Bamford explained that land use permits to do not expire, however they can be reviewed for compliance. Language was updated in Paragraph B to reflect this.

Page 37, concerning Planning Board action on applications, was updated to bring it in line with the State statute.

Under Article XI, Administration, the word zoning was added in Section (1) and language was brought into compliance with State law.

Edith Tucker asked when these Amendments would take effect. Tara Bamford explained that they will take effect immediately if passed at Town Meeting, however permits could not be issued at this time for anything affected by the amendments before the Town Meeting.

Tara Bamford asked the Board if they would like her to update the formatting so that it is consistent throughout the Ordinance, and they advised they would. Other changes suggested by Bamford included changing “present tense includes the plural” to “includes the future” on page 7, removing Paragraph R on page 20, changing the word “will” to “shall” in Paragraph E on page 31, and removing “message to be displayed” from Paragraph D on page 48. Page 53 will be updated to remove an extra sentence under Paragraph E that was left there accidentally. Bamford will also renumber the section on the Randolph Town Forest, and John Scarinza will double check it when completed.

On a motion by John Turner, seconded by Robert Ross, the Board voted unanimously to approve Amendment 1 on the Land Use Ordinance as amended.

Robert Ross asked if there was to be an article on the warrant that will tax generators and solar power. John Turner explained that they are bringing rules in line with new regulations, and the value for solar power systems will be exempted from taxable value. Randolph has been doing this, but will need to vote at town meeting to authorize that is continue to be done. The exemption will be for the value of the solar panels. There has been nothing mentioned about generators.

On a motion by Robert Ross, seconded by John Turner, the Board voted unanimously to approve Amendment 2, the Wetlands Conservation Overlay District, and Amendment 6, Accessory Dwelling Unit, as amended.

The Board will vote again on the final draft at the January meeting.

Edith Cloutier suggested that edited copies be available at the Library and Town Hall, and on the website, for review.

The Public Hearing on the Land Use Ordinance was closed at 8:33 pm.

On a motion by John Turner, seconded by Robert Ross, the Board voted unanimously to approve the minutes from November 7, 2019 as presented.

On a motion by John Turner, the Board voted to adjourn the meeting at 8:34 pm.

Respectfully submitted,

Shelli Fortin
December 7, 2019