

PLANNING BOARD
THURSDAY, OCTOBER 13, 2022
RESOURCE ROOM

Attendance: Chair Tracy Sharkey, Vice chair Jake Schultzberg, Aaron Socrat, Meghan Schlesman, Ernie Marks, Richard Preston, Mike Greco, Mike Zwicker, Matt Benoit Community Development Director

Chair Tracy Sharkey calls meeting to order at 7:00 PM.

1. (7:00 PM) (0:09) Citizens Forum: Call for Public Comment: NONE
2. (7:00 PM) (0:22) ANR's: NONE
3. (7:00 PM) (0:24) Public Hearings:
 - a. (7:00 PM) (0:26) 7:00 PM Public Hearing: Zoning Modifications to Douglas Zoning Bylaws – Adoption of new Section 6.8 Residentially – Scaled and Commercially – Scaled Solar Energy Systems – Possible Votes
(7:01 PM) (1:25) Motion to open public hearing made by Jake Schultzberg, seconded by Mike Zwicker. All members in favor.
The board will change the language that says Department of Public Works to Highway Department and agent of the planning board. The board looked over the modifications and discussed them.
(7:11 PM) (11:55) Motion to recommend to the Board of Selectmen the adoption of the solar by law with the two changes discussed made by Aaron Socrat, seconded by Ernie Marks. All members in favor.
(7:13 PM) (13:05) Motion to close the public hearing made by Ernie Marks, seconded by Jake Schultzberg. All members in favor.
 - b. (7:13 PM) (13:15) 7:05 PM Public Hearing: Zoning Modifications to Douglas Zoning Bylaws – Amendments of Section 10.0: Definitions – new definitions for Building Elevation and Building Height – Possible Votes
(7:14 PM) (14:00) Motion to open the public hearing made by Jake Schultzberg, seconded by Mike Zwicker. All members in favor.
The by law modifications reads as follows:
The measurement shall be based on the average finish grade elevation within five feet of the structure to the highest point of the structure.
Mr. Zwicker asked what the maximum height is and Ms. Sharkey answered 35 feet or 2 ½ stories.
(7:15 PM) (15:00) Motion to recommend to the Selectmen favorably for the warrant made by Ernie Marks, seconded by Mike Zwicker. All members in favor.
(7:15 PM) (15:24) Motion to close the public hearing made by Jake Schultzberg, seconded by Ernie Marks. All members in favor.
 - c. (7:15 PM) (15:30) 7:10 PM Public Hearing: Zoning Modifications to Douglas Zoning Bylaws – Removal of Section 6.1 Earth Removal – Possible Votes
(7:16 PM) (16:15) Motion to open the public hearing made by Jake Schultzberg, seconded by Mike Zwicker. All members in favor.

Mr. Benoit stated that they proposed some changes with the cubic yards and Town Council recommended that they consider adopting this as a general bylaw instead, which means the bylaw must be stricken from the zoning bylaws in order to be adopted into the general bylaws. Town Council's reason for this recommendation is due to agricultural exemptions. The board feels that they would like the bylaw to stay under the Zoning bylaws. The Board

would like to discuss this more and have some more time to decide what direction they would like to go with this decision.

(7:31 PM) (31:52) Motion to continue public hearing to October 27, 2022 at 7:25 PM made by Jake Schultzberg, seconded by Mike Greco. All members in favor.

d. **(7:32 PM) (32:42) 7:30 PM Public Hearing: Luis & Marie Sanches – Application for Common Driveway Special Permit (SP-220921), 114 South Street – Possible Votes**

Margaret Bacon with Civil Site Engineering representing the applicants to show plans to the board. There is already a shared with the neighbors and they would like to build a house on the property behind their lot so they are applying for a special permit to make the shared driveway a common driveway. Mr. Benoit had a couple concerns of it meeting the criteria for a special permit and one was the 200 feet of frontage, and the other was that the driveway doesn't exist within the 50-foot-wide strip at the end it breaks out because of wetlands and has an easement. Mr. Benoit asked town council about this and was told it was possible because the easement is on a property that is serviced by the common driveway. The board just wants to make the dimensions of the lots are in line with the zoning bylaws because the plans that were shown were missing the measurements. Mr. Benoit has the original plans with all the dimensions that he is retrieving. Mr. Benoit got the plans off the assessor's map and both lots are 200 feet exactly.

(7:50 PM) (50:45) Motion to close the public hearing made by Mike Zwicker, seconded by Jake Schultzberg. All members in favor.

(7:51 PM) (51:10) Motion to grant the common driveway special permit made by Ernie Marks, seconded by Mike Greco. All members in favor.

4. Additional Business:

a. **(7:51 PM) (51:45) Cemetery Commission Letter – Possible Votes**

Betsy Youngsma with the cemetery commission joined the meeting. She is looking for a buffer zone for the 16 cemeteries in town. One of her major concerns is for the Baker Cemetery because there is a gravel pit right there and when they dug out some gravel in the pit they dug so close to the cemetery that some of the graves are disturbed, and they had to back fill some of what they removed. The board was questioning, how do you determine boundary lines when there is none? Ms. Youngsma stated that she has some information from the DCR on distinguishing boundary and who is responsible for the cost of it, because you have to get an archaeologist out to look at it. The board discussed back and forth on how to determine the limits of the cemeteries to create a buffer zone. Chair Tracy Sharkey suggests that the Cemetery Commission request the state archaeologist to go to all the town cemeteries in Douglas to determine the boundaries and give the board a document and flag the lot. Ms. Youngsma stated that there are private and public cemeteries, and the Cemetery Commission is only responsible for the public ones. Ms. Sharkey stated that to do this to all the cemeteries in town private and town owned she will have to prepare a zoning bylaw, with specific map and parcel numbers and define the boundaries. The board would like to have it investigated as to what DCR would be willing to assist with. Ms. Sharkey read from DCR the office of Cultural Resources, which reads: Cemeteries are protected under state laws that prohibit damage to graves and on DCR land; state police enforce the laws. There is already a state law in place prohibiting damage and use of heavy equipment outside of the cemetery with at least 25 feet buffer. Ms. Schlesman stated that she doesn't think that creating a new law on top of the one already put in place by the state is a good idea. The board suggests putting signs up at every cemetery so that people know that own or purchase property that there is a cemetery there.

b. **(8:16: PM) (1:16:36) 2023 Meeting Schedule – Possible Votes**

The board asked Mr. Benoit to check Wednesday and Tuesday availability for meetings and they are taking off 6/8/2023, 7/13/2023, & 8/10/2023 from the schedule.

c. **(8:24 PM) (1:24:20) AA-Extension, 91 Chestnut Street – Possible Votes**

There was a question about the size and there was a waiver granted.

(8:24 PM) (1:24:32) Motion to grant the extension made by Ernie Marks, seconded by Mike Greco. All members in favor.

(8:24 PM) (1:24:46) AA-Extension, 29 Shore Road – Possible Votes

No changes to this application.

(8:26 PM) (1:26:10) Motion to grant the accessory apartment extension made by Mike Zwicker, seconded by Jake Schultzberg. All members in favor.

5. **(8:26 PM) (1:26:30) Minutes: August 11, 2022 & August 258, 2022 – Possible Votes**

The board will hold them until next meeting so they can be reviewed.

Ongoing Development:

(8:26 PM) (1:26:50) Draft Decision for Pyne Sand and Stone and Sleepy Hollow, the language is finalized, and Town Council wanted Mr. Benoit to ask the board to vote to accept the decision as presented this evening.

(8:27 PM) (1:27:20) Motion to accept the decision as presented made by Jake Schultzberg, seconded by Mike Greco. All members in favor.

Upcoming Meetings: October 27, 2022 & November 10, 2022 & December 8, 2022

(8:27 PM) (1:27:55) Motion to adjourn the meeting made by Jake Schultzberg, seconded by Mike Zwicker. All members in favor.

Respectfully submitted,

Stephenie Gosselin, recording secretary