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**HUDSON PLANNING BOARD
MEETING MINUTES
January 4, 2006**

I. ATTORNEY/CLIENT CLOSED SESSION

Prior to opening the meeting, the Planning Board met with the Town Attorney in a scheduled attorney/client closed session, starting at 7:00 p.m. and concluding at 7:45 p.m., with no votes being taken during that session and no decisions being made.

II. CALL TO ORDER

Chairman Barnes called this Planning Board meeting to order at 7:46 p.m. on Wednesday, January 4, 2006, in the Community Development meeting room in the Hudson Town Hall basement.

II. PLEDGE OF ALLEGIANCE

Chairman Barnes asked Mr. Turcotte to lead the assembly in pledging allegiance to the Flag of the United States of America.

III. ROLL CALL

Chairman Barnes asked Secretary Quinlan to call the roll. Those persons present, along with various applicants, representatives, and interested citizens, were as follows:

Members

Present: James Barnes, George Hall, Marilyn McGrath, Suellen Quinlan, Jeff Rider, Richard Maddox (Selectmen's Representative), and Vincent Russo. [Selectman Kathleen MacLean was also present, sitting in the audience for the first part of the meeting.]

Members

Absent: None. (All present.)

Alternates

Present: Thomas Murphy and Richard Turcotte.

Alternates

Absent: William Tate.

Staff

Present: Town Planner John Cashell.

Recorder: J. Bradford Seabury.

IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS

Chairman Barnes noted that no alternates needed to be seated at this time, as all regular members were present. He then congratulated Mr. Russo on the latter's appointment as a regular member of the Board and welcomed Mr. Richard Turcotte as a newly-appointed alternate member. Without objection from members of the Board, Chairman Barnes then announced that he would change the order of the agenda and proceed directly to the conceptual review item at this time.

XI. CONCEPTUAL REVIEW ONLY

A. Green Meadows Golf Club, Inc.

Map 239-001
43 Steele Road

Presentation on proposed multi-use commercial development of the 375-acre Green Meadows Golf Club, Inc., property. Public questions/concerns regarding this project will be addressed. Deferred Date Specific from the 12-07-05 Planning Board Workshop meeting.

Chairman Barnes read aloud the published notice, as repeated above.

Town Planner Cashell said he had nothing new to add, noting that copies of the questions received so far had been provided in the members' information packets.

Chairman Barnes asked if the applicant had any remarks to make at this time.

Atty. Thomas Jay Leonard, the legal representative of the property owners, noted that he was accompanied by W/S Development personnel Ed Vydra, the project manager, and Bob Fraser, vice-president of construction and development for the project. Atty. Leonard noted that the development team had attended the previous evening's informal meeting at the Ann Seabury Community Meeting Room at the Hudson Police Station, saying the team intended to treat the comments and questions received at that time in the same way that they had treated the comments and questions received from Town Planner Cashell, but it was premature to try to answer those right now as the applicants did not yet have a plan before the Board. Commenting that there was a lot of misinformation, he said there was no plan as yet. He then outlined a timeframe, saying the applicants could continue efforts primarily focused on traffic issues and would be meeting later this month with Department of Transportation officials in Concord. He said the study would really be beginning at this time, noting that another meeting was scheduled later in the month with Department of Environmental Services officials, looking at the routing of the intersection and the bypass road to determine how the project would connect with the Sagamore Bridge road and with Lowell Road. He said preliminary studies had been done, but now they would be getting to the real answers.

Atty. Leonard said the applicants hoped to have a general master plan in conceptual form for the Planning Board's March Workshop meeting, if that were acceptable with the Board, and they would be able to address many of the questions and comments,

both from the Board and from the interested citizens, at that time. He stated that the traditional plan that the Board was used to reviewing was still months away, saying the master plan concept would be the beginning of a process of developing the big picture, with specific plans not to be ready until later on, perhaps at the end of the spring. He said the applicants were still gathering information.

Atty. Leonard said the applicants were very interested in an open, cooperative method. Noting that there had been questions as to how citizens could get information about the project, he said the applicants would like to coordinate with the Town and were developing an informational Web site that would be interactive and would give information about the specifics of the project site.

Atty. Leonard said the master plan would show the entire 375 acres and would address the usual issues—including sewage, water, etc.—in a preliminary manner, addressing all the phases. He said the master plan would be focused on the planning of the site, showing all of the common and public improvements one would expect on the whole site, but these would be broken up into phases, and specific plans would be provided later for the individual phases.

Atty. Leonard noted that some people had expressed concern about the status and transfer of the property. He stated that the Friel family, owners of the property, had a binding agreement with W/S Development to review the property, go through the development process, and build this project. He said the agreement required a master plan and the mixed-use retail that had previously been presented to the Board. He said the property had not been sold and would not be sold until later on, possibly in a couple years.

Chairman Barnes noted that it had been suggested that Atty. Leonard come to a series of workshop meetings. He asked how long that process of workshop meetings would take. Atty. Leonard said he would look for guidance from the Board, saying March would be the beginning, but it would be up to the Planning Board. Saying W/S Development had done a lot of work, he said that they wanted to hear both sides, and he was sure there would be some questions about the routing of the roads, although they had tried hard to stay out of the sensitive areas.

Ms. McGrath asked if the applicants would also be meeting with the U.S. Army Corps of Engineers and the EPA. Mr. Ed Vydra, W/S Development project manager, said the first meeting with DES would be to establish who they would be meeting with, which would include the Department of Fisheries, the U.S. Army Corps of Engineers, the EPA, Water Quality, etc., focusing on the river impacts. He said he expected to be meeting with the Corps of Engineers within 30 days. He said the Town would also be a key component to scoping sessions with the DOT and subsequent follow-up.

Ms. McGrath asked if the master plan to be presented in March would be a finalized version and if it would be similar to the plan shown to the Planning Board at the December 7th meeting, or were any changes anticipated. Atty. Leonard said he thought the master plan would be an ongoing project and would get more and more detailed as they went through the project—adding that it would change in response to comments and the like. Later in the spring, at the time of the formal submission, he said, the master plan would be like a subdivision plan, and he suggested that the plan would

look like a conditional approval with a number of conditions that would require the applicants to come back with specifics, to be addressed in a specific site plan.

Ms. McGrath asked if the phasing schedule would be presented at the March meeting. Atty. Leonard said they would begin talking about it at that time, pointing out that for this kind of project the developers did not build what they were hoping to lease but instead leased it before they built it. Until the applicants knew what the tenants wanted, he said, they could not give any specifics.

Ms. Quinlan noted that the DOT meeting would not be open to the public; she asked how the Planning Board would know what was going on. Atty. Leonard said the first step would be to decide what to study. He said there would be representatives of the Town present, adding that the applicants would give a report to the Board if that would make the Board comfortable, with this report probably consisting of a summary of the minutes of the meetings.

Mr. Fraser said this was actually a scoping session, as they did not really have the master plan ready, because the mixed uses had not been definitely identified, other than that they knew they wanted a retail component, a residential component, a hotel/conference facility, and a theater. He said the critical thing at this time was to determine where and how the connecting by-pass road would access the Sagamore Bridge road and get over to the other side of the site, so they were working with DOT on that, but also would have to determine phase-by-phase what the impact of traffic associated with this site would be for the surrounding region. He said these studies would be available, and he would recommend that they be posted on a Web site. He said the big goal now was to obtain the access, but the long-term planning process would take a long time to establish.

Chairman Barnes said the Planning Board could use some regular status updates as development proceeded. Atty. Leonard asked what would be wanted.

Ms. Quinlan questioned if getting vast numbers of meeting minutes and study reports and copies of correspondence would really be meaningful.

Mr. Russo said the availability of what was actually going on would be important to him and to the public, although the summary information would be enough for him, provided that the full information, such as tape archives, could be accessed if wanted.

Selectman Maddox noted that the Board of Selectmen had asked Community Development Director Sullivan to start a log that would chronicle everything done with respect to this project. He noted that the 65,000-ft² Stop-and-Shop site had taken the Planning Board almost a year, saying that after a while one did not know whether he was examining Version 12 or Version 15, so the chronological order would be important.

Mr. Fraser said his company used an Inquest collaboration program that could be made available, at least partially—although some things, such as terms of a lease, would be confidential. He explained that his firm used this program to exchange information with the tenants of the complexes, with a very precise log being kept of when different versions of things were created.

Mr. Vydra said the FTP (File Transfer Protocol) link for that program could be made available on the proposed Web site, open to the public, adding that the site he was working on should be up and running before the end of this month. He suggested that Town officials would have greater access, but the public would have some, including access to plans and associated documentation.

Ms. McGrath said what the Planning Board members would be interested in would be the bottom line of any approvals given by the State departments. She said she would expect Selectmen/Town representatives attending those same meetings and representing the Town's interests. She then added that she agreed with Ms. Quinlan that she did not want to see too much paper, but was interested in final outcomes.

Atty. Leonard said there would be lots of reports, many of which would be only marginally interesting, but the applicants would make sure that the Board received summary conclusions, together with identification as to where any underlying support information was, with that information to be provided upon request. He said the development team was anxious to get the Board as much information as it wanted, and also that the team could organize and coordinate the information and help the Board go through the process.

Selectman Maddox said putting a link to the applicant's Web site would be great, but the Town's Web site could not handle all the data being described. He then noted that one agency that had not been mentioned was the Commonwealth of Massachusetts, and he expressed a hope that the applicants were talking to Massachusetts and/or Tyngsboro officials.

Mr. Rider said he would like to get a copy of the bubble diagram that had been presented at the previous meeting, as this was the basis of everything going forward. Mr. Vydra said he could send copies of everything that had been presented. Mr. Rider said just the bubble diagram would be fine.

Atty. Leonard said there had been questions at the previous evening's meeting about plans having been submitted. He declared that no plans had been submitted at this time, adding that even the bubble diagram was simply a pretty picture that was not binding to the Board or anyone else.

Ms. McGrath noted that no fees had been submitted, which was required when plans were submitted. Chairman Barnes explained to the audience that notice would be given to all abutters when formal hearings were held, following future submittal of plans—clarifying that “abutters” were property owners who shared a lot line directly or within 200 feet of the lot line of the proposed site, adding that those people could then pass that information to people living across the street, who would not be notified directly.

Chairman Barnes noted that other Town boards would become involved, such as the Conservation Commission and the Zoning Board of Adjustment, but these had not yet become involved. He then asked when the applicant's team would start addressing some of the questions that had been submitted and also those which had been raised at the previous evening's meeting. Atty. Leonard said they had started, internally, and that the questions would be addressed during the process, with the formal answer

being part of the submission. He said they could not answer the questions now, such as the buffer issue, because they had not yet done it.

Mr. Fraser said he thought the team should meet with the residents during the process, so that the abutters could see what was being planned and the team could respond to their comments. Ms. McGrath said she thought this was a great idea and that they should be meeting with the neighbors—recalling her concern that abutters of a large project the previous year had not been notified as to what was being proposed. With a project of this size and intensity, she continued, she thought meeting with the abutters would be critical, and that the developers should take the abutters' comments seriously. Mr. Fraser assured her that they wanted to be good neighbors and wanted to share information with the abutters, adding that he thought coming to the Planning Board's workshops with citizen advisory committees from the neighborhood would be the best approach.

Atty. Leonard stated that the real details would not be ready until springtime, reiterating that this would be a long process.

Ms. McGrath noted that the theme of costs and who would bear the costs had been referenced previously. She said the Board would want to know what this project would end up paying the Town, in taxes, to see how this would offset the other issues. Atty. Leonard said W/S Development had hired a very reputable New Hampshire firm to do just that, noting that the answers depended on things that had not yet been decided, but it was being looked at carefully, and adding that there would be a substantial financial benefit to the Town.

Mr. Vydra noted that W/S Development had indicated at the previous meeting that the construction of the access to the Sagamore Bridge road and of the whole by-pass road would not be a cost to the Town or to the State but would be funded privately. Ms. McGrath said there were still questions about related costs with respect to the Police Department and the Fire Department—pointing out that a special police substation had had to be put in at the Wal-Mart store just up the street to deal with the criminal element that that store had brought into the community. She said she would be interested in hearing how the applicants would deal with these things and what the costs would be to the Town.

Selectman Maddox said the by-pass road would be a Town road, however, so there would be a cost to the Town on an ongoing basis once it was built. Mr. Vydra said this was being factored into the broad study, along with clear specifics as to the impacts on the Fire Department, the Police Department, and Town utilities. Mr. Fraser added that they had asked the DOT Commissioner about the maintenance of the road, saying they had to have an agreement with the DOT, which he said was really an agreement with the Town, in terms of maintenance and upkeep of the roadway, and W/S Development was looking at designing, constructing, and really maintaining that road. He reiterated that the Town would see significant revenues from the whole build-out of this project. He suggested that the Planning Board might want to have a workshop meeting just on the economic study that the company had been doing.

Selectman Maddox noted that people kept using the term "Workshop." He expressed a belief that this project should go into the regular queue, like any other

project, as the Planning Board needed its Workshop meetings for other purposes. Once the plan was submitted, he continued, it should go on the regular agendas much like any other plan.

Selectman Maddox asked if the master plan would show a percentage of the various types of uses, showing what would be commercial, what would be residential, and what would be retail. Atty. Leonard said the master plan would be very specific regarding the public and common improvements and would take the Board through the uses intended on the entire site, with specific phases then being covered by detailed specific plans for each phase. Mr. Fraser said the master plan might not have an exact number but would have a representative ratio of how much office/hotel/retail, etc., would be on the site. Mr. Vydra added that a certain amount of residential buildings were being proposed, but that was not a permitted use on that property right now. Selectman Maddox said this anticipated his next question, asking what the backup plan would be if the residential use was not approved. Atty. Leonard said the Board would see two or three options—one with housing and one with something else, adding that he envisioned discussion of these options as part of the master plan process, and that there were many options for a large piece of land such as this. He said the applicants were not bent on a particular use and were very happy with the uses that were presently allowed.

Selectman Maddox said he would like to see clear perimeters of percentages, adding that he would not want them to be changed later. He said the Board needed some assurances that things would not slide from one use to another, and the Board needed to know where it was headed.

No further questions or comments being brought forward, Chairman Barnes asked if the intent was to bring the plan back at the beginning of March. Atty. Leonard said they would like to work with the Board in the workshops, saying he thought this plan was very important to the Town. Ms. Quinlan expressed agreement, saying this project, because of its scope and impact, could not be treated in the same way as other projects. Mr. Rider also expressed agreement, saying he agreed that the specific plans for each phase could be handled in the regular way, but that the master plan process involved too much negotiation. Selectman Maddox said he could see having a meeting dedicated to the Green Meadows project, but he did not think the Board's regular workshop meetings should be tied up with just this project.

Mr. Russo noted that he had brought up at the Selectmen's meeting a concern that the Board was getting the information packets four nights before the meeting, saying he would prefer to get the information the preceding weekend. Extensive discussion then took place concerning what could be done about getting the information for this project out to the Board members earlier, with Chairman Barnes suggesting that the Town Planner might need to develop a new system, and with Atty. Leonard pledging to provide the information earlier.

Mr. Hall suggested that Chairman Barnes should establish guidelines for public participation for these workshop meetings. Mr. Russo suggested that the public be asked to submit questions ahead of time to the Planning office. Ms. Quinlan objected that members of the impacted public should have meaningful opportunities to express

their concerns; Mr. Hall expressed agreement, saying questions usually come from the data presented, and he could not see how the questions could be developed ahead of time. Chairman Barnes expressed agreement.

Mr. Hall then suggested that Chairman Barnes should plan to allow members of the public three minutes per person on a trial basis, to see how that worked, along with a set period of time for accepting input—and also that he should shut off any repetition. Mr. Rider suggested that Chairman Barnes explain the difference between a regular meeting and a workshop meeting. Chairman Barnes then explained to the attending audience of abutters that this evening's meeting was a workshop meeting, involving give-and-take, whereas a regular meeting was more formal, with the Board hearing from the applicant and everyone in the audience then having an opportunity to ask questions and provide comments. He said that there would be ample opportunity for that when the specific plans came in, but that what Mr. Hall was talking about was the series of workshop discussions that the Board would be going through before getting to that point. Mr. Turcotte expressed a belief that a given question and the answer to it might well generate new questions, saying he felt it would be unfair to demand the questions in advance and that the people in attendance should have an opportunity at the end of the discussion between the Board and the applicants to ask questions while the information was still fresh in their minds. Ms. McGrath expressed a belief that people who took the time to come down to a meeting and listen to the Board members and the applicants should have an opportunity to provide input, but that she did not want to hear a lot of repetition.

Ms. Quinlan suggested that the Board take a break at this time. Chairman Barnes expressed agreement, saying the Board would hear from the public after the break. He then recessed the meeting at 8:57 p.m., calling the meeting back to order at 9:11 p.m.

Chairman Barnes opened the meeting to the public.

Mr. Ed Thompson, 122 Burns Hill Road, asked if future meetings would take place in a larger venue. Chairman Barnes said that the Board would have to wait and see if that would be necessary, but that this was the regular meeting place—adding that it was difficult to start moving the meeting place to different places.

Ms. Mary Beth Testagrossa, 15 Fairway Drive, said the earlier meeting in December really had not been advertised to the public as much as it could have been. She suggested that notice should be provided on the Community Television schedule. Ms. McGrath noted that the meetings were noticed in the Hudson-Litchfield News; Ms. Quinlan added that notices were also posted on bulletin boards in the Town Hall, the Town Library, and the Post Office. Chairman Barnes said the Board should be able to get notices posted on the cable-TV bulletin board, as well. Ms. Testagrossa said this had been done, saying she had seen notices there before.

Selectman Maddox noted that some of the drawings used a different title, other than Green Meadows. Mr. Vydra said the eventual name would be River Place. Selectman Maddox suggested that both names be used, to begin with, to avoid confusion. Mr. Vydra expressed agreement.

Ms. Gena Hunt, 5 Bruce Street, asked when the next meeting would be held. Chairman Barnes said that what had been proposed was the first meeting in March—adding, however, that it might be deferred to another meeting night or to the first week in April. He then asked Town Planner Cashell when the notice would have to go to the Hudson-Litchfield News. Mr. Cashell said the process might have to be changed, but the Planning Board's workshop meetings, which did not handle cases, normally were just posted, with no notice in the paper. Chairman Barnes said he thought that meetings involving this project would have to be posted. Mr. Cashell concurred.

Mr. Russo objected that this would be getting into a habit of chewing up the Board's workshops. Chairman Barnes questioned whether the Board members wanted to meet four times a month, so as to include an extra workshop for this project. Mr. Hall questioned how abutters would know that the meeting had been changed if it were not in the Hudson-Litchfield News, adding that he thought the best thing to say was that all interested parties needed to be here the first Wednesday in March. Mr. Russo questioned whether the Board were going to slight other developers if they asked to have their cases heard at workshop meetings, saying this was setting a bad precedent. Selectman Maddox expressed agreement, saying he thought the project should be put on the first regular meeting in March and should not be treated differently from others.

Ms. McGrath said that Atty. Leonard had said they would be coming back in March and maybe in April to discuss the master plan, but later in the spring would be coming in with a plan to be reviewed by the Board. Atty. Leonard expressed agreement, adding that he felt they could get organized so as to take up less time than a full workshop. Ms. McGrath said the workshop time eaten up by this project would just be for a couple meetings, and she felt it would be wise to spend that time on a project of this size. Town Planner Cashell stated that March and April would be "slow" months, anyway, so the Board would have the time. Ms. McGrath asked what other issues were in the pipeline for workshops. Mr. Cashell said he did not think the Board would want to start addressing possible zoning changes that early. Mr. Russo pointed out that the Board would have to look at rezoning this area to allow residential. Ms. McGrath responded that the applicants had indicated that the residential component was a couple years down the road. Selectman Maddox questioned how they could master plan the site without knowing if they would have the needed zoning. Ms. McGrath and Mr. Hall said the Board would not be looking at that until the fall, if at all.

Mr. Russo reiterated his belief that a meeting should be scheduled for this project, alone, but added that the Board could not do this for all applicants. Ms. McGrath said she would vote to dedicate the March and April workshop meetings to this project. Mr. Hall and Chairman Barnes expressed agreement. If additional meetings were needed, Chairman Barnes said, they would have to be scheduled separately. Ms. Quinlan then moved that the Planning Board schedule the March and April workshop meetings for this project, with any other meetings that might be needed to be scheduled separately; Ms. McGrath seconded the motion.

Selectman Maddox said this setting a bad precedent, predicting that other developers would want to get scheduled for workshop meetings, as well. Ms. McGrath responded that all other projects had been miniscule compared to this one, saying she

thought the Board would be doing a disservice to the developers and themselves if the Board did not schedule an entire meeting to this project.

VOTE: Chairman Barnes called for a verbal vote on the motion. All members present voted in favor except for Selectman Maddox, who voted in opposition. Chairman Barnes then declared the motion to have carried (6-1-0).

Chairman Barnes stated that this item would return at the March 1st meeting, and the applicants' representatives and all members of the public left the meeting room.

Members of the Board then engaged in discussion as to whether taxpayer money should be requested for studies pertaining to this project. Mr. Hall and Chairman Barnes insisted that the applicants would have to pay for whatever studies the Board felt it needed. Selectman Maddox said he was thinking of requesting a study of what W/S Development had promised the applicable towns for the last four projects that firm had done, with comparison as to what had actually been done, arguing that the Town needed expertise that the Board members did not have. Mr. Rider said this was what consultants were for. Selectman Maddox expressed concern about the regional impacts of this project, especially with respect to Tyngsboro and other Massachusetts communities. Ms. McGrath expressed surprise that no one from Tyngsboro or Nashua had attended any of the meetings pertaining to this project so far. Town Planner Cashell expressed concern about the adequacy of the Exit 2 access from Route 3, saying he had told the applicants that they had to discuss this with the DOT and with Nashua officials. Mr. Rider expressed concern that Tyngsboro officials might not be fully aware, noting that the community had just gotten a new town manager a month ago and had not had a town planner for a year and a half. Discussion then evolved on the adequacy of the Tyngsboro bridge and the likely location of a proposed second bridge across the river.

VIII. WORKSHOP PUBLIC HEARING

A. Master Plan Update

Review Town of Hudson (DRAFT) of the Master Plan Update — Receive public comments/concerns and possibly take final action to adopt the Master Plan Update. Deferred Date Specific from the 12-07-05 Planning Board meeting.

Chairman Barnes read aloud the published notice, as repeated above, noting that all members of the public had left prior to this public hearing.

Mr. Hall asked if the Hudson Zoning Map were going to be included. Mr. Rider reported that it was present, on Page VI-5. Mr. Hall noted that it was not included in the list of maps, saying this should be changed.

Selectman Maddox expressed concern that, with the Circumferential Highway having gone away and no longer being a zone divider, and with this Green Meadows project now coming in, this Master Plan was basically just a doorstep. Ms. Quinlan said it was required for the CIP, even if already obsolete. Mr. J. Bradford Seabury expressed a belief that it also had to be updated more frequently because of changes in the tax code, saying he thought the DRA was pushing to have the master plan updated every five years. Selectman Maddox noted that Hudson's Master Plan had not been updated since 1996. Town Planner Cashell said that Budget Committee Chairman Howard Dilworth was also upset about some things in the Master Plan being out of date, but that it was necessary to finalize the thing. Mr. Hall contended that the book could never actually be up-to-date, because of constantly ongoing changes in the community.

Ms. Quinlan then made a motion to amend the Master Plan to include Zoning Map VI-5 in the List of Maps on Page x and to adopt the Master Plan, effective January 4, 2006, with the provision that all references to "Master Plan Update 2005" shall be stricken and replaced with "Master Plan 2005." Mr. Hall seconded the motion.

Selectman Maddox said he would vote against it, as it was a waste of paper without knowing what was going to happen with the Circumferential Highway.

VOTE: Chairman Barnes called for a verbal vote on the motion. All members present voted in favor except for Selectman Maddox, who voted in opposition. Chairman Barnes then declared the motion to have carried (6-1-0).

Ms. Quinlan moved that the Board request that the Board of Selectmen authorize the expenditure and printing of 100 copies of the Master Plan as amended. Mr. Hall seconded the motion.

Chairman Barnes asked why 100 copies would be needed. Town Planner Cashell said there would be ten for the members of the Planning Board, five for the Board of Selectmen, and additional copies going to the members of the Conservation Commission, Budget Committee, and all chiefs of staff, adding that citizens also came in and purchased copies. Selectman Maddox expressed a belief that the book should be put on a CD-ROM, rather than being printed. Following discussion of other quantities, with no motions being brought forward, Chairman Barnes called for a verbal vote on the motion.

VOTE: All members present voted in favor except for Selectman Maddox and Mr. Rider, who both voted in opposition. Chairman Barnes then declared the motion to have carried (5-2-0).

XI. OTHER BUSINESS

Discussion evolved on issues concerned with the prospects for purchase of Wall Street by the Town. Selectman Maddox said the issue was that the current owners did not have clear title to what they owned, so the Town was trying to get a survey done to clear the title. Mr. Cashell noted that the price had also gone up.

Town Planner Cashell reviewed details about the arrangements that had been made with respect to Market Square, explaining the impact with respect to CAP fees for the forthcoming developments on Tate properties in that area, noting that the original CAP fee had been set at \$192,440, with Mr. Tate having been credited at the 07-27-94 Planning Board meeting for \$140,000 toward that amount, leaving a balance of \$52,000, but that the bank and strip mall for which the CAP fee had been set had never been built. He stated that Mobil On The Run had then come in, being charged a CAP fee of \$65,000, with \$480,000 worth of offsite improvements being substituted. Mr. Cashell said the \$52,000 had been determined to be non-transferable, with the result that Mr. Tate did not owe the Town anything and the Town did not owe Mr. Tate anything, and that no CAP fees had been paid on this property. Mr. Hall suggested that Mr. Tate might argue that the credited \$65,000 should be applied against the \$52,000, since he had done all that work. Mr. Cashell reported that the crediting had been done by then-Chairman Robert Souci, with no vote actually being taken.

Chairman Barnes noted that the Office of Energy and Planning's spring conference was scheduled for April 1st, suggesting that people who wished to attend should let Town Planner Cashell know.

Further discussion evolved with respect to possible impacts from housing on the Green Meadows property, with concern being expressed that the housing would lead to a need for additional schools, while other participants expressed a belief that the mixed uses concept would provide significant benefit in conjunction with the opportunity to master plan this large parcel of property. Town Planner Cashell advised that the Planning Board should ensure that the outlying G-1 zoning district should be preserved for residential uses.

Mr. Russo moved that the deadline for information coming in for a given plan should be set at two weeks prior to the meeting at which that plan was to be discussed. Extensive discussion evolved concerning how the notification process was done. Mr. Hall noted that the Board had experienced many cases of items being placed on the agenda but the applicants then not having the documentation ready in time for prior review by members of the Board before the meeting. He said he would like to rule that items would not be placed on the agenda if the information was not available in time. Mr. Russo expressed agreement. Chairman Barnes noted that notices had to go the Hudson-Litchfield News by noon of the Tuesday of the week preceding the meeting. Mr. Hall said that the information should be submitted two and a half weeks before the meeting. Town Planner Cashell said that the prior shift of the deadline from Thursday to Wednesday of the week preceding the meeting had not really helped, as he only had

two and a half days to do the staff reports. He suggested that the deadline be moved back to Monday, so that he could get the packages mailed on Thursday instead of Friday. Mr. Russo said his intent had been to get the information package a week earlier, as he only had one day on a weekend in which to review it, so he had wanted two weekends after receiving the information. Mr. Rider protested that this was unrealistic and unfair to the applicants. Mr. Cashell suggested that Tuesday would be a reasonable compromise. The Board discussed this suggestion, as well as the possibility of getting the information on the preceding Friday, the problems that might ensue with dividing the package into two mailings, and reducing the number of items on the agenda.

No second having been provided for Mr. Russo's motion, Selectman Maddox moved to change the current policy regarding the deadline for submission of material such that applicants shall have to turn in planning materials by 12:00 noon on the Tuesday preceding the week of the scheduled Planning Board meeting (that is, eight days before the meeting), to be effective in February 2006. Ms. McGrath seconded the motion.

VOTE: Chairman Barnes called for a verbal vote on the motion. All members voted in favor, and Chairman Barnes declared the motion to have carried unanimously (7-0).

Mr. Russo asked if the meetings could start at 6:30 p.m. instead of 7:00 p.m. Most members of the Board responded negatively.

XIII. ADJOURNMENT

No further items being brought forward, Mr. Rider moved to adjourn; Mr. Russo seconded the motion.

VOTE: Chairman Barnes called for a verbal vote on the motion. All members voted in favor.

Chairman Barnes then declared the meeting to be adjourned at 10:47 p.m.

Date: January 18, 2006

James Barnes, Chairman

J. Bradford Seabury, Recorder

Suellen Quinlan, Secretary