Planning Board Minutes April 15, 2010

The meeting of Rowe Planning Board convened at 10 15 am. Present: David Roberson (Chr.), Joann (Jodi) Brown, Robert Dykeman, Angela Toshay, and Danette Reynolds-Gallagher.

Audience: Russ Jolly and Paul McClatchy III

Before going to agenda Chr. Roberson invited Russ Jolly to speak. Russ presented a form - He wishes a special permit to be approved for use of small gravel bank near his home. Dave stated a hearing with abutters will be needed, the permit should be done soon as possible and the Planning board will file notice and notify abutters.

Russ to touch base with Carrie Silva, town clerk.

Dave then went to correspondence. A donated gift in memory of Marion Avery was recieved sent to Goal Post. All concurred to acknowledge and thank donors in nept Goal Post. Danette will do P.B. meeting article. Jodi the thank you.

The minutes of April 5, 2010 were accepted as read. The minutes of April 14

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Danette & Dave attended FR council.

Re energy committee: Dave referred that our by-laws limit these types by rights to energy - seem in conflict by-laws we are on.

Danette stated 3 options ~~of~~ operation, generation, manufacturing, talk of solar.

Jodi mentioned possibility evening meeting with energy committee, Bob hold at Gracey House. Dates of 28 & 29 this month considered 6pm time. Dave to notify.

Charlemont's wind turbines Berkshire old News. A Wind and Reg Comission was on Whitingham Town plan yesterday.

Danette passed out copies memo from P.B. to Select & finance committees dated 4/7/10 re FY 2011 budget.

There was a memo from Janet Humphrey, town counsel regarding outside counsel line item.

Town clerk Carrie Silva came to board with information about Russ Jolly's permit: ① need posting in Newspaper ② notify abutters ③ give papers & permit to P.B. to file

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All copies go to Carrie - Public hearing to be held (65 days)
Petitioner must file with registrar of deeds - will lapse in year - Notice to all property owners in town.
The board returned to K/Paige memo.
David did formal request Ellen for documents and is pursuing with Sec. of State Office. He also pointed out a few inconsistencies with letter. Foshay stated several places imply law suit on part of town or P.B.. Danette stated E-mail D.O.R. mentions litigation. Could we change town consel to a more local firm. Our lawyer charges A reasonable $100.00 p. hour.
Danette also suggested letter to atty. general's office giving both sides. (this a free service.
Paul reiterated selectboard are agents for any litigation.
Danette: P.B. wants to provide assurance no use litigation will occur.
Dave wants clarification of 377 MASS 621, 624 (1979)

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~~He (Dave) has talked with B. Clancy (Town moderator) regarding articles 4 & 5 on warrant, and was reassured both articles will be discussed at town meeting~~ omit wrong entry JMD

G.P. will be reduced and article amended to lower rate.

Bob Dykeman moved Dave could ask our lawyer for an opinion - unanimous oral vote if discretion used.

Lynne Rudie wants to look at G.P. submissions.

The DOR policy for ads - only ads from townspeople - ? $1.00 to advertise (a token fee). Policy re these tabled at present.

IN Summary:

Danette will call Dvore, David DOR.

Jodi - Thank you for Marion Avery donation -

No zoning work today.

A packet is needed for Russ. Committee worked on this and will send 4 pages - (art 5 Section 2C will be done)

Dates Thurs 29, Weds 28 (second choice) decided for energy meeting and Dave will notify. Bob to ask permission to use Gracey House for meeting.

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Fri, the 7th. at 10 am. next regular meeting.

This meeting adj. at 12 20 pm.

Joann (Jodi) Brown, Sec.