

MEETING NOTES - - Heath Planning Board Meeting

**Town of Heath
Planning Board
December 11th, 2024, at 7:00 pm
Virtual Zoom Meeting**

Meeting called to order by the Chair at 7:02 pm

ATTENDANCE:

Douglas Mason - Chair
Cindie Garland – Boards Clerk
Steve Thane
Will Emmet
Peter Charow
Bill Fontes

5G AND WIRELESS BYLAWS:

- Doug stated Charlemont passed the 5G and wireless bylaws. They call it personal wireless service facilities bylaws. He also discussed the Town of Woodstock Zoning Law Regulating Wireless.
- The board discussed writing the bylaw, schedule a town public hearing, then bring it up for a vote at the next All Town Meeting. Key concerns included aesthetic impact of 5G antennas on poles, potential competition with the town's fiber network, possible health impacts and emergency service communications.
- The board members agreed to obtain a final draft of the Charlemont bylaws, consult with fire, police, and emergency management chiefs and hold a public hearing before town meeting.

BACKLOT DEVELOPMENT BYLAWS:

- A potential zoning issue was discovered regarding zone frontage requirements. Doug discussed updating the zoning language. Current wording might allow building lots with only 50 feet of road frontage (instead of the intended 250 feet). Board members generally agreed the language needed correction.
- There was discussion about the zoning map layout, especially zone D (historical section).
- Considerations include maintaining town's rural character and concerns about housing availability for younger residents.
- Next steps include research the historical zoning language and prepare for a public hearing (potentially propose changing back to 250-foot road frontage requirement) to get community input.

TOWN OF HEATH NOISE ORDINANCE:

- Peter discussed the Ashfield noise ordinance case and its resolution.

- He suggests working with the Board of Health to develop a noise ordinance.
- Recommended using Town of Ashfield's bylaws as a template.
- Highlighted challenges with enforcement, such as needing specialized equipment to measure decibel levels.
- The board members proposed putting the noise ordinance on hold and making informal inquiries about its urgency.

STATE SOLAR BYLAWS:

- Will presented analysis of new Massachusetts climate and clean energy law. He shared updates on state solar energy regulations and implications for Heath.
- Massachusetts Climate and Clean Energy Law Discussion:
 - The new law aims to streamline clean energy project approvals
 - Defines clean energy to include nuclear power
 - For large projects (over 25 megawatts):
 - * State Energy Facilities Setting Board will review
 - * Permit must be issued or rejected within 15 months
 - For smaller projects (under 25 megawatts):
 - * Municipalities retain permitting control
 - * Permit must be issued or rejected within 12 months
 - Automatic approval will occur if deadlines are missed
- Will suggested updating solar bylaws to:
 - * Limit geographic size of solar arrays
 - * Provide more local control over project placement
 - * Consider impact on agricultural land
 - * Implement special permit requirements
 - * Create setback rules for adjacent property owners
- Solar Bylaw Discussion:
 - Suggested updating solar bylaws to:
 - * Limit geographic size of solar arrays
 - * Provide more local control over project placement
 - * Consider impact on agricultural land
 - * Implement special permit requirements
 - * Create setback rules for adjacent property owners

VINCENT ROAD RECLASSIFICATION AS A HEATH TOWN ROAD:

- Steve brought up the Vincent Road classification issue and ongoing litigation.
- Suggests the town should recategorize Vincent Road as a town road
 - Believes this could resolve ongoing litigation
 - Wants to provide road access for specific landowners
 - Concerned about potential legal costs
- Steve said he will consult with Hilma Sumner regarding proper procedures.

PRIOR MEETING MINUTES:

- Board members agreed to review and vote on Aug and Oct minutes at the next meeting.

NEXT MEETING: January 08th 2025 @7pm.

Doug made a motion to adjourn the meeting at 8:31. Bill second the motion. All in favor, Doug “Aye” Peter “Aye” Bill “Aye” Steve “Aye”.

Meeting adjourned at 8:31.