

Tyringham Planning Board
Meeting Minutes – September 26, 2011
(Approved 10/17/11)

Present: Barbara Palmer, Ed Nardi, Jerry Miller, Carey McIntosh, Rich Biasin, Robin Almgren.

(1) **Minutes for 12 Sept 2011** -- two corrections: the vote p. 2 on the motion to ask the Selectboard to rescind the new 6.7 was 4-1 in favor.

Page1, (4) 1. Revise words inside brackets to read: "The original map's circle was inaccurate; a corrected version was presented during the meeting." Minutes approved as amended, unanimously.

(2) **ANR's & Building Permits** – No ANR's or building permits needing attention.

(3) **Public Comment** – No public comment.

(4) **Zoning bylaw 6.7** -- Jerry addressed the Selectboard on 13 September, and in response they have called a Special Town Meeting for 25 October to respond to our request. Monday Oct. 17 is a reasonable date for the Hearing.

The new Form 7 for bylaw changes requires that we publish the first Notices at least two weeks before the Hearing, which is next Monday Oct. 3, with a second notice the following week. Carey will get this process started tomorrow (27 Sept.); it includes posting the Notice and sending copies of the Notice to neighboring Planning Boards, the BRPC, and the DHCD. The Notice will use language taken from the Warrant approved by Town Counsel.

Form 7 requires "a report with recommendations to the Town Meeting." A draft by Jerry was discussed and amended. It can be submitted as a power-point presentation, with five maps provided by the Assistant Assessor. These maps effectively demonstrate that the new 6.7 violates the Federal Telecommunications Act of 1996, because it "has the effect of prohibiting the provision of Personal Wireless Services" in Town -- that is, setbacks required by the new 6.7 (from lot boundaries, from wetlands and riparian zones, and from residences and public structures) make it impossible to locate a tower anywhere in town.

(5) **Rules and Regulations** -- voted 4-1 to table until a later meeting.

Adjourned.