

**LAND USE COMMITTEE**  
**Meeting Minutes**  
**January 27, 2016 at 7:30 pm**  
**Mendon Town Hall Mail Room**

**Members Present:** Sharon Cutler, Anne Mazar, Barry Iadarola, Peter Coffin  
**Guest:** Bill McHenry, Jennifer Gorham, Jack Hodgens, Erik Marky, Becky Kalagher

The meeting was called to order at 7:30 pm by Chairman Anne Mazar.

Becky Kalagher, Bay State Trail Riders Association, updated the Committee on the Quissett Trail Grant (\$29K) that she had applied for and received to improve stone culverts and 2 stream crossings that goes 100ft through a wet area. Two issues: MA Fisheries and Wildlife have said no to gravel for improvements of trail; cannot bring in anything that is not natural to the area. The issue that Becky is faced with is that if the demands from the MA Division of Fisheries and Wildlife (MDFW) cannot be adjusted then small equipment will not be able to get on the trails for trail improvements already approved in the grant and by the Mendon Conservation Commission. **Action Item:** Anne will call Elizabeth Newlands at MDFW for a meeting and site visit to see if a compromise can be reached.

Jack Hodgens talked with the Committee about the proposed Solar Farm at 128 Providence Rd. Jack brought the Committee up to date on his concerns about placing a Commercial Enterprise within a residentially zoned area and the precedent this would set for the Town moving forward. He indicated that Chapter 61A lands are involved and that this would be a change of use and therefore the Town's right of first refusal should apply. He also indicated that this type of development within a residential area goes completely against the Land Use Goals and objectives as adopted at Town Meeting. The Planning Board Open Hearing on this proposal is scheduled for 2/8/16.

Discussion took place on the need to review and revise the existing Solar By-Law. Anne explained that Sturbridge was allowed a temporary moratorium on building solar farms in their town for 1 year to allow sufficient time to engage in a planning process to address the effects of such structures and to enact bylaws in a manner consistent with sound land use planning goals and objectives. **Action Item:** Since Mendon has a Solar Bylaw, Anne will find out if a moratorium could be granted on the Mendon Solar Bylaw for residential areas, so that the Zoning Bylaw Review Committee could have time to review the bylaw as it pertains to building solar farms in residentially zoned areas.

Minutes from 10/21/15 were reviewed. **Motion:** Peter moved that the 10/21/15 minutes be approved as written, Sharon seconded the motion and it passed with unanimous approval.

Discussion took place on the Founders Park account to spend \$498.75 for electrical at Founders Park. **Motion:** Barry moved that we spend \$498.75 out of the Founders Park account for the electrical. Peter seconded the motion and it passes with unanimous approval of the Committee.

Anne updated the committee on 131 North Ave vegetable stand. Anne indicated that the proposal was for the land to be turned back to John Gannett who in turn would donate it to the non-profit Shirley Jean Smith Agricultural and Arts Center. Although Gary was anxious to get on the property to start a parking area he had been advised by Kim Newman and Town Counsel that any "land improvements" may create an issue in allowing the land to be returned. At the BOS meeting Gary indicated that the land would be used for farming, a farm stand, barns and Art. Sharon expressed concern that Art was as individual as the person appreciating art. If the Town's definition of Art is not clearly defined in the deed restriction this property could expand in the future as the non-profit changes its use for Art as it was originally indicated. She was also concerned as to how this would relate to the open space areas. **Action Item:** Anne will work with Town Counsel to make the deed restriction clear as to how the property could be used and will bring the wording to the Committee for review.

Anne updated us on the engineering work at 52 Providence Rd and indicated where fields could be established as well as affordable housing. The engineering company evaluating the use possibilities for the property, will do further analysis.

Sharon updated the Committee on cemeteries. Data received from Peg Tetreault indicated that Quaker Cemetery on George Street has lots to sell for \$800 and she believed there were over 100 available. Gravestones are now allowed in the cemetery too, where years ago they were not. It was Sharon's understanding that Town's were only required to provide cemetery space if there were no other means within the community to provide lots. Quaker Cemetery fills this requirement.

Anne gave an update on 34 George Street, the former Cox property, and indicated that the developer, F&D Central Realty Corporation Inc., would like to move forward to pay the town the funds to establish a conservation restriction on the open space portion of the property. The town has already received \$5,000 from F&D for management of the turtle habitat and is waiting for the \$13,800 check from F&D, so the town can work with Town Counsel and Metcomet Land Trust to compile the conservation restriction.

The Committee discussed the Liaisons to Land Use Committee and creating an official document was tabled for future discussion. Sharon suggested that if we proceed in this direction in the future that a simple letter to those appointed be sent with a list of those things the Committee would like them to do.

**Motion:** Peter moved that the meeting be adjourned, Barry seconded the motion and the motion passed with unanimous approval. Meeting adjourned at 10:00 PM

Submitted by Sharon Cutler  
Secretary