

Barrington Planning Board Meeting
January 14, 2010 - 7:00 PM
Land Use Office, Town Administration Building
Work Session - Conference with Michael Davis
Corner of Smoke St. & Rte. 9

Members present: Chairman John Huckins
Alan Kelley
David Mott
Dawn Hatch (Alt)

Discussion with Mike Davis

Chairman Huckins opened the meeting to a conference with Michael Davis regarding the work that needed to be done on his site before the cease and desist could be lifted and the store could be opened. A letter from Davis to Code Enforcement Officer, Ted Buczek and one back to Davis from him was reviewed. These communications will be an attachment to the minutes.

Davis said that he planned to cover the end of his building that he has removed a portion of as a temporary fix which was one of the requirements to keep animals and people out. Huckins asked if he would cover the end with paper. Davis said if the Board wanted this done he would do it. He said maybe it would be a good idea anyway as it would keep the weather out. He said Buczek's letter stated what needed to be done and Davis said that the work would be completed by June, 2010.

Davis said he hoped that the Board was satisfied with what he had represented would be done and that he was moving in the right direction so that he could open the store next week to earn some money from the property. He said he needed to clean the store. Davis said it was full of second hand furniture and antiques. He said he intended to take the Tex 1-11 off the front of the building and redo it. He said his plan was to demolish the existing structure and build a new one which would be more presentable. He said the area would be cleaned by spring which Buczek had said was agreeable.

Davis said he would be back before the Board in April or May with his plans. He said reclamation of the site would also be done. Huckins said Davis had represented that the side next to Route 9 was ready for seeding. Davis said this was true, he said that he had sectioned off the site and would reclaim each section completely before starting on the next one. He said it would be done in 4 sections.

Davis said that he was working with Surveyor Bruce Pohopek on the site plans. Huckins asked if the reclamation of the site was still under a cease and desist. Davis said no. He was not removing any material from the site. He said that he had stored a car and other items such as the debris from removing a section of the shed. He said this has been cleaned up. Davis said the only items outstanding from opening the store were shown in the letter from Ted Buczek and he had addressed these with Ted.

Huckins gave a background of the store. He said it had been a hardware store and then a grain store, before he and his father had come before the Board to operate a flea market

store to sell second hand furniture and glassware. He said they had closed the store when the cease and desist was served. Huckins said one of the issues that the Board had was reclamation of the site which had not been completed.

Huckins said that the bond had expired so the Board had no way to enforce what needed to be done. Hatch said we could require a weekly report on what had been done to the sections as they were reclaimed. She said if they were not done we could rescind the operation on the site.

Mott said we wanted to work with Davis but our biggest concern was how we would keep this from happening again. He said if there was another violation we could serve a second cease and desist.

Davis said he would guarantee that by the end of the year he would have the site fixed. He said he would work on a weekly basis as he did not have the money for a \$15,000.00 bond. He said he would work on the site and give a report of what had been done. Davis said each section would have the material removed or spread around, loamed and seeded. He said he did not want to go through this again.

Members again said that they wanted to work with Davis so he could get his business in operation. Mott said we needed to protect the Town so the same thing would not happen again. Kelley made motion to recommend that the Code Enforcement Officer lift the cease and desist for operation of the store when the work represented in his letter was completed by Davis to his satisfaction and to address the reclamation of the site with a report by May 20 on the permanent solution on the store being reconstructed and finished and stating what had been completed on the reclamation and that it was being worked on to complete the 4 sections of reclamation. Reports on the reclamation needed to be given the Board on a timely basis to ensure that the work was in progress. The motion was seconded by Mott, all in favor. Huckins said that Davis should keep the Board up to date on all work on the site. Davis thanked the Board for meeting with him.

Eco Park Discussion

Huckins said that one thing that he had thought of was that if the developer stockpiled material and the Town needed some whether they could have access to it. The question was raised whether the 6 month for the lots to be returned to the tax roll was from the time of signing, upon subdivision approval, or when each site review was approved. Mott said the intent needed to be established whether it was 6 months of the sale of the lot or 6 months from development of the lot.

Mott said there was a time frame for the hearing process that no money would be made. He said the contract should address the intent up front. Mott said the private - public relationship would need to be established as this would be a unique enterprise.

Mott said the Conservation Commission felt that the project for the majority of the discussions, agreements, contracts, etc. should be transparent. He said the members felt that they should have been included in the process. Mott said that it was unrealistic to expect this to happen but we needed to be as transparent as possible. Mott said the Stonehouse Pond negotiations were not as transparent they should have been. Many times negotiations were made behind the scenes.

Mott said he told the Commission members that they would have input in the subdivision and site review process. He said as the site was developed the areas that could be saved would be shown. He said a plan would be done to show the topography and wetlands on the site.

All members agreed that we could not save every parcel, we needed industrial and commercial development to help with the tax base. Mott said he thought that we had done well this year creating open space and easements.

Membership

Huckins said that terms for Alan Kelley and Dawn Hatch were ending this year. He said he felt that Kelley was an active asset to the Board and had attended the Law Lecture Series which helped him be informed on the work of the Board. Kelley said he would like to remain on the Board. All supported renewing his term.

Hatch said she would stay on the Board as an alternate if wanted. Huckins said it was valuable to the Board to have Hatch as an alternate as she attended all of the meetings and in the absence of a quorum could serve to fill a seat. He said she knows what was going on and her knowledge was an asset to the Board. All members agreed that it would be to the Board's advantage to reappoint Hatch to the Board. Mott made a motion to recommend reappointing Alan Kelley as a full member and Dawn Hatch as an alternate for the next 3 years. The motion was seconded by Huckins, all in favor.

Planning position

Hatch said that Selectman Charter Weeks had told her that Jackie Kessler would attend this meeting to talk about the planner position. Hatch said that Weeks said there were about 8 candidates and the committee hoped to interview at least 2 or 3. Hatch said that Weeks said as Edward Lemos and David Vincent were not available at this time the Board should select 2 other members to take their place.

Hatch said Weeks said that he would be glad to have 1 or more members attend the interviews to discuss this position. She said that he represented that all were welcome. Huckins said that he had always felt that the Board might see things that 2 people could miss. He said the Board might have different questions and concerns that could be brought out.

Hatch said that she would relay the message back to Weeks. It might be a good idea to have Weeks and Kessler meet with the Board to discuss what each were thinking about with regards to a planner before any new member of the interview group was selected.

Economic Development chapter update and people with ideas

Hatch said Steve Lenzi would be meeting with the Board on January 28 to discuss his views on economic development. She said she would try to get Marion Norohna to come on January 21 if possible. Huckins said he was not available at that time we might be able to have Fred Bussiere meet with us.

Planning Board annual report for the Town Report

Hatch passed out a draft of the annual report of what the Planning Board has done over the past year. The most important item in the Report would be to inform the voters of the Work Force Housing that the State has passed and all towns must accept. The Board has proposed an ordinance that would allow work force housing in the General and Neighborhood Residential Districts, and the Village Center. This type housing would not be allowed in the Town Center or the Regional Commercial Districts. Kelley will work with the draft for consideration at the next meeting.

Tapes destroyed from meetings when minutes are available to public

Hatch presented a statement concerning the disposal of tapes for meetings by the Planning Board and Board of Adjustment. It set a policy that tapes would be destroyed after the minutes of the meeting that they addressed were available to the public. Huckins said including the 30 day appeal period could cause a problem keeping track of the dates. All suggested removing this sentence. Kelley made a motion to approve this document, seconded by Mott, all in favor. The statement will be presented to the Zoning Board of Adjustment at their meeting on January 20.

The meeting adjourned at 8:50 PM, motion by Mott, seconded by Kelley, all in favor.

Dawn Hatch, Clerk