**Planning Board Minutes**

DATE: February 1, 2017

Convened: 7:00pm.

Members Present: David Killian, Russell Smith, and Pam Marquis

Judy Sessler, Brian Caron, Nelson Burlingame, BOS and Mike (ZBA).

**NEW BUSINESS**: Cumberland Farms Representatives-Phil Lombardo, Dalina Boryszewski, and Marc Belanger. Presenting a package of reduced plans, and a larger plan also is available. A raise and rebuild of an existing station, acquiring some property around the existing business, and build a new store. Size less than 5,000 sq. ft., a canopy with 3 fuel dispensers with 6 fueling positions, parking spaces on side and in front, with parking behind the country bank building. Parking spaces will be done in a new configuration. Showing existing conditions on site, showing the new parking lot configuration, specs for new sign, and architectural design of new building. 1. The bylaw does not state the number of parking spaces per sq. foot of building (the parking area). Dave is saying to use the foot print of building to determine parking lot space. Total foot print of Cumberland farms and country bank. Does the bylaw permit two separate properties to share parking? If there is an easement in the registry of deeds, a life time easement, with maintenance of parking lot in that easement. No work to the bank property other than the parking lot. Septic issue will be handled with Marc and the BOA. Lot configuration will remain the same, a new well will be required also that they will work with BOA. Need to get the ZBA to approve a special permit. Will need a variance for the rear yard setback, because they are short 23 ft. in the back and about foot and a half encroaching in the front. Question about the historic area, is there a demolition delay for historical, Nelson stated we do not. Working with conversation as well due to wetlands in the back in the buffer. Dave asked about the back lighting of the signs and may go to ZBA for that because in Brimfield we cannot have internally lit signs. Dave talked about the signs on the building and off the building, signage on the canopy may not be allowed either in our bylaws. Pam asked about a traffic analysis, and Phil said they have not yet, but will have it ready for the site plan review, they will have a traffic engineer involved. Dalina asked about the lighting and Dave said be kind to your neighbors and have lighting face the buildings. Judy Sessler asked about the well, and location of the school distance. Judy mentioned about the house in the back and the wetlands issue, Dave said conservation will take of that. Judy is asking about lights, and how so many lights may lower the value of someones property in and around the common. Phil said they will submit a lighting plan at site plan. Judy mentions that it is a historic district. Michelle Ristino, Conservation, asking about storm water plans and Marc mentioned at this time they have not done that yet. Phil said they will have the property fully engineered. Dave said that once ready they can submit their site plan without pre-site plan review. Phil said the next time we may see them is during ZBA review. Site Review Application can be emailed, by the clerk. Sue Hilker, says that a joint hearing can be held since this is out for special permit with ZBA.

**7:45 Selectboard members to come in to review Solar Bylaw**- Paul McCarthy, Sue Hilker, Mike Miller and Pat Leaming. Paul is speaking on behalf of the board, Brian Caron approached the Board of Selectmen to support his proposal for a bylaw (same one that he proposed to the planning board). Dave Killian let the BOS know what our warrant article says and that we would like to submit. Dave went over the 3-phase power, the tax benefit, but not taxing to the school. Pat Leaming went over the specification of major transmission lines and open space, etc. Mike Miller, asking considering sponsoring by both boards, BOS and Planning Board. The Planning Board will welcome the BOS’s endorsement. Sue Hilker, people were concerned that solar is visible from residents, will there be something in the bylaw that helps shield the neighbors during site plan review, because if we can’t get the residents assured that they will not see it we may not get the votes. Dave went over the last site plan and the engineer doing site lines from the surrounding homes (Apple Road Project). Buffer zones are in our site plan review laws. Brian Caron is asking if there is a limit on the rear setback. It opens up to the Residential/Agricultural area and the Business District. Setback is subject to site plan review. Mike MacFadden, concerned about the topography in the town, being allowed in Residential/Agricultural area, it would not be possible regardless of the buffer zone, it is a gross deviation of the bylaw. He suggests that this allows in the Residential/Agricultural are by special permit. Paul has questions with regards to site plan review, the board does not have to approve it, if that is the case the petitioner can go to court, so there is no reason for special permit. Mike MacFadden is saying that it should be left up to special permit and more advantageous to the town and go case by case. Pat mentioned that we need to be more business friendly.

Review Zoning Officers Bylaw amendments/changes-Nelson is addressing the board with his suggestions. Looking at Non-Conforming Buildings, self-storage units (adding it as 3.7.4), and lastly earth removal (adding not more than 50,000 cubic yards). Discussion with regards to storage units and the old appeal from 1986/1987 and whether or not that is case law for future. Pat says 2 boards should not be arguing about the definitions, and Sue says we should be working more together.

3.6.4-change to Any Business, wholesale or retail, service business, etc., not otherwise regulated under the zoning bylaws, etc. Town Counsel will review the changes.

Judy Sessler-concerned with the self-storage unit, regarding the State Forest to insure the business is not on state land. The assessors map shows all the boundaries.

Review Jenna’s email for amendments-we think the changes we made will address that.

Address Sheila’s amendments-will type up and assign the moratorium for marijuana establishment to put on warrant. Will address 3.6.2 and 3.6.3 at hearing

**ANRs/SITE PLAN REVIEWS:** Right of First Refusal request: 0 East Hill Road, Owner Michaelene Kelley, Lot 6.10, Map 6, Block D. Pam makes a motion to take no action on the 61-release rollback, 0 East Hill Road lot 11. Russell seconds and all in favor none opposed.

Increase salaries by 2%.

**OLD BUSINESS:** changes to Order of Conditions (just putting this on the agenda so we don’t forget to address it either at this meeting or future meetings)

**OTHER:**

* Review minutes-January minutes-not reviewed
* Sign payroll-done
* Mail-done

Motion to adjourn: Pam, seconded by Russell, all in favor and none opposed

9:34pm