

Planning Board Minutes August 8, 2011

Present: Paul Allis, Lynn Rose, John Waite, John Baronas, and Rachel Blain

Absent: Max Antes and Roger Sadoski.

Guests: Bernie Kubiak (Town Administrator), Dick Calisewski (Building Inspector), Ron Bohonowicz (ZBA), Steven Pistrich, Peter Labarbera, Gary Kolakoski, and Brian Kolakoski.

Meeting called to order by John Waite Chair at 7:10pm.

The agenda was reviewed

Minutes: Minutes of the July 5, 2011 meeting were reviewed and accepted in a motion made by John Baronas, seconded by Paul Allis, and voted. (3-0-2).

Public Comment: None

Appearances before the Board:

Oxford Property: Present: Bernie Kubiak

Mr. Kubiak was present to request approval from the Board for a property exchange, swapping a twenty foot strip of property along the south side of the property owned by Scott Peabody for elimination of an easement. The area involved is identified as lot 1 on a plan prepared by Ainsworth Associates, dated July 29, 2011. After a review of the plan presented a motion was made by Mr. Baronas, seconded by Ms. Rose, and voted, to approve the request. Paul Allis, an abutter to the properties involved abstained from the vote. The vote was 4-0-1

NEW Business:

Sign Regulations: Present: Ron Bohonowicz (ZBA),

This meeting was intended to be a joint meeting between the Planning and Zoning boards to discuss issues that have arisen regarding regulations, permitting of signs and coordination between the boards.

Mr. Bohonowicz, chairman of the Zoning Board and longtime resident, spoke of his concerns about the existing bylaw regarding signs. He thought it might be time to revisit the bylaws to make them easier to understand and enforce. He feels the sign bylaw needs to be tightened to provide better guidance for the Building Inspector. This should include a schedule of fines that might prevent "temporary" signs from becoming permanent. He further suggested that the sign bylaws be reviewed and that it be done in time for the next fall or spring town meeting. He then produced a list of concerns/ suggestions for consideration which he explained.

Mr. Bohonowicz' s list included:

- 1.) A better definition is needed for off-premise signs. Should signs be allowed on someone else's property? What about signs such as Bub's BBQ, a business that's not even located in Deerfield. Are they under the jurisdiction of the town or state?
- 2.) He recommended that free standing signs be allowed on-premise and that ownership, size, etc be regulated.
- 3.) There are a number of signs for businesses that are no longer active, such as the Gramacki sign and one for the Yankee Car Museum These signs need to be removed.

Some criteria for removal would be helpful for the enforcement officer..

- 4.) Should there be a time limit on signs such as Real Estate signs? Some of them seem to be billboards. He is aware of some that have been up for more than ten years.
- 5.) What about signs advertising business in other communities (such as Okemo.)
- 6.) "Wire signs" such as Bub's BBQ at the corner of Rt 5&10 and 116
- 7.) Farm stands should be permitted with set fees and time limits so that they would be removed at the end of the season.)
- 8.) There needs to be attention given to the condition of signs. Ms. Rose asked if he was referring to aesthetics or safety.
- 9.) All Free Standing signs should require permits.
- 10.) How are signs funded? A schedule of fines for violations should be developed.

Following this presentation, Mr. Waite suggested that there be a sub committee made up of 6 people: Building Inspector, a ZBA member, 2 Planning Board members, and 2 business people from town to look into possible signage changes to be brought before town meeting. The suggestion was made that other towns and FRCOG be consulted to learn how others handle signage.

Sign Complaint: Present: Steven Pistrich, River Road

Mr. Pistrich came to raise issues about a sign at the SW corner of RT. 116 and Sugarloaf Ext. He said the building inspector has approached Mr Pasiecznik about an "Open" flag that is hanging on a utility pole. Mr. Pasiecznik claims that he did not put the flag up and had no connection to it. However, Mr. Pistrich said he saw Mr. Pasiecznik standing in the bed of his pickup truck putting the flag in its holder.

Magic Wings – Present: Peter LaBarbera, Brian Kolakoski, Gary Kolakoski, Richard Calisewski

In an unscheduled appearance, Mr. LaBarbera, representing the Kolakoski brothers, reported that he has observed a building being constructed by Magic Wings, which he feels is in violation of section 5400 of Deerfield zoning regulations. He has determined, by counting the concrete blocks that the slab is intended to be the base of a 736 sq. ft building. It is his opinion that a site plan is required and that Mr. Miller may need to appear before the ZBA for a special permit, due to setback issues. He contends that there is land disturbance that should require a site plan requiring a storm water review.

Mr. Calisewski, the Building Inspector, read a cease and desist order that will be given to Mr. Miller, owner of Magic Wings. He further commented that there is a loophole in the current regulations that allows construction of a building in phases to avoid preparation of a site plan. He recommended that there be a stipulation in the bylaws that states any construction within a five year period that exceeds 600 sq. ft. be subject to a site plan review.

Additional discussion involved a road, Clark Cross Road, that provides access to farmland owned by the Kolakowskis. The status of the road was not certain. Was it discontinued and abandoned or just discontinued maintenance?

Ms. Rose thought the whole Magic Wings issue should be submitted to Mark Bobrowski, the Town's attorney and expert on land issues.

Mr. Waite will invite Mr. Miller to a meeting to discuss his plans.

OLD Business:

FRCOG Update

1. Pat Smith would like to meet in late September to work on the New Member Orientation Packet/Handbook, the SPR process checklist and flow chart. A date of September 19, 2011 was set.
2. Solar Installations –The Board had questions about where funds would come from.
3. Storm water – Mr. Waite made a motion, seconded by Ms. Blain, and voted, to hire Debra Schriver for 5 hours to draft storm water permitting regulations to align with the newly created Planning Board format for ANR plans. (5-0-0)

Correspondence:

Meetings - Next meeting will be Monday, September 12, 2011 at 7:00pm and a second meeting on September 19th to meet with Pat Smith.

Mail – Notice of grant availability from EOCD
Whately solar photovoltaic farm plan

John Baronas moved to adjourn the meeting at 9:05pm

Respectfully submitted,
Priscilla Phelps

Attachment A

Note: These minutes were compiled from notes taken by Paul Allis and Lynn Rose.