

Planning Board Meeting Minutes
September 10, 2012

Present: John Waite, Lynn Rose, Max Antes, Paul Allis, Rachel Blain

The meeting was called to order at 7:04 pm, by Chair, John Waite with the reading of the agenda for the meeting. The May 24th meeting minutes were approved at the June 4th meeting, according to John Waite's notes. The minutes of the June 28th meeting were approved. (4-0-1)

New Business

Approval(s) Not Required

1. Change configuration of a lot
Owners - Bela Breslau and Stephen Billias
595B River Road

The line between lot 1 and lot 2B is changing so that two barns will be on the same lot as the farm house (lot 1). As revised, lot 1 will now have almost 5 acres and lot 2B will have just over 18 acres. There is a common driveway that has been previously permitted. Ms. Rose said she had received a call from Mr. Calisewski with a comment about the shared driveway. However, since the requirements to be met for an ANR address frontage and access, there was no concern about the driveway. **A motion was made by Max Antes, seconded by Rachel Blain, and voted, to endorse the ANR, prepared by Harold L. Eaton and Associates, Inc, dated July 31, 2012. (5-0-0)**

2. Increase lot size
William Swasey and Kimberly Keese
89 North Hillside Road

Mr. Swasey said his neighbor is selling his house, so he decided to purchase a bit of land to preserve his view. Frontage and access will not change for either property. **A motion was made by Rachael Blaine, seconded by Max Antes, and voted, to endorse the ANR plan, prepared by Daniel Werner, PLS, and dated September 4, 2012. (5-0-0)**

Rezoning questions: Present- Pat Smith (FRCOG)

1. **Whately Road** - Mr. Waite reported that there are two zoning requests before the PB that require a decision about what the next steps should be. The preliminary inquiry from Cows regarding zoning of property located on Whately Road has become a formal request for rezoning. The original inquiry also included a question about extraction of water as an agricultural activity, which has been determined not to be an agricultural activity.

There are other properties on Whately Road that are commercial enterprises, raising the possibility that a zoning change from residential/agricultural to commercial would better reflect actual use. Ms. Smith thought Council should be consulted to determine whether the PB must respond just to the specific request or expand the scope to include other properties between

Whately Road and RT I-91. She recommended that a public hearing be scheduled to get input. A tentative date of October 15th was agreed upon.

2. **North Main Street** - On the matter of the Decker request, Mr. Decker is saying that now that it's known that the sewer extends all the way to the dry bridge on North Main Street, it makes sense to zone the properties from Captain Lathrop Drive to the dry bridge as Central Village District. The letter from Mr. Decker said making the change would solve a problem for commercial properties (along the rail tracks) that cannot be used commercially due to lack of access. Ms. Rose thought this should also be discussed in a public meeting. Ms. Smith suggested holding a second hearing on the N. Main Street issue on the same night as the Whately Road hearing, just keeping it separate.

After further discussion, Mr. Waite said he would call Mr. Decker advising that the Board was not inclined to take any action unless Mr. Decker wished to exercise options, such as submitting a petition.

Special Permit Process:

Ms. Smith reminded that developing a process for issuing special permits has been on the agenda for quite awhile, but other things took precedence. She has spent some time using the site plan review format to prepare a procedure. The PB issues Special Permits for several activities:

1. 2 types of solar installations (large scale ground mounted and extra large installations)
2. any use in watershed districts
3. planned unit development
4. common driveways (There was a application for a variance before the ZBA that will come to the PB for a special permit)
5. conservation subdivisions in residential/ agricultural or central village areas

Many of these special permit applications also require a site plan review. Those applicants must file both applications and pay both fees. One thing Ms. Smith noticed is that there's no place in the use table that indicates whether applications should be made to ZBA or PB. In her review of the flow chart she noted requirements for special permits differ from site plans in several ways: different deadlines; different voting requirements: 2/3rds of the majority of the whole board (not just those present), and a 90 day from end of hearing.

There are times when a joint meeting of the ZBA and PB is appropriate, for example when there is a site plan review (PB) and a special permit (ZBA) for the same project or where a variance (ZBA) is needed prior to a special permit (PB). Mr. Waite thought it should be left to the administrative staff to decide when this should happen. Ms. Smith will follow-up with the Administrative staff.

Mr. Rose wanted to know if an appeal would go to the ZBA, to which Ms. Smith replied it would go to a court of competent jurisdiction.

Special Meeting with Board of Selectmen: Working cooperatively between boards was thought by Mr. Waite to be the purpose behind the meeting which the Board of Selectmen has called for 6:30 pm on September 25, 2012. He reported that he thanked the Board for calling the meeting and plans to attend.

Discussion Items:

1. **Nourse Farms** – Ms. Rose reported that the withdrawal of water from the Connecticut River for irrigation purposes has been approved and does not require an environmental impact report.
2. **PanAm Railways NPDES permit update** – Ms Rose reported that it took 10 years to get and updated plan. The Town was unhappy with the results, appealed the plan, and won. One request was that testing be done during dry weather and that there be limits set. She said that during dry weather there should not be discharge coming through storm water drains. This led to a concern about ground water getting into the drainage system. Requests have been made for more testing. There is a meeting on the 19th at 6:00 pm to learn more about what the rail road is doing about the clean-up.
3. **Subcommittee reports** –
Open Space Committee – Lynn Rose The committee has received some funding and has begun working on updating the plan.

Complete Streets and Livability Project – Max Antes - The committee recommended that the firm of Nelson-Nygaard be hired as the consultant for the project. He had thought that that committee would remain with the project, but now a steering committee composed of interested persons is being put together by Mr. Kubiak to work with the firm. Mr. Antes was concerned that there seemed to be no place on the steering committee for PB representation. He would like to stay in the loop.

Signage Committee – Paul Allis – Mr. Allis has been right out straight and hasn't done anything to get this committee organized. Note was made that there appears to be some enforcement.

Next meeting: The Board will hold its regular meeting on October 1, 2012 and a possible public hearing on October 15, 2012.

A motion was made by Max Antes, seconded by Rachael Blaine, and voted to adjourn at 9:02 pm.

Respectfully submitted,
Priscilla Phelps