APPROVED

Planning Board Minutes

May 11, 2021

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu’s Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically. The public has access to contemporaneously listen and participate in this meeting through the video.

Members present: Nancy Teach, Chair; Randy Monti; David Powers; Donna Duclos; Art Urie; John Hodgson; Ken Wells, Alternate; and John Kinney, Ex-Officio

Also present: Andrew and Tiffany Perkins; Mindy Taylor-Bosworth; Thomas Taylor; Katherine Stearns

Teach opened the meeting at 7:02 p.m. with a roll call of board members.

Board Reorganization – Continued election of officers – Vice Chair and Secretary

Vice-Chair – Teach made a motion nominating Duclos. Kinney seconded the motion and the board voted unanimously via roll call vote in favor of Duclos as Vice-Chair.

Secretary – Teach made a motion nominating Powers. Duclos seconded the motion and the board voted unanimously via roll call vote in favor of Powers as Secretary.

Teach advised board members that they need to review their term limits. If term is up, be sworn in by the Town Clerk. Monti stated he will be resigning from the board effective either July 1, 2021 or as soon as another board member is appointed. Wells agreed to move from an alternate to a full board member and Monti will resort to an alternate until such time as another member is appointed. Teach made a motion to recommend this change to the Selectboard. Duclos seconded the motion and the board voted unanimously in favor via roll call vote.

Minutes of April 27, 2021

Urie - Motion to approve as amended

Duclos – Second

Unanimous – Vote via roll call to approve

Continued Public Hearing: Decision for Thomas Taylor, with Melinda Taylor-Bosworth as agent, for a minor subdivision for property at 102 Plains Road, Tax Map 11, Lot 017,128 in the Rural / Residential Zone

Duclos stated the applicant has done everything the board had requested. Urie made a motion to approve the minor subdivision. Powers seconded the motion and the board voted unanimously via roll call vote to approve the minor subdivision.

Public Hearing: Andrew and Tiffany Perkins for an Open-Air Market ( White Sparrow Market ) at 216 Cilleyville Road, Tax Map 21, Lot 513,573 in the Village Zone

Teach opened the public hearing at 7:30 p.m. Items the board previously requested be clarified were discussed. Perkins explained their proposal. Stearns asked if this property is in the Village Zone and if this is a permitted use in the zone and the response was yes to both questions. Stearns asked if this would be new goods and the response was yes along with some refinished items. Stearns stated this proposal does not meet the Zoning Ordinance. Teach spoke on behalf of a concerned abutter regarding their concern with the ingress and egress as it is confusing on the diagram. The abutter asked that because the road is narrow and quiet if the police could be there to direct traffic. Perkins responded that they had a yard sale last year and there was a person that was certified in traffic control and there were no problems with traffic. Kinney asked what the speed limit is on the road and the response was 25 miles per hour. Stearns stated the traffic volume on Cilleyville Road only increases when there is a vehicle accident on Route 11 or a detour from Route 11 and that the traffic with the yard sale last year was abysmal. Teach stated the board would take this under advisement. Kinney asked if the traffic controller was in the road and the response was yes. Teach stated that as the application stated three to five events per year, would the applicants be willing to start with three to see how that works out and the response was yes. Kinney stated that if this is a permitted use during business hours, whose purview is it to review the number of days to work. Urie responded that any approval could be contingent on a certain number of events per year. Teach asked the board what their wisdom was as far as limiting the number of events and Kinney responded that if their insurance is satisfied with six, then that is what the board should agree on. Teach asked the Perkins if they would like to change the number of events on their application to six and Perkins responded that if that would delay the proceedings, then no. Kinney stated that the application has already been deemed complete; therefore, it should be left as is. Stearns stated she was not privy to information from the April 27, 2021 meeting and is concerned with this proposal being a permitted use in the Village Zone. Duclos asked if there would be “no parking” signs on the road and the response was yes. Teach stated that she hoped parking won’t block the neighbors’ mailboxes and asked the Perkins if they would notify the neighbors prior to events and make sure all trash is cleaned after each event. Monti asked how many abutters were notified and the response was 18 total. He asked how many had been spoken to already and the response was six. He asked if any gave negative comments and the response was only two. Monti asked Stearns if she had spoken with any of the abutters and Stearns responded no but she remembered last years’ event. Stearns asked if there was a non-binding consultation for this on April 27, 2021 and the response was no, it was a continuation and application completeness determination, the original non-binding consultation was held on April 13, 2021. Powers stated he understood Stearns concern with permitted use and Urie stated that all permitted uses in the Agricultural / Residential Zone are accepted in the Village Zone. Powers responds that this would be a Special Exception in two of the zones and this is another grey area in the Zoning Ordinance; however, the Ordinance does list an “antique shop” which includes refurbished items which is part of their proposal. There being no further discussion by the public, the public hearing was closed at 7:55 p.m. Monti asked if there is a period after the closing of a hearing in which the board can discuss and the response was yes. Monti stated that the applicants proposal was similar to what he thought of as a flea market. Hodgson stated he agrees with Monti. Teach stated she is concerned with traffic on a quiet, country road and Kinney responded that the road was there prior to expanding the Village Zone. Monti stated that there cannot be a lot of objection as only one abutter is present. Kinney stated he is interpreting the concerns as more from the volume of traffic rather than what’s being sold. Wells asked what the time-frame for each event would be and the response was 8:00 a.m. until 2:00 p.m. Perkins stated the impact would be no more than if someone was holding a family reunion or a wedding. Teach stated that a decision would be made at the May 25, 2021 meeting.

Reports

Planning & Zoning Administrator – in absentia

1. The Refinery is looking to utilize an outdoor tent again this year and would like documentation for the liquor commission.
2. Teach would like Pat Moyer to update the board on building permits that have been issued and include a report in the annual Town Report.

Teach – Zoning Maps

1. There are no updates at this time.

Selectboard – John Kinney

1. John Guiheen, on Potters Road & Route 11, has applied for a building permit and it has been issued.
2. Teach asked if B&S Diesel had received a letter from the town attorney and Kinney responded he was unsure.
3. The Selectboard has been approached regarding town owned property and the Selectboard needs to present each parcel to the Planning Board to ascertain whether it is a buildable lot.
4. White Oak Development - $40,000 was approved at the town meeting for an environmental impact study. If this is developed, what does the Planning Board need if the town would like to construct a garage. Teach replied a Site Plan Review would be necessary. Kinney stated approval at the town meeting would be needed in order to build. Wells asked if the Conservation Committee is involved and the response was yes due to some wetlands. Monti asked if the $40,000 included design plans for the building and the response was yes.
5. The Selectboard had a fact gathering meeting regarding the Beaver Deceivers on May 10, 2021.

Monti regarding Jon Champagne

Monti stated he had spoken with Champagne asking in what capacity John Bentley is involved with this project and Champagne stated he is just a friend that is helping – there is nothing monetary between them. Monti spoke with John Bentley and Bentley stated he was unsure as to what the Planning Board is requiring. Monti provided all requirements to Bentley and Bentley understood and stated he would provide everything to the board. Monti requested that all requirements be submitted to Pat Moyer, the Planning & Zoning Administrator. Monti stated to the board that he himself is unsure as to why there is a condition of having Aries Engineering approve Champagne’s blasting plan as they are no longer Champagne’s consultant. Teach advised Monti that all stipulations be put in writing supporting the “Notice of Decision” dated January 31, 2020 from the Planning Board. Monti made a motion to allow Champagne to submit the blasting plan to the Fire Department without Aries Engineering approval which was a condition of the January 8, 2020 approval. Powers seconded the motion and the board voted unanimously via roll call vote to allow Champagne to submit the blasting plan to the Fire Department without Aries Engineering’s approval which was a condition of the January 8, 2020 approval.

PUD Update – John Hodgson

1. Hodgson gave a brief overview of the difference between “overlay district” and other districts.

There being no further discussion, the meeting was adjourned at 9:00 p.m.

Submitted by,

Lisa Meier

Recording Secretary