

## Planning Board Meeting

February 19, 2014 (postponed meeting due to bad weather on 2-18-14)

Present: Chair William Nebelski, Selectman Mike Darcy, Dorianne Almann, Morris Klein, and CDC Kathryn Lynch. Excused from the meeting were Clare Hudon, George Benedict and Alt. James MacDonell. Applicants and nine members of the public were present.

6:00 pm Chair William Nebelski called the meeting to order and read the public notice for Minor Site Plan Development Review submitted by Diamond Sparkler Manufacturing Co. Inc., tax map 28 lot 4, 939 Brattleboro Rd in the Roadside Commercial District, applicant proposes continued use of eight seasonal storage trailers, two year permit. Manager Jeff Graham was at the meeting representing Phantom Fireworks. Morris Klein made a motion to accept the application as presented, seconded by Dorianne Almann. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously. Jeff Graham asked if the two year permit could be extended to four, (the Board felt that two years is sufficient). Public portion of the meeting was closed. Morris Klein made a motion to approve the Site Plan presented by Diamond Sparkler Manufacturing Co. Inc. for their two year temporary storage permit, which allows Phantom Fireworks to have annual temporary storage between the dates of May 15<sup>th</sup> and July 15<sup>th</sup>, seconded by Selectman Mike Darcy. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously.

Morris Klein made a motion to table the Minor Site Plan Development Review submitted by 571 Realty Trust until next month's meeting because they were not in attendance, seconded by Dorianne Almann. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously.

Chair William Nebelski read the public notice for Major Site Plan Development Review submitted by William Faucher, tax map 14 lot 27, 482 Brattleboro Rd., in the Roadside Commercial District. Applicant proposes on-site sale of beer, wine and food, as well as food preparation. Chris Lord was in attendance representing William Faucher. Morris Klein made a motion to accept the application, seconded by Selectman Mike Darcy. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously. Chris Lord explained to the Board that they would like to put a small kitchen in which would include a stove top, fryer with hood and preparation station. In the future they would like to offer customers beer or wine. Morris Klein commented that the State of NH has a lot of applications that need to be applied for if they choose to offer food at their establishment. The Board recommended that the applicant apply for all necessary licenses and then bring in an updated site plan depicting the changes necessary. George Nelson, abutter, explained that he does not want to see a bar room next door to his property. The Board explained that the State mandates which establishments can or cannot serve alcohol. The Board explained that when the applicant applies for a liquor license with the State of NH that the Board will be asked whether they recommend alcohol on the premises. The Board explained that they cannot approve or deny any establishments use of alcohol. Chair William Nebelski commented that the lighting in the parking is not the type of lighting that was approved on the previous site plan. He explained that they need to come into compliance prior to any approval from the Board. Morris Klein made a motion to table the Site Plan until next month's meeting so that the applicant has time to make the adequate changes to the Site Plan, seconded by Selectman Mike Darcy. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously.

Chair William Nebelski read the public notice for Minor Site Plan Development Review submitted by Rick Wetherby, tax map 30 lot 38-1, 11 Brown Dr., in the Rural Agricultural District, applicant proposes an in home office with one truck on site. Rick Wetherby was in attendance. The Board read the Cease and Desist Order from December 2005. Morris Klein made a motion to deny the application due to the Cease and Desist Order on 11 Brown Dr., seconded by Dorianne Almann. Chair William Nebelski repeated the motion and called for a vote; the motion was unanimous to deny. Board explained to Mr. Wetherby that they cannot overturn a Cease and Desist Order and to consult with his attorney on how to move forward.

6:45 pm Selectman Mike Darcy made a motion to adjourn, seconded by Dorianne Almann. Motion to adjourn unanimous.

Respectfully submitted,

Kathryn Lynch, Community Development Coordinator