

Planning Board Meeting
April 15, 2014

Present: Chair William Nebelski, Selectman Joan Morel, Dorianne Almann, Morris Klein, Clare Hudon, Stefan Zielonko, Alternate James MacDonell and CDC Kathryn Lynch. Excused: Dwight Smith and Alternate George Benedict. Applicants and two members of the public were present.

6:30 pm Chair William Nebelski called the meeting to order. Morris Klein made a motion to nominate William Nebelski as Chair, seconded by Clare Hudon. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously. Morris Klein made a motion to nominate Clare Hudon as Vice-Chair, seconded Alt. James MacDonell. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously. Clare Hudon made a motion to nominate Dorianne Almann as Secretary, seconded by Stefan Zielonko. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously.

Chair William Nebelski recognized 571 Realty Trust, a continued Site Plan Application for Development Review, Two Year Storage Container Permit. Jared Savinelli and Attorney Steve Bonnette were in attendance. Board discussed that the Application was previously accepted. Jared Savinelli explained that nothing has changed and would like to request another Two Year Storage Container Permit. Chair William Nebelski expressed concern that the storage containers were at the property longer than permitted last year. Jared Savinelli explained that there were extenuating circumstances and that he contacted the Code Officer, Rodney Lawrence, last year and felt that was adequate. Chair William Nebelski explained that he felt the Code Officer had no right to allow any extension because it is the Planning Board's Permit. The Chair explained that he felt the Permit should be changed to one year instead of two. CDC Kathryn Lynch explained that a couple years ago there were issues with off premise signage. The Selectmen called all three firework companies in to explain the addition to the Town's Permit Application for Retail Sales of Permissible Fireworks to Sell. The addition states, "the Board of Selectmen reserves the right to revoke this permit upon a reasonable showing that the Applicant is in violation of any town ordinance or regulation (including but not limited to town land use regulations), or any state or federal regulation". Since the meeting with the Selectmen my office has not had any zoning concerns with any of the firework stores. Last year Mr. Savinelli did contact the office and the Code Officer and I felt that we could extend his containers for a few days without question to the Board. The Board asked what were the dates on last year's permit, (May 15th – July 15th). Morris Klein made a motion to approve the Site Plan Application for Development Review, Two Year Storage Container Permit dates May 15th – July 15th, seconded by Dorianne Almann. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously.

Chair William Nebelski explained that Mr. Faucher would not be in this month because he has not acquired his permits yet from the State. CDC Kathryn Lynch explained that the Board has 65 days from the time the Application for Site Plan is accepted to make a decision or the applicant needs to come to the Board and request an extension. This information was sent to Mr. Faucher in a letter so he was aware. Morris Klein made a motion to withdraw the accepted application because the Board does not meet again until after the 65 day time frame per RSA 676:4, I(c), seconded by Alt. James MacDonell. Chair William Nebelski repeated the motion and called for a vote; the motion passed unanimously. Abutters George and Emily Nelson had concern about car lights. They explained on a couple of occasions that cars have entered the parking lot and lights come into their bedroom and living room. On June 18, 2013 one of the conditions on Mr. Faucher's approved Site Plan was, "at any time, if neighbor at 494 Brattleboro Rd. has an issue with motor vehicle lights while patrons enter or exit 482 Brattleboro Rd. then the current owner of 482 Brattleboro Rd. would be responsible to add trees and plantings to the north side of the property". The Board instructed CDC Kathryn Lynch to write Mr. Faucher a letter pertaining to this issue.

Selectman Joan Morel made motion to approve the minutes dated 3/18/14, seconded by Morris Klein. Chair William Nebelski repeated the motion and called for a vote; the motion passed with Clare Hudon, Stefan Zielonko and Alt. James MacDonell abstaining.

Morris Klein made a motion to approve and sign a Notice of Voluntary Merge submitted by Richard and Christine Cole of tax map 43 lots 10 and 18. These parcels may no longer be separately transferred without subdivision approval and will henceforth be known as tax map 43 lot 18, seconded by Clare Hudon. Chair William Nebelski repeated the motion and called for a vote; the motion passed with Alt. James MacDonell abstaining.

Board reviewed a letter from Tim Halliday asking for a lower Bond amount. Letter submitted from Higher Design, PLLC referenced three acres. Since Mr. Halliday only bonds two acres the Board felt that either the bond should cover three acres or the letter from Higher Design, PLLC should only reference two acres. CDC Kathryn Lynch was instructed to contact Mr. Halliday and explain that the Town's Permit to Excavate would not be granted until this matter was straightened out.

Board worked on Economic Development and Conservation and Preservation Chapters with Lisa Murphy from Southwest Regional Planning Commission. Items discussed that need further action: ROW width for Oak Hill Rd., information from Conservation Committee for Conservation and Preservation Chapter update. Next meeting with Lisa Murphy from SWRPC is scheduled for May 20, 2014, and then next would be August 19th with a proposed Public Hearing in October to accept the Master Plan.

9:05 pm Alt. James MacDonell made a motion to adjourn, seconded by Morris Klein. Motion to adjourn unanimous.

Respectfully submitted,

Kathryn Lynch, Community Development Coordinator