

PLANNING BOARD
Monday, June 21, 2021
Public meeting convenes at 7:00 p.m.
Appointments scheduled to begin at 7:30 p.m.

Present: James Corliss, John Koopmann, Roland Vollbehr, Joe Parisi, Fran Shippee, Joe Brodbine, Bob Maibusch, Maria Bissell, and Jon McKeon

Call to Order

James Corliss called the meeting to order at 7:03 PM.

Seat Alternates

The board welcomed Maria Bissell as a new alternate.
Full membership was present in person tonight, no alternates seated.

Review of the Minutes

June 7, 2021

Joe Parisi moved to approve the minutes from June 7, 2021, as amended. The motion was seconded by Roland Vollbehr and passed.

Appointments (7:30)

Items for Discussion (7:00)

Conceptual consultation – Mitchell King – Map 24, Lots D8, 8.4 and 8.5

Mr. King was reminded that conceptual consultations are non-binding, and no minutes are taken.

Jon McKeon moved that the Planning Board draft a memo to the Code Enforcement officer explaining the discussion this evening regarding Mr. King's property on Crowningshield Road (Map 24, Lot D8) and provide him with the general consensus of the Planning Board. The motion was seconded by Roland Vollbehr.

Discussion: Koopmann noted that it was stated/declared that there will be no record of the conversation, and if this is not a violation of that, he is ok with a memo. Corliss noted that the board can send a memo if they choose to do so.

The motion passed by majority. (No: Parisi and Corliss)

Joe Brodbine moved to have Jon McKeon write the memo on behalf of the Planning Board. The motion was seconded by James Corliss and passed unanimously.

Conceptual Consultation – Robin Karlin/Robert Allen – 36 Canal Street – 207.7/commercial vs residential

Robin Karlin and Robert Allen were reminded that conceptual consultations are non-binding on either party and no minutes are taken.

New England Heritage, LLC

Corliss noted that there was a conditional approval on June 9th.

The board reviewed the conditional approval and the information provided by the applicant to see if the conditions have been met. It was noted that the site plan now includes the sign location, and the certification was added to the plan as required. It was noted that the signature on the plans is Gabriel Jones (it was not readable by the board). Corliss noted that the conditional approval noted that the use intensity statement include wording about no alcoholic beverages or tobacco products will be sold or consumed on the property, which does not match what the updated use intensity statement indicates.

Dylan Eastman noted that they have no desire to sell tobacco, alcohol or any adult content material and he believes that was the intent of the conversations at the last meeting. Eastman noted there will be a residential use on the property and he is not sure any approval can say that a residential use cannot consume alcohol. Corliss asked if Eastman was referring to outside or within the house. Eastman noted that the premises will have two uses and from the conversations at the last meeting, the intention of mentioning alcohol and tobacco was the fear of them being sold on the premises. Corliss asked if under that use, it would be permissible to consume alcohol on the grounds. Eastman noted that it is legal in all 50 states.

McKeon noted that during the motion at the last meeting, he did not hear the consumption part and if he had, he would have attempted to amend the motion during the meeting. McKeon noted that he did hear Sharyn D'eon (Principal of the school) raise concerns about the sale of alcohol and/or tobacco in such a close proximity to the school, but there was no mention of consumption. McKeon noted that he believes what is included in the packet tonight satisfies the need for the property and covers the concern of the principal of the school. McKeon noted that although it is a change in the verbiage from the Conditional approval, he believed it to be a minor change that can be looked at as administrative. McKeon noted that the way it was presented, satisfies the need for this property.

Broadbine noted that he believed the statement meets the intent and that it is an administrative minor change. Parisi noted that the only place that alcohol or tobacco came up in the discussion was from D'eon and the language in the use intensity statement is consistent with the spirit of that discussion. Corliss noted that he believes he heard her express concern about alcohol and tobacco and does not know how he go to consumed. Maibusch noted that he has no issue with the wording as submitted. Shippee noted that all she heard was sale and that she talked to Sharyn D'Eon and her concern was the sale of alcohol and/or tobacco.

Joe Broadbine moved that Item 16 in the Use Intensity statement as written is a minor change to the conditional approval and should be accepted as presented as a minor change. The motion was seconded by Fran Shippee and passed unanimously.

Joe Parisi moved that the conditions have been met in the conditional approval for New England Heritage house. The motion was seconded by Jon McKeon and passed unanimously.

Need for Meeting July 12, 2021

The board cancelled the meeting on July 12th. The next meeting will be held in the Town offices on July 19th, 2021.

Items for Information

Corliss stated that he assumed that the board read the letter from Ron Rzasa. Corliss noted that in his opinion, Rzasa does not understand what the Planning Board does. Shippee noted that she believes that the Planning Board does not intentionally come across in a bad way but noted that the board does not see things the same way an applicant might. Shippee noted that if an applicant is new and has never done this before, it may appear that the board is more worried about their egos. Parisi noted that the recent application that was referenced in the letter was unanimously approved. Maibusch noted that the Planning Board does come off as dismissive. Maibusch noted that he spent two (2) years before the Planning Board with an application and there is an undercurrent of being dismissive. Maibusch noted that he has heard many horror stories of dealing with the Planning Board and he believes that the Steep Slopes ordinance opened a lot of eyes in Town. Shippee noted that the Planning Board in Chesterfield does seem to have a bad reputation, and she is unsure how other Towns do it. Shippee noted she would be interested in going to other towns to attend meetings. Shippee noted she would like to see how other towns maintain authority while also not allowing things to happen that are against the regulations. Bissell noted that if she was the public tonight in the conceptual consultation, she would have been frustrated with the conversation. Bissell noted there was no clear direction of where to go with what they were asking. Corliss noted that the Planning Board has to be careful and not instruct people where to go but can tell them their options. McKeon noted that he has been to Planning Boards in other places and this board is not the best and not the worst. McKeon noted that this board needs to look at the fact that the residents do not understand the Zoning Regulations and Land Development Regulations the same way that the board does and keep that in mind during meetings.

Parisi noted that putting the letter aside, he walked away from the last meeting feeling frustrated that the board was arguing about what the purview of the board was in the application. Parisi noted that one way the board can help the applicants is to be clear what is being reviewed and what the scope of responsibility is for each application. Parisi noted that the discussion at the last meeting was confusing and there was a member of the public adding an opinion that was not correct.

Shippee noted that sometimes the way that the public perceives the attitude of the Planning Board depends on if they are in favor of the application or not. Parisi noted that he is not comfortable putting his signature on something that is not correct, so if he sees an error, it needs to be corrected prior to signatures. Parisi asked how the board defines what the scope is for a Change in Use application. Corliss noted that normally a change in use does not require a site plan, but the Town wanted it so it was included. McKeon noted that the checklist included with the application indicates what is in the purview of the Planning Board to review. Corliss noted that if the board is being asked to review a drawing with an application, then that drawing is in the purview of the board. Parisi noted that he would like more discussion and on this, so it is clear.

Bissell noted that New England Heritage item number 9 on the use intensity statement notes there is not a fire protection system, but she believes that because of the two rentals, they are required.

McKeon noted this is a building permit issue and building codes cannot be overridden by the Planning Board.

Koopmann asked where the board should go from here on Steep Slopes. Corliss noted that it is a legislative function, and he does not know how to move it forward. Corliss noted that legislative functions are somewhat exempt from open meeting laws and people can get together and talk about ideas and bring them to the Planning Board. Corliss noted that he does not have an idea on how to move forward. Koopmann asked if further regulation of areas that dramatically affect the lake are worth discussing. Parisi noted that other parts of Town Government should also be discussing this. Parisi noted that this should not all be on the Planning Board. Shippee noted that she believes that

more people should be involved in tackling this. Parisi noted that the Board of Selectmen should delegate given the history, it should not be driven by the Planning Board. Bissell noted that there is a stormwater management study done in NH. Bissell will send the link to Lachenal to send to the board. Parisi noted that an overall strategy needs to be established on the best ways to protect the lake. McKeon noted that a plan was done through the Spofford Lake Association and Southwest Regional Planning Commission and the board should read that study.

Other items

Other Business

Items for signature

New England Heritage, LLC
Plans were signed.

Adjournment

Jon McKeon moved to adjourn at 9:18 P.M. The motion was seconded by Roland Volbehr and passed unanimously.

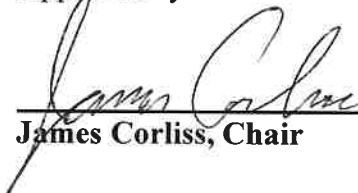
The next meeting will be held at 7:00 PM July 19, 2021, at the Town Offices.

Respectfully Submitted by:

Patricia Lachenal

Planning Board Secretary

Approved by:



James Corliss, Chair

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Date