

**PLANNING BOARD**

**APRIL 21, 2016**

**MEMORIAL BUILDING**

**7:00 P.M.**

*These minutes are to be considered draft minutes only until approved by the board at their next meeting.*

**Members Present:** Don Hill, Kevin Lee, Mike Howard, Ken Jacques, and Darrin Patten

**ZBA Members Present:** Susan Chiarella, Bryan O' Day, Peter Abair, Justin Hastings, and Rick Corbet

**Others Present:** Kevin Roberts, Jen Roberts, Peter Crowell, Dave Fidler, Karen Fidler, Wayne Smith, George McCusker, Leigh Callaway, Mike McCrory, Malcolm Milne, and Peter Crowell

Kevin opens the meeting at 7:00-

**Fidler Hearing-** The planning board reviews the map for the lot line adjustment for Karen and Dave Fidler. They are taking 1.67 acres from one lot combining to another lot for a total of 3.33 acres for the new lot. Mike Howard makes a motion to accept the lot line adjustment, second by Darrin, all in favor and unanimously approved.

**Kevin and Jen Roberts Consult-** Kevin explains to the board that he would like to put in an in-law apartment above garage for his mother n-law. His garage is not attached to the house. The board reviewed the ordinance and it was decided he would need to go before the ZBA for a special exception as well as have the planning board there to "act" on it as said in the ordinance. There was some discussion around this. All ZBA members were there and agreed they would waive their rules of procedure of needing the application in fifteen days prior to hearing. It was also decided that they would move their normally scheduled ZBA meeting from Tuesday, May 3, 2016 to Thursday, May 5, 2016 so that the Planning board requirements for a hearing could be met and a joint hearing could take place.

**Durgin & Crowell site plan hearing and Variance with the ZBA-** Kevin turned the meeting over to Susan Chiarella and the ZBA board for the Variance hearing. Susan explained that there had been a site walk done to the site and asked the board members or anyone else if there were any questions. Susan explained that a special exception had been granted and read the special exception. The height on the equipment is not to exceed 65'. Susan stated that the applicants had supported the board with a lot of information.

George McCusker asked about wetland consideration. Susan said there were no wetland issues.

Peter Crowell also states that they will need all permits from the State or they won't be running at all.

Bryan makes a motion to close hearing at 7:45 and go into deliberations, second by Peter Abair.

The Zoning board went over the facts supporting the request for a Variance:

Facts supporting this request:

1. The variance will not be contrary to the public interest because: ***The board went out and visited the site and agreed it would not be contrary to the public interest***

2. The spirit of the ordinance is observed because: ***It has been made clear that the stacks be a certain height and all emissions DES approved.***

3. Substantial justice is done because: ***When the board went to visit the site they felt there were lots of tall trees on the Southern side that were taller than the heights requested by the applicants. The power mill's stacks are higher than what applicants are proposing.***

4. The values of surrounding properties are not diminished because: ***The board felt that there is already a large power company currently next to it. They also felt that Durgin and Crowell is fairly hidden.***

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship owing to special conditions of the property that distinguish it from other properties in the area because:

A. No fair and substantial relationship exists between the general public purpose of the ordinance and the specific application of that provision to the property because: ***The board agreed with the facts that the applicants provided and there wasn't going to be any congestion on the road***

B. The proposed use is a reasonable one because: ***The Board felt there is already a business in the area along with all of the other supporting documentation that was provided.***

Justin makes a motion to grant the variance with the condition that all State requirements are met and that the equipment heights are not to exceed 65'. Second by Peter Abair, all in favor and unanimously approved.

Susan added that there will be a ZBA meeting to decide if the ZBA will re-hear the Sue-Ann Connary hearing on April 26, 2016.

Don Hill inquired on new applications coming in and whether the question should be asked by the ZBA at the time of hearings if the applicants are running a business. Bryan stated he did not feel it was the Zoning Board's job. He felt it should start with the building permits.

The ZBA adjourned the meeting.

**At 8:00 Kevin opened up the continued site plan hearing for Durgin and Crowell-** The board reviewed all the maps given by the applicants and reviewed the site plan review check list.

Mike Howard makes a motion to accept site plan, Ken seconds, all in favor with the exception of Bryan in which he had stepped down due to voting on the Variance as part of the ZBA board. Site plan approved.

Peter made a motion to continue Sue Ann Connary site plan until their next board meeting of May 19, 2016 @7:15, second by Bryan, all in favor with the exception of Darrin in which he abstained.

**Approval of March minutes-** Ken made a motion to accept as written, second by Bryan, all in favor, minutes approved.

**Misc.-** Ken asked about updates from Wonderwell. The board discussed that there really haven't been regular updates as of lately and there was lengthy discussion regarding their timeline. It was decided that Don would write a letter on behalf of the Select board.

Meeting adjourned @ 9:45

Minutes submitted by,

Susan Abair