

Planning Board Minutes

Wednesday, June 17, 2019

Mallet Hall

7:00pm

Members Present: Matt St. Cyr, Gabe DiGristina, Christine Watson, planner Tony Dater and Secretary Molly White

Guests: Select Board Chair Jon Morris, Tim Giddinge and Larry Edwards

1. Call to Order – 7:00pm by the Chair
2. Secretary's report – Minutes from Matt moved to approve minutes from May 15, 2019, the minutes were so moved and accepted as presented. Discussion: None. Vote: Yes-4 No-0.
3. Matt moved to Larry Edwards on the Agenda.

Mr. Edwards explained that he is interested in extending the Short Stop property line that abutts the restaurant to expand the overall size of the restaurant property. Larry explained that he had already spoken to CEO Ryan Keith who had explained that because the lots as they are now, already are considered to be non-conforming to what is typically required by town ordinance due in regards to lack of acreage and road frontage. Larry and Ryan both agreed that although the change would not make either lot meet the ordinance requirements, it would not pose a negative impact.

Matt said it seemed clear that based on these facts Larry's next avenue would be to file an appeal for a variance with the ZBA.

Larry then stated that Ryan had mentioned the possibility of an easement for the septic system for Short Stop because it is on the restaurants property.

Tony Dater explained that yes, since Larry does legally own both lots he could have an easement added to his deed.

Matt suggested Larry have his attorney draft the new deed with the easement included and have a surveyor create a map of the septic system in question to then bring a Mylar to the Planning Board for them to sign off on that he would then file at the Registry of Deeds.

Larry then asked for clarification on the appeal process with the ZBA.

Matt asked for Jon and Tim's input.

Jon explained that Larry will have to prove how not being allowed the variance for these properties would create hardship.

Tony pointed out that typically any changes to lots that are already non-conforming are supposed to move the lots closer to conformity. In this scenario the restaurant would be moving in that direction, however the change would cause Short Stop's land to be less conforming. Typically when you have more than one non-conforming lot you're advised to combine and sell them but that is not what Larry is proposing.

Larry explained that he does not want to combine them because they are each separate businesses.

Tony then confirmed it would require an appeal from ZBA at that point but the availability for an easement is still an option. If he should do that, both new deeds would have to reflect who is responsible for maintenance of the leech field.

In conclusion, Larry requested a meeting with the ZBA. CEO Ryan Keith was asked to write an official letter of denial for Larry to bring to the ZBA.

4. Select Board Chairman, Jon Morris came to discuss communication and relationships between board and committee members, town employees and residents. He explained that communication between board and committee members as well as town employees and residents of the town need to be respectful and communicative. Jon mentioned recent hostility towards CEO Ryan Keith from some board and committee members regarding some decisions he has made. He realizes there are growing concerns around the CEO's decisions and informed the Planning Board of the Select Board's intent to keep Ryan on with the Town only until January 2020. At which point they will hopefully have a CEO in place to focus solely on Pownal.

Matt agreed with Jon and stated his request to keep communication professional was fair. He then offered his apologies stating that as both a resident and a board member it can be difficult to run or participate in a public hearing environment as a concerned citizen of the town and not give a personal opinion. His comments were coming from his place as a citizen of the town not as Planning Board Chair.

Christine then asked if the new person hired in January as new CEO would automatically take over anything currently in progress at that time. To which Jon replied that yes, the new person would have the jurisdiction to approve or disapprove of anything in progress.

Tony then added that in his experience, a close working relationship between the Planning Board and the CEO is ideal and that regular communication is important.

Gabe then asked if it was normal for the CEO to attend Planning Board meetings to which Tony responded that it was actually very common and crucial to keeping clear lines of communication.

5. Discussion of Ordinance Review Committee Definitions: The board discussed the Special Town Meeting in September. He mentioned to Tim that the time frame for working with the Ordinance Review Committee on updating definitions will need to be a priority in order to be ready. Matt then asked for clarification on how much time they would need to allow between public hearings on these ordinances updates and the date of the Special Town Meeting.

To which Molly answered that she believes there needs to be at least seven days in between but she will double check.

Jon then added that if there was anything either board needed to bring up at this meeting that now was the time to do that.

Tim mentioned that the ORC is still in the middle of getting the updated definitions finalized. He stated that the committee is working to find a format that is easy to everyone to read and understand. He suggested the two boards schedule a workshop to work out more of the details together in hopes of saving time.

Matt agreed that holding a couple workshops to go over the definitions together would be a good idea.

They agreed to meet for an hour before the next Planning Board meeting on July 17 starting at 6:00pm.

Christine then asked why these changes needed to be brought to Special Town Meeting as they are primarily just format changes and the definitions themselves are not changing.

Molly replied that she was told by MMA Legal that regardless of the changes being typographical, format or to the actual substance of the ordinance, those changes need to be voted on by the public.

6. The Board discussed the proposed sale of two lots on Hodsdon Rd.

Molly explained that a realtor looking to purchase a lot on Hodsdon Rd had inquired about buying two very small town owned parcels on the front corners of the lot currently for sale with the intent of absorbing them into that property. Being that these small parcels are town owned we must solicit the opinions of other board/committee members, town personnel and property abutters.

Gabe and Christine asked if the Town had any plans for use of his property.

Matt added that that “use” would be hard to define because some would argue that leaving that land as town owned allows to keep the community rural.

Christine pointed out that this property would really only benefit an abutter because they are so small and cannot be used as they are.

Tony suggested the Planning Board allow time for the Conservation commission to weight in first before making a decision.

In conclusion, the Planning Board did not see an issue with allowing those two lots to be sold but would like to hear what the Conservation Commission has to say on the matter.

7. The Board discussed the alternate member applications for the new positions to come available in July. Brian Stornelli and Matt Altieri were the two applicants.

The Board agreed that they would like to see more options for new members before they make suggestions as to who they would like to see volunteer. Each member made suggestions as to who they thought might be a good fit.

8. Other Business:

Tony brought some information to the board about jurisdiction over granting waivers to ordinances in certain scenarios.

9. July Agenda:

Workshop with ORC on ordinance definitions

10. Adjourned at 8:45pm

Respectfully submitted,

Molly White, Secretary