

PLANNING BOARD MINUTES
November 28, 2018

APPROVED: as amended & clarified:

See the minutes of 12/12/18 jrl _____

AGENDA: 18SUP02 SPECIAL USE PERMIT: MAYHEW, INC., 6 Olde Lane Rd. & Mayhew Island,
#104-134 & -204
WORKSHOP

ATTENDING: Clay Dingman (Vice Chair), Paul Barnett, Evan Hickey, Melody Mansur (Alternate)

ABSENT: Denice DeStefano (Chairman – away), Don Milbrand (Sel. Rep.), Dan Paradis (excused),
Elizabeth Seeler (excused)

OTHER: Christina Goodwin (Land Use Manager), Tyler Simonds (Planner), Jim Nute (applicant),
Mike Vignalli (applicant representative)

The meeting opened at 7:00p.m. with a quorum.

18SUP02 SPECIAL USE PERMIT: MAYHEW, INC.

Ms. Laferriere read the application, list of abutters, where the hearing was noticed, and stated that there were no phone calls or written messages received. Mr. Vignalli explained the Mayhew program and added that they wish to put in a 2" water pipe in a 4" sleeve from shore to shore (16').

Ms. Goodwin stated that the Conservation Commission has reviewed this twice with the applicant and have no issues as long as they follow State rules. The Health Officer (Ms. Goodwin) has no issues with the project either. Mr. Vignalli mentioned that he has spoken with Water/Sewer Superintendent, Jeff Chartier, as well.

Mr. Dingman went over procedures for a Special Exception for the benefit of the Board's new members. He read from 9.6 of the Zoning Ordinance. Mr. Barnett asked about the Army Corp of Engineers. Mr. Vignalli answered that the general State permit involves them. Ms. Goodwin stated that, even with the State permit, we have to look at the project. Mr. Hickey asked if we have ever had a case like this and no-one could think of one. Mr. Dingman's concerns were for erosion and any issues with the anchor. Mr. Vignalli explained that they propose a sediment curtain and that the anchors are cement and will be a minimum of 5' below the normal water elevation.

A discussion was held as to the possibility of someone dragging an anchor. Mr. Vignalli did not think it to be likely as there is a 1" or 2" electric line that has never been bothered. Mr. Mansur asked how long it would last and about maintenance. The applicant felt that there would not be much maintenance required. Mr. Barnett asked about environmental monitoring and was told that this is only what is on the permit. Mr. Barnett suggested that they do a design in case someone else wants to go above their line. Mr. Simonds asked if the electric line is buried. Mr. Nute stated that it went in in 1991 and there have been no issues. Mr. Simonds asked if they had considered a well and was told that they had. It is hard to find a company and the approach is shallow which makes it difficult for a barge to bring in the equipment.

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MAYHEW INC. SPECIAL USE PERMIT continued:

Mr. Hickey pointed to page 4 and questioned an existing water line shown there. Mr. Vignalli stated that it is existing only on land, not connected to the island. Mr. Hickey then asked the depth of the Lake and Mr. Vignalli answered that it is 6' to 8' along the shore and 20' in the middle.

P. Barnett made a MOTION, second by E. Hickey, to APPROVE THE SPECIAL USE PERMIT FOR MAYHEW, INC. AS PRESENTED. The motion CARRIED. The Notice of Decision was signed.

MINUTES OF NOVEMBER 14, 2018: The following amendments and clarifications were made:

Page 1, under 18LLA01, 1st paragraph, last line, insert "adequate" in front of "frontage" and delete "on North Main St." Page 2, 2nd paragraph, last line, replace "the Ordinance" with "Board's opinion". 4th paragraph, 1st line, replace "abutter" with "neighbor". Under Presentation of the 2019 CIP, 1st paragraph, last line, replace "need" with "are considering". Last paragraph, last line, replace "jell" with "gel". Page 3, 1st paragraph, 1st line, replace "cruiser" with "vehicle" and "used by" with "shared with". Last paragraph, 1st line, following "last date" insert "to apply". Page 4, 1st line, replace "Stables" with "Sapling". Under Reports, Land Use, 3rd paragraph, 1st line, insert "proposed" before "petition". 5th line, replace "we" with "the Planning Board must" and following "recommending" delete "or not" and insert "the amendment but" and following "hearing" add "is held". 4th paragraph, 2nd line, replace "request to pave" with "Site Plan requirements" and last line, delete "as presented". Under Next Meeting, 1st line, replace "Exception" with "Use Permit".

P. Barnett made a motion, second by M. Mansur, to approve the minutes as amended. The motion carried.

WORKSHOP:

It was stated that impervious cover and sapling are set for a 1/9/19 public hearing which will allow a second public hearing if necessary. A discussion followed as to the procedure for a warrant article. Mr. Simonds stated that sapling was accepted but he found that stables have already been done. Ms. Goodwin added that we would like to add facility and manufactured storage containers (the latter by a Land Use Permit. A discussion followed.

Both Mr. Dingman and Mr. Barnett prefer not asking for a Land Use permit for a certain amount of time. Mr. Barnett suggested 90 days which was agreed on. Ms. Goodwin will adjust the wording. As to long term containers, Ms. Goodwin asked how the Board wishes to handle these, such as those purchased and are permanent. Mr. Barnett suggested they purchase a sticker for this. He feels that this is an enforcement issue. It was suggested that a Special Use permit, up to a year and then a building permit for recreational containers. Mr. Dingman would prefer a Special Exception as this is more in line with that. Ms. Goodwin referred all to page 32 of the Ordinance.

Mr. Dingman asked why anything is needed for facility. Ms. Goodwin explained that it is used in many areas of the Ordinance and needs a definition. She presented 5 options which the Board discussed and settled on option #1. Mr. Barnett suggested that an "(s)" be placed after "function".

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WORKSHOP continued:

C. Dingman made a MOTION, second by P. Barnett, to APPROVE DEFINITION #1 WITH THE EDIT OF "FUNCTION(S)" AND MOVE IT TO PUBLIC HEARING ON JANUARY 9, 2019. The motion CARRIED.

The hand-written surveys were given to Mr. Dingman.

CORRESPONDENCE: Received was a copy of "The Source" and the notice for FEMA workshops.

REPORTS:

HDC = Didn't meet.

SELECTMEN = Ms. Goodwin stated that they have reviewed the modified plan for the Medical Building.

CIP = Done for this year.

LAND USE: Ms. Goodwin stated that they have been extremely busy, especially with Health and Enforcement. 40 Beech St. has a demo permit and will need erosion control. 50 Beech St. will also need a demo permit; they have a lot of asbestos to deal with as well as erosion. We have a lot of violation continuations.

NEXT MEETING: On the agenda is Don Milbrand's waiver, rescheduling for MaryAnn Parkhurst, and Keeping of Farm Animals.

OTHER: Mr. Barnett has been named to the Economic Development committee and asked if that is a conflict for this Board. It was not believed so. Ms. Goodwin mentioned that they are having a sale contest and only 3 businesses have signed up.

With no other business before the Board, M. Mansur made a motion to adjourn at 8:50pm with a second from E. Hickey. The motion carried.

Respectfully,
Jan Laferriere,
Admin. Assistant, Land Use