

PLANNING BOARD MEETING MINUTES

September 22, 2011

PRESENT: Christopher Farrell, Daniel Doucette, Doug Shearer, Dudley Jensen, John Howarth, Louis Gallo, Donald DuBerger, Jon Nelson

ABSENT: Gerald Carney

ALSO PRESENT: James Mulvey, Ron Bello, Neng Zhong Chen, Bonnie Ferrari, Jim Sorenti, Tahir Khan Yahn, Daryl Smith and other members of the public

Ann Gratis, Recording Secretary

Chairman Farrell called the meeting to order at 7:00 P.M.

Mr. Jensen made a MOTION to approve the minutes of 8/25/11. The MOTION was seconded by Mr. Howarth with all in favor.

Compliance Review: 41 Meetinghouse Lane. Cont'd from 8/25/11. Parking, drainage, loading dock.

Ron Bello stated the construction fencing has been placed around the loading dock. The planter will be reduced by half and the loading zone in the rear will be striped. All work will be done in the next 10 days. The dumpster will be fenced in. Mr. Howarth: nothing has been done yet. The drainage is still bad and drains onto the post office property.

Ron: cleaning the catchbasins didn't solve the flooding problem. There are two drains in the front of the property. All the pipes were cleaned out last week and he augered into where the water collects. Waiting for the next rain to see if it worked. If not, will put in new drainage if we have to.

Chairman Farrell: He has taken the right steps but has he gone far enough? Is it up to par to take on another business?

Mr. Jensen made a MOTION to continue to the next meeting and every meeting until the site is corrected. The MOTION was seconded by Mr. Shearer with all in favor.

Chairman Farrell stated the orange fencing around the loading zone is okay for now.

Port of Call II: Road status, bond update.

Ken Sundman submitted a letter requesting a 3-week extension to increase the bond.

Chairman Farrell read the letter into the record.

Mr. Howarth made a MOTION to continue to 10/22/11. The MOTION was seconded by Mr. Doucette with all in favor.

Public Hearing for Special Permit #07-2011: 41 Meetinghouse Lane. Neng Zhong Chen. For a restaurant.

Neng Zhong Chen would like to open a Chinese restaurant in Unit C.

Mr. Nelson reviewed the plan: There are overall site issues that aren't in compliance. There is plenty of parking, the loading zone is on the new plan, waste control – dumpster and grease disposal – must be enclosed.

Mr. DuBerger stated if we approve this and you move forward, it's at your own risk that the landlord will be bringing the site into compliance.

Ron Bello, owner, will sign an agreement stating that if he doesn't bring the site into compliance and they are not able to open, he will refund their costs incurred.

Chairman Farrell stated we aren't punishing owners, we just want to make it work. It helps the owner and the tenants. Will need the agreement by the next meeting.

Mr. Nelson made a MOTION to approve subject to the following conditions:

- Grease container and dumpster must be on a paved surface and fenced in and shown on the plan;
- Must meet all rules and regulations of the Fire Dept and Board of Health;
- The letter from Ron Bello of indemnification;
- The site must come into compliance prior to any occupancy permit being issued.

The MOTION was seconded by Mr. Howarth. Roll call vote as follows:

Mr. Gallo – yes

Mr. Howarth – yes

Mr. Jensen – yes

Mr. DuBerger – yes

Mr. Doucette – yes

Mr. Shearer – yes

Mr. Nelson - yes

Public Hearing for a Change to the Zoning Bylaw:

Sec. 3390 Storage Trailers & Storage Containers.

1. Short-Term loading and unloading
2. Short-term storage
3. Construction projects
4. Non-conforming storage trailers and storage containers

Coreen stated this is for residential properties. Commercial properties are regulated under Site Plan Review. This bylaw is similar to bylaws of surrounding towns. Am leaving the definition where it is in the bylaw instead of the definition section. There are other sections of the bylaw that include the definition also so this is consistent. Site Triangle: there is nothing in our bylaw defining that so it was changed to front yard. Detention facilities refers to stormwater.

Mr. Shearer: if we label the front yard setback/parking space (2D) do we want to limit it that much?

Mr. Howarth asked who is going to police this?

What about construction trailers?

Coreen stated construction trailers are not affected and the building inspector is in charge of policing. We can delete 2F Front Yard.

Mr. Shearer: when a construction project ends, we don't want to leave it open ended for the removal of the trailer (3E).

Coreen: change to: no later than 180 days or may be extended upon discretion of the building inspector.

Mr. Howarth made a MOTION to approve as amended. The MOTION was seconded by Mr. Shearer with all in favor.

Mr. Doucette made a MOTION to adjourn. The MOTION was seconded by Mr. Howarth with all in favor.

With no further business before the Board, the meeting was adjourned at 8:00 PM.

Respectfully submitted,
Ann T. Gratis