

Brentwood Planning Board
Minutes – December 2, 2010

Members Present: Bruce Stevens, Chairman John Kennedy, Vice Chair
 Doug Brenner, Secretary Bob Magnusson
 Charlie Pratt Rob Wofchuck, Alternate
 Glenn Greenwood, Circuit Rider Planner

Minutes – Mail – Board Business

Chairman Stevens opened the meeting at 7:00.

The manifest was signed.

The Board is in receipt of a request from the Provider Enterprises for the release of their bond, as well as a letter from town engineer Steve Cummings, recommending this release.

Motion made by Kennedy, 2nd by Johnston to release the balance of the bond, in the amount of \$4,041, plus interest: all were in favor.

The Board is in receipt of a request to extend the conditional approval for the Covey, O’Leary, Boyd lot line adjustment for 6 months.

Motion made by Kennedy, 2nd by Johnston to grant the request to extend the conditional approval to June 2, 2011: all were in favor.

Board member Alison Lambert submitted her letter of resignation, effective immediately as she will be moving out of town.

Motion made by Kennedy, 2nd by Johnston to sadly accept Alison’s resignation: all were in favor.

Motion made by Kennedy, 2nd by Stevens to approve the November 18 minutes: the motion carried with Wofchuck, Johnston and Brenner abstaining as they were not present.

Motion made by Kennedy, 2nd by Magnusson to approve the November 20 site walk minutes: the motion carried with Brenner, Wofchuck and Pratt abstaining as they were not present.

The Board received a letter from Dragon Mosquito Control, Inc, who is interested in parcel 208.013 to relocate her business. Property is located at 29 Commercial Drive. Greenwood said that they would put up a temporary storage shed for their pesticides, approximately 10 x 12, which would not require a building permit, and they do not keep an inventory over the winter. He said the state is very stringent on pesticide regulations and feels this is a non-issue, plus this site is not in the aquifer protection. Greenwood said this constitutes a similar use of the site as was previously approved. Brenner said that because there will be pesticides on site, it would be good for them to talk to the Board and explain what they do. Stevens said the Board could vote to see if this is a non-change of use, and they could still come in.

Motion made by Kennedy, 2nd by Stevens that this is not a change of use of the property and does not require site plan review: all were in favor.

**Brentwood Planning Board
Minutes – December 2, 2010**

Greenwood met with a potential buyer of Country Road Kennels, located on Scrabble Road, referenced by tax map 210.038. He said there is a 1989 unrecorded site plan on file in the PB office that was never approved by the PB. The property owner at the time was granted a Special Exception from the ZBA in 1989, and Greenwood stated that because there is no record on file of them ever coming to the PB, that once the Special Exception was granted, they were issued a building permit, and did not come before the PB, as required. He believes the plan was used during the ZBA process. The plan shows a building 150 feet long by 48 feet wide, and when the owner did the expansion, they only built it 102 feet long. Greenwood said if there was a site plan review on file with the PB, he would see no issue with an expansion of the additional 48 feet, but because this never came to the PB for site plan review, this is a non conforming use and he does not think they can expand without SPR. Members agreed and the potential buyer will be notified.

Continued Hearing – M & T Holdings, Inc. Condominium Subdivision – tax map 205.006

Mike Sievert of MJS Engineering spoke on behalf of the applicant this evening. He said they are requesting a continuance to February 6 (letter on file). He is aware that the applicant has not done some of the things that the PB has required for compliance from an earlier approval. MJS is working with the fire department to make the dry hydrant functional, and the FD will test this next week. They are also completing the hammerhead, which the town engineer has approved. He said that there have been some plan changes, as requested (revised plans have yet to be submitted). Sievert said the applicant notified his office that they needed more storage space, and they were told by MJS that this would require site plan approval and MJS could go forward with that SPR application, and MJS was told by the applicant that the work had already been done (unpermitted). Sievert would like to submit an updated site plan application that would show the new pad and any other issues that might need to be addressed. He would submit that application in time to be on the January 6th agenda. This would allow him to bring the site plan “up to speed” and hopefully get final approval for the condominium subdivision.

Stevens asked what needed to be done to finalize the condominium plan and Sievert said that the stockpile of shingles needed to be moved, the finalization of the hammerhead construction, and the testing of the hydrant. Brenner suggested that the condominium plan be put on hold until they take care of the site plan. Greenwood said the Board has not seen the progress that should have been accomplished in 3 months time since they last came to the Board, and Magnusson asked why they built another storage area when they have not moved the first pile, as required. Kennedy said that, in fact, more material has been brought onto the site. Greenwood said the Board should deny, without prejudice, the condominium application, and then they can bring an application that accomplishes everything at one time. Stevens explained to members that back in August there was a site walk held and at that time the roof structure was completed on the storage bunker (as shown on an earlier approved site plan) but there was a big pile of material outside. One of the owners asked for time to allow them to use the material that was outside, and any leftover would be put under cover. Stevens said that to this day they are not utilizing the approved bunker, and have gone ahead and built another, identical in size and have filled it with the material, but with no cover. In addition to that they have had much more material delivered and it is outside, unprotected. Kennedy said the two bunkers are close together and that if and when the Quonset hut roof is put on, in a snow event the snow could slide between the two and force the roof off.

Motion made by Kennedy, 2nd by Magnusson to deny the request for the extension, without prejudice: all were in favor.

**Brentwood Planning Board
Minutes – December 2, 2010**

Stevens said that the Board could post a hearing to consider revocation of the previously approved site plan. Brenner said that Sievert came in good faith to say he would be submitting a new application, and the Board should wait see whether or not they get that application in that time. Kennedy said that if the Board is not in receipt of a new application in December, then the PB will vote as to whether or not to start revocation proceedings at their January meeting. Stevens commended Sievert in his attempts to work with the Board in the absence of the applicant. Sievert thanked the Board for their time this evening.

Proposed zoning amendments and changes

Greenwood distributed a draft of the Floodplain ordinances changes as required by the Office of Energy and Management for members to read over. He said these are the requirements in order for the town to be eligible in the Flood Plain program.

Greenwood also provided a proposed zoning amendment to change the setback requirements along Pine Road. The recommendation will read as follows:

Section 003.002.001.005, A, add a new last line in paragraph as follows: Properties located on Pine Road shall maintain a seventy-five foot front yard setback from edge of right-of-way.

Motion made by Kennedy, 2nd by Stevens to hold a public hearing to finalizing the wording of the above 2 mentioned changes to go to public vote: all were in favor.

In the Subdivision and Site Plan regulations, Greenwood will draft wording for the following:

- The requirement for a 10 foot property line setback for driveways in newly created lots, beginning in 2011.
- Monuments for newly created lots, lot line adjustments and new roadways shall be four (4) inches by four (4) inches, and shall have a magnetic cap to facilitate the location of the boundary monument in the future.
- Change the requirement for the size of the fire cistern from 35,000 gallons to 30,000 gallons.
- Add language that requires an as-built of the fire cistern, with a cistern detail sheet. (Magnusson will draft this)

The recently installed cistern installed at the Barnett Woods subdivision is made of concrete and not the fiberglass that is shown on the approved plan. Deputy Fire Chief Gary Raymond will be asked to come to our January 20th meeting to discuss our fire prevention regulations.

Motion made by Pratt, 2nd by Johnston to adjourn at 8:35: all were in favor.

Respectfully Submitted,

Kathy St. Hilaire
Administrative Assistant
Brentwood Planning Board