

TOWN OF THORNTON PLANNING BOARD

Approved on: 9/7/2021
PB Initials: SP
Rec'd by Town Clerk on: 9-8-2021
Town Clerk Initials: pdw

Planning Board Meeting Minutes Thursday, August 19, 2021

CALL TO ORDER -- PLEDGE OF ALLEGIANCE:

Chairman Babin called the meeting to order at 6:00 p.m.

ROLL CALL:

Members present at Town Hall: Steven Babin, Chairman; Frank Freeman, Vice-Chairman; Peter Laufenberg; Kathy Menici, Planning Director; Kerrin Randall; Board Assistant; David Rivers; Karen Waters

Members present via call-in: None

Members not present: Nancy Decoteau, Donna O'Donnell

Alternates present at Town Hall: Cynthia Schofield, Jack Gaites

Alternates absent: Gloria Kimball

Others present via call-in (names are as they appeared via Zoom): david e kelley, Elaine, Janet Capaul, Jeff Scholtz, JS, Kathleen's iPad, Marcia King, mcs, Ron, Will Dodge

Others present at Town Hall: Brad Trott, Celia Trott, Stephen Tower, Christina Guilbert, Andrew Bolduc, Arthur Bergeron, Carol Stewart, Celia Connolly, Sharon Lacroix, Bob Murray, Bob Gallagher, Jeff Scholtz, Tom Duffield, Shirley Benton, Jack McCormack, Francis Parisi, Jesse Moreno

Mr. Babin seated Mr. Gaites and Ms. Schofield in place of Ms. Decoteau and Ms. O'Donnell.

APPROVAL OF MINUTES:

Upon distribution and review of the meeting minutes of July 26, 2021, the members took the following action:

MOTION: "To accept and approve the Minutes of the Thursday, July 26, 2021 meeting as presented."

Motion: F. Freeman

Second: K. Waters

Discussion: None

Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN

Motion passes

PRELIMINARY BUSINESS: None

COMMUNICATIONS: None

REPORTS: None

UNFINISHED BUSINESS: None

HEARINGS:

1. APPLICATION/PUBLIC HEARING – Lot Line Adjustment: [Map 15, Lot 04-11 and Map 15, Lot 04-12] Stephen Tower as agent for Robert and Linda Fraser and Fraser Family Living Trust.

Steve Tower presented the Board with a lot line adjustment that would convey 0.42 acres from the Fraser Family Living Trust to Robert and Linda Fraser. He stated this was being proposed for Robert and Linda to have a two (2) acre lot and larger backyard.

Planner Menici asked why the shape of the new parcel was oddly shaped. Mr. Tower stated Robert Fraser tasked him with creating a two (2) acre lot, and the configuration being proposed achieved that.

MOTION: “To accept the lot line adjustment application as complete.”

Motion: C. Schofield

Second: P. Laufenberg

Discussion: None

Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN

Motion passes

Mr. Babin asked for public comment; there was none.

MOTION: “To approve the Lot Line Adjustment of Map 15, Lot 04-11 and Map 15, Lot 04-12.”

Motion: P. Laufenberg

Second: F. Freeman

Discussion: None

Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN

Motion passes.

2. Continued APPLICATION/PUBLIC HEARING – Site Plan Review: Pemi River Campground Expansion; Thomas Duffield as agent for Gerri Warren, Route 3. [Map 16 Lot 2-8]

Tom Duffield stated the application is being withdrawn at this time, as state permitting will require more time. Mr. Duffield asked if the application and noticing fees could be waived when the application is resubmitted. Mr. Babin stated that cannot be addressed at this time.

The Board acknowledged the withdrawal of the Site Plan Review: Pemi River Campground Expansion; Thomas Duffield as agent for Gerri Warren, Route 3 [Map 16 Lot 2-8].

3. Continuation of APPLICATION/PUBLIC HEARING – Site Plan Review: Old Sawmill Condominium; Thomas Duffield as agent for Shirley and Jerel Benton, Old Sawmill Road. [Map 11 Lot 1-33]

Jack McCormack, attorney for the applicant, stated his client did not submit updated information by the deadline requested by the Board. Mr. McCormack stated he recalls the Board voted at the last meeting to allow Mr. Duffield to act as the Professional Engineer (PE) for the project.

Mr. Freeman stated there was discussion about Mr. Duffield acting as the PE for the project, but no action was taken. Discussion continued.

MOTION: “To approve Tom Duffield as the PE for the Old Sawmill Condominium project.”

Motion: F. Freeman

Second: P. Laufenberg

Discussion: None

Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN

Motion passes.

Mr. McCormack stated they have updated plans and a waiver request for the Board; it is understood they will not be reviewing them this evening. Mr. McCormack stated several of the concerns brought up at the last meeting have been addressed in the plans that have been submitted this evening.

Planner Menici asked if they had updated letters from Fire Chief Defosses on the fire pond size. Mr. Duffield stated Chief Defosses will be forwarding a copy of his letter to the Board.

MOTION: "To continue the APPLICATION/PUBLIC HEARING – Site Plan Review: Old Sawmill Condominium; Thomas Duffield as agent for Shirley and Jerel Benton, Old Sawmill Road. [Map 11 Lot 1-33] to the September 16, 2021 meeting."

Motion: P. Laufenberg

Second: F. Freeman

Discussion: None

Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN

Motion passes.

4. Continuation of APPLICATION/PUBLIC HEARING – Minor Site Plan Review: Slice

Restaurant; Marc Burnell as agent for LCJ Holdings, LLC, Lafayette Road [Map 16 Lot 1-8]

Planner Menici stated an email was received from the applicant's attorney asking that they be continued to the September 16, 2021 meeting. She stated the applicant dropped off updated plans yesterday that indicate that the expansion will be much larger than indicated on the original application.

MOTION: "To deny the Minor Site Plan Review: Slice Restaurant; Marc Burnell as agent for LCJ Holdings, LLC, Lafayette Road [Map 16 Lot 1-8]."

Motion: P. Laufenberg

Second: K. Waters

Discussion: Planner Menici stated she would recommend that the applicant re-notice abutters and apply on the new forms that were recently adopted by the Board.

Mr. Laufenberg stated this application was first submitted in January of 2021 and has been continued for the past eight (8) months; several of those continuances were at the request of the applicant. Discussion continued.

Roll Call Vote: 5 YES - 1 NO - 1 ABSTAIN

Motion passes.

MOTION: "To waive the application fee for the new submission of Site Plan Review: Slice Restaurant; Marc Burnell as agent for LCJ Holdings, LLC, Lafayette Road [Map 16 Lot 1-8] and to accept the new application submitted on August 18, 2021."

Motion: P. Laufenberg

Second: K. Waters

Discussion: None

Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN

Motion passes.

The Board agreed that all abutters will need to be re-noticed and public notice will be given; the applicant will pay all applicable abutter notice fees. The Board agreed that the applicant must complete a Site Plan application that was adopted earlier this year.

5. PUBLIC HEARING – Proposed Amendments to Planning Board Rules of Procedures.

Ms. Randall stated the following language is being proposed:

Page 4, Section VIII. NOTICE:

1. Public notice of the submission of and public hearings on each application shall be given in a **newspaper of general circulation** and by posting at both the Town Office and the Town's website no less than ten (10) days prior to the date fixed for submission and consideration of the application.

MOTION: "To accept the proposed language to the Planning Board Rules of Procedure."

Motion: P. Laufenberg

Second: S. Babin

Discussion: None

Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN

Motion passes.

6. APPLICATION/PUBLIC HEARING –Site Plan Review; Vertex Tower Assets, LLC as agent for Michael C. Sununu and James G. Sununu, Trustees of the SMA Realty Trust, Upper Mad River Road [Map 17 Lot 5-21]; Remanded by Town of Thornton Zoning Board of Adjustment.

Mr. Babin asked if there was anyone present from the Zoning Board of Adjustment (ZBA); there was no one from the ZBA present in the room or on Zoom.

Mr. Freeman stated he was confused and concerned as to how this item is even on the Board's agenda, as this board acted to deny the application in April. He stated the Board had not received any updated information from the applicant until two (2) days ago, and the applicant went to the ZBA to have the denial reversed. Mr. Freeman stated the whole process is very highly unorthodox. He stated the application should not be recognized before the Board at this time, as this process is not how the Town operates.

Mr. Babin asked the Board for comments.

Mr. Laufenberg stated procedurally, he does not know why the application is being revisited in this manner. He stated the Planning Board closed the door on this application by denying it. Mr. Laufenberg asked if the applicant could resubmit a new application with the information requested. Mr. Babin stated that is correct; the applicant can submit a new application.

Mr. Freeman stated the current application has been remanded to the Board from the ZBA; this is not the way to go per town procedures and is highly unorthodox.

Mr. Babin stated it is irregular for the ZBA to recommend that Planning Board take the application up again.

Mr. Babin stated it was irregular that the ZBA heard the request for appeal. He stated the application was allowed to be heard beyond the ZBA submission dates and the request for additional information was what the applicant supplied the Planning Board; no one from the Planning Board was asked for testimony. Mr. Babin stated the Board certainly attempted, in their decision, to consider equal protection for the landowner and abutters.

Francis Parisi, attorney for Vertex Towers, LLC., stated he was before the Board as a courtesy. He stated the Board based their denial on information that was misunderstood and inaccurate, and he is asking the Board to reconsider their denial. Mr. Parisi stated his client has appealed to Federal Court on the denial of site plan and will pursue the appeal if the Board upholds their decision.

Mr. Freeman stated it sounds as if Mr. Parisi is threatening the Board with a lawsuit if the decision is not overturned. Mr. Parisi stated he is not threatening the Board with litigation and would like to avoid going to Federal Court if possible; this is the Board's opportunity to prevent a lawsuit.

Mr. Parisi stated his client does not have any new plans for the Board. He stated the ZBA felt the reasons for denial were unreasonable but determined they do not have the authority to overrule a site plan decision. Mr. Parisi stated the ZBA advised he go back to the Planning Board with additional information for them to decide if they want to change their decision.

He stated if the Planning Board does not want to hear the additional information, he will continue his appeal in Federal Court; he is following NH State law and Federal law statutes for this application process.

Mr. Freeman stated the ZBA has no standing to do what they did in hearing the appeal of denial.

Mr. Babin stated the Board does not want to get into legal proceedings; the goal of the Board is to have equal justice done for landowners and abutters to the property. He stated the Board does not consider things at the ZBA level to maintain the separation of powers of boards.

Mr. Babin stated he questions how the ZBA had standing to even hear the initial request for waivers and variances in the first place as the goal of the tower was to provide cell coverage on a small part of Route 49. Mr. Babin stated Mr. Parisi went to the ZBA to remove the hinderances that were in the Telecommunication Facility Ordinance (TFO) while not being a cellular carrier. He asked Mr. Parisi what state statutes and/or RSAs gave him the ability to go before the ZBA and request waivers and variances.

Mr. Babin stated the ZBA did not act without authority in hearing the request for waivers and variances but questioned what state statutes Mr. Parisi was referencing that allowed him to go before the ZBA in the first place.

Mr. Parisi stated he cannot speak for the ZBA, but if anyone didn't agree with what was happening at that level, they could have appealed it. He stated he is not here to debate the decisions of the ZBA.

Mr. Babin stated Mr. Parisi claims to be following State statutes, and asked how Vertex Tower Assets, LLC. Has the ability to put up a tower if they are not a cell carrier.

Mr. Parisi stated his client can put a tower up anywhere they want with town approval; they are an infrastructure company for carriers to use.

Mr. Babin stated the Board received additional information two (2) days ago and asked Mr. Parisi if he wanted to comment.

Mr. Parisi stated the information submitted were all referenced in the ZBA decision to remand to the Board. He stated the Planning Board is a party that should have been at the ZBA meeting where the appeal was requested. Mr. Parisi stated Planning Board staff should have supplied the Board with the information referenced in the ZBA decision. He stated Planning Board staff had this information for months and clearly put on blinders when distributing.

Mr. Parisi reiterated that he is before the Board as a courtesy to avoid Federal litigation. Mr. Freeman stated he is still confused as to why an applicant is asking that a case be reopen when a decision has been made. Mr. Parisi stated the ZBA is asking that the Board reconsider their decision for denial.

Mr. Parisi stated the Board denied the site plan application for two (2) reasons, and that those reasons were not made with all information available. He stated the Board misunderstood some of the materials submitted and based their decisions on inaccuracies.

Mr. Parisi stated if the Board had initially heard the information being discussed, they would have acted in favor of the site plan. He stated he understands that there is a separation of power between the Planning and Zoning Boards, but the information given to the ZBA has always been available to the Planning Board for review and Planning staff chose not to send it out.

Mr. Babin clarified that the information being discussed was received by the Board, but as it was received following the close of the public hearing it was not used in deliberation; this was based on state regulations. He stated that because of due process, after the public hearing was closed and deliberated, the information was not put into the record.

269 Mr. Babin stated additional information was requested at the March 18, 2021 meeting to be submitted to the
270 Board for the April meeting where deliberations took place; the information requested was not submitted.
271
272 Mr. Parisi stated the public hearing could have been reopened and stated if the information being present today
273 had been looked at in April, the Board may have changed their denial decision.
274
275 Discussion continued regarding the hearings at both the Planning Board and ZBA.
276
277 Mr. Babin stated the TFO is clear, in that standard procedure is for the applicant to come before the Planning
278 Board first; should they have received a denial, then they would have gone to the ZBA. He stated the application
279 was taken up unilaterally, which is irregular, and the boards made their decisions
280
281 Mr. Babin stated the applicant has six (6) points they would like to make to the Board if the Board agrees to hear
282 them.
283
284 Ms. Schofield asked if the Board hears the applicant, does another decision need to be rendered. Mr. Babin stated
285 the Board will not be making a decision at this meeting, as legal counsel will need to be consulted.
286
287 Discussion ensued on continuing the discussion to another meeting with Board legal counsel present.
288
289 Mr. Parisi stated the Federal litigation is going to continue unless the Board wants to approve the site plan with
290 conditions. He stated no further deliberations are needed, and the board should only be moving to approve the
291 site plan.
292
293 Mr. Freeman clarified that Mr. Parisi is telling the Board what they should be doing regarding the application.
294 Mr. Parisi stated the ZBA intentions are clear in their letter to the Board.
295
296 Mr. Freman stated the ZBA is telling the Board what to do then. Mr. Babin clarified that the ZBA letter is asking
297 the Board to look at the information that was submitted after the public hearing was closed.
298
299 Mr. Laufenberg stated Mr. Parisi will not be getting a decision at this meeting, but the information could be
300 presented with the understanding that legal counsel will need to be consulted with before the Board decides
301 anything.
302
303 Mr. Parisi agreed that another meeting can be held after the Board speaks with their legal counsel, however the
304 meeting should not be delayed another month.
305
306 Mr. Babin asked if the Board had any objections in hearing the applicant; the Board had no objections.
307
308 Mr. Parisi stated there were two reasons of denial in the Board's decision:
309 1. *The proposal does not comply with Article VI (A) of the Thornton Site Plan Regulations, in that it*
310 *presents significant life safety concerns arising from the proposed driveway. Specifically, the*
311 *evidence in the record shows that the driveway will have areas that are at a 20% grade, and that*
312 *emergency and safety vehicles will not be able to respond to the site in the event of an emergency.*
313
314 Mr. Parisi stated the Board made this statement based on a letter received from Fire Chief Defosses on March 1,
315 2021 that stated there was concern with the grade of the driveway not being accessible by the fire department.
316
317 Mr. Parisi stated Chief Defosses misunderstood the plans and wrote the letter to the Board on March 1, 2021 with
318 inaccurate information. Mr. Parisi stated a letter from Chief Defosses was submitted to the Board on April 14,
319 2021 clarifying his previous letter and his understanding of the plans submitted.
320
321 Mr. Parisi read Chief Defosses's letter from April 14, 2021 which states, in part:

322 *"While it is a fair assessment that we may not be able to access the proposed tower site in the winter, it*
323 *should be noted that this is not an uncommon occurrence with this type of site. Most cell/radio towers*
324 *are built in remote areas that provide the best possible coverage, not the best access. These sites are*
325 *typically only accessed during warmer months for planned maintenance, and only accessed during*
326 *winter months for emergency repairs. The likelihood of our agency responding to one of these sites*
327 *during the winter for an emergency is very unlikely."*

328 *"I would also say that my letter regarding access should not be used as a reason to deny the project*
329 *request. As I have said previously, I do feel that this proposed tower site would provide added safety and*
330 *other benefits to this section of town."*

331 Mr. Parisi stated an affidavit from Jesse Moreno, Professional Engineer, was submitted regarding the slope and
332 steepness of the access driveway that mimics Chief Defosses statement, in that typical emergency vehicles will
333 not be able to access the tower, but this is not uncommon for similar sites.

335 Mr. Parisi stated there are several switchbacks that have been added to the access driveway. He stated there is
336 also information in the affidavit that states the Campton-Thornton Fire Department uses the same type of ATV
337 that engineers who will need access the tower use; the grade of the access will not be an issue for these ATVs.

339 Mr. Babin stated the initial letter from Chief Defosses was given to the Board March 1, 2021; the Chief had 29-30
340 days to submit another statement to the Board, and nothing was received until the day before the April meeting
341 following the close of the public hearing. Mr. Babin stated the information contained in Chief Defosses letter
342 dated April 14, 2021 is quite the change from the initial submission.

344 Mr. Parisi stated he thinks there was misunderstanding on Chief Defosses part, and that he clearly supports public
345 safety. He stated that cell towers provide public safety and asked if the Board had reviewed a letter submitted by
346 a resident who claimed poor cell service was why their barn burned down, as they could not call out. Mr. Babin
347 stated the Board is aware of the resident's letter.

349 Mr. Parisi reviewed the second reason for denial:

- 350 2. *The proposal poses significant environmental concerns, in that the project, as proposed, does not*
351 *properly address storm water drainage and mitigation. The evidence presented to the Board shows*
352 *that there is a heightened risk of flooding using the storm water mitigation currently being proposed,*
353 *which will negatively impact the Mad River watershed. Although the proposal does attempt to*
354 *account for a 25-year event, this is the minimum requirement under the Site Plan Regulations, and*
355 *the Board has the right, and indeed the obligation, to require a greater level of storm water*
356 *mitigation depending upon the property under review.*

358 Mr. Parisi stated the engineers did an excellent job to mitigate runoff; it was very challenging and took time and
359 expense. He stated the parcel is 288 acres, and the portion where the tower will be is very small when compared
360 to the rest of the piece. Mr. Parisi stated the Board determined that a third-party engineer would not need to
361 review the plans, as there will need to be thorough review by NHDES. He stated there is no evidence of flooding
362 in the area of the tower, and that he does not understand where the Board made that determination from.

364 Mr. Babin stated the Board relies on their expertise of the area in reviewing applications, as case law in NH
365 permits them to do so, as referenced in the New Hampshire Supreme Court in *Vannah v. Bedford*, 1971.

366 (1) *a land use board does not have to accept the conclusions of experts*

368 (2) *a board may rely on its own knowledge and experience with the community and the vicinity of the*
369 *application. In other words, a board not only may evaluate the validity of experts' opinions; the board*
370 *also exercises expertise of its own with respect to local conditions.*

Mr. Babin states much of the information regarding flooding was presented by residents at the public hearings. He stated the 100-year storm event flood levels are sometimes grossly inaccurate for the way water moves around town. Mr. Babin asked if the applicant had any objection to having a third-party engineer review the plans.

Mr. Parisi stated yes, he does object to a third-party review. He stated NHDES and Federal regulators will need to review the plans as well, eliminating the need for another independent engineer to review them. Mr. Parisi stated the ZBA letter remanding the site plan states that no dilatory tactics be made the Planning Board; a third-party review is dilatory at this stage.

Mr. Parisi stated the Conservation Commission did a site visit at the Board's request. He stated a report was given to the Board that was very positive. Mr. Parisi stated the Board's jurisdiction is to follow the rules; the site plan was submitted met the 25-year storm event requirement per the site plan regulations. He stated the plan submitted also incorporated detention basins that are designed for a 50-year storm event. Mr. Parisi stated the Board cannot arbitrarily change the rules that require a 100-year storm event.

Mr. Babin stated the affidavit from Mr. Moreno states that the basins are rated for a 50-year storm event. Mr. Moreno confirmed this and stated that the NHDOT and AOT permits require this and are more restrictive than local regulations.

Mr. Babin stated he understands that the storm event ratings that are required are the minimums; the Board was cautious that there would be runoff based on what was given by the public who live in the area of the tower.

Mr. Moreno stated the plans were drawn up using the DES Climate Center data. Mr. Babin clarified that Mr. Moreno's data is not incorrect based on the information he was given by the DES Climate Center, but there are several places in Thornton that flood and are not listed as being in a flood plain based on that same data source.

Mr. Parisi stated the Site Plan Regulations do not say anything about a plan being rated for a 100-year storm event, and this application cannot be singled out.

Mr. Laufenberg stated the Board has asked for 100-year storm events for other projects when necessary, and the application being discussed is not being singled out in that regard.

Mr. Parisi asked that the concern from the ZBA remand letter questioning why conditions of approval were drafted if the application was not going to be approved could be addressed.

Ms. Menici stated that draft conditions of approval are created for every application; these conditions in no way indicate that the application will be approved. She stated when the Board goes into deliberation, they need to know possible conditions moving forward. Ms. Menici stated attempting to create conditions during a meeting without having proper time to evaluate all information submitted is unfair to both the applicant and the Board.

Mr. Babin asked if the Board had any further questions regarding the reasons for denial and the statements made by the applicant; there were none.

Mr. Moreno asked if the Board requested that the site plan be rated for more than a 25-year storm event at any time. Mr. Babin stated there was some conversation about the storm rating and that the plans would also be going through other permitting processes that would require additional review. He stated that Mr. Moreno addressed some of the concern, having the detention basins being rated to a 50-year storm event, and local knowledge cannot be responsible for acts of God. Mr. Babin stated the Board is trying to err on side of caution.

Mr. Babin thanked Mr. Parisi for the additional information. The Board agreed to hold a continuation of this Remanded Site Plan Application.

MOTION: "To continue discussion on the Remanded Site Plan Review; Vertex Tower Assets, LLC as agent for Michael C. Sununu and James G. Sununu, Trustees of the SMA Realty Trust, Upper Mad River Road [Map 17 Lot 5-21] to September 7, 2021 at 6:00 p.m."

427 **Motion: S. Babin**
428 **Second: K. Waters**
429 **Discussion: None**
430 **Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN**
431 **Motion passes.**
432

433 Mr. Babin stated he was going to open the public hearing and advised the public that comment may only be given
434 on the two (2) reasons for denial that the ZBA is asking to be revisited. He stated if comments go off topic, the
435 speaker will be asked to stop.
436

437 Andrew Bolduc, Orris Road, stated he cannot walk 100 feet from his house and get cell coverage. He stated this
438 is a huge life safety concern and that he is in favor of the tower. Mr. Bolduc stated the steepness of the road was
439 addressed and he feels the tower will be a benefit.
440

441 Carol Stewart, Orris Road, stated that she does not have cell service, and this is life threatening to her husband
442 who has a heart condition. Ms. Stewart stated she had to go down the road last week to call 911.
443

444 Sharon Lacroix, Orris Road stated her landline service is awful and she is in favor of the cell tower because of the
445 problem with the landline phones. She stated if the tower is approved, it could assist with getting internet as well
446 to parts of town. Mr. Babin commented that he was not aware that there was a problem with landlines in town.
447

448 Celia Connolly, Orris Road, stated she was without power and water for a week after a storm and she had to travel
449 with her 90-year-old husband to get cell service to call the power company. She stated she is in favor of the
450 tower.
451

452 Elaine Scholtz, Cone Ridge Road, stated Mr. Parisi has stated numerous times that the cell tower will only benefit
453 a portion of Route 49, not the Town of Thorton. Mr. Babin reminded Ms. Scholtz to stay on topic.
454

455 Ms. Scholtz stated the residents on Orris Road that just spoke stated they will get cell coverage if the tower is
456 built but this is not guaranteed.
457

458 Kathleen Kelley, Treeline Road, stated she is concerned with the steepness of the access driveway, as her property
459 is one quarter of a mile from the proposed site and there is flooding in the area that will be made worse with the
460 tower access driveway being built. She stated the access driveway is not going to be safe and will pose a risk as it
461 is in a residential area.
462

463 Mr. Babin asked if there was any more public comment; there was none.
464

465 **MOTION: "To close the public hearing at 8:38 p.m."**

466 **Motion: S. Babin**

467 **Second: P. Laufenberg**

468 **Discussion: None**

469 **Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN**

470 **Motion passes.**
471

472 Mr. Parisi exited the meeting at 8:39 p.m.
473

474 **OTHER BUSINESS:**

- 475 1. Proposed Zoning Amendments for 2022 – initial discussion.

476 Ms. Menici stated she will review and edit the following in the Zoning Ordinance for the Board, and present a
477 draft at a future meeting:

- 478 • Uses defined, but not included in Table of Permitted Uses
- 479 • Agricultural uses
- 480 • Table of Contents

481 2. Revisions to Site Plan Review Regulations - update.

482 Ms. Menici stated she will review and edit the following in the Zoning Ordinance for the Board, and present a
483 draft at a future meeting:

- 484 • Minor site plan review – define and develop submission criteria
- 485 • Minor site plan review committee
- 486 • Parking standards
- 487 • Table of Comments
- 488 • Reformatting
- 489 • Updating requirements to current day standards, where appropriate

490
491 3. Application fees

492 Ms. Menici stated the current application fees are low compared to other towns in the state of similar
493 size. She stated she will put together a comparative list of other towns and application fees to be
494 reviewed.

495
496 **ADJOURNMENT:**

497 **MOTION: “To adjourn at 8:50 p.m.”**

498 **Motion: F. Freeman**

499 **Second: K. Waters**

500 **Discussion: None**

501 **Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN**

502 **Motion passes.**

503
504 Respectfully Submitted,

505
506 Kerrin Randall, Board Assistant