

Present: Chair Brett Hunter, Vice Chair Jack Karcz, Jack Downing, Roger Barham, Andy Kohlhofer, Tim Lavelle, alternate member Mike Wason, alternate member Leanne Miner, Building Inspector Greg Arvanitis, Senior Planner Jenn Rowden, and Land Use Administrative Assistant Casey Wolfe

Also Present: Tom Nisbet, Bill Gregsak, Mike Rislove, and Peter Eliopoulos

Mr. Hunter opened the meeting at 7:02 pm.

I. MINUTES

Mr. Hunter made a motion to approve the site walk minutes of February 12, 2019. Mr. Kohlhofer seconded the motion. The motion passed 6-0-0. The Board tabled the approval of the February 6, 2019 meeting minutes.

II. NEW BUSINESS

Preliminary discussion with Tom Nisbet who seeks to increase the height of a previously approved 76' x 100' steel building from 18' 6" to 25' 2". This building was originally approved by the Planning Board in a 2005 site plan. This site is located at 326 Main Street, Unit 12 (Map 3 Lot 37-2).

Ms. Wolfe passed out packets for this application to each Board member. Mr. Nisbet passed out an additional drawing. Mr. Nisbet explained that this building was originally approved back when the original site plan was approved. He bought unit 11 but never had the money to build unit 12, which would be connected to unit 11. Now he is ready to construct this unit. He needs this unit to be higher than what was originally approved to fit a mezzanine. Ms. Rowden stated that the proposal does seem to qualify for a minor site plan, however, the applicant would need a variance from the Zoning Board of Adjustment. Because this lot is not in the Flexible Use District, this is technically a nonconforming use. The site plan was originally approved in 2005 and no longer retains its vesting rights. This proposal would be an expansion of a nonconforming use. At this point, the Board needs to make a determination if this qualifies for a minor site plan. There was some discussion about how this lot is one back from being in the Flexible Use District. This lot is not in the Village District. **Mr. Karcz made a motion that this application meets the requirements to be a minor site plan. Mr. Lavelle seconded the motion. The motion passed 6-0-0.** Mr. Nisbet left at 7:12 pm.

III. OTHER BUSINESS

Discussion concerning the stabilization of the Altaeros Energies site at 662 Main Street (Map 2 Lot 151-2)

Mr. Lavelle recused himself as a representative of the applicant. Mr. Gregsak summarized that this discussion is a follow-up to the site walk that took place on February 12th. The site was treated with hydroseed mixed with bark mulch back in December. It was applied so late because when they were originally getting ready to do it, the site was reported to Alteration of Terrain.

They came the Thursday or Friday before Thanksgiving and they gave some recommendations. They asked them to treat the site with the hydroseed and put in stone check dams, however, it ended up snowing the very next day. They had to wait to put down the hydroseed until the first weekend of December. There has been seven or eight rain events since then. Mr. Barham asked Ms. Miner for her thoughts. Ms. Miner felt that any erosion that was there was localized and not significant. There were some problems with the mulch and it will probably need to be re-hydroseeded in the spring. The check dam and the pond were operating as intended. There was some silt but there was no significant sediment build-up. The site does need to be stabilized but it will look better in the spring and summer. Mr. Gregsak commented that we are getting close to spring at this point. Mr. Barham stated that the site is not in compliance to the letter of the law but at this point it makes more sense to wait until spring for the site to be stabilized properly.

Mr. Hunter asked what is normally required for winter stabilization. Mr. Gregsak stated that normally in October hydroseed and wood chips are applied at a certain rate. This is supposed to prevent erosion, but sometimes it doesn't. There will always be some erosion. On this site, there is very little erosion. Mr. Gregsak felt that Mr. Tatem's suggestion to put down hay would not have prevented any erosion. If they had put it down when he asked, it would have just blown away. Mr. Karcz stated that the reviewing engineer is always going to look at the worst-case scenario. Mr. Barham did not feel it was necessary to put anything down at this point in time. Ms. Miner felt that the site visit was very telling. Mr. Arvanitis stated that he can issue another temporary Certificate of Occupancy (CO). Mr. Kohlhofer did not think there was a reason for Mr. Tatem to go to the site again until the hydroseeding is done in the spring. Mr. Karcz brought up that the engineering escrow needs to be replenished. Mr. Tatem's recent letter (dated February 19, 2019) was asking for \$7,000. Mr. Gregsak felt that a lot of the engineering escrow money was burnt up over the past couple of months arguing about the stabilization. Mr. Lavelle reminded the Board that they do the SWPPP reports every time there is a rain event. They are monitoring the site themselves. Ms. Rowden read the Stantec letter out loud. Mr. Eliopoulos felt that the cost of the review work has been a shock to him and his company. He felt that another \$7,000 seems high.

Mr. Barham felt that the relationship between the developers and the Town Engineer has been toxic. A lot of the work that Stantec bills the applicant for is time that Mr. Tatem spends rebutting accusations from the developer. Mr. Gregsak stated that he works with plenty of other engineers and only has problems with Mr. Tatem. Ms. Rowden stated that the Board can ask for a more detailed review estimate. There was some discussion about invoices. Mr. Barham stated that costs are raised when an applicant and engineer aren't working together. Things have gotten very personal. He is okay with using a different engineer but it should be someone from Stantec. He acknowledged that Mr. Ragnarsson has sent out an email saying that he does not want anything to do with Stantec. Mr. Gregsak stated that Mr. Ragnarsson has to choose between his site in Canada and his site in Fremont. He might need to choose the site in Canada for his business because of Stantec's costs. The Board wanted to know what the applicant actually has left in the escrow account. Ms. Wolfe will find out. After they have this information, they will decide how much more engineering escrow they need to collect. After some more discussion, Mr. Barham stated that the Board has come to the conclusion that from a practical standpoint there is very little that can be done at the site until the spring.

Mr. Lavelle explained they wanted to do the hydroseeding before December but they got put on hold because Alteration of Terrain wanted to come out. They had to wait for that appointment and it costed them a month of time. Mr. Rislove stated that he was ready to spray and mulch the area but Mr. Tatem said he would send him the specs on how he wanted it applied. It took him a week to send him that information. In the meantime, he had already seeded the area, but hadn't had the chance to spread the mulch. Mr. Tatem showed up right after a rain event, took some pictures, and sent them to Alteration of Terrain. Mr. Gregsak then asked AoT to come down and see the site for themselves. They followed AoT's recommendation for the site exactly. They are not interested in Mr. Tatem's opinion. Now that the ground is frozen, hay mulch is not going to stick. The hay would just blow everywhere in the wind. Mr. Hunter asked when else needs to be done to the site before it is finished. Mr. Lavelle stated that the only thing left is the grass needs to grow. Ms. Rowden suggested that they take pictures the day they do the hydroseeding. There was some discussion about using a different engineer from Stantec to inspect the hydroseeding in the spring. There was also some discussion about using a different engineering firm entirely. Mr. Barham stated that Stantec can assign another engineer. Mr. Rislove stated that he is okay with Stantec finishing the review of the Altaeros site but he would like a different firm to review the Ragnar Original Innovations project. Ms. Wolfe will let Mr. Tatem know that the Town would like a different engineer to finish with the Altaeros site. Mr. Eliopoulos asked if he will have to get a renewed temporary CO every thirty days. Mr. Arvanitis will renew the temporary CO when it expires in March. This time it will be a 60-day permit. Mr. Gregsak, Mr. Rislove, and Mr. Eliopoulos left at 7:53 pm.

IV. CIRCUIT RIDER BUSINESS

Mr. Lavelle returned as a voting member. Ms. Rowden has worked with a few members of the Board to create a document that will clarify some of the confusion the public has about the proposed amendments to the Zoning Ordinance. She is hoping to address some misconceptions and concerns. This document will be a "questions and answers" fact sheet that can be put on the town website. She will send out a draft to the Board and wait on some feedback. There was some discussion about the proposed zoning amendments.

Ms. Rowden also mentioned that if the Board wants to work on amending the site plan regulations or the subdivision regulations, now is the time.

Mr. Lavelle made a motion to adjourn at 8:08 pm. Mr. Kohlhofer seconded the motion. The motion passed 6-0-0.

Respectfully Submitted,

Casey Wolfe
Land Use Administrative Assistant