

## PLANNING BOARD MEETING

APRIL 17, 2013

PRESENT: Ed Dekker, Chairman, Oliver Niemi, Liz Freeman, Ned Nichols, Paul Termin, Tim Jones, Bert Hamill, Mike Conlin, Jim Shultz, Joanne Meshna

The meeting was called to order at 7:00 p.m. at the Town Office.

### 7:00 p.m. Kumatsu Gumi - Conceptual discussion:

Mr. William Barnsley and Mr. Bob Messier were present for the applicant. Mr. Messier referred to lot 10/9B located on Stowell Road and Kelton's Place and Bayberry Road. Further he stated originally there had been 24 acres but four new lots had been created but had never been completed. Kumatsu Gumi does not own the land but has retained the mineral, timber and water rights below 50 feet. There is a home there. They propose to do earth removal on 14 acres of the 24 acre and he asked what the Board would require. Ed responded that they would need to apply for a gravel pit with full engineering and reclamation plans. Further Ed stated that the owner of the home may have something to say about the project as while Kumatsu owns some mineral rights it is not clear what rights they have to disturb the surface. Mr. Barnsley noted that the ownership of the lot is not clear and is being worked on. Mr. Messier further explained that the mining operation would create ponds for hydroponic farming on 14 acres.

The Board noted that lot 10/9B is a 24 acre parcel that had never been subdivided and Kelton's Place and Bayberry Road have not been approved. The applicant would need to obtain a special exception for excavation from the Zoning Board. An alteration of terrain (AOT) permit from the State would also be needed.

Liz outlined the steps to be followed:

- determination of ownership and what rights are allowed on the property for Kumatsu Gumi
- Zoning Board approval for excavation
- AOT permit; Ed recommended the applicant work with the Planning Board and State simultaneously on the excavation permit; also, the wetlands should be delineated to determine if the project is suitable

Liz noted that Stowell Road is another concern as it is a narrow substandard road. Heavy truck traffic could present a safety issue. Offsite improvements may be required. A traffic study was recommended and it was noted that a traffic study was done for USA Properties which could be a good starting point.

Mr. Barnsley stated that the goal of the project is to not to have an excavation business but rather to have an agricultural piece of land where there are one or more ponds to grow trout and conduct hydroponic greenhouse operations. Kumutsu is working with a group of veterans and this will create long time employment for them. He understood that they needed to come to an agreement with the current owner which he stated was in the process now.

7:30 p.m.:

Jim submitted his resignation from the Planning Board due to the fact that he has a new job and would not be in town during the week days. The Board accepted with regret his resignation effective April 20, 2013.

The Board met with Town Engineer Kent Brown. Kent noted that he had inspected Huntlee Loop Road and it looked good. However, he would like to see the vegetation take and recommended waiting a few more weeks before releasing the final bond.

The Board discussed the subdivision/site plan review application process with Kent. Upon conclusion it was agreed that:

- Kent would include in his review a summary description of the project and his opinion of it
- Kent agreed to do a policy for the inspection of roads
- fees for Kent's review were increased to \$500 for a two lot subdivision and \$100 for each additional lot
- Kent will conduct the review here at the town office with the applicant and do a site inspection
- minutes of the public meetings are to be sent to Kent
- site plan review fees were increased to \$500
- the checklist will be e-mailed to the Board prior to the public hearing
- Kent will submit to the Board what a baseline review would entail and how he would handle large applications

9:10 p.m.:

Bert made a motion to enter into a non public session to discuss pending litigation. Ned seconded the motion and it passed unanimously. Ed did a roll call and all were in favor.

At 9:50 p.m. Mike made a motion to come out of non public session and Ned seconded the motion. Ed did a roll call and all were in favor. Mike made a motion to seal the minutes and Liz seconded the motion. All were in favor. No decisions were made in the non public session.

The minutes of the April 3, 2013 meeting were reviewed and the following changes made as follows: page 4, after 3., insert 4. to state "Plus whatever Liz wants to add." ; last paragraph on page 4, first sentence should read "...that these issues have not been addressed since 2006."; page 5, first sentence should read "Bert seconded Ned's motion as amended by Liz and Ed and it passed unanimously." Bert made a motion to approve the minutes as amended. Liz seconded the motion and it passed unanimously.

As all the conditions of approval were met for Judythe Dunn's two lot subdivision, the Board signed the mylar.

Jim made a motion to appoint Paul as a full member in his place. Ed seconded the motion and it passed unanimously.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Joanne Meshna, Land Use Manager