

Effingham Planning Board
Meeting Minutes
May 6, 2021
(via video conference call)

Members Present: Theresa Swanick (chair), Grace Fuller (scribe), Elaine Chick, Gary Jewel, Paul Potter, Mike Cahalane (Board of Selectmen's representative), Nate Fogg (Land Use Clerk)

Members Absent: George Bull

Others Present: Rebecca Boyden (Zoning Officer), Mark McConkey (applicant's agent), Jacob McConkey (applicant's agent), Mary Giglio (abutter)

Meeting called to order at 6:05 pm. Quorum present. General meeting at 6:00 pm; public hearing to begin at 6:15 pm.

GENERAL PLANNING BOARD SESSION

1. Review of meeting minutes from 04/08/2021. Correction to section 19 of spelling to Paul Potter's name.
2. MOTION: Ms. Fuller made motion to accept minutes as amended; Ms. Chick seconded. Roll call voting results: Grace Fuller: aye; Elaine Chick: aye; Paul Potter: aye; Mike Cahalane: aye; Gary Jewel: aye; Theresa Swanick: aye. Motion passed.

PUBLIC HEARING FOR MEENA LLC SITE PLAN APPLICATION REVIEW

3. Ms Swanick provided a brief introduction of the application and raised an issue with the Request for Waiver for Site Plan Review. Per Effingham Zoning Regulations 2207.A, a gas station is a Prohibited Use within the Groundwater Protection District, within which this property is located. Discussion was held:
 - a. Mr. Cahalane suggested that this application should be sent back to the Zoning Board of Appeals ("ZBA") for review. He questioned the number of apartments noted on the application, and when these were added.
 - b. Ms. Chick stated that this is a multi-family unit which is required to have 1.25 acres per dwelling.
 - c. Mr. Fogg explained that this was reviewed by the ZBA and request to change the laundromat to another apartment was approved, and therefore was sent back to the Planning Board for Site Plan Review.
 - d. Ms. Chick explained that this request should be a Variance, not a Special Exception.
 - e. Mr. Potter requested a history to determine when each building was added on the property.
 - f. Ms. Boyden explained this could be researched through the Assessing Department.
4. MOTION: Mr. Cahalane made a motion to continue the Public Hearing for review of this application to July 1, to start no earlier than 6 pm via Zoom, after review by the ZBA for resolution of conflicts to the Ground Water Protection District Prohibited uses (Section 2207.A.8). Seconded by Ms. Chick.

Roll call voting results: Grace Fuller: aye; Elaine Chick: aye; Paul Potter: aye; Mike Cahalane: aye; Gary Jewel: aye; Theresa Swanick: aye. Motion passed. End of Public Hearing.

NON-PUBLIC SESSION

5. MOTION: Mr. Cahalane made a motion to move to Non-public meeting, per RSA 91-A:3, ii(a) to discuss an employee matter.
Roll call voting results: Grace Fuller: aye; Elaine Chick: aye; Paul Potter: aye; Mike Cahalane: aye; Gary Jewel: aye; Theresa Swanick: aye. Motion passed.
6. Move to Non-public Meeting at 6:58.
7. Public session reconvened at 7:25 pm. It was determined that there was no need to seal the Non-public Meeting minutes.

GENERAL PLANNING BOARD SESSION

8. Ms. Swanick advised that the Planning Board will have its own desk in the back office, abutting the Supervisors of the Checklist' desk.
9. Ms. Boyden provided an overview of the Green Mountain Shooting Preserve
 - a. Total of 433 acres. Owned since 12/1994.
 - b. Owner is requesting to expand pavilion, used for cooking and dining
 - c. In 1995, the owner gave an overview to the Board of Selectmen, and was advised he did not need any permits since no zoning was in effect at that time. Buildings were added to property prior to zoning enactment, although the adjacent residential property has had appropriate permits approved. In 2006, the owner requested to build a barn and was advised he needed a Site Plan Review. No application was received.
 - d. Ms. Boyden is requesting permission to issue a building permit with the condition that a Site Plan Review is completed within 3-6 month. Requesting this deviation from normal practices due to pandemic and delay in bringing to Planning Board.
 - e. Ms. Swanick advised that a Site Plan Review is required.
 - f. Mr. Cahalane advised that this appears to be a Non-Conforming Use.
 - g. Discussion held regarding Ms. Boyden's request and whether this is a recreational use facility. It was agreed that this is a pre-existing non-conforming use, and therefore should be reviewed by the ZBA.
 - h. Ms. Boyden will advise the applicant of the requirement to go before the ZBA. She will also advise that the applicant can petition to have a joint meeting with the ZBA and Planning Board, to expedite the application.
10. Ms. Swanick announced that the Board will use the 3rd Thursday meeting for work session. The Board's forms and applications templates, manual updates and CIP will be discussed at the next meeting (May 20 at 6:30 pm). Ms. Chick will take notes.
11. MOTION: Mr. Cahalane made a motion to adjourn; seconded by Ms. Fuller.
Roll call voting results: Grace Fuller: aye; Elaine Chick: aye; Paul Potter: aye; Mike Cahalane: aye; Gary Jewel: aye; Theresa Swanick: aye. Motion passed.

Adjourned at 8:12 pm.

Minutes prepared by Grace Fuller