

Town of Plainfield
Development Review Board (DRB)
Minutes of Meeting held on 11/13/13

Final Minutes Approved on: 1/8/13

Present:

 Absent Janice Walrafen, Chair

 x Rob Bridges

 x Neil Hogan

 x Sarah Albert, Clerk

(Quorum of DRB in attendance)

Also Present:

Karen Storey – Zoning Administrator (ZA)

Mary Lane – Administrative Assistant

6:53 P.M. -- Meeting called to Order by Board Member Bridges.

Agenda Item #1 – 6:55 P.M. - Review Agenda

- Clerk Albert asks if the DRB members need to discuss any follow up to the email that was sent by Irene Nagle. Member Bridges says that will be added to the end of the meeting. No other changes to the agenda are made.

Agenda Item # 2 – 6:58 P.M. – Adopt written decision of 3-lot subdivision, Steve Pappas at 3134 Country Club Road, and meeting minutes from 10/09/2013.

- Clerk Albert reports she needs to add the dates of the Hearing in the decision. Z.A. Storey notices that listing the warning in the Times Argus was not included in the decision. Member Hogan makes a **motion** to approve the subdivision findings and decision for the 3-lot subdivision of the Steve Pappas with one edit on item #7, changing to August 22, and #6 is August 22, and added that on August 26, 2013 a notice was published in the Times Argus. Motion seconded by Clerk Albert, and is unanimously approved.

- Member Hogan notices an error to the 10/9/13 minutes on Page 4, it states that "*Member Bridges notices...*", but should read "*Member Hogan notices...*". Member Bridges makes a **motion** to accept the 10/9/13 DRB minutes as amended. Clerk Albert seconds, motion passes unanimously.

Agenda Item # 3 – 7:15 P.M. – Discussion E-court, court appeal of Black Bear Biodiesel (BBB) CU permit.

- Z.A. Storey explains that R.L. Valle hand delivered an appeal to the E-Court on 11/08/13, and she received a letter from the Court on 11/12/13. Member Bridges reads a paragraph from the letter from the Court, and asks for clarification. Z.A. Storey refers him to another letter from Jon Anderson, Attorney for R.L. Vallee, which explains it better. This letter appears to state that BBB can only distribute biodiesel. Z.A. Storey asks if they can restrict what a business wants to sell in their business. And, if BBB wants to distribute something other than what they stated, they would have to come to the DRB anyway. Member Hogan states that his opinion is R.L. Vallee is using the Right Of Way (ROW) as leverage, since the ROW is so vague. Member Bridges states that you can make restrictions on your own property, but to attempt to restrict what your neighbors do, is not right. Z.A. Storey adds that she does not believe the DRB would be allowed to do this either, according to the Town Plan.

- Z.A. Storey reports that a list of interested parties needs to be sent within 5 days. She asks the DRB members, who should be the one to do this. Member Bridges, and Member Hogan state they would like Z.A. Storey to do this.
- Z.A. Storey states that we probably should speak to an attorney about this, and wonders which attorney the DRB uses. Member Bridges states that the Select Board will chose a representative from the Town, like they did in another E-Court hearing.
- Z.A. Storey also states that the court wants recordings of the Hearings, and Administrative Assistant Lane is the one who has the recordings, and will get them to Z.A. Storey within 5 days.

Miscellaneous Discussion – 7:27 P.M.

- Z.A. Storey reports the Health Center has put their lights on a timer, and she has noticed they are off at the appropriate time. They will come in for a permit for their new sign and fence. She wonders if this is a minor change, so she can approve this. Clerk Albert agrees it is a minor change.
- Z.A. Storey reports that V-tell is proposing to put a tower higher up than the Cloud Alliance tower. The Planning Commission has asked Cloud Alliance to come in and report if they think they could share a tower with V-tell, since the Town Plan states that sharing towers are favorable. She wants the DRB to know that these meetings will be happening.
- Member Bridges suggests that everyone read the first 20 pages of Irene Nagel’s latest update to the Unified Plan, to be discussed at the next meeting on December 11, 2013.

Meeting Adjourned at 7:35 P.M.

- Member Bridges makes a **motion** to adjourn the meeting at 7:35 P.M. Member Hogan seconds, and the motion passes unanimously.

Respectively Submitted,
Mary Lane, DRB Administrative Assistant