

Town of Plainfield
Development Review Board Meeting
May 3, 2017
Approved Minutes

PRESENT: Sarah Albert (Development Review Board Clerk), Janice Walrafen (Development Review Board Chair), Elaine Parker (Development Review Board Member), Karen Storey (Zoning Administrator), Cindy Wyckoff (Minutes Recorder), Charlie Cogbill (Health Center Hearing Continuance), Rachel Cogbill (Health Center Hearing Continuance), Denise Wheeler (Health Center Hearing Continuance), and Bill Amell (Right-of-Way Discussion).

Janice Walrafen called the meeting to order at 6:57pm.

AGENDA

- 6:45pm Call Meeting to Order
 Review and Make any Adjustments to Agenda
- 7:00pm Hearing Continuance 2017-01CU Health Center at 157 Towne Ave.
 Amendment to Conditional Use permit 2011-03 Site plan, including the landscaping, the sign location, new drainage (put in after flood), concrete pad beside the accessory building, fence location, and retaining wall.
- 8:00pm Zoning Administrator Karen Storey
 Shaun Bernatchy and Lyndon and Margaret Achilles, 203 Gonyeau Road Right-of-Way Discussion
- 8:30pm Review and Approve Meeting Minutes from April 12, 2017
- 8:45pm Any Other Business
- 9:00pm Adjourn

REVIEW AND MAKE ANY ADJUSTMENTS TO AGENDA

- There were no adjustments to the agenda.

HEARING CONTINUANCE 2017-01CU HEALTH CENTER AT 157 TOWNE AVE. AMENDMENT TO CONDITIONAL USE PERMIT 2011-03 SITE PLAN, INCLUDING THE LANDSCAPING, THE SIGN LOCATION, NEW DRAINAGE (PUT IN AFTER FLOOD), CONCRETE PAD BESIDE THE ACCESSORY BUILDING, FENCE LOCATION, AND RETAINING WALL.

- Walrafen called the hearing continuance to order and read aloud an evidence affirmation oath, to which all public hearing participants affirmed.
- Health Center representative Denise Wheeler reported that after several negotiating meetings between neighborhood residents and Health Center representatives, a general agreement has been reached. Health Center attorney Gerry Tarrant will be drafting the proposed agreement for review. Resident Rachel Cogbill agreed that overall the meetings have gone well, adding that the

Development Review Board will be the final authority as to whether the agreement meets the conditions of the Health Center's permit. Cogbill noted that there are several more pieces to discuss, including agreeing upon maintenance. In addition to screening issues, lighting and the color of the buildings also have been discussed. Wheeler noted that the lighting schedule has been changed to be turned off more often, stating that lights are on at the annex on Thursday nights only subject to staffing requirements and lighting is off at the main building on Friday, Saturday, and Sunday nights. Wheeler also noted plans to talk with the owner of the Post Office property, who is currently ill, regarding planting a few trees on that property to help with screening. Resident Charlie Cogbill stated that the lights go off at the Health Center at 9:30pm, a change from how it has been for years, and he thanked the Health Center for that. Cogbill noted that various topics other than screening have been discussed at the meetings and requested guidance regarding what products should be brought to the Development Review Board other than a site plan showing screening. Discussion followed on which of the maps that the Health Center has previously submitted should be used as a basis to reflect the proposed agreed-upon changes. Walrafen noted the previous decision that a new land survey would not be necessary, and advised that the new site plan should accurately reflect what is there currently, any changes that have occurred since the 2011 flood, and what the neighborhood and Health Center representatives have agreed upon in their recent negotiations. In addition to the items that have been cited by the Development Review Board — landscaping, sign location, new drainage (put in after flood), concrete pad beside the accessory building, fence location, and retaining wall — other items to note on the new site plan should include new gravel pedestrian paths, basketball hoop, volley ball posts with net, grading changes, and sites where storm water goes into the ground. Rachel Cogbill stated that originally, the Health Center was only going to allow parking to the end of the parking lot and not in the turnaround area. She has observed vehicles parking in the turnaround area all day. Wheeler agreed to speak with staff about not parking in the turnaround area. Charlie Cogbill noted that the retaining wall had replaced a tree island, the latter of which had screened the neighborhood from vehicle headlights on Route 2. Walrafen recalled the architect stating that the retaining wall had been installed due to the fact that the landscapers had to contend with a dangerous situation when mowing in the area. Charlie Cogbill stated that the area had become rough and steep because of the removal of the trees. Zoning Administrator Karen Storey requested that the Health Center provide the height, width, and length of the retaining wall. A hearing continuance was planned for 7:00pm on 7/12/17. Storey noted that the Health Center's sign is in violation until either a variance is granted by the Development Review Board or when the Zoning Regulations are changed to allow businesses on Route 2 to post signs similar to what is allowed in the Village District. Sarah Albert stated that the Health Center should submit an application for a sign variance as soon as possible in order to consider all the issues at the July hearing continuance. Storey requested the dimensions of the air conditioning pad behind the accessory structure and a description of what is sitting on top of it. Rachel Cogbill noted the exit on the paddock side of the main building should be included on the site plan. Regarding whether the site plan should note tree species, it was decided that it need only specify if a tree is deciduous or evergreen. The next steps will be to draft a proposed agreement between the neighbors and Health Center that will be reviewed and agreed upon at a subsequent meeting of the group, followed by the Development Review Board reviewing the agreement and new site plan to determine if the changes are acceptable. Brief discussions followed on whether the

Development Review Board's has jurisdiction in stipulating the color of the Health Center's buildings and the history of the Health Center's expansion.

ZONING ADMINISTRATOR KAREN STOREY. SHAUN BERNATCHY AND LYNDON AND MARGARET ACHILLES, 203 GONYEAU ROAD RIGHT-OF-WAY DISCUSSION

- Storey explained that the property had been purchased in 1999 by Lyndon and Margaret Achilles. In late to early 2000, they hired a surveyor to subdivide it into two lots. In April of 2000, they deeded one of the lots to daughter Shaun Bernatchy and her then husband James. In June 2000, Lyndon Achilles met with the Planning Commission about granting a right-of-way. After reviewing the boundaries, the Planning Commission determined that the lot was non-conforming due to its frontage being less than the 300-foot requirement. The Planning Commission stated that they would grant the right-of-way contingent upon approval of the lot variance. The variance was granted, but the owners did not come back to the Planning Commission to get an approval for the right-of-way. The then Zoning Administrator Jane Culver sent a letter to the Achilles stating the need for approval for a right-of-way, which was not acted upon by the owners. In late 2009, Bernatchy transferred the land back to Achilles for health reasons. Storey explained that because the property had thus far been transferred within the family, scrutiny of the deed did not occur and has resulted in the right-of-way violation remaining in the Town's records. In April 2017, Margaret Achilles notified Storey that they want to transfer both lots to Bernatchy and fiancé Bill Amell, who would like to remove the double-wide trailer that is currently on the property and build a new home in its place. In order to obtain a building permit, the property needs to be transferred back to Bernatchy and the right-of-way situation resolved. Albert noted that despite the fact that the proposed transaction will transfer both lots over to Bernatchy and Amell, it still is a subdivision and the lot needs a legal right-of-way. Approving the right-of-way includes holding a public hearing, and discussion followed regarding the timeframe and steps involved in the public hearing process before Storey can grant the building permit that will allow Bernatchy and Amell to begin building. A public hearing was scheduled for the 6/14/17 Development Review Board meeting at 8:00pm. Storey recommended that Bernatchy and Amell consider talking personally to the neighbors prior to them receiving the registered letter notifying them about the public hearing and explain that this step is merely to clear up an issue that was not resolved 15 years ago.
- A discussion followed among members of the Development Review Board regarding an owner's legal use of properties with regard to restrictions imposed in the deed.

REVIEW AND APPROVE MEETING MINUTES FROM APRIL 12, 2017

- **Albert made a motion to approve the minutes from 4/12/17 as written. Parker seconded the motion. The motion was approved unanimously.**

ADJOURN

- After determining that there was no other business to discuss, **the meeting adjourned at 8:42pm on a motion by Albert. Parker seconded the motion. The motion was approved unanimously.**

Respectfully submitted by Cindy Wyckoff