

**PLANNING BOARD MINUTES**  
**Via Zoom**  
**Wednesday: September 16, 2020**

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**A. Call to Order**

Chair Anthony Renzi called the Planning Board to order at 7:09 p.m.

**B. Roll Call**

Planning Board Members: Anthony Renzi, Chair; Warren Ducharme (7:19), Vice Chair; Mike Carpenter, Hillary Downes Fortune, David Paolissi. George Sackal, and Helen Hardy, Secretary.

Staff: Michael Antonellis, Planner; Joanna Achille, Solicitor, Cindy Tangney, Court Recorder

Town Officials: Denise DiFranco, Town Council

Members of the public: Joe Carey, Mary Jo Hurley, Mark Oceau, Kristen Sackal  
Partners Auto Auction: William Wynne, attorney;  
Mark David, owner’s representative; Tim Behan, Civil Engineer

**C. Approval of Minutes**

Minutes of September 2, 2020 - Mike moved and David seconded the motion to approve the minutes of September 2, 2020. Motion carried, - 6-0. (aye - Mike, Warren, David, Anthony, George, Helen).

**D. Correspondence**

None

**E. Commercial Site Plan, Public Hearing, Partners Auto Auction,**

AP 13, Lot 25, Danielson Pike

George Sackal, an abutter to this property, recused himself. Mark Oceau asked why Mr. Sackal had to recuse himself and the solicitor explained that as an abutter there is a conflict of interest.

Chair Anthony Renzi opened the Public Hearing at 7:16.  
Partners Auto Auction was represented by Attorney William Wynne and Engineer Tim Behan.

Planning Board Questions:

Anthony stated that the trailer in question was already on the site and the applicants were there to ask forgiveness, not permission.

Mark David said that the trailers were installed prior to the current owners, and their goal was to put the offices into the existing buildings.

Warren asked if there were permits for the trailers. He noted that there is a maximum of one year allowed for temporary trailers. He also said that modern construction requires that trailers meet standards that include wind loading, anchorage, and ADA accessibility. He asked if they were leased from an agency (Mark David - yes).

Joanna asked if there were one or two trailers, and the applicants said it was one double-wide trailer.

Anthony asked about landscaping, the total number of cars to be on site, and the visibility of the cars from the road. There were also questions about the hours of activity and lighting on the site.

Michael Carpenter said that if the trailer is approved, an impact study will be needed to protect the abutters. Since placement of the trailer, acquisition of cars, and paving has all occurred without permits there should be consequences. He said that a non-compliant business provides no advantage to the Town.  
[Warren cited the Zoning Ordinance sections that apply to Mike’s comments.]

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Joanna said that she is not aware of fines that could be imposed; the Town could require the removal of the trailer.

Anthony said that the previous planner, Jennifer Siciliano, and the Zoning Official, Rhett Bishop, had visited the site in the winter, and had informed the owners that the business was non-compliant and needed to come before the Planning Board.

Anthony asked whether the business will continue if the adjacent parcel does not receive a zone change.

Planner Michael Antonellis said that modifications and conditions could be listed in the site plan approval. He suggested there could be public input here.

Hillary asked whether the cars were to remain on the lot or be moved to the adjacent lot. She expressed concern about the change in function of the property and about run-off.

Anthony replied that all cars on the lot would be sold at auction on Thursday and a new batch of cars would be brought in on the following Sunday-Monday.

Attorney William Wynne said that the business will comply to meet the Board and the neighbors' concerns.

Public Hearing, Abutters in favor: None

Public Hearing, Abutters opposed:

Kristen Sackal, 6A Snagwood Road. She said that they had no problems with Danny's Auction, the previous business. Her concerns with the current business included:

- The distance between the cars and the brook, which in some cases is very small; she asked whether the cars had to be 200' back from the brook
- Light from the business coming on to their property
- Noise from the business all day and into the evening
- The impact on being able to enjoy the rural character of the town
- The lack of screening / landscaping

Tim Behan, engineer, said that the business was pre-existing.

Mark Oceau, 7 Snagwood Road. Mr. Oceau shared Ms. Sackal's concerns. He showed Google Earth pictures of the property prior to the existing business, which showed that the lot was not paved. He said that the lot had recently been paved with re-processed asphalt, and asked Mr. Behan if this was an impervious surface [yes]. He echoed the concern about the proximity of cars to the brook and run-off into the watershed, and also about hazardous materials leaking from the cars. Mr. Oceau asked about zoning restrictions regarding paving, as the current business has paved the lot from property line to property line, without considering neighbors or the environment. He asked the Planning Board to deny approval of the site plan with the trailer.

Public Hearing: Other comments in favor – no; other comments against – no.

The Public Hearing was closed at 8:16.

Requirements for the site plan:

1. Detailed landscape plan
2. Location and direction of all lighting fixtures
3. Location of existing septic
4. Total ground coverage (building area)
5. Map of circulation on the site, including pedestrian ways; defined parking spaces for customers and employees
6. 38-984, landscaping and fencing, including set back of at least 5' from the road right-of-way

7. Removal of any storage cars from the front of the lot, to remove the need to back out on to the road
8. Possible removal of pavement adjacent to the property line
9. Noise restrictions [Joanna said that because it's a preexisting business, noise can't be regulated]. [Ms. Sackal said that the nature of the business is entirely different; there was never car / truck alarms going off as late as 9 or 10:00 in the evening.]

Mr. Wynne said that they were only there for approval of the trailer.

Joanna said that a commercial site plan allows the Board to address the entire site.

David asked if there was a setback requirement for the area [yes].

Hillary said that the setback for a stream is 200' and that within that setback the land has to be maintained as vegetated, per DEM.

Warren asked whether the trailer and paving were there prior to development of the drawings [Tim Behan – yes]. Warren said that DEM permitting might require knowing what was there prior to the development of the site plan, what was done, and what needs to be done.

Mike Carpenter asked whether the requirements for the current application (lot 24) could be a condition for approving the adjacent lot (lot 25). [Joanna – no, lot 25 is not on the agenda.]

Michael Antonellis said that the motion must be on lot 24 alone.

Warren noted that as the development was without permits and an insignificant alteration approval from DEM, the current proposal is inadequate.

Warren moved that, as there is inadequate information to make a determination for or against the proposal, due to preexisting conditions, that the application be tabled until the October 7 meeting. Mike Carpenter seconded the motion.

Warren amended the motion to add the requirement that the plan include verification of setbacks from the property line, a landscaping plan for the Rt. 6 and the Snagwood Road sides, and setbacks for auto storage. Mike seconded the amendment.

The motion carried 5-0-2 [Mike Carpenter, Warren, Hillary, David, and Helen, aye; none opposed; Anthony and George abstained].

**F.** Hillary moved to adjourn at 9:14. Motion carried 6-0-1 [aye - Mike, Warren, Hillary, David, Anthony, and Helen; nay – no one; abstained, George.]

**G. Future Agenda Items**

- Planning Board Responsibilities and Rules - Presentation
- 2020 Road and Bridge Plan, review and update
- Finalize Comprehensive Plan Update
- Zone Changes on Rt. 6

Respectfully submitted,

Helen Hardy, Secretary