

# PLANNING BOARD MEETING

## January 29, 2008

Present: John Carpenter, David Landry, Stan Judge, Heidi Behling, Jen Corrigan Steve Tasse, Jo Carpenter - recording secretary

Public: Bert Drouin, Tracy Drouin, Art Marchand, Marlene Marchand, Randy Stiles, Suzanne Lemieux, Ray Lemieux, Jeannette Lemieux, John Russell, John Cosgriff, Ben Mayerson, Ray Danforth, Diane Alinovi

Chairperson John Carpenter opened the meeting at 7:03 PM.

### Minutes

Heidi Behling made a motion to accept the minutes of 1/14/2008 as written. This motion was seconded by Steve Tasse and passed unanimously.

### Public Hearing on Petitioned Zoning Amendment

Chairperson John Carpenter opened the meeting at 7:06 PM.

John began by reading the petition. He then reviewed the definition of min-storage facility as approved by ballot vote at last year's town meeting. He explained that mini-storage facilities are not allowed anywhere in town at this time. The petition asks that they be allowed by special exception in the Route 2 District.

Ray Lemieux asked who brought the petition into the office. Jo Carpenter stated that Marlene Marchand did.

Ray Lemieux then questioned a specific project by Bert Drouin. John Carpenter explained that this is not about a specific project. This is about a proposal to change the zoning ordinance to allow min-storage facilities. John stated that if the amendment passes there may be a project proposed but we do not know that at this time.

John Carpenter read the conditions that must be met to get a special exception and then explained that if a project received the special exception it would then have to go through site plan review.

Ray Danforth said that he would like to clarify a point. He said that to receive a special exception all of the nine criteria must be met.

Ben Mayerson stated that a min-storage facility does not conform to the preamble of the Zoning Ordinance which stresses the rural atmosphere of the town. He said that he realizes that business help the revenue stream of the town but this does not fit with other Shelburne businesses in the Route 2 District which are mostly tourist oriented. He further stated that this type of facility would be a blight. He said that it is an eyesore - lighting and visibility.

John Russell stated that the citizens of Shelburne have voted very similar proposal down twice. He said that the citizens have already spoken on this issue.

John Cosgriff asked what are permitted uses in the Route 2 District. John Carpenter read the list from the chart in the Zoning Ordinance. John Cosgriff said that he feels the ordinance is very generous for this district. He also asked the Board to consider that this has been voted down twice when making its recommendation.

Ray Danforth said that the vote last year was overwhelmingly against this last year when the Planning Board recommended against it. He said that the Planning Board should consider this vote when deliberating on whether or not to recommend it this year.

Marlene Marchand said that each year the proposal has been clarified more. She said that if the change was approved it would only allow a proposal to be submitted. It would still need to get the special exception so voting yes does not mean that we will definitely have a min-storage facility.

Ray Lemieux said that Bert Drouin stated that he would propose it for his lot which is in my backyard.

John Carpenter again stressed that this is not about any specific project.

Ben Mayerson stated that he would not want this type of facility in his backyard.

John Cosgriff stated that there are already enough things permitted in this district. We don't need this type of facility.

Bert Drouin stated that it is no secret that this would be the first step. We still would like to build a min-storage facility.

Ray Lemieux commented this is the beginning so what will be next.

Ben Mayerson said that this amendment came in by petition but was the Board considering proposing this again. John Carpenter said that the Board was not going to propose it.

Bert Drouin commented that he feels the way the voting will go in March has a lot to do with what the Planning Board recommends.

Marlene Marchand said that she has heard comments about how this type of facility could impact the town but how about how several houses could impact services in the town. She said this is a low impact development.

Chairperson John Carpenter closed the public hearing at 7:34 PM.

## **Planning Board Recommendation on Petitioned Amendment**

## *Deliberations*

Steve Tassej stated that this type of development is low impact. He said other things are allowed by special exception in the Route 2 District.

Heidi Behling stated that she disagrees. She said that min-storage facilities are ugly and they do not fit in the Route 2 District. She said that his has become a more residential area.

David Landry said that he feels that you need to look at the whole district not one piece of land and he feels it does fit. He said that he also feels that it is low impact.

Stan Judge said that he feels the timing could be better because the Board will be working on the Master Plan and will be looking at this type of thing – concepts of what should be allowed where in the future.

Stan also asked about hours of operation – how would they be controlled? John Carpenter said through special exception and site plan processes.

Heidi Behling stated that under the present Master Plan this type of development does not fit.

John Carpenter asked Heidi to clarify how it does not fit.

Heidi said that in the Route 2 District there is no industry. There is housing and hospitality businesses in this district.

Jen Corrigan said that looking at the existing land use map she has some concern because the Route 2 District is a huge district. She said that she also has some concern about special exceptions setting precedents. She said some flexibility in the zoning allows people to be more enterprising.

John Carpenter said that he tends to support mini-storage facilities being allowed this year. He said he is more comfortable because of the changes voted in last year to the definition and to the requirements for a special exception. He said that he would not support allowing them outright but is wrestling with allowing them by special exception.

Stan Judge said that he is looking at the purpose of the Route 2 District. He said that the purpose states to conform to existing development and also would have to meet all special exception requirements. He said this would require strong scrutiny.

John Carpenter stated that the Route 2 District is the residual of the original zone. He said it was a mishmash of permitted and prohibited uses. He said he believes it would have been allowed under the original zoning. He said many retail businesses in Shelburne along Route 2 have dropped by the wayside but there are still campgrounds, motels, etc.

Steve Tassej said that it would have to conform to Route 2 purpose.

David Landry said that he is not worry about putting in a facility. First it would have to meet the nine requirements to get the special exception.

Stan said that there are people with barns that rent out space would have to come in for special exceptions also. He said allowing this use be special exception does not necessarily mean that it will happen.

John Carpenter asked if it is a reasonable use in this district.

Heidi Behling commented that the town has already voted against it twice.

David Landry made a motion that the Board recommends this petitioned article. Stan Judge seconded the motion. The vote was 5 in favor and 1 opposed. This recommendation and vote will appear on the ballot.

### **Diane Alinovi - Question on Hamel Subdivision**

Diane explained that she is interested in purchase lot 15B but is concerned about the 50 ft. right of way that is part of that lot. She said that she would be paying taxes on that land but it has enhanced the value of the lot behind this subdivision. She said that she is concerned around her rights in relation to this right of way.

The Board told her that they did not extend Mr. Andrews rights in any way. He does not have any rights to the 50 ft. right of way as stated on the plat this is for use of lot 15A in accessing that lot. If someone wanted to develop the back lot they would have to deal with the owner of the right of way because all that lot has is a 13 ft. right of way.

### **Meeting with North Country Council**

No date has been set. Jo will call Mr. Rose. The Board suggested a Tuesday in February - subsequently set for Tuesday February 19<sup>th</sup> at 7:00 PM.

The Board did not want to invite the Conservation Commission to this initial meeting with North Country Council. They will include the Conservation Commission at a later time.

### **Other**

#### *Terms ending*

Steve Tasse and John Carpenter are ending their terms. Steve said he is willing to stay on. John said that he is thinking about it. He said that if does stay he would eventually want someone else to become chairperson.

### **Adjourn**

David Landry made a motion to adjourn at 8:45 PM. The motion was seconded by Stan Judge and unanimously approved.