

**DRAFT**  
**WEARE PLANNING BOARD MEETING MINUTES**  
**February 13, 2020**

**Present:** Craig Francisco (chairman), Bruce Fillmore (vice-chair), Neal Kurk (secretary), Frank Bolton (member) and Kelly Dearborn-Luce (Land Use Coordinator).

**Guests:** Rev. William R Stockhaus, Porter Spooner, Paul Gannon, Mike Dahlberg, LLS, Atty. Bob Carey, Matt Shapiro, Nicole Shapiro, Kevin Lefebvre, David Nelson, Judy Cote, Sheila Cleveland.

## **I. CALL TO ORDER**

The chairman called the meeting to order at 7:00 PM.

## **II. CONCEPTUAL DISCUSSION**

Paul and Kimberly Gannon of Flanders of Memorial Road for agricultural business proposal. The proposal is to establish a farm to raise turkeys, chickens and greenhouse vegetables with labor provided in part by autistic adults, accompanied by their overseers, and paid minimum wage. This is day labor only; the farm would not have residential labor, autistic or otherwise, beyond the property owners and their family members. The applicant has an autistic son now aged 17. Farm produce would be sold at a farm stand in the existing barn. Farming operations would not produce noxious odor or noise adversely affecting neighbors or traffic sufficient to create problems on the road. The Board advised the applicant that no site plan application would be necessary as long as there were no more than five non-family members employed by the farm.

## **III. CONCEPTUAL DISCUSSION**

Nicole and Matt Shapiro of South Stark Highway [411/110] for a mix-use new site proposal. Discussion involved clarification of “mixed used” in a Commercial (C) District. Being considered are the following: a doggie daycare, a personal business office for a welding business, and rental property for a one- or two-family home. The doggie day care business considered a commercial business (listed in Section 24.35) and the office are okay going forward, but allowance of an apartment(s) is questionable. Two commercial businesses are no problem, but a septic design will be needed. Applicants will return to the Board with a site-plan seeking approval for the proposed 30’x80’ building.

## **IV. CONTINUATION OF CHANGE OF USE SITE PLAN FOR WHITETAIL COMMERCIAL DEVELOPEMTN LLC FOR CONDOMINIM PHASING PLAN**

Whitetail Commercial Development LLC for Condominium Phasing Plan on Oil Mill Rd (Whitetail Lane and Riverdale Rd.) [412/202] in a Commercial (C) Zone. Noted to the Board by the land-use coordinator, the applicant’s escrow account is up-to-date. Atty. Carey rose and spoke to the Board regarding an updated status of the project which included:

1. Mr. Remillard is current with the invoicing for the escrow account.
2. The anticipated buildout schedule will be dictated by the economy; pavement installation will accommodate the single building at a time scenario and will be installed along with the necessary drainage, septic, well, utilities, fire cistern and designated landscaping for any particular building.
3. Removal and hauling of material will be in a timely manner, but again the economy will dictate the rate of removal.
4. Not to exceed the date for completion of the buildings.

Discussion about the project continued, with elaboration, not limited to, the following items:

1. Before the first CO, a cistern has to go in.
2. Mr. Dahlberg stated phasing the project only helps with the success of the completion of the project.
3. All runoff must be directed away from the shoreland.
4. Drainage and curbing are considering when paving is done.

Public comment opened at 8:26 PM. David Nelson of 10 River Road asked about how the catch basins will work and be contained. If there was an oil spill, where would the runoff go and he also asked if the economy did turn, would there be a massive hole left where the project is now. Mr. Lefebvre of 16 Eagle Street wanted clarification on the building locations, Oil Mill access and after the 5-year period, would everything be grandfathered, in which the chair responded no, a new application would be needed. Ms. Cleveland asked for the project manager to have compassion for those who endure living near the project at hand. Ms. Cote asked about truck and construction noise and how she hadn't realized it had potential to go on for five years. Public comment closed at 8:59 PM.

The chair then motioned to conditionally approve the phasing plan for Whitetail Commercial Development Condominiums, November 19, 2019 with the following notes to be added (on overview plan):

1. Prior to first CO in Phase Two, the fire cistern shall be operation and accepted by the fire ward.
2. Access drive to be paved\* from Phase 1 to illuminated common area to whatever building has been built.
3. The pavement\* shall extend 24' around the building.
4. The landscaping shown on the approved plans between Building Two and retention basin/disposal area shall be planted.
5. Drainage from catch basin1 to catch basin 6 and to detention pond shall be installed.
6. Monitoring wells MI-1 thru MI-4 shall be installed and operating.
7. Prior to CO in Building Four, the landscaping to the south shall be installed and the drainage to from catch basin 11 to catch basin 10 to catch basin 1 needs to be installed.
8. Prior to CO for Building Two, the landscaping to the northwest must be installed.
9. Prior to CO for Building Three, the drainage from catch basin 10 to catch basin 1 needs to be installed.
10. Regardless of order, prior to the last CO, the drainage from catch basin 20 to catch basin 2 must be installed.
11. All pavement\* shown on site-plan has to be installed.
12. The two islands need to be planted.
13. Proposed monitoring well one needs to be installed before CO for Building One;  
Proposed monitoring well two needs to be installed before CO for Building Two;  
Proposed monitoring well three needs to be installed before CO for Building Three;  
Proposed monitoring well four needs to be installed before CO for Building Four.
14. Prior to first CO of last building, curbing, wearing course, loaming/seeding/mulching and landscaping balances, and two-year tree bond shall be in place.

\*Paving means an intermediate/binder course to distribute load, not the wearing course.

Mr. Fillmore seconded; all were in favor; 4-0. Mr. Kurk asked if the Board had discretion over the phasing on the project. Atty. Carey stated, that no, it is not a discretionary situation.

## **V. CONTINUATION CHANGE OF USE SITE PLAN**

Weare Christian Church for property at 325-327 North Stark Highway, Tax Map 201, Lot 77. Proposed new use would be for a multipurpose/ministry and office/meeting area. Rev. Stockhaus reviewed items from the last meeting and explained the following to the Board:

1. Outside lighting remains the same – correct multi use building will have a soffit light; no additional lighting will be put up.
2. Side walk trash will be in 2- 96 gallon bins.
3. Primary snow storage area will be located between spaces 11 through 17.
4. Landscaping to be done will be gravel near parking and in front of office building, remove shrubs, and to the right of fire escape will be lawn area.

There was no public comment and closed at 9:33 PM. Mr. Kurk motioned to approve the plan with the following conditions:

1. Handicap parking located at number 1, 2, 3, making sure to be wide enough along with 18, 24, 25 and 26.
2. Show snow storage on site-plan, and no use of salt allowed in parking lot.
3. Revise date on site plan.
4. Plot plan to be revised.

Mr. Fillmore seconded, and all were in favor, 4-0.

## **VI. MINUTES**

The following minutes were approved:

\*January 23<sup>rd</sup>, 2020: Mr. Francisco moved to approve,  
seconded by Mr. Bolton; passed, 4-0.

\*February 1, 2020; Mr. Fillmore moved to approve, seconded by Mr. Bolton; passed 4-0.

## **VII. ADJOURNMENT**

Mr. Kurk, seconded by Mr. Fillmore, moved to continue the subdivision regulations until next meeting. All were in favor, 4-0 and the meeting adjourned at 10:02 PM.

*Respectfully submitted,*



*C. Provencher*  
*Minute Taker*