

1 was located. This is particularly true for a property of this size, 6 acres, the board can, however,
2 envision a scenario with a much larger lot where it might not be appropriate to replace a structure
3 located adjacent to the access road far to the rear of the lot. Board members determined that, in
4 this case where an exact location for the new residence is not known allowing for a one-acre
5 envelope around the existing residence (200' radius) location for citing the replacement house
6 was reasonable and appropriate. The applicant is free to come back to the board if a site outside
7 this area is chosen.

8
9 Turning to the replacement house dimensions, since there are no plans available for the
10 replacement home, without further board review, keeping the replacement home to no larger than
11 the existing residence and no more than three bedrooms was appropriate. Current house has two
12 bedrooms though its existing areas is consistent with a typical three bedroom house.

13
14 Likewise, the board made it clear that this approval in no way is intended to establish a right of
15 access to the building site. The Board is making no representation that the owner has rights
16 beyond the class VI highway over the discontinued road to access the property.

17
18 There being no abutters in attendance a motion to approve relief to allow a replacement single
19 family residence as outlined above was made seconded and voted in the affirmative.

20
21 **Preliminary discussions with Paul Toms and Alan Croteau:** Mr. Toms explained that he is
22 considering purchasing the former Runnemede School building to be used for a mixture of retail
23 uses. He is, unfortunately, not able to go into much detail at this time, but is hoping for some
24 board direction on application procedures. Mr. Toms was directed to review the approved
25 business project special exception criteria and to develop a detailed filled application that address
26 the criteria necessary for the granting of a special exception. Typically applications include a
27 detailed site plan, a written description of the project complete with operational details and
28 traffic projections. Mr. Toms hopes to return to the ZBA for the March meeting with a formal
29 application.

30
31 **Rules of Procedure:** Board members again discussed the amended rules, making several
32 grammatical changes. The rules will continue to be available at the office for public inspection
33 and comment and should be ready for adoptions at the next meeting.

34
35 The February meeting adjourned at 9:45pm.

36
37 Submitted,

38
39 Stephen Halleran

Richard Colburn, ZBA Chair

40

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **MEETING MARCH 12TH 2007**
3 **MERIDEN TOWN HALL**

4 Zoning Board

5 Members Present: Richard Colburn,Chr Ted Moynihan
6 Margaret Cassedy Brad Atwater
7 Stephen Sheehan, alt William McGonigle, alt

8 The meeting opened at 7:00pm.
9

10 The February 12th minutes were approved as amended. Following up on last month's case S.
11 Halleran reported that based on a conversation with and research by Town Archivist Howard Zea
12 it was determined that the portion of Batchelder Hill Road that has been discontinued was just
13 beyond the property now owned by Jim and Molly Sheehan. This means that their property does
14 have access via a public right of way, in this case a class VI highway. See case 07-02 for more
15 detail.
16

17 Board members were informed about the annual State Office of Planning Spring Planning and
18 Zoning Conference to be held in Concord on Saturday April 28th. Board members were
19 encouraged to attend this learning opportunity.
20

21 **Case 2007-03 AV PROPERTIES, LLC owned by Paul and Terry Toms:** Chairman Colburn
22 opened the hearing reading the posted notice. The project is an application for an Approved
23 Business Project and any other section of the Plainfield Zoning Ordinance necessary to convert the
24 former Runnemedede School building located at 1050 Route 12A (map 107 lot 18) into a retail
25 business to be operated as an antique and artesian mall/country store. Using the suggested process
26 template for the newly revised, but not yet adopted, rules of procedure Chairman Colburn explained
27 to those in attendance the process that would be followed for the application. The first is a brief
28 sufficiency review by the board to determine if the application contains enough information to allow
29 the hearing to move forward. This does not imply that the application is complete, just adequate for
30 a hearing. A presentation by the applicant was followed by comments from board members and
31 then comments from the public. Initial board deliberations will then be started.
32

33 Regarding the sufficiency review, board members quickly determined that the application was
34 sufficient to move forward. The applicant was asked to present the application. Paul Toms
35 explained that he and his wife Terry have purchased the property and plan to operate it as an
36 Antique/Artisan mall with approximately 40-50 vendors. The Tom's believe that the building
37 having been built as a school is code compliant for this type of use. The facility has a full sprinkler
38 system, panic hardware on all egresses and is of course ADA equipped complete with an elevator.
39 The upper floor will contain 30 vendor spaces, the basement level will include a small café, a
40 Christmas shop and another 10-20 spaces. New England made products will be the emphasis on this
41 floor. Very little renovation to the building is planned other than perhaps a farmers type front
42 porch. Public restrooms will be in the basement. Employee parking will be to the rear, with some
43 fifty spaces for the public being provided along the access road loop and to the front of the building.
44 The facility will be opened from 10-6 seven days a week except during the winter months it will be
45 closed Mondays and Tuesdays. Landscaping will include the planting of hardwood and softwood
46 trees, flowerbeds and shrubs. The tree planting will not include as many as shown on the
47 preliminary site plan. All lighting will be full cut off fixtures with security lighting being motion

1 sensitive. Signage will be in conformance with the town's regulations and will include two wooden
2 signs one near the entrance and exit. The northern most sign will include information about the
3 various shops found within the facility. As currently planned, the traffic flow will be an entrance to
4 the south with the exit to north using the existing driveway loop. The Toms have met with Scott
5 Akins who now owns the storage facility and the two parties are cooperatively working on an
6 agreement which will allow the Tom's facility to use the loop and will also provide the Atkins facility
7 with the access they need to the rear of their building.
8

9 Zoning Board members responded with their initial questions and comments, which focused on
10 hours of operation, deliveries, and clarification as to whether or not the application includes a
11 farmers market component. Based on comments received, Mr. Toms will look closely at the hours
12 of operation issue as it pertains to expanding the hours on Smith auction days, typically Tuesday
13 nights and Saturdays.
14

15 All deliveries to the facility will be made during business hours and will not involve nighttimes.
16 Vendors will not have after hour access to the facility, which will be run by four to ten employees
17 depending on need and customer traffic. The application does include a farmers market feature, but
18 not in the sense of a flea market, rather agricultural products being sold in the open field on
19 Saturday mornings. All parking will be on site although there was general agreement that a certain
20 percentage of the parking may be street side at the convenience of patrons. It was suggested that
21 there might be some opportunity to partner with the Smith Auction Gallery for each to use the
22 others parking when available to minimize overflow parking on Route 12A.
23

24 Turning to public comments, while generally supportive of the application there was a
25 concern as how insure that any street side parking does not create problems for neighbors entering
26 and exiting their homes. Likewise it was suggested that the Police Chief be asked to comment on the
27 proposed traffic flow in and out of the facility, the concern being that cars exiting from the north
28 driveway going north will have a reduced sight distance due to grade of Route 12A in that area.
29

30 Board members determined that a site visit would be helpful. The visit was scheduled for Sunday
31 March 18th at 4:30pm the public was encourage attending. The board will next take up the
32 application at their April 9th ZBA meeting starting at 7pm, here at the Meriden Town Hall.
33

34 Margaret Cassedy suggested to the applicant that they might want to consider another term for
35 describing the business rather than a "Mall" which seems to not fit with the rural character of
36 Plainfield.
37

38 **Other business:** The Zoning Board again announced and reviewed the revised Rules of Procedure.
39 The final "reading/review" of the regulations will take place on April 9th to hopefully be followed by
40 their adoption.
41

42 The meeting adjourned at 9:30pm.
43
44

45 Submitted,

46
47 Stephen Halleran

Richard Colburn, ZBA Chair

48

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **SITE VISIT SUNDAY MARCH 18TH 2007**
3 **1050 ROUTE 12A-AV PROPERTIES, LLC**
4

5 Zoning Board

6 Members Present: Richard Colburn,Chr Ted Moynihan
7 Brad Atwater William McGonigle, alt
8

9 Others present: Paul Tom's Mike Sutherland
10 Mary Sutherland Hazel Slayton
11

12 The visit commenced at 4:30pm.
13

14 Applicant Paul Toms provided a tour of the outside of the facility including the proposed parking
15 area. Board members reviewed the access proposal. The idea of a single in and out access point
16 was discussed. It was noted that from the northern driveway, vehicles leaving the facility have
17 about eight seconds to clear the intersection from the time a car traveling at a reasonable speed
18 on Route 12A is visible cresting the top of the hill until it reaches the intersection.
19

20 Board members also viewed the area proposed for a farmers market including the parking and
21 proposed facilities.
22

23 The group also toured the inside of the facility viewing the various proposed antique vendor and
24 artisan vendor areas as well as the proposed dairy.
25

26 The visit adjourned at 5:30pm. The board will next take up the case on April 9th at 7pm.
27

28 Submitted,
29

30
31 Ted Moynihan
32 Zoning Board.
33
34

Richard Colburn, Chair
Zoning Board.

1 Board reviewed in detail the criteria for an Approved Business Project. The following was
2 determined:

3
4 The property's land, 56 acres, and building layout satisfy the dimensional requirements for an
5 approved business project.

6
7 The existing school building, built just a few years ago reasonably demonstrates that proper
8 facilities will be provided for the use on the lot. It was noted that future additions will required
9 Zoning Board review.

10
11 To the best of the board's judgment, as proposed, the use will not be injurious to the
12 neighborhood.

13
14 Reacting to Chief Gillens comments and the board's own observations, traffic flow in and out of
15 the facility will be as presented in the application unless modified by the Planning Board as part
16 of their site plan review.

17
18 The above being the case, member Martin made the following motion: Moved that the ZBA
19 approve the application by AV Properties, case 7-03, to convert the former Runnemedde School
20 Building into an Antique and Artisan Market as described in detail by the applicant in the revised
21 plan/site plan submitted for consideration during the April 9th 2007 meeting. However, this
22 approval does not include "building" improvements characterized in the application as long-
23 term. Onsite business employees will be limited, by this approval, to 12. The board has
24 considered the impact on the village in detail, specifically under section 3.5 and 5.6 II, and it
25 finds that the plans noted as revision #1 sheets 1-7, including the accompanying narrative satisfy
26 the requirements of these sections. The specifications of the above referenced plans and narrative
27 are to be part of this approval unless specifically modified during the Planning Board's Site Plan
28 Review.

29
30 The motion was seconded and unanimously voted in the affirmative. Chairman Colburn noted
31 that the appeal time for this application begins on April 9th 2007.

32
33 **Other Business:** Board members performed a final review of the revised Rules of Procedure.
34 Several minor grammatical issues were corrected. A motion to approve the revised rules was
35 made seconded and voted in the affirmative. Once signed, a copy will be placed on file with the
36 town clerk.

37
38 Board members were again encouraged to attend the Office of Energy and Planning's spring
39 conference scheduled for the end of this month.

40
41 The April meeting adjourned at 9:20pm.

42
43 Submitted,

44
45 Stephen Halleran

Richard Colburn, ZBA Chair

46

**MINUTES OF THE ZONING BOARD OF ADJUSTMENT
MEETING June 11th 2007
MERIDEN TOWN HALL**

Zoning Board

Members Present: Richard Colburn,Chr Peter Martin
 Brad Atwater Ted Moynihan

The meeting opened at 7pm

This being the first meeting since April, the minutes from that meeting were approved as amended.

Case 2007-04 Allen and Karen Rogers: The applicants are seeking relief under RSA 674:41 “practical difficulty” test to add a 1,000 sq ft addition to their existing residence located at 30 Loomis Road, a class VI highway. The property is zoned Rural Conservation II.

The current house is 1,800 square feet and a 1,000 square foot addition is proposed. The applicant plans to add a carriage style garden shed for lawn equipment storage some time in the next one to two years, so. The house has an approved three bedroom septic system; this addition would add the third bedroom. Currently, the house has two bedrooms occupied bedrooms with the third being used as a home office. The applicant have two young children and feels that the added living space is needed to accommodate their family and is in keeping with what would customarily be viewed as typical expansion of a residential use.

Board members held a historical discussion about the class VI road ordinance and the Zoning Board’s role in the process. While not allowing the establishment of new residences on class VI road, the town has acknowledge the rights of existing, properly permitted, residences to continue on these town roads that are not maintained by the municipality. In reviewing the applications the ZBA focuses on determining whether the proposed project is a reasonable expansion of the existing use or if the project represents a new use, which might be permitted. For example, accessory structures to a residence (garages, barns) are typically allowed, whereas new residences, or new businesses that did not involve upgrading the road would not be allowed, as they would increase the activity on these roads.

As part of the review process, the Rogers acknowledged that town does not maintain the road. Further that in using the roadway to access their home they accept any enhanced liability that might result from the lack of maintenance.

There being no abutters wishing to speak member Moynihan moved to approve the application finding that the proposed use/or improvement is customary with an established residence. Further expansion beyond the three bedrooms that has previously been approved will require additional board review. The motion was seconded and voted in the affirmative.

Other Business: Halleran noted that he was expecting representative from the Plainfield Village Cooperative to discuss expanding the trailer park by one additional unit. While there was no one from the park in attendance, board members noted from the previous decisions that in order to allow any further expansion the park would have to bring forward a pretty compelling argument. The applicant for the most recent expansion made it very clear that that would be the final expansion for the park and since that time the Zoning Board has denied

1 one other request to expand and did allow the addition of an office trailer for the park's
2 administrative function use.

3

4

5 The June meeting adjourned at 8:50pm

6

7 Submitted,

8

9 Stephen Halleran

Richard Colburn, ZBA Chair

**MINUTES OF THE PLAINFIELD PLANNING BOARD
ZONING BOARD JOINT MEETING
September 10th 2007
Meriden Town Hall , 110 Main Street**

1
2
3
4 Planning Board members present:

5 \

6 Jane Stephenson	Des Hudson
7 Greg Estey	Ruth Cassedy
8 Mike Sutherland	Ron Liston

9

10 Zoning Board members present (first meeting since June 11th):

11

12 Richard Colburn	Ted Moynihan
13 Peter Martin	Margaret Cassedy
14 William McGonigle	Stephen Sheehan

15
16
17

18 The meeting opened at 7pm at the Meriden Town Hall

19
20 The Planning Board went through its administrative duties, which included approving the
21 minutes of August 6th, and discussing the agenda for the Board's September 17th meeting. The
22 meeting on the 17th will include additional follow up of the KUA athletic field project from last
23 summer. Planning Board members expressed frustration that KUA has not satisfied all the
24 condition of the approved site plan and does not seem to be working on completing the approval
25 conditions this year.

26
27 Halleran provided information about the upcoming Office of Energy and Planning conference in
28 mid October. Board members were encouraged to attend.

29
30 **Wetland Buffer Ordinance:** After introductions, Planning Board member Mike Sutherland
31 provided the Zoning Board with a presentation on the Planning Board's plans to amend the
32 town's existing wetland conservation district. The first major change is to go from a wetland
33 definition based on categorized soil types to one based on the occurrence of hydric soils. As a
34 result of this change the land that is defined, as a wetlands in Plainfield would be reduced by
35 about 25%. The second change is to establish a 50' wetland buffer around all wetland areas in
36 excess of ¼ of an acre in size. Development would not be allowed within the buffer without a
37 review and approval by the Zoning Board. The Planning Board and Zoning Board held a
38 detailed discuss about the definitions of wetlands and the impacts of the proposed regulation on
39 Plainfield's landowners and natural environment. The purpose of the buffer is to insure that
40 human development impacts on water resources are minimized through filtration of run off by
41 vegetative cover. At the same time efforts have been made to minimize the impact of the new
42 rule on private landowners. In most cases residential development is not proposed for within 50'
43 of a wetland.

44

1 Moving into the details of the buffer proposals Zoning Board members discussed the various
2 roles of those local officials involved in enforcing the regulation. The town's Zoning
3 Administrator and Conservation Commission Chair would be the first contacts with applicants.
4 If a clear determination as to whether the buffer applies could not be made by these individuals
5 the town, at its expense, will hire a wetland scientist to make a determination. Most present felt
6 that the town paying for this first expert review is appropriate since it's a town regulation and
7 there a town responsibility to provide good data to applicants.

8
9 In cases where special exceptions are applied for to encroach into the buffer area, the Zoning
10 Board noted that they prefer regulations that are have detailed statements of intent and have
11 definite standards to be satisfied. Subjective approval criteria are always more difficult to enforce
12 and create a greater burden for the Zoning Board.

13
14 It was noted that projects requiring a wetland permit are not affected by this regulation. If an
15 applicant has obtained DES approval for a wetland encroachment the approval is considered
16 local approval to be within the wetland buffer area as well. Likewise, a determination that a
17 buffer encroachment special exception is not required does not alleviate applicants from seeking
18 wetland permits for projects that would otherwise need a permit.

19
20 Several members of the group advocated for stricter requirements and a larger buffer. Several
21 members also questioned the need for a regulation that by all accounts does not at the moment
22 represent a serious problem for the town, noting that in general development is not occurring in
23 the lowland areas.

24
25 Planning Board members explained that it is their sense that not having a wetland buffer is a
26 weakness in our existing regulations. Residents consistently support the idea of preserving
27 surface water quality and protecting environmentally sensitive areas. Consequently, it is the
28 Planning Boards intention that the proposed change fills this void without presenting a
29 significant burden to the vast majority of landowners.

30
31 In general the discussion resulted in the Zoning Board supporting the concept of a buffer
32 ordinance. Likewise, the Zoning Board felt that the language drafted by the Planning Board, as it
33 pertains to their role, was well crafted.

34
35 The meeting adjourned at 9:30pm.

36
37 Submitted,

38
39 Stephen Halleran

Jane Stephenson, Chair PB

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42 Richar Colburn, Chair ZBA

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44
45
46

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **MEETING OCTOBER 8TH 2007**
3 **MERIDEN TOWN HALL**

4 Zoning Board

5 Members Present: Richard Colburn,Chr Margaret Cassedy
6 Brad Atwater

7
8 The meeting opened at 7pm

9
10 Chairman Colburn announced to the Board that member Peter Martin has resigned due to the fact
11 that he and his wife Lynn will be either away or at their second home for nine of the next twelve
12 meetings. Consequently, Peter feels it is not appropriate for him to occupy a board seat. The
13 group all acknowledged the contributions that Peter has made to the board during his service.
14

15
16 **Pam Elder:** Mrs. Elder held a preliminary discussion with the Zoning Board about the
17 possibility of converting an existing sugarhouse building (16'X16') to a small guest room to be
18 operated as a very modest Bed and Breakfast. Operating a B&B has been a life long dream of
19 hers and she wishes to investigate the possibility of realizing this dream. The use is permitted in
20 the RC I zone where her house is located, however, the property is access from a class VI
21 highway which, in Plainfield, have strict regulations concerning new development. No new
22 buildings would be constructed; although the sugarhouse would receive an extension renovation
23 including its own state approved septic system. Board members felt that not including a kitchen
24 in the room would be a key component to insuring that the bed and breakfast does not become a
25 second residence as time goes by and future owners take custody of the property. To be
26 permitted on the class VI road the board will have to find that the project does not increase the
27 need for town services over and above that which would be typical for the existing residence
28 now located on the property. As part of making her decision on whether to move forward or not
29 Board members encouraged Mrs. Elder to continue investigating all the facets of the project,
30 including building code requirements, septic system capability and costs.
31

32 The meeting adjourned at 8:00pm

33
34 Submitted,

35
36 Stephen Halleran

Richard Colburn, ZBA Chair

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