

Town of Albany, New Hampshire  
Planning Board Monthly Meeting/PUBLIC HEARING - Approved  
Monday June 8, 2015 7:00 P.M.

Next Work Session Meeting Monday, June 22, 2015 7:00 P.M.

These minutes were prepared by the recording secretary as a reasonable summary of the essential content of the meeting, not as a transcription. These minutes have not yet been approved by the members of the Planning Board and should be read at your own risk for misinterpretation.

The Planning Board Monthly Meeting was held at the Albany Town Hall.

Present: Chairperson Leah Valladares, Vice Chairperson Tara Taylor, Peter Carboni, Adrian Simons, Joe Ferris, Alternate; Rick Hiland, Alternate; Board of Selectmen Representative Kelly Robitaille, Theresa Ann Gallagher, Recording Secretary

Absent: None.

Also Attending: Paul Savchick of Natural Resource Consultants; Bayard Kennett, Owner of the property being presented for a Site Plan Review, Peter Cormier of Old Hickory Buildings, Arlene Barbour, Abutter, Steve Knox, Video Recorder, Mike Helmers

Chairperson Leah Valladares called the Planning Board Monthly Meeting to order at 7:00 P.M. Chairperson Valladares explained the recording of the meeting is done by the Secretary and is governed under the "Right To Know Law"; the video recording is being done by private citizens and is not subject to the "Right To Know Law". A copy of the audio may be obtained from the Secretary prior to approval of the minutes. The video recording will be on the website [albanytownmeetings.com](http://albanytownmeetings.com). If anyone would like to have a copy they can contact Steve Knox or Mike Helmers.

Chairperson Leah Valladares introduced the Board members to everyone present.

*Approval of the Agenda: Chairperson Leah Valladares asked for a motion to approve the proposed agenda for the June 8, 2015 monthly meeting/public hearing; Tara Taylor made a motion; Kelly Robitaille seconded. Passed Unanimously.*

## PUBLIC HEARING

**Chairperson Leah Valladares asked for a motion to accept the Site Plan Review application as complete, for the business of continuing retail activity proposed by land owned by the Kennett Corp, Map 8, Lot 4, where the applicants are lessees, Peter and Beth Cormier, for a franchise for a line of garden and utility sheds. Tara Taylor made the motion; seconded by Adrian Simons. Passed Unanimously.**

Paul Savchick introduced himself and presented the Site Plan Review application and Plot Plans for the activity to take place on the new proposed lease of the property, Tax Map 8, Parcel 4. The property will display sheds for sale. The business will be operating during daylight hours, only during the summer. No changes will be made to the signs. 8 to 14 sheds will be on display. Paul talked to the DOT to explain the business that will be operating on the property. He will send the Planning Board the new updated driveway permit when he receives it. There will be no lighting. The railroad easement lease is in the works. If the

lease does not come in on time, then fewer sheds will be displayed. Paul explained that the land is considered surplus land and has to go through three layers of government after it goes before the Highway Committee; it goes before the Attorney General, Legislative Committee, and the Governor's Council. The business will be operating on a temporary use agreement if the lease does not come in. Leah Asked Paul to drop the plans off to the Fire Chief so he can review it for safety, and then send a letter stating his decision. The DOT had concerns about there being very little setbacks along the road, and the Highway Department required the fence to be put in, which is enough to meet any setback requirements. Since the sheds are not permanent buildings, there will be no need to go before the ZBA for a special exception. The sheds are considered merchandise.

**PUBLIC COMMENT:** Arlene Barbour made a comment that she was concerned about big rigs going into the property. Mr. Cormier explained that the sheds would be constructed at the main facility in Cornish, ME. The sheds at the site will be brought in with their special trailer for display purposes only. Mike Helmers asked how other businesses displayed their merchandise within the 25' setback. The Board advised display of merchandise is allowed within the 25' setback and it is consistent with what is presented.

**Chairperson Leah Valladares made a motion to approve the Site Plan Review application for the business of continuing retail activity proposed by land owned by the Kennett Corp, Map 8, Lot 4, where the applicants are lessees, Peter and Beth Cormier, for a franchise with a line of garden and utility sheds with the following conditions:**

- 1. The DOT approves an updated driveway permit and a copy is given to the Planning Board**
- 2. The letter regarding safety is obtain from the Fire Chief and copied to the Planning Board**

**Motion was seconded by Board of Selectmen Representative Kelly Robitaille. Passed unanimously.**

**Chairperson Leah Valladares asked for a motion to have the Planning Board Chairperson sign the Site Plan Review outside of session. Motion made by Tara Taylor, seconded by Kelly Robitaille. Passed unanimously.**

*Approval of the Minutes: Chairperson Leah Valladares asked for a motion to approve the minutes of May 11, 2015 monthly meeting. Tara Taylor made the motion; seconded by Kelly Robitaille. Further discussion was held and the minutes were approved as amended. Motion was carried with Adrian Simons abstaining from voting. .*

**Selectmen's Report:**

Board of Selectmen Representative Kelly Robitaille reported that Fire Chief Steve Solomon is the Fire Code Inspector. World Fellowship is in discussion with the Fire Chief to meet safety requirements, and they also met with the Board of Selectmen.

**Discussion of Correspondence:**

Sara Knox sent Leah Valladares a link to a brochure that explains doing business in the town of Conway. The brochure simplifies the steps to follow for the applicant and may be something to consider in the future. .

Mr. Rob Nadler sent Leah an e-mail as an Albany representative for the Mt. Washington Valley Regional Collaboration regarding a draft report on zoning, planning and regulations; it contains incorrect information on Albany. He asked the Planning Board to go through the report and make corrections by the end of June. Rick Hiland will review the report for corrections.

Old Business:

1. Work Sessions: In September decide changes to work on - Site Plan Review, Zoning Ordinances; changes have to be done and ready for public hearing by December.
2. Change of Use definition.
3. 2016 Budget
4. Regulations should state that the Fire Chief is contracted with the Town of Albany as the Fire Code Inspector.
5. The Planning Board will meet with Fire Chief Solomon in the Fall.
6. Brochure "Doing Business in the Town of Albany"
7. Collaborative meeting with the Select Board to further discuss sign permits and the status of the business or home occupation, and to clarify residential/commercial zones. Meeting with the tax assessor to discuss sheds is also planned for the future.
8. Home Business/Home Occupation – Define and make the rules uniform

Discussion continued on the Site Plan Review regulations, and the warrant article giving the Planning Board authority to regulate Site Plan Reviews. Theresa will visit the Registry of Deeds to ask if they have on record the authorization of the Planning Board to regulate the SPR applications. The dates to search are 1984 to 1987.

Discussion on home business and home occupation continued regarding sheds and art galleries. There was a question about parking in the road which has no shoulder. Home occupations will be revisited in the future due to discrepancies and difference of opinions; a suggestion was made to have more uniform regulations due to Albany being a small town with small roads. Leah Valladares suggested having a collaborative meeting with the Select Board to further discuss sign permits and how signs affect the status of the home business or home occupation. Meeting with the tax assessor to discuss sheds is also planned for the future. Peter Carboni will look up the "temporary structure" definition.

New Business:

Theresa Gallagher will write the Notice of Decision for the Cormier Site Plan Review for Leah to sign

Public Comment: Steve Knox reminded the Planning Board to make the rules and regulations apply to everyone and to stay consistent.

Adjournment: Chairperson Leah Valladares asked for a motion to adjourn the Planning Board monthly meeting at 8:48 P.M. Kelly Robitaille made the motion; seconded by Adrian Simons. Passed unanimously.

Respectfully submitted,

*Theresa Ann Gallagher*

Recording Secretary