

MINUTES
Business Meeting
Sanbornton Planning Board

Meeting Date and Time: Thursday, January 17th 2019 at 7:00 PM

Meeting Place: Meeting Room, Sanbornton Town Offices

The meeting was called to order by Don Bormes at 7:00 PM

Roll Call

Regular Members present: Will Ellis, Don Bormes, Dick Gardner, Selectman John Olmstead, Jody Slack

Alternate Members present: Debra Schneckloth

Others present at the meeting: Attorney Christine Fillmore

Don Bormes stated that this meeting will be adjourned and continued at the Old Town Hall due to space after a non-public meeting with Attorney Fillmore. He asked Attorney Fillmore if Debra Schneckloth can participate in the non-public session if she is recusing herself from the Tower Hill solar farm case. Attorney Fillmore stated that she can only be present for the part of the discussion dealing with the events venue application.

New Business

a. Non-Public Session under RSA 91-A:3 II (I) – Discussion with Attorney Christine Fillmore regarding tonight’s cases. Dick Gardner motion to enter non-public session at 7:04pm. Will Ellis seconded the motion and the motion passed unanimously. Roll Call vote: Ellis/Bormes/Gardner/Olmstead/Slack – Yes. During the non-public session, the Planning Board received legal advice related to the cases on tonight’s agenda. Debra Schneckloth was only present for the discussion regarding the events venue application.

Dick Gardner made a motion to leave non-public session at 7:56pm. Jody Slack seconded the motion and the motion passed unanimously. Roll Call vote: Ellis/Bormes/Gardner/Olmstead/Slack – Yes. Meeting moved to Old Town Hall and reconvened at 8:10. Dick Gardner made a motion to seal the minutes indefinitely. Selectman Olmstead seconded the motion and the motion passed unanimously. Roll Call vote: Ellis/Bormes/Gardner/Olmstead/Slack – Yes.

b. Site Plan Application – Acceptance. Property Owner/Applicant Tara Stewart and James Westlake-Toms. Applicant proposes events venue in conformance with State Statute 21:34-a II. Property is located at 12 Davis Road, Tax Map 10/Lot 116 located in the General Residential Zoning District – Attorney Brian Bouchard explained that the applicants came before the Planning Board for a conceptual consultation in February 2018 and again in November and the minutes state that the Board was receptive to the plan. Will Ellis asked how the events are an accessory use of the farm and Attorney Bouchard responded that the statute does not say there is a volume or quantity of farming needed to have events. Dick Gardner stated that this meeting will be to accept the application and he is impressed with the checklist provided by the applicants and feels that it fits the Town’s ordinance. Dick Gardner made a motion to accept the application as complete. Will Ellis seconded the motion and the motion passed unanimously.

Abutter Terese Trepanier stated that the notice she received stated that this would be a public hearing so that questions could be asked of the applicant. Attorney Fillmore explained that the applicants received a notice stating that this would be a Public Hearing but that the agenda noticed to the general public says “Site Plan Application – Acceptance”. Dick Gardner stated that, because of this conflicting information, the Board will continue the hearing to next month on February 21st and it will be a formal public hearing.

c. Site Plan Application – Acceptance. Property Owner/Applicant Guy J. Jr. & Marie Giunta, and Anthony & Joseph Guinta/Andrew Kellar, New England Solar Garden. Applicant seeks to build array of solar panels for generation of 13 megawatts of solar power, at property located at 63, 71 and

87 Tower Hill Rd. Property is located in the Historic Preservation, Forest Conservation and General Agricultural Zoning Districts - Dick Gardner stated that the interconnectivity agreement with Eversource for this project has expired. Andrew Keller of NH Solar Garden stated that it was not expired when the application was first submitted in the fall. Dick Gardner stated that the report also does not include a transmission report or a description of what the power lines will look like as a result of this project. Andrew Keller responded that the power lines will not change and that this is not a required item in the checklist. He also noted that he has been in communication with Stephen Laurin, the Planning Assistant, and that this was not mentioned in his correspondence. Attorney Philip Hastings stated that it seems the Planning Board wants to know the impact of the project before accepting the application as complete which is out of order; that should be done during the public hearing. Andrew Keller noted that there are still no waivers being requested for this application, just a deferment for items such as drainage plans which are costly and take time.

Attorney Hastings stated that the applicants are not trying to do something contrary to the ordinance and suggested that the Planning Board explain what application items they still need to make it complete, i.e. current interconnection agreement and drainage plans, in writing to the applicants. He stated that if the applicants cannot provide by the next meeting on February 21st then a continuance can be granted, but if the application is considered complete at that meeting then the Board can then discuss its merits during a public hearing. Don Bormes made a motion for Dick Gardner to submit this letter to the applicants within one week. Selectman Olmstead seconded the motion and the motion passed unanimously. Attorney Hastings asked the Board if they will vote to consider this proposal a Development of Regional Impact so that proper abutter notices can be sent. Will Ellis stated that he feels there will be some visual impact to Tilton as the property can be seen from School Street. Jody Slack made a motion to consider this a Development of Regional Impact. Will Ellis seconded the motion and the motion passed 4-1, with Dick Gardner voting No.

Dick Gardner made a motion to continue this meeting to February 21st for acceptance of the application to be followed by a public hearing to discuss the merits of the plan, if accepted as complete. Selectman Olmstead seconded the motion and the motion passed unanimously.

Other Business

a. PB Alternate member interest – Don Bormes stated that Andy Sanborn is interested in being an Alternate on the Planning Board. Andy explained that he is interested in preserving history while focusing on modern energy for Sanbornton. Dick Gardner stated that he respects Andy's thoughts and Will Ellis stated that he appreciates that Andy has lived in Sanbornton for a long time. Don Bormes made a motion to recommend to the BOS that Andy Sanborn is appointed as a Planning Board Alternate. Jody Slack seconded the motion and the motion passed 4-1, with Selectman Olmstead abstaining.

b. February agenda – Secretary Audry Barriault explained that an application has been received for a subdivision, which makes three cases for the night of February 21st. Selectman Olmstead made a motion to begin the February 21st meeting at 6:00pm rather than 7:00 to accommodate all cases. Jody Slack seconded the motion and the motion passed unanimously.

Meeting adjourned at 9:56pm.

**Respectfully Submitted,
Audry Barriault**