**PLANNING BOARD MEETING- AUGUST 17,2022**

The NB Planning Board held their monthly meeting starting at 6:15PM at 78 Elm Street for a field review of the proposed retail business expansion which needs a special permit. At 7:00PM, the regular board meeting took place at the Police Station conference room. At 7:15PM, the public hearing for the special permit for Paul Paradise occurred. In attendance were planning board members Bill King, John Tripp, John Turner, Brandon Avery, Michelle Petraitis and Clerk, Kimberly Bent. Members of the public attending were Mona Castonguay, Richard Whitney, Ellen Whitney Hall, Shirley Whitney, Janet Drazek, Thaddeus Drazek, Jennifer Farrell, Virginia Perkins, Dorothy Revene, Kathleen Crevier, Patrick Gustafson, Robert Banthin, Mark Sepuka, Christine Sepuka, Tracy Cormier, Tate Ostiguy, Tony Jimenez, Mike Putida, Tara Hayes, Eric Josephson, Nancy Paradise, Paul Paradise, Jonathon Viner, Danielle Gebo, Paul Simmone, Dean St. Laurent, Philip Lipsenthal, Robert McGill, Joseph Rondeau, Nathan Decoteau, Evan DesPlaines, Chris Palin, Sonja Craig, Holly Kularski, Sal Branciforte, Tina Laundry, Tracy Brearley, Justin Cook, Glenn Fletcher, Evan Desplaines, Paul Gerard and Jason Petraitis.

Chair King called the meeting to order at 6:15PM. Mr. Paradise had the four corners of the proposed building staked out. The Board discussed the following with Mr. Viner and Mr. Paradise: parking spaces, car lights, privacy fencing/screening and parking lot lights. The Board had some questions on percentage of lot coverage, what constitutes an accessory building on a non-conforming lot and does it meet the correct setbacks. John Tripp made motion to adjourn this part of the meeting, seconded by Michelle Petraitis and unanimously approved by all members

Chair King called the reconvened meeting to order at 7PM at the Police Station.

W. King asked for a motion and second to approve the minutes from the July 20, 2022 meeting. It was motioned by John Tripp, seconded by John Turner, and unanimously approved by members except Michelle Petraitis, who abstained.

Chair King informed Board that he was asked by Master Plan Committee to provide a letter of support for the Open Space and Recreation Plan section of the MP to complete the submittal to the state for final approval. King wrote the letter on behalf of the Board and shared a copy.

W. King let the board know that our zoning article from the May 6, 2022 town meeting was approved by the Attorney General’s office. The Chair and Clerk will be working on adding all zoning bylaw amendments to the document, so it will be up to date.

At 7:15PM, Michelle Petraitis made a motion to adjourn the regular meeting and open the public hearing, seconded by John Turner and unanimously approved by all members.

**PUBLIC HEARING FOR PAUL PARADIS, 78 ELM STREET**

Chair King called the public hearing to order at 7:15PM, he then read the hearing notice and went over the public participation policy/procedure.

Mr. Viner and Mr. Paradise presented their request for a special permit as an accessory use for a retail firearms business according to Section IV.A.2.o of the zoning bylaw. The property is located in the R11 and R66 zones; the building will be a 20 x 40 foot single story wood frame construction; the building will be placed behind the residence at 78 Elm Street in the R66 district area; the parking will accommodate enough spaces required by the bylaws; there will no other employees except for Mr. Paradise; the utilities will run under ground from the residence to the retail store; the hours of business operation will be 12-8pm Thursday to Tuesday and closed on Wednesday. Once the new building is completed, the existing shed will be removed.

The Chair pointed out that the survey plan has the wrong zones and the parking layout needs to be corrected. Mr. Paradise said he will get revised plans.

The Chair went over the lot as it stands , the residence is in the R11 district and is non-conforming as it only has 90’ of frontage not 100’ as required, but it does meet the land area requirements of having over 11,000 square feet. Due to that fact that the survey is not correct with zoning districts, parking, and setbacks this hearing was continued to Sept 21, 2022 at 7:15PM. No vote will be taken by the Board, until the final plans are provided. The Board then listened to public opinion.

Phil Lipsenthal from East Brookfield was the first to speak and asked why Mr. Paradise needs a special permit as he is already operating a retail store at his residence. The Board informed everyone that he does not have a permit for any retail, only for gunsmithing. Mr. Paradise explained he was unaware that he needed a different license other than his gun smithing license from the town for retailing. We also had over 13 guests speak positively about the character and expertise of Mr. Paradise.

Ellen Whitney Hall, Mona Castonguay, Patrick Kiristzy, Sonja Craig, and Janet Drazek all spoke against Mr. Paradise being issued a special permit as abutters/neighbors. Mona Castonguay expressed concerns as an abutter that people screech their tires, car headlights go directly into your home, business in the current store takes place after hours, and these problems may be bigger with a new store. Janet Drazek expressed concerns for her privacy and would not agree to a fence to help with this problem.

Christine Sepuka and Cathy Crevier asked if the abutters have gone to Mr. Paradise with their complaints in the past and the abutters said no, they were trying to be a good a neighbor.

Tara Hayes asked in the spirit of cooperation, what could be done to make the neighbors happy, and they all agreed that nothing was possible, as the neighborhood should be exclusively residential. They all agreed a business doesn’t belong in their neighborhood and asked the board not to grant special permit.

Mr. Paradise explained he has only had one incident at his business, and it was a false alarm from the door blowing open. Since 2008 when he opened his gun smithing business, the police have never been called for any speeding cars, screeching tires or parking on neighbors’ lawn.

Vice Chair Michelle Petraitis explained that this decision will follow the letter of law not anyone’s personal feelings.

Chair King explained that the permit can have restrictions added to it such as only four cars at a time would be allowed to shop, hours of operation could be changed for the winter, so no headlights would shine in abutter windows, privacy fencing between properties could be required and days he can open can be limited.

W. King read two letters in support of Mr. Paradise, one form the Boy Scouts of America and the other from Paul Sweeney.

A motion was made by Michelle Petraitis to continue the hearing to Sept.21, 2022, in the Police Station Conference Room at 7:00PM, seconded by John Tripp and unanimously approved by all members.

John Turner made motion to reconvene the Planning Board meeting, seconded by Michelle Petraitis and unanimously approved by all members.

**MAIL:**

Town of Spencer – Notice to abutters from Michael and Laurie Letendre of 51 South Spencer Road to add an in-law addition. Hearing date Sept. 13, 2022 at7PM.

Town of Spencer – Certificate of Decision on Special Permit for Trinity Solar on 36 Howe Road owned by Kim Snyder – approved 4-0.

Town of Spencer - Certificate of Decision on Special Permit for Higgins Energy Alternatives on 183 Greenville Street owned by Ann and Warren Ramsey – approved 4-0.

**OLD BUSINESS:**

No old business

Motion to adjourn made by John Tripp, seconded by Michelle Petraitis and unanimously approved by all members.

Next Meeting: September 21, 2022.

Minutes consist of 3 pages.

Submitted by Kimberly Bent, Clerk