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Brownfield Planning Board

Minutes of March 13, 2019

Members present: Nubi Duncan (Chairman), Sonia Frye (Vice-Chairperson), Kurt Wood, Mitch Dondero and Lenny Jean, (arrived at 7:30).

Others present: Brian Fortier, Deb Merrill, William J. Flynn (Selectman), Cynthia Willets, Jean Blake, Terry Blake, Bruce Collins, Judi Tordo and Rose Schenstrom.

The meeting was called to order at 7:01 by the chairman, Nubi Duncan. There were five members present, a quorum did exist and business could be conducted.

The first order of business was to vote on the changes suggested by the town's attorney on 2.6 of the Land Use Ordinance and dated March 7<sup>th</sup>, 2019. (See attachment 1 of the attached Land Use Information.)

Motion To: Accept to bring forth the change on 2.6 as written  
Made by: Lenny  
Seconded by: Kurt  
Vote: 5-0-0

7:05  
Motion To: Open the public hearing  
Made by: Mitch  
Seconded by: Kurt  
Vote: 5-0-0

Members stated that the reasoning behind the proposed changes is to improve enforcement (CEO).

Members explained that there are a number of conditions to mitigate a nuisance factor and people don't do what they say they will do.

Bruce Collins stated that the Planning Board is only a review authority. Mitch agreed stating that the enforcement is carried out by the CEO. Bruce also asked if the board has received a response from the town's attorney concerning a question asked by Bruce whether or not the LUO is in compliance with the Comprehensive Plan. Bruce was assured that the town's attorney has been asked that question.

Bill Flynn explained that the town has an attorney, the attorney makes suggestions and the Planning Board should vote on the material that is presented tonight.

Nubi stated that the Planning Board needs teeth, there are violations unacceptable and neighbors terrified in this town. The board needs to put conditions in (a permit)

that the CEO can follow up on. The board needs to do this legally like the attorney says.

Bruce started talking about the water ordinance stating that the town has two (2) attorneys, (MMA and Leah Rachin). Nubi called a point of order and asked for all to keep on track stating the board would like to hear from others.

Cynthia Willets questioned 2.6 stating that it is not the wording the attorney sent and supplied an email (originally dated September 19, 2018 and resent via email from Cynthia to board members on March 13, 2019). See attachment # 2.

Nubi stated that what we have is from Leah. Cynthia asked for the date on the suggested changes and Nubi replied March 7, 2019. (See Attachment #1)

Cynthia went on to ask about the original wording in 5.9 (See attachment #3) The chair explained that these were changes with information sent by the town's attorney. (Attachment # 1).

Bruce Collins stated that there have been three (3) Public Hearings and not one of them has been on Large Scale Water Extraction.

Nubi stated that this is a Selectman's issue now. The discussion continued with Bruce ending with "Consistency is what I am talking about."

Lenny reminded all present that there were only seven (7) minutes left for the Public Hearing and called a point of order.

Motion To: Call a point of order  
Made by: Lenny  
Seconded by: Kurt  
Vote: 5-0-0

Judy stated she appreciated changes that would make this enforceable. (LUO)

Members agreed that these proposed changes should be sent to town vote.

Motion To: Place on the town warrant as written  
Made by: Mitch  
Seconded by: Kurt  
Vote: 5-0-0

Motion To: Close the Public Hearing  
Made by: Kurt  
Seconded by: Lenny  
Vote: 5-0-0  
The Public Hearing ended at 7:27

The Public Hearing for the proposed changes to the Brownfield Planning Board by laws will not take place. The board voted at a meeting, with a full quorum to change the criteria from a quorum of four (4) members to three (3) by rescinding and nullifying this criteria. The board has decided NOT to change this, the quorum

will remain at four (4) members. Board members will be reviewing the bylaws and see what changes have been made in the past.

Motion To: End the Public Hearing, with no changes to the bylaws and no action on the Planning Board Ordinance.

Made by: Lenny  
Seconded by: Sonia  
Vote: 5-0-0

Bruce asked member's if anyone has been appointed to the planning board.

Motion To: Adjourn  
Made by: Lenny  
Seconded by: Nubi  
Vote: 5-0-0

The meeting adjourned at 8:05.

Submitted by,



Pam Thomas

Chairman,



Nubi Duncan

