

**PLANNING BOARD PUBLIC MEETING
TOWN OF LITCHFIELD**

Held on July 7, 2020

minutes approved on 8/4/2020

In response to the COVID-19 Pandemic, the Planning Board held a remote meeting pursuant to Governor Sununu's Emergency Order #12 related to public meetings, on Tuesday, July 7, 2020 at 7:00 p.m. via webex.

MEMBERS PRESENT: Michael Croteau - Chairman, Kimberly Queenan - Vice-Chairman, Kate Stevens, Ronn Stephens, James Boffetti

MEMBERS ABSENT: Kevin Lynch, Selectmen's Rep., Curtis Sampson - Alternate, Joshua Smith,

ALSO PRESENT: Jay Minkarah (Executive Director Nashua Regional Planning Commission - NRPC)

CALL TO ORDER

Mr. Croteau called the meeting to order at 7:00 p.m. Roll call of members.

Public Input: No public input on non-agenda items.

Agenda Items:

**Mel's Funway, Application by KBT realty Trust, Site Plan Modification
449 CBH, Map 20 Lot 17**

Attorney Andrew Prolman, from Prunier & Prolman, P.A, Mel's Funway owners Michael Accomando, and Wayne Caulfield are present remotely.

Andy explained due to the pandemic that is going on that has set the clock back for them. Amusement parks could not open until June 29.

The carnage haunt was supposed to be removed by August 31 because of the pandemic they could not hire a crew to remove the haunt. They would like to modify that removal date and push it out four months to December 31, 2020.

Pavilion #1 has been fully enclosed with barn board siding, some trim work left to finish.

Pavilion #2 is half done, the west and south sides are open and intend to use for food service and bar area. It will be closed in by Dec. 31, 2020.

The major problem is the three national trade shows that they get their haunt props from have been cancelled this year.

They like to put 20% new haunts in Spooky World but they could not get new props therefore they want to keep Carnage for four months for this seasons Spooky World.

The third issue is the 8 X 16 food cart near the corporate tent which they brought in because Mel's diner was not opening this year.

The Board of Selectmen (BOS) did grant them permission to use the food cart for ninety days from June 12, 2020.

There are a couple of minor changes to widen one walkway in the kiddie area to 8' and move two cherry trees.

Questions from the Board:

James B. Is the food cart a temporary structure. Andy, yes it was rolled in.

James B. It looks like the BOS voted not to take enforcement action on the food cart.

Why is it coming to the Planning Board?

Andy: Town Counsel suggested we show it on the plan. Not necessary for the Board to act on it just showing it is there.

Kim Q. wanted to know if the compliance hearing is still on for Sept. 1

Andy We have no problem coming back Sept. 1

Wayne: We are working with the government completely on social distance and cleaning.

Mike: We used to have a 10 member crew now we have two man crew. We don't have the crew to take down the carnage.

Kim Q. asks about the number of haunts.

Wayne: There are five haunted attractions.

James B. Last year there was an issue with noise from cannons. What are your plans to reduce the inconvenience to the neighbors?

Andy: Note 32 on the approved plan no cannon noise after 10 p.m.

Mike C. The agreement on the approved plan of 3/3/20 was to take down the carnage haunt and barn board the pavilions. We conditionally approved and agreements were made. You can't just ignore that but we are in a state of emergency now. We don't

know what will happen with the virus. Things could change down the road but we want to see some compliance to meet the conditions of the plan..

Jay M. There is rationale for the minor improvements (trees and walkway). If the Board approved changes tonight they would need a revised site plan. The food cart would be separate not on the plan.

Public Input

Rick Charbonneau 401 Charles Bancroft Hwy.

There is an issue of the building (food cart) without site plan approval. He feels none of the lighting meets standards. We agreed to drop out court cases if carnage went away. Construction has not slowed down due to corona virus. Carnage could go, he feels it is a junk yard it can be seen from 3A. I think the board needs to enforce what was approved on the plan.

Andy: Mel's does not have the amount of employees that Mr. Charbonneau has. We shared our application with (Attorney) Morgan Hollis on 6/16. His attorney (Morgan H.) said they were good with the application.

Rick C. There was no discussion with me and my attorney that carnage was going to stay. Rick takes exception with the building without a permit but the biggest issue is carnage.

Mike C. to the Board: Do we hold the applicant to rigid standards or do we agree to an extension. Both positions have valid points.

Wayne C.: (during the pandemic) every community has come to businesses to say what can we do to help your business survive. We are just asking for a few more months to get through.

Rick C. Doesn't feel carnage is professionally built.

Mike A. It has been built that way, fire dept and building inspector have walked through and permitted it. We have built it as a set as in a movie.

Mike C. Had issues with carnage when the Board did a site walk some time ago. He felt there were metal items sticking out within the haunt.

Is the carnage haunt essential? Can you still do Spooky World without it? How long would it take to take the haunt down?

Wayne C. We could take it (carnage) down by 8/31. We are trying to have 20% new haunts. It would be devastating to not have it and inability to not create something new. Customers keep coming because we have new haunts.

Kate S. I can't imagine we would deny on principle. People are expecting haunts. They are still working towards their main goal.

Kate S. makes a **MOTION** to approve the deadline for removal of carnage from 8/31/20 to 12/31/20. Ronn S. seconds the motion.

James B. to clarify I was talking about the food cart issue. They agree to take down the carnage haunt and they say they can do it.

Roll call vote. Mike C. -no, Kim Q. -no, James B. -no, Kate S. -yes, Ronn S. -yes.

The motion is defeated 2-3-0

Andy P. We have worked with many towns. Litchfield seems to have no empathy or sympathy for small business.

Pavilion # 1 & 2 #2 has shiplap siding on the east and north sides.

Kate S. makes a **MOTION** to approve extending the deadline for pavilion #2 leaving the south and west sides open to 12/31/20. Ronn S. seconded the motion.

James B. Kate makes a good point keeping the sides open because of the virus.

Motion passes 5-0-0 by roll call.

Minor modifications to widen one stone dust path to 8' in the kiddy area and move two cherry trees. Ronn S. makes a MOTION to approve the minor modifications. Kim Q. seconded the motion. Motion passes 5-0-0 by roll call vote

Andy P. we will have Keach-Nordstrom update the plans for submittal.

Wayne C. I think there was a misunderstanding. I feel I didn't explain the situation well. Yes, carnage is going to be removed by 12/31 we are just asking for a four month extension under the circumstances.

We can remove carnage by 8/31 but we cannot build a new A+ haunt at the level people expect from Spooky World. I don't know if the board felt there was some misinformation. I don't know if the board would be willing to revisit this (removal of the haunt).

Rick C. (opinion) There was a vote taken but discussion can keep going if they are willing to open the whole site plan process again. I wouldn't object to reconsidering only if they open the whole site plan and address other issues like lighting on the site.

Andy P. I would suggest we end this tonight. I will confer with Wayne and Mike and let the board know what we intend to do.

Mike C. ok, I think the board has ruled and made a decision . If there is something to propose or want to come back you are welcome to do that. For now the vote stands as far as carnage is concerned.

Committee Reports

7/14 Heritage Committee will have a virtual meeting

June NRPC Quarterly Meeting Bylaws, 501C3 approved, town dues will not be going up.

Kim Q. reported what area towns were discussing: Amherst trying to encourage smaller square foot housing. Pelham had a citizen petition to abolish the Conservation Commission because they wanted to encourage larger homes, Merrimack seems their commercial strip on route 3 is turning more to residential, Nashua had the Bronstein apartments It was 38 units on 4 acres they are increasing by 160 on 4 acres. Hudson has regional impact with the Logistic center south of the Sagamore Bridge.

Hollis/Brookline is looking at drive through voting. Pelham is alarmed at the census numbers they feel everyone may not be counted. Wilton had to issue parking tickets at some of the quarry swimming holes.

July 2 Conservation Commission parking lot meeting, cut short by weather.

CIP committee met 7/6 talked about Library capacity issues, police fire space issues discussed. GMS issues and questions

Next CIP 7/20 6:00 p.m. for solid waste and recreation.

Kate S mentioned in reference to the CIP saving land should be the first priority according to the Master Plan.

Lower Merrimack River Local Advisory Committee (LMRLAC) reviewed the shoreland permit for Hudson Logistics next will be the Alteration of Terrain permit (AOT).

Jay M. they are working on a survey for planning board to review for input into the community facilities chapter of the Master Plan.

We (NRPC) will be commenting on the Hudson Logistics project of regional impact. It is a huge project two and a half million square feet in all phases.

Approve 6/16/2020 Minutes

James B. made a MOTION to approve the 6/16 planning board minutes. Ronn S. seconded the motion. Motion passed 5-0-0 by roll call vote.

A motion was made to adjourn the meeting by James B. seconded by Kate S.

Motion passed 5-0-0 by roll call vote.

Meeting adjourned at 9:07 p.m.

Minutes transcribed by J. McKibben from LCTV recording

