

Meeting Minutes
Monday, February 28, 2022 at 7:00PM
7 Summer Street and Zoom Hybrid

In Attendance:

Board Members Present: Dan Devoe, Matt Murawski, Bill McGrath, Chris Recchia and John Hart

Board Members Absent:

Town Employees: Joshua Jerome

Other: Steve Ploesser, JJ Poljacik

1. Call to order

- Matt called the meeting to order at 7:05pm

2. Public to be heard - none

3. Approval of minutes - A motion was made by Bill to approve the minutes of January 24, 2022, seconded by Dan and all voted in favor (5-0-0).

4. Designation of Use Categories for Cannabis Cultivation per §206.A.16 – Mr. Jerome opened up the conversation to explain why the DRB is being asked to determine the use category for cannabis cultivation. With cannabis cultivation state license opening up April 1st and with several inquiries, determining the use category now provides staff and potential cultivating businesses a road map of the local application process. Mr. Jerome explained that retail, processing and wholesale distribution all fall within the indoor retail and light industrial use categories respectively. What needs to be determined is how indoor cultivation and outdoor cultivation is classified. There was quick determination that indoor cultivation, defined as cultivation with the use of supplemental lighting, fits within the Light Industrial use category as the impact is very similar to many of the previously approved businesses within that use category. Outdoor cultivation was discussed and was generally agreed that there are a couple use categories that could include outdoor cultivation, but none of them were a perfect fit. It was agreed to by all that the best possible fit for outdoor cultivation was rural industrial. These determinations are non-binding as there were no applications at hand, but serve as a guide for the Zoning Administrator for issuing a use category for future cannabis cultivation applications. The board recognizes that the Planning Commission is ultimately the municipal body who facilitates bylaw changes and is ultimately responsible for ensuring the appropriate use category for businesses.

7.Old/New Business – Smokin J’s BBQ and the 802 Loungue – This is a continuance of the previous meeting. Mr. Ploesser opened up the conversation about the new proposed site plan that incorporates 21 additional parking spaces in the front of the building and on the side. Some additional sidewalk striping and stop signs are proposed around the intersection nearest Dollar General. Lighting was deemed to be sufficiently downcast. The capacity of the building is 98 which includes employees. There are 50 seats in the restaurant. Mr. Poljacik stated that he would only expect to have events once or twice a month where they may reach the 98-person threshold. Events would start between 6-7pm. Mr. Murawski brought up the southern entrance and the technical memo provided by the applicant that indicates that opening the southern access point to both entry and exit could not be possible because of site line distances. It was noted by Mr. Ploesser that state regulations have prevue over the entrances since it’s a state highway. Mr. Murawski brought up a desire for an additional crosswalk from the sidewalk coming down the entrance so there are two crosswalks going across the entrance to the restaurant. There was debate as to whether that was necessary and whether it would need to be ADA compliant.

Moving on to the variance criteria, Mr. Murawski stated that he didn’t believe there was enough evidence to issue a variance. Mr. Recchia agreed and questioned why the Planning Commission made the 4,000 sq/ft minimum size requirement. Mr. Jerome stated that it was discussed at the previous Planning Commission meeting and it was because during the last re-write in 2016, TRORC wanted to have the minimum size requirement to prevent sprawl. There was some concern that not all variance criteria can be met, specifically that the lot and building are not creating a hardship for the applicant who is seeking to open up a 2,500 sq/ft restaurant, a portion of a 6,000 sq/ft building, in a district that

has a 4,000 sq/ft minimum size requirement for that use. There was discussion of whether to go into deliberative session to discuss and the process of coming to a decision was identified. Mr. Jerome raised concerns that if they went into deliberative session that it would prolong a decision to the next month and that it seems reasonable, given the conversations last month and tonight that the board should be able to make a final determination. There was agreement by Mr. McGrath. There was a desire to come to a final resolution tonight, but need to go into deliberative session to discuss further. Mr. Murawski believes that not addressing the southern entrance to convert it into both entrance and exit does not then address the concerns of additional traffic.

8. Adjournment – Chris made a motion to close the public hearing and go into deliberative session, Bill seconded and all but Matt voted in favor (4-1-0) to go into deliberative session.