

Planning Board and Public Hearing

Meeting Minutes

June 26th, 2023

7:00 PM

8:40 PM

Keisha Garnett, Guy Lehouillier, John Bonnano, Carol Goode, and Myles Heard present.
Others Present: Karen Bachelder, Dustin Bachelder & Maxwell.

A motion was made that Dustin recuse himself from the entire meeting tonight, as he is Karen's husband, and the Public Hearing is for her tonight, therefore making him a conflict of interest. Motion was seconded and passed.

A second motion was made that Myles act as a full voting Planning Board member tonight, in place of Dustin. Motion was seconded and passed.

Keisha signed an affidavit stating that she missed the last meeting regarding Karen Bachelder's CUP but reviewed any information submitted and is now caught up, therefore she can vote on the matter. Keisha opened the public hearing at 7 PM for Karen Bachelder requesting a Conditional Use Permit to operate a daycare out of a newly constructed building at 287 South Hiram Road, on tax map R1 Lot 22B.

Karen opened by explaining her proposal for the daycare. She explained that there will be 50 children at a time there. Hours will be Monday – Friday 7AM-5PM, with the occasional Saturday, to accommodate hunting season and other family events. They will be closed the week of the 4th of July every year, as well as April vacation, which coincides with the school vacation. They will offer after school daycare for school-aged kids as well.

The area in the back of the proposed building is fenced in, which is where the playground will be located. Keisha asked about lighting, and Karen explained that the circles on her site plan represent where the lights will be outside, that point down, not out, to help people see where they are walking if it is dark and in the parking lot. She expressed that there was no need for lights to point out towards the playground because there will not be anything going on outside with the kids when it is dark out. The noise will be the occasional playground noise, which will be very minimal, with weather conditions playing a part in how much time is spent outside. Terry asked if there was a buffer between Karen's property and the abutting fairgrounds, and if that will cause any issues. Karen does not think that there will be any because it is fenced in, and most events in the fairgrounds are further back, away from their property.

There were no other comments or concerns from anyone present and there was nothing submitted to the Office staff from the public. The public hearing was closed at 7:08 PM.

Minutes from the June 6th meeting were approved with two minor edits.

Terry and Emma drafted Findings of Fact/Conclusions of Law for Karen's CUP, prior to the meeting so that the board could review them after the Public Hearing and edit/add anything they felt necessary.

Minor edits were made to some sections, and added some additional information to the Findings that were not available until tonight's meeting.

The board voted to approve the Findings of Fact with the edits that were made, and conditions added.

The board voted to approve Karen's Conditional Use Permit with the following conditions:

- 1. All necessary licenses must be obtained and maintained as required by the state.**
- 2. They must follow all state and local regulations.**
- 3. Any signage must comply with the Hiram Zoning Ordinance and state DOT regulations.**
- 4. Fencing to be adequately installed and maintained in accordance with daycare state regulations.**
- 5. Any changes to the current Conditional Use Permit must be brought back to the Planning Board.**

Emma and Terry will edit the Findings of Fact/Conclusions of Law and type up Karen's Conditional Use Permit and notify Karen when completed.

The board signed Scott and Heather Payne's Findings of Fact that were previously approved but forgot to sign on May 15th meeting.

Emma will mail signed copy to them tomorrow.

Emma discussed the notes that were put together from the Planning Board workshop that her, Myles, and Carol attended on June 7th. The board agreed that the information relayed back to them was efficient and helpful for them in the future.

The board reviewed the edits made to the Findings of Fact/Conclusions of Law for Todd and Kim Fagerland.

Board approved them as typed and signed.

Keisha signed Todd and Kim's Conditional Use Permit. Emma will call them tomorrow to have them stop by the office to sign and give them their copy of the Findings of Fact.

Terry updated the board on the Tearcap Farm business that is being run out of a resident's home, selling baked goods. She explained that after we spoke with said resident initially, and provided them with a CUP application, we never heard anything, so we mailed another letter to them on June 9th and have yet to hear anything.

The board briefly talked about what was going on with Kosmetikos Spa on King St. Emma explained that Brian (one of the owners) came into the office on Friday to register a vehicle, and when asked if him or Stephanie had talked with the CEO, he explained that they were waiting on us to send them something. Terry provided Brian with a form to fill out for the Change of Use and then we would go from there once they turned it in. Keisha thinks that we should investigate state requirements for running an Aesthetics/Massage business out of their home and get more information on that before we grant any permits so that we can safeguard ourselves. The board agreed that either the CEO or Emma would follow up next week if we do not hear anything from them by the end of this week.

Guy briefly talked about section 5.2 of the Hiram Zoning Ordinance. He explained that it states that you cannot build a garage in the front yard of your house, but that can be very confusing when determining what someone's "front yard" is. The board agreed that it was appropriate that Guy continue to keep

doing what he has been for all these years, until the board can meet to discuss changes to the Ordinance and have them voted on at the next Town Meeting.

Terry explained that there were some things that should be changed in the Subdivision Ordinance as well. Someone suggested that we schedule another meeting to discuss the Subdivision Ordinance changes, ADU changes, Marijuana changes, and anything else that might come up. From there they agreed that once the board reviews the changes and agrees on them, the Secretary can compile them to bring to the next Town Meeting to be voted on.

Guy is going to forward an email to the board about ADU's that he received last week.

Carol said that she read this morning that the ADU issues were not going to be in effect until January of 2024.

Keisha thinks we should focus on the Marijuana Ordinance next meeting, seeing as the Schnell issue is over with, and the ADU's can be put off a little longer.

A workshop was scheduled for July 24th at 7 PM to go over these things. The board agreed that if anything comes up between now and then, they can discuss having a meeting before the 24th.

Terry stated that this would be her last Planning Board meeting. Everyone wished her a good retirement.

Meeting Adjourned at 8:40 PM

Respectfully Submitted,
Emma Ouellette