



TOWN OF SCOTLAND

PLANNING & ZONING COMMISSION

Wednesday, November 16, 2022 – 7:00 p.m.
Scotland Fire Department, 47 Brook Road, Scotland

Meeting Minutes

1. Call to Order T. Delaney called the meeting to order at 7:03 p.m.

2. Roll Call/Seating of Alternates

Members Present: T. Delaney, B. Syme, J. Jakubowski, P. Martin, R. Brautigam,
R. Manning, M. Garrison

Others Present: I. Kisluk, J. Makara

3. Additions/Changes to Agenda: None

4. Approval of Minutes

A. Regular Meeting of October 19, 2022

R. Brautigam made a motion to approve the minutes. R. Manning seconded.

Motion passed unanimously.

5. Audience of Citizens: None

6. Public Hearing

PZ#22-5-SP HJM Enterprises LLC, to convert existing church to office and storage for heating company at 2 Palmer Road.

P. Martin made a motion to adjourn to public hearing at 7:05 p.m. J. Jakubowski seconded. Motion passed unanimously.

I. Kisluk introduced the application and stated that the applicants had been to the Commission for an informal review of their application before submitting it at the October meeting. She stated the location will be used primarily for office space and equipment storage. The applicants have explained in earlier meetings that they have four employees that will come once in the morning to pick up equipment and once at the end of the day to drop off paperwork.

T. Delaney asked if anyone in the audience had questions or comments. Nicole Smith of 12 Palmer road stated that her only concerns would be any noise from

the business. She stated that people drive very quickly on Palmer Road and cars come in and out frequently because of the Post Office, the liquor store, and her business.

J. Makara, the applicant and owner/operator of the business stated that daily traffic to and from the business will be very minimal. Employees come once in the morning and are then gone until the end of the day. J. Makara stated that there might be some noise in the morning at about 8:00 a.m. when the vans are loaded with equipment, but the rest of the day would be quiet. He further added that the vans would be using the entrance on Brook Road rather than Palmer Road.

T. Delaney asked if there were any other questions or comments from the audience. Hearing none, T. Delaney asked if there were any questions or comments from the Commission. J. Jakubowski asked where the list of addresses came from for certified letters because the house adjacent to this property was previously owned by Emma Thurlow but was sold in June. I. Kisluk stated that the applicants mailing list came from the abutters report which is based on Assessor's information, which takes time to update.

At 7:10 p.m., R. Brautigam made a motion to close the public hearing and return to the regular meeting. P. Martin seconded. Motion passed unanimously.

7. New Business

A. Meeting Schedule of 2023

P. Martin read the dates of the proposed 2023 schedule into the record. R. Manning made a motion to approve the dates as read for the 2023 schedule. Seconded by R. Brautigam. Motion passed unanimously.

B. Election of Officers

R. Brautigam made a motion to carry the current slate of officers. B. Syme seconded. Motion passed unanimously.

8. Old Business

A. PZ#22-5-SP HJM Enterprises LLC, to convert existing church to office and storage for heating company at 2 Palmer Road.

J. Jakubowski made a motion to approve PZ#22-5-SP. P. Martin seconded. Motion passed unanimously.

B. Bowers Subdivision CAVEAT Map 29, Block 26, Lot 11

T. Delaney explained that when the subdivision was originally approved, the grant to a third party for open space was not complete so Dr. Greenberg, the former Chair, put a caveat on the land record stating that this requirement had to

be fulfilled. Land has since been deeded to Joshua's Trust, but the Commission was never updated. Before any of the parcels in the subdivision can be developed, this subdivision needs final approval from the PZC stating that open space was conveyed to their satisfaction.

I. Kisluk stated that all information associated with this subdivision is included in the information given to the Commission and noted that the Schedule A description of the property to be conserved for open space is different from the Schedule A description of the property conveyed to Joshua's Trust as they reference different revisions of the approved subdivision map. Property owner H. Bowers stated he was not sure why the descriptions were different from memory, as the land was conveyed to Joshua's Trust several years ago. H. Bowers further stated that the requirement was that 40% of the land was to be granted to a land trust, which is what is shown by the warranty deed to Joshua's Trust.

R. Manning stated that the acceptance of the land by Joshua's Trust noted in the land record may not be valid because the signature does not match the lawyer's notarization. H. Bowers stated he would get a corrected acceptance from Joshua's Trust.

9. Sub-Committee Reports

A. Affordable Housing

T. Delaney asked if this Commission needs to hold a public hearing to discuss the affordable housing plan. R. Manning stated that he believed the selectmen would do that, and that the affordable housing plan has been presented to the Commission.

10. Audience of Citizens: None

11. Administrative Reports

A. Enforcement report

T. Delaney stated that 160 Kemp Road has now pushed the junk car closest to the road back to bring more in. He stated they now have 8 unregistered vehicles on the property. He also stated that he has received a complaint about 489 Kemp Road and now that the leaves are gone the extent of the material on the property can be clearly seen.

I. Kisluk stated that she is in contact with the Town Attorneys and is going to proceed with further enforcement based on their advice. She stated that a cease-and-desist order may need to be sent out which will initiate a 30 day period in which the resident can comply or appeal the order.

T. Delaney stated that 88 Cemetery Road has been a point of discussion on Facebook. He stated that the property owner suggested that surveying was being done on her property and questioned the town's potential involvement. The town

was not involved with the surveying being done, and T. Delaney stated the work was done in relation to a boundary dispute with neighbors. J. Jakubowski asked if the property was currently being fined for the bus. T. Delaney said that when the cease and desist went to the special hearing, a flat fine was issued for the violation, and he believes it was paid.

12. Communication and Bills: None

13. Commission Open Discussion: None

14. Executive Session: None

15. Adjournment

J. Jakubowski made a motion to adjourn at 7:45 p.m. R. Brautigam seconded. Motion passed unanimously.

Respectfully submitted,

Isabelle Kisluk

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