

**Town of Gilsum  
PLANNING BOARD  
MEETING MINUTES**

**December 14, 2023**

**Board Present:** Vicki Ayers, Chair; Heidi Bukoski, Member; Tom Julius, Member; Bill Whyte, Member; Brian Bazarnicki, *Ex Officio*; and Carol Ogilvie, Alternate Member

**Not Present:**

**Others:** Alex Bazarnicki and Quentin Bazarnicki

**CTO:** Chair Ayers called the meeting to order at 7:00 P.M.

**I. Minutes of 11/9/23**

Vicki distributed the minutes and asked if anyone had comments or changes.

*Motion by Tom Julius /second by Heidi Bukoski to approve the Minutes of 11/9/23 with all in favor.*

**II. Budget**

Vicki noted that the planning/zoning budget has not changed over the years. She reviewed each budget item, noting what was budgeted and what was spent. Questions arose over the dues for the Southwest Region Planning Commission, which Vicki answered.

Vicki asked the Board whether they should ask for funds for master plan and/or zoning work. Heidi questioned whether funds for mapping – especially the steep slopes, could be helpful. Tom stated there is a map of steep slopes in the Conservation Commission section, which may be sufficient. Brian noted that Olivia (Select Board assistant) is getting training on grant writing. Board agreed to request \$500 for master plan work, which could be for a professional consultant. The Board will request \$2500 for the entire budget.

*Motion by Victoria Ayers/second by Bill Whyte to approve the proposed planning budget, with all in favor.*

**III. Q & A Armory Consultation**

Alex Bazarnicki and Quentin Bazarnicki operate a gun shop at their residence on Brake Hill Road in the Village District. The operation was deemed a retail use by the Select Board in 2022; and on 9/6/22 the Planning Board determined that the use did not require site plan review approval.

The Bazarnickis explained that in addition to selling guns, they also do light gunsmithing. They plan to add a service they call “enhancements.” According to the ATF (Alcohol, Tobacco, and Firearms), these “enhancements” are considered manufacturing and therefore requires a new permit. The permit must include documentation from the Town that the use is permitted in that location. They stated that this change results in no change to the building or to the property in any way. The operation would be conducted in the same space they use now, which is a converted

garage attached to the house. The question before the Planning Board is whether this addition to the service triggers site plan review.

The Board reviewed the Zoning Ordinance relative to permitted uses in the Village District, and the section of the Site Plan Review Regulations that describes what activities are subject to site plan review and which ones are not.

Ultimately the Board concluded that the proposed change did not rise to the level of site plan review, based on their review of Section IV, Paragraph A of the Site Plan Review Regulations. Nevertheless, it was pointed out that they should have input from the Fire Chief to ensure that all appropriate safety measures are being taken, and so that the Fire Department knows exactly what they have on the property and the location, especially any propane tanks.

*Motion by Bill Whyte/seconded by Tom Julius that Q & A Armory, a designated retail establishment, does not require site plan review for the described activity, subject to compliance with the parameters of the Site Plan Review Regulations, Section IV. B. All in favor, except for Brian Bazarnicki, who recused.*

#### **IV. ZBA Proposed Zoning Changes**

Vicki stated that the ZBA had asked the Planning Board to consider two amendments to the Zoning Ordinance for March 2024 Town Meeting. The first had to do with noise and the second with fines and penalties for zoning violations.

Her concern is that the noise ordinance proposal is much more detailed than the existing language in the ordinance (Article II, D.) and that there isn't time to properly vet the proposal and get through public hearing in the time left before the ballot must be finalized. There was general agreement with this sentiment, but Tom suggested that the members could at least state what questions they would have about the proposal. Questions/comments included:

- How will it be enforced?
- Is it quantifiable?
- Is it based on ordinances from other towns? Where did it come from?
- There are state laws that address noise. In addition, Gilsum and other town ordinances have language that addresses this.
- Is it sufficiently defined by state law to make the proposal redundant? We should look at the statutes to see what they cover.
- Why does the ZBA feel that the current paragraph D. is not sufficient?
- How are certain terms defined and interpreted?

Carol stated that she didn't think this belonged in the zoning ordinance, but would work better as a Select Board Bylaw. The Board concluded that, while they are empathetic with the concerns, there are too many unresolved questions for a comfort level in proposing this for the 2024 ballot. Vicki will provide a response to the ZBA expressing these concerns.

#### **V. Other**

- A. Vicki reported that Gordon Brothers still haven't submitted the letter of credit for reclamation. She emailed them about this and they responded that the bank wants more

paperwork. They should have this by the end of the month, but if not, will the Town hold a check? Vicki responded that she will check with the Town. If they can't comply, the Board could revoke approval.

- B. Update on Building Regulations. Brian had no update; the Select Board is still discussing it. He will follow up and report at next month's meeting.



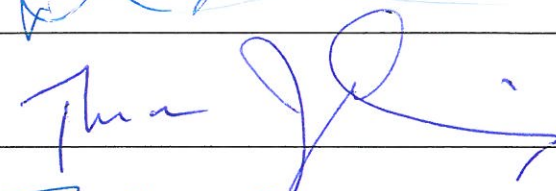

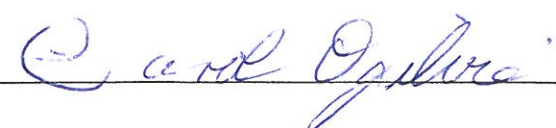
**VI. Agenda for Next Meeting – January 11, 2024**

- I. Minutes of December 14, 2023
- II. Public Hearing on Zoning Amendment
- III. Other Business

*Motion to adjourn at 8:45 P.M. by Heidi Bukoski /second by Brian Bazarnicki with all in favor.*

Respectfully Submitted by:  
Carol Ogilvie

**Approved January 11, 2024**

	1/11/24	Victoria Ayers, Chair
	1/11/24	Brian Bazarnicki
	01-11-24	Heidi Bukoski
	01/11/24	Tom Julius
Heidi P. Bukoski	1/11/24	Bill Whyte
	1-11-24	Carol Ogilvie

