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KEY OFFICIAL IN GAS STATION CASE STEPPING DOWN

📅 February 12, 2023 👤 David Smith 📁 Alliance Report 💬 0 comments

Effingham—February 12, 2023—There will be a new face and new leadership on Effingham’s Planning Board when hearings on the Meena LLC gas station Site Plan Application resume in the coming weeks.

Two people met the filing deadline to be on the March 14 Election Day ballot for two three-year board positions, according to the Town Clerk’s office. Elaine Chick, currently the Planning Board’s Signing Secretary, is running again. Also running is Victoria Garceau. The town allows write-in votes.

Current Planning Board Chair Theresa Swanick did not file to run. She has played a key role in the gas station case since March, 2021, when Meena LLC and its agent, Mark McConkey, applied to the ZBA for a special exception to build a gas station at the former Boyle’s Market convenience store.

Swanick’s dual roles as chair of the ZBA and the Planning Board at the time resulted in her presiding over the ZBA’s approval of the special exception, and weeks later presiding over the Planning Board’s rejection of the approval because it violated the Groundwater Protection Ordinance.

Meena subsequently received relief from the ZBA in the form of a variance, and Swanick thereafter stepped down from that board but remained chair of the Planning Board. The Planning Board is responsible for determining whether the Conway developer's operating plan is safe or will threaten the public water supply.

With Swanick as chair, the Planning Board ruled that the Meena proposal was a Development of Regional Impact affecting ten communities, and voted to hire North Point Engineering as its technical advisor on the Site Plan Application. The latter action was recommended by the Lakes Region Planning Commission, which also recommended that the board require an Environmental Impact Study and a landscape plan. The latter two recommendations were not acted on, and the North Point assignment was limited in scope to two parts of the full application.

The Meena case has been postponed and continued monthly since September, when Superior Court Judge Amy Ignatius issued a stay in the proceedings to consider an appeal of an August Planning Board decision on Special Use Permits.

When the Planning Board eventually reconvenes on the Meena matter, it will be reviewing what the board asked to be the company's final revisions to its application. The board set a September 15 deadline for that material after the company several times caused hearings to be postponed by submitting material late.

Meena met the deadline, and North Point Engineering issued a report identifying 19 insufficiencies in complying with state and local environmental requirements. An October 6 hearing to discuss the findings in public session, and potentially rule on the application, was scuttled when Judge Ignatius issued a stay on the proceedings.

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