PLANNING BOARD
September 9, 2015

APPROVED as amended & clarified:
9/23/15__jrl_____

AGENDA: 15MSPR MINOR SITE PLAN REVIEW: MARYANN & FRAN PARKHURST, 90 Lake St., #113-041
15SUB03 SUBDIVISION & 15SPR01 SITE PLAN: ZAREMBA PROGRAM DEVELOPMENT LLC/DOLLAR GENERAL, 215 Lake St., #112-001

ATTEND: Denice DeStefano (Chairman), Dan Paradis (Vice Chair), Paul Manganiello (Sel. Rep.), Debbie Denning, Clay Dingman, Steve Favorite, Betty Seeler

ABSENT: -----

OTHER: The Parkhurst family, the Zaremba representatives, Fred Schneider, Steve Bleiler

The meeting opened at 7:00 p.m. with a quorum.

15MSPR MINOR SITE PLAN REVIEW: Maryann & Fran Parkhurst
The secretary read the application, the abutters notified, and where the hearing was advertised. She added that there were no telephone calls nor written responses received and that there are comments from the Assessor's office and the Fire Department.

Ms. DeStefano explained that this is for a 68 seat function room and a seasonal ice cream stand. The Board members were given large copies of the new plan, of the Mullen's function room, the Creamery, and the original signed site plan.

The checklist was addressed: #6, parking requirements: Ms. DeStefano mentioned that the parking calculations should be on the plan (the previous ones were still there) and asked how the ones listed on a separate sheet were calculated. A discussion followed as Ms. Parkhurst said that she subtracted the square feet from the retail and got 25 spots. Mr. Favorite asked if this includes the ice cream stand. Ms. Parkhurst stated that this is just take-out so she did not think that parking was needed. Mr. Favorite asked why the signed 2012 plan's parking was never implemented and Mr. Parkhurst stated that it hasn't been needed. Ms. Parkhurst added that they will remove one trailer for the ice cream stand and that they need a total of 74 spaces. Ms. DeStefano asked if the function room would be used day in and day out. Ms. Parkhurst answered that it will only be used as a function room; probably weekends and occasionally during the week. Mrs. Parkhurst stated that the seats and tables would stay up all the time.
As this puts the function room in a different category, the Board calculated the required parking spaces which would be a total of 79: Restaurant 25, Retail 20, storage 5, office 4, and Mullen's room 25. Ms. Parkhurst then asked for a 25% reduction which brought it to 64 as covered on her new plan. Ms. DeStefano noted that the Creamery had not been included (12) and reducing

PARKHURST MINOR SITE PLAN continued:
this 25% would require an additional 9 spaces for a total of 73. Ms. Parkhurst then said that they will remove all of the trailers and supply this. Mr. Paradis noted that only 66 spaces are shown on the new plan right now.

#7 abutters listed on plan: it was noted that some are missing.

Ms. DeStefano then asked the time of business. Ms. Parkhurst stated that the restaurant is 11:00 to 9:00 Monday and Tuesday, 11:00-9:30 Wednesday and Thursday, and 11:00-10:00 Friday, Saturday, and Sunday. The creamery will be 12:00 to 7:00 and the bar/function room will have various hours (2 ½ to 3hours, preparation and 4:00-8:00 for functions).

Ms. DeStefano read the Fire Chief's letter and the e-mail from the Assessing Assistant: Chief Yannuzzi is requesting illuminated Exit signs, emergency lighting, panic hardware on exit doors, a fire alarm system, and installation of an automatic sprinkler system. The Assessing Assistant mentioned that renovations over $2,000 will need a permit and the creamery will need State approvals for the separate space and provide information on how food is stored, utensils cleaned, etc. Ms. Parkhurst stated that she has reduced the seating to 75 so would no longer need the sprinkler system.

Mr. Favorite stated that there is much needed to change the plan. He noted the heading still has the old calculations, the abutters that are missing, the new parking calculations, and update of notes.

E. Seeler made a MOTION, second by D. Denning, to CONTINUED THIS HEARING TO OCTOBER 14, 2015 AT 7:00P.M. Ms. Parkhurst requested that she be allowed to re-do the plan and get back this evening so the Board could approve with the condition of a new letter from the Fire Chief. She added that they have a birthday for her daughter coming up.; The Board determined that there is too much missing and they need to hear from the Fire Chief first. The motion CARRIED.

15SUB03 SUBDIVISION & 15SPR01 SITE PLAN REVIEW: ZAREMBA PROGRAM DEVELOPMENT LLC/DOLLAR GENERAL - Richard Uchida, (Attorney), Erin Lambert (Engineer), Scott Holman (Development Manager)
Ms. DeStefano explained that there are 3 hearings to be heard in regard to this case. The Special Use Permit must allow 30 days for the Conservation Commission and the Health Officer to respond. Therefore, it cannot be heard until Oct. 14th. Ms. DeStefano added that she will not continue the hearing beyond 9:00 or 9:30pm as it gets too late for good decisions to be made. We shall begin tonight with the Subdivision and may not get to the Site Plan until the Oct. 14th meeting, she added.

ZAREMBA SUBDIVISION, 15SUB03
Attorney Uchida gave an overview of the project: He explained that they have reduced the 9100 sq. ft. building to a 7500 sq. ft. structure which is now out of the wetland buffer. The Special Use permit is needed for the changes to the State drainage line and also to place riprap and restore the wetland banking. 1.7 acres will remain for the auto lot and 2.28 acres will be the lot for Dollar General. They are asking waivers to allow 9' x 19' parking spaces and to allow parking in the front of the building. They were given a Variance approval for 28 parking spaces for this new plan. They met with the Conservation Commission last Wednesday and the Commission has recommended approval subject to the parking lot drainage plans.

The secretary read the application, the abutters notified, and where the hearing was advertised. There were no phone calls or any written correspondence. The only Department responses are for the Site Plan.

The checklist was addressed. The Board noted the need of notes for soil types and for stating that drainage is on map C-4. Also setbacks need to be added.

C. Dingman made a MOTION, second by E. Seeler, to ACCEPT THE APPLICATION AS COMPLETE SUBJECT TO THE ABOVE ADDITIONS. The motion CARRIED.

Ms. DeStefano asked for questions from the Board. Ms. Seeler asked about information about the parking for the present lot. Attorney Uchida stated that they will add the Variance note to the plan. Ms. Denning asked about the Conservation Commission answer and was told that this is under the Special Use Permit and will come up in October. Ms. Denning then asked about the delivery truck. Mr. Holman stated that they have a delivery once a week in the a.m. off-hours. A study is done by logistics and this would be changed according to the study if needed. They would change this to the best time for deliveries. Ms. Lambert added that all deliveries will be done on-site.

Mr. Dingman then questioned if, in doing the subdivision, we would be allowing the auto lot to become non-conforming based on lot size and impervious surface percentage. Ms. Lambert felt that it was below 60% and she and Mr. Holman went outside to try to get this answer from the office. In the meantime, Mr. Dingman questioned restrictions as this property lies in both the Village Commercial and Village Residential Districts. Attorney Uchida answered that the more restrictive is used if so stated in the Zoning Ordinance. Mr. Paradis read page 3 of our Zoning Ordinance which states this.

The Board then referred back to the percentage issue and Mr. Dingman stated that it must be less than 30% by structure, otherwise it will have to be subdivided another way or a variance will be needed. He then roughly calculated the percentage with the help of Atty. Uchida's ruler and Ms. DeStefano's calculator. It was felt that it is roughly 12,000 and Ms. Lambert came

ZAREMBA SUBDIVISION continued:
back and said that is correct and just 14%. Attorney Uchida added that this will also be added to the plan.

Ms. DeStefano asked for public comment and Mr. Bleiler, abutter and only public present beside those involved in the application, had none.

C. Dingman made a MOTION, second by E. Seeler, to APPROVE THE SUBDIVISION WITH THE FOLLOWING CONDITIONS TO BE PLACED ON THE PLAN: A NOTE ABOUT THE VARIANCE, A NOTE ON THE LOT PERCENTAGE BY STRUCTURE, SETBACKS, A NOTE STATING THAT DRAINAGE IS ON PAGE C-4, AND A NOTE ON SOIL TYPES. The motion CARRIED and the Notice of Decision was signed.

As it was getting late and the Board had more to do, Ms. DeStefano stated that we will continue to October 14th with the Special Use Permit application and then do the Site Plan application.

MINUTES OF AUGUST 26, 2015: The following amendments and clarifications were made: Page 2, under PCC: JAMES LARKIN, 1st Line, after "land" insert "58 Beech Street". In the next paragraph, 6th line, replace "must" with "should". 7th line, following "two" insert "bedrooms and no egress windows". Last line, delete "this" and replace with "a porch". Page 3, 1st paragraph, delete the last sentence.4th paragraph, 1st line, delete "grandfathering and non-conforming" and replace with "abandonment of non-conforming uses". Last line, before "Non-conforming" insert "Approval of" and following "Non-conforming" insert "changes in ridgeline heights". Last paragraph, 2nd line, 2nd line, replace "grandfathering" with "abandonment" and change "intent matters" to read "business intent does not matter". 3rd line, replace "2007, it was allowed" with "2010, the State Supreme Court allowed towns". Page 4, under SELECTMEN, 4th line, replace "down" with "done".

C. Dingman made a motion, second by S. Favorite, to approve the minutes as amended. The motion carried.

COMMUNICATIONS: None.

REPORTS:
HDC – The HDC met last night and reviewed a draft of the updated Master Plan Historic Resources chapter. A couple of changes are to be made and then it will come to the Planning Board. The HDC would like to be able to import data to Avatar. They are also available for input in such things as historic data for properties that will be impacted by Northern Pass or 79-e for example.

SELECTMEN- Nothing at this time.

REPORTS continued:
CIP – They are to meet next Tues. to finalize their report and then will bring it to the Planning Board.

NEW BUSINESS:
Ms. DeStefano mentioned that Mike Izard will be coming to our next meeting now that we have received Dan Callister's portion.

Mr. Dingman said that there has been a recent court case with changes for the Right-to-Know law and he would like to see us have a workshop on this. Ms. DeStefano stated that she will follow up with the Town Administrator about this.

Mr. Favorite attended a TAC meeting in which Bill Watson, DOT, stated that there was $3 million in funds for our area but they have found a bit more. Bristol is now 4th on the plan of projects. This is to re-do Summer Street from the Square to Dunkin' Donuts, complete with sidewalks. This will probably not be done until 2026. TAC is also discussing scenic byways trimming and widening of some bicycle lanes.

NEXT MEETING: The next Planning Board meeting will be held September 23rd at 7:00pm. On the agenda to date is a PCC with Ben Perry, the presentation of the CIP, meet with Mike Izard (LRPC) on the Master Plan update, and work on proposed zoning amendments.

With no other business to come before the Board, C. Dingman made a motion to adjourn at 9:05p.m.

Respectfully submitted,
Jan Laferriere, recording secretary