

PLANNING BOARD MINUTES
November 9, 2011

APPROVED as amended & clarified:

11/30/11__jrl_____

AGENDA: PCC: SHERBURNE RAMSAY, 15 Sugar Hill Drive
WORKSHOP - WORK ON 2012 ZONING AMENDMENTS

ATTENDING: Dan Paradis (Chairman), Denice DeStefano (Vice Chairman), Murray Campbell,
Janice DellaCroce, Clay Dingman, Elizabeth Seeler

ABSENT: Phil Dion (Sel. Rep. - conflict), Steve Favorite (alternate – FEMA)

OTHER: Michael Capone (Town Administrator)

The meeting opened at 7:00 p.m.

PCC: SHERBURNE RAMSAY

Mr. Paradis explained the PCC procedure that is not binding on either the applicant or the Planning Board. Mr. Ramsay stated that the property was purchased by a friend and he has parked his equipment there for some time. Mr. Ramsay has a landscape company and is interested in purchasing the lot for this. He may construct more to the garage.

Mr. Paradis asked if he would be doing any new paving. Mr. Ramsay does not intend to. Mr. Paradis felt that this might be an expansion of use and he read the criteria for this. He felt that the increase needed for parking could be tricky. Mr. Ramsay said that he intends on only having the existing paved area and the Board stated that he does not have to pave for all of the parking spaces needed as long as the required area is designated.

Mr. Ramsay continued by saying that he brought commercial tractors in for rental. The building in existence is about 40' x 60'. It was calculated that he would need 16 spaces and Mr. Ramsay did not think that he would have space enough for that as it slopes. He mentioned that there is only a small bathroom (toilet and sink) in the bathroom right now.

Mr. Paradis stated that parking seems to be the trigger and would need a minor site plan. Mrs. Ramsay stated that they only use a small portion of the building – 2 bays and an office. Ms. DellaCroce stated that most seems to be outside and the Ramsays confirmed this. The Planning Board would want a site plan without the inside of the building. They would need to calculate the parking based on how much is storage versus sales/office space. Mr. Ramsay was advised to read page 43 of the Site Plan/Subdivision Regulations which covers everything that they would need.

Planning Bd. Minutes
11/9/11

RAMSAY PCC continued:

Mr. Ramsay stated that there was an addition put onto the building previously. Mr. Paradis explained that they need to include everything that is there now. The Board will be interested in lights, where the oil will be disposed, the hours of business. If they do not have enough parking spaces, they will need to go to the Zoning Board for a Variance. The Board mentioned that they are looking to change how the parking spaces are determined but for now they have to follow what is in the Zoning Ordinance. Mr. Dingman stated that they should figure the building size, the needed parking spaces, and how much they have available right now in order to determine this. Mr. Paradis added that parking spaces are 10' x 20' but the Planning Board can waive these to 9' x 18'.

Ms. DellaCroce reminded the Ramsays that for a Site Plan, there is a time lapse to do the ad and to notify the abutters. Again the Board stated that they were okay with the use of grass area for parking and the applicants were thanked for coming in.

MINUTES OF OCTOBER 26, 2011:

The following amendments and clarifications were made:

Page 3, 2nd paragraph, 1st line, replace "She" with "The proposal". Third paragraph, 6th line, following "temporary" insert "lighting". Fourth paragraph, 2nd line, replace "Siltation" with "Sediment". Page 4, under Selectmen, change to read "Mr. Dion stated that the mica building is still in process. Mr. Capone reported that the removal plan is pretty close to complete. Once that is done, a public meeting will be held to present the plan. There is a thirty day public comment period after which the plan will be revised, if needed. After that, the project can go out to bid. Mr. Capone hopes this revised plan will go out by the first part of December. Everything else required at this time has been done. It has been found that there is no asbestos on the roof." Page 5, 1st paragraph, 3rd line, replace "does not have specific types of wetlands" to "is not key to the BH Keith descriptions."

D. DeStefano made a motion, second by M. Campbell, to approve the minutes as amended. The motion carried.

PROPOSED ZONING CHANGES:

Tower Height 10.7.3 and deletion of definitions list: Denice DeStefano

Mr. Paradis distributed his version of 10.7.3 and the Board determined to go with his version.

10.8.7 Tower Driveways: Denice DeStefano

The Board was okay with this version.

6.4 Building Permits: Denice DeStefano

Ms. DeStefano only changed the renovation/relocation cost to \$2,000 and following re-roofing, she inserted (with like materials) as the Board directed last time.

Planning Board Minutes
11/9/11

PROPOSED AMENDMENTS continued:

C. Dingman made a MOTION, second by D. DeStefano, to ACCEPT THE AMENDMENTS TO 10.7.3, 10.8.7 AND 6.4 AS PRESENTED AND BRING THEM TO PUBLIC HEARING ON NOVEMBER 30, 2011. The motion CARRIED.

4.19 Erosion & Sediment Control During Construction, 3.2H.5 Erosion and Sediment Control, 8.46a Erosion, and 8.130a Sediment: Dan Paradis

The Board determined that these were all fine as written.

C. Dingman made a MOTION, second by J. DellaCroce, to ACCEPT THE AMENDMENTS TO 4.19, 3.2H.5, 8.46a, AND 8.130a AS PRESENTED AND BRING THEM TO PUBLIC HEARING ON NOVEMBER 30 2011. The motion CARRIED.

4.5B Parking: Dan Paradis

Mr. Paradis explained that he put up to 20% could be reduced by the Planning Board. Following a discussion, this was changed to “up to 25%”.

C. Dingman made a MOTION, second by J. DellaCroce, to ACCEPT AMENDMENT 4.5B AS AMENDED AND BRING IT TO PUBLIC HEARING ON NOVEMBER 30, 2011. The motion CARRIED.

4.17E Performance Standards: Dan Paradis

The Board was fine with this draft.

E. Seeler made a MOTION, second by C. Dingman, to ACCEPT AMENDMENT 4.17E AS PRESENTED AND BRING IT TO PUBLIC HEARING ON NOVEMBER 30, 2011. The motion CARRIED.

3.2H.3 Change name of Comprehensive Shoreland Protection Act: Dan Paradis

Mr. Paradis explained that the State has changed this Act to “Shoreland Water Quality Protection Act” and this will cause our Zoning Ordinance to comply. The Board okayed this.

D. DeStefano made a MOTION, second by M. Campbell, to ACCEPT AMENDMENT 3.2H.3 AS PRESENTED AND BRING IT TO PUBLIC HEARING ON NOVEMBER 30, 2011. The motion CARRIED.

Ms. Seeler went back to 4.5B and asked what will happen if we waive parking requirements and a new business comes in; do we have any jurisdiction if the new business requires more parking? An answer was not forthcoming.

PROPOSED AMENDMENTS continued:

External Lighting: Clay Dingman

Mr. Paradis asked why he mentions flood and spot luminaries as they are not in the Zoning Ordinance. Mr. Dingman will remove these and he stated that the big question is temporary lighting. He asked if the Board is comfortable with this. Besides removing Definition #2, the Board made the following recommendations: Definition #6, 1st line, delete "specific". Under Applicability, line 1, delete "non-residential", delete the "s" from "developments". Under Exemptions, line 1, delete "for public festivals, celebration, or holiday observances", change "are" to "is", change "they create" to "it creates".

C. Dingman made a MOTION, second by D. DeStefano, to ACCEPT EXTERNAL LIGHTING AS AMENDED AND BRING TO PUBLIC HEARING ON NOVEMBER 30, 2011. The motion CARRIED.

SITE PLAN/SUBDIVISION REGULATIONS, ARCHITECTURAL STANDARDS: Clay Dingman

Mr. Paradis felt that the Board needs an opinion from LGC (Local Government Center) on this. Mr. Dingman stated that he has put 90% of this in Site Plan and only 2 sections in the Zoning Ordinance. A discussion was held. Mr. Dingman feels that, with this in the Site Plan Regulations, the Planning Board would be able to waive anything not needed. Mr. Paradis felt that, first, we need to educate the public, get their support, and then do this. Mr. Dingman feels that it gives someone the ability to use it as a reference and the Planning Board can waive whatever they wish. It would now be in front of the Board and would make things easier. These are just guidelines. It lets the Planning Board have some discussion, at least. Ms. DellaCroce agreed that it would bring the Boards' attention to it. Mr. Campbell feels that we need a legal opinion on it. Mr. Paradis stated that he could ask Atty. Waugh (town attorney) and Mr. Capone asked that we limit the legal line as we are short of money there. Mr. Paradis said that he can ask LGC if this is a legitimate power of Site Plan. The members will look the complete document over and bring in their comments to our next workshop meeting.

Ms. DeStefano questioned the use of "shall be done" and "not accepted" if these are just guidelines. Ms. DellaCroce felt that we needn't address any of it until we know if it is legal to do. A discussion was held as to "piggyback" both the Site Plan Change and the Zoning Ordinance change. They felt that it would be best to separate it so as not to confuse people.

COMMUNICATIONS: There was an ad from LRPC for their services, a copy of The Source, which will be held in the office, and 3 DES permits: Nancy White, Marie & Mary Menard, and M. Joseph Decosta.

REPORTS:

Historic District Commission – Clay Dingman

Mr. Dingman stated that they met last night and passed their Guidelines at a public hearing. He received correspondence with Nadine Peterson in regard to our certification. We just need our town official signature and stamp and then it goes to the Park Service. After that, we get final CLG approval and resources will be available for the town. Suggestions for the Old Town Hall repairs have been mentioned.

Selectmen – Phil Dion

Absent.

Capital Improvements Program – Murray Campbell

Mr. Campbell asked the secretary to look into dates for 2012 meetings.

NEXT MEETING:

Due to the next scheduled meeting being on the night before Thanksgiving, the Board felt it would be better to schedule it for November 30, 2011. Mr. Capone had earlier checked the availability of the room for us. The meeting was officially moved to November 30, 2011.

With no other business before the Board, J. DellaCroce made a motion, second by D. DeStefano, to adjourn at 8:40 p.m.

Respectfully submitted,
Jan Laferriere, recording secretary