

PLANNING BOARD MINUTES
December 14, 2011

APPROVED as amended & clarified:
12/28/11_jrl_____

AGENDA: SITE PLAN REVIEW: JONATHAN T. WHITE REALTY LLC,
545 Pleasant St., #228-005
PCC: SHARON BEATY/MID-STATE HEALTH

ATTENDING: Dan Paradis (Chairman), Denice DeStefano (Vice Chairman), Phil Dion (Sel. Rep.), Murray Campbell, Janice DellaCroce, Clay Dingman, Elizabeth Seeler

ABSENT: Steve Favorite (alternate – FEMA)

OTHER: Michael Capone (Town Administrator), public

The meeting opened at 7:00 p.m. It was determined to hold the PCC first after Mr. White asked to do so as his representative for “Family Dollar” was running late.

PCC: SHARON BEATY/MID-STATE HEALTH

Mr. Paradis explained that a PCC is neither binding on the applicant nor the Board. The Board shall try to give their best answers based on what is presented.

Ms. Beaty stated that she is the CEO of Mid-State Health Clinic and they have been renting the Spear Hospital facility on 3A. The two physicians there are now with Mid-State. They take care of about 2,000 customers and do some home visitations. They would love to build in Bristol; a similar facility to the one in Plymouth. The building would be about 10,000 sq. ft. with physician and psychologist offices and hopefully a dental section. They have the corner of Robie Rd. and Route 104 (the field across from the Veterinarian) under option for up to 2 acres. This is in the Industrial District.

Ms. Beaty asked if this would be considered a medical facility or doctors’ offices. Mr. Paradis read the description of medical facility and thought that this would come under the description. That office space is just paperwork and files. A variance would be needed as it is in the Industrial zone.

Ms. Beaty continued by saying that they are a non-profit organization. Also that the land is in current use. She then asked what else would be needed. Mr. Paradis pointed out page 33 of the Zoning Ordinance, Section 5.3 which deals with variances. Ms. Beaty showed a list of things required according to the application information. It was felt that a professional drawing is not necessary for a variance. Ms. Beaty had no problem with a drawing done by her staff. She also showed the Board a simple rendition of the front of the building that they are proposing. When asked the Board’s opinion of the project, they answered that they feel positive about it.

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PCC: BEATY/MID-STATE continued:

Ms. Seeler asked what will happen to the current building on 3A. Ms. Beaty stated that it is owned by the hospital and they will be the ones to determine this.

Ms. Beaty went on to say that the Plymouth facility is on Boulder Point and this would be similar. They would add one more physician than the two that they already have (Dr. Lloyd and Dr. Deitrich).

Peter Reid, abutter, asked if the entrance and exit would be on Route 104 of on Robie Road. Ms. Beaty answered that she doubts that the State would give them permission to have an entrance/exit on Route 104. A Robie Road driveway would also be much safer for the elderly patients that they have coming to them. Mr. Paradis asked about sewer hookup. Ms. Beaty stated that they would prefer town water and sewer but was not sure they could do so. The Board stated that they would prefer that also. Mr. White stated that, to require sprinkling, he understands that you must have over 12,000 sq. ft.

When Mr. Paradis asked if the 2 acres is to be subdivided from other acreage, it was noted that it would. The question then came up as to whether the subdivision had to be done before a variance could be applied for. Mr. Capone will check into this.

Mr. Paradis stated that, based on previous variances, he did not see this as a problem. Ms. Beaty stated that parking is not a problem as she always requires more than the town does. Mr. Paradis stated that they would need Site Plan, as well. Based on past history, he thought that they have a good chance. A discussion was held on surrounding values and how this would be of less impact than if an industry were to come in. Ms. Beaty stated that she is rural minded herself and would do whatever she could to keep the rural flavor.

Lucille Keegan, abutter and co-owner of the land involved, stated that they never wanted to part with their land but feel this is an important project for the town of Bristol. Ms. Beaty stated that they normally close at 5:00 p.m. and are never open all night. Mr. Dingman asked if she is personally involved and she answered that she is as she is the CEO of Mid-State Health. Ms. Seeler gave thanks for the help that Dr. Lloyd give to NANA (Newfound Area Nursing Association).

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The secretary read the application, abutters notified, where the hearing was advertised and stated that there were no calls or written correspondence received. Mr. Paradis explained the procedure for the hearing. Ms. DeStefano asked if the file copy has a signed copy of the Appointment of Agent. The secretary presented the signed copy.

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WHITE SITE PLAN continued:

Mr. White stated that he wishes to purchase the property, demolish the existing house, and build an 80' x 100' building. He will lease it to "Family Dollar". At this time, Mr. White introduced Steve Jenkins (representative for "Family Dollar") and Carl Johnson (Advanced Land Surveying Consultants). Mr. White went on to say that he renovated the old bowling alley in Meredith which now houses "Family Dollar" and is doing well. Mr. Paradis asked if Mr. White is to build the store and lease it and was told that this is so. It will be a metal building. The front is of split block and glass and will be tan with a red awning. Mr. Paradis asked if this is standard for "Family Dollar" and Mr. Jenkins stated that they have 3 designs according to the size building asked for. He passed around folders showing standard looks of this chain of stores. Mr. White added that it will be nicely landscaped.

Mr. Paradis asked about the fact that they show signage on 3 sides. He supposed that, due to the triangular shape of the lot, the 3rd side could possibly be figured to face a street. Mr. White stated that the building will have corrugated metal siding and in earthtone. They have over 7,000 stores. This is not a dollar store but a mini-WalMart. A small section will have groceries. Mr. Jenkins added that the grocery section also includes home materials such as detergents and the like. 65-70% of the business comes under this category. The business is run by the Levine family. Mr. White stated that, with the store in Meredith, the savings and convenience is great in this economy. It fits in with a rural setting.

Mr. Johnson stated that they originally planned on 9' x 18' parking spaces but the ZBA requested the 10' x 20' as the Zoning Ordinance requires. This amounts to less than a 1% change. He presented the Board with a new plan showing this. Mr. Paradis explained that the Planning Board had the authority on the parking space size until the variance which seems to have taken this away. Mr. Jenkins explained the need of fewer spaces according to the company. Mr. Paradis read from page 18 of the Zoning Ordinance: "Parking space: 10' x 20' unless specified by the Bristol Planning Board." Mr. Dingman stated that, according to the variance given, it must be exactly 29 spaces.

Mr. Johnson stated that the store front faces the parking lot (north side). Employee parking will be to the south with a subdued entrance for employees and deliveries. He added that the State requires a drainage analysis. There are several catch basins on the State right-of-way. They plan on installing an on-site septic system (2-bedroom) with a drilled well. They looked into town septic but it is about 900' away and would be cost prohibitive. There is no evidence on the surface of where it goes (only know where it connects at the end). There will only be an employee wash room.

At this time, the Board addressed the checklist. They will need a professional stamp added. Contour lines are at 1' or they would be off the property. There is to be a receiving door instead of a platform. There will be no outside service, storage or display. Setbacks to wetlands were not applicable.

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WHITE SITE PLAN continued:

Tom Keegan, abutter stated that there is run-off of their agricultural field from winter. He would ask for a proper drainage plan as the lot is not completely level. Mr. Paradis explained that there will be a professional drainage plan as required by the State. Mr. Jenkins pointed out the area that will have a small swale. Mr. Paradis asked about this with snow storage and was told that snow storage is west of the swale. The snow storage is to the south. Mr. Paradis questioned the snow storage for the north lot. Mr. Johnson stated that it would be to the westerly edge. Mr. Dingman mentioned that the field floods and some sort of attention needs to be looked at that. Mr. Johnson stated that all property to the east will be included in the analysis. Ms. DellaCroce asked about flooding and the sewer system. Mr. Johnson stated that the swale will normally handle that. He pointed out the landscaping on the plan.

Mr. Keegan asked about town water that now comes to the existing house. Mr. White answered that he talked at great length with Jeff Chartier, superintendent of Public Works. That line is not a reliable source of water and could freeze. Ms. DeStefano asked how they get their water and Mr. Keegan answered that the water line has been there for some time. Mr. Dingman asked that the Board get Mr. Chartier's input. Mr. White mentioned that the water line is not a town line. Mr. Johnson added that, because it is plastic, it is hard to find. Mr. White stated that it is cost prohibitive in that doing a well would be \$4,000 while, to tie into the town, would need a 5" line from the fire hydrant at a cost of \$10,000 to \$25,000. He added that, if sprinklers are required, he would have to tie in. There will be a new septic system.

The Board continued with the checklist. It was thought that a waiver should be asked for #31 sewage lines. Mr. White stated that the town line is 900' away. Mr. Paradis explained that the law requires that the line be shown on the plan so Mr. White should just ask for a waiver. #32 Proposed Utilities – it was thought that they could waive this with the promise of supplying an "as-built" plan after.

#33 Exterior Lighting – a request was made for a schematic cut-off light. Mr. Johnson stated that they plan on having the signage lit. Mr. Paradis read the zoning ordinance, page 24, Section 4.11E, which deals with this. Mr. Jenkins stated that they have internally illuminated signs. Mr. Paradis said that this will have to be determined by the Board.

#38 Walks, Fences, Screening – It was asked about the screening for the dumpster and Mr. White stated that the fence will be 6'. Mr. Keegan mentioned that Bristol Shop 'n Save did an excellent job with theirs. Mr. Keegan would like papers and plastic kept out of their field. Mr. Jenkins stated that most of their use is corrugated cardboard. They operate in 45 states and he has been doing this for 7 years and has had no complaints. The dumpster will be self-contained and screened. Ms. DellaCroce asked why they show 3 dumpsters. Mr. Jenkins answered that 2 are for corrugated and one for refuge. As to walks, Mr. Johnson stated that there will only be one entrance. Ms. DellaCroce asked about curbing and he answered that they do not intend to have granite curbing. Mr. White added that they could put in concrete bumpers if there is a safety issue.

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#39 Off-street Loading – Mr. Jenkins stated that they do not plan for a loading dock but will have 3-4 employees to unload. This will be done on the south side of the building. There will be a small canopy over the rear door.

#40 Signs – Mr. Paradis read from the zoning ordinance, page 25, section K. A discussion was held regarding signs on 3 sides of the building. It was felt that it is a stretch to say that the main entry sign is facing a road but, if you use a ruler, it does face Route 104 without touching another property. Ms. DellaCroce asked the dimensions of the proposed pylon sign. Mr. Johnson stated that he will provide an inset on the plan of this. Mr. Jenkins stated that it will be 30 sq. ft. Mr. Paradis read section I of the zoning ordinance sign section.

#42 Drainage Calculations and #43 Erosion and Sediment Control plans – Mr. Johnson stated that they will submit these.

#46 Provision for Snow Removal – Mr. Paradis mentioned the concerns of snow going onto the abutting property. Mr. Jenkins stated that he has done some off-site snow removal when necessary. They have provided 29 parking spaces but feel that they will not use that many so they may retain some of the spaces for snow (far north). He added that customer's average being in the store about 10 minutes. Mr. Keegan asked if grade stakes might be put in along his field in the fall. Mr. Jenkins stated that he will not put snow on someone else's property. Mr. Paradis felt that the north parking spaces could be used if it does not violate the ZBA variance. Mr. Dion felt that they could either pile snow or haul it away.

#48 Waivers Requested Listed on Plan - Mr. Paradis explained that all waivers must be put in writing explaining why they are being asked and also on the plan itself.

#49 Additional Requirements – Mr. Johnson stated that DOT is requiring a traffic study. Mr. Dingman said that the Board will need a copy of the results. Mr. Johnson read a letter they had sent to the town and said that DOT is talking about a possible turn lane, like the one for Dunkin' Donuts. Mr. Paradis stated that they will need State permits for the driveway and Mr. Johnson stated that the existing driveway will be relocated. They have proof that it was there before 1968. Ms. DellaCroce asked what proof and was told that they have a photo from 1964.

Mr. Paradis stated that the Board could vote the application as complete with exceptions, if they would like. He asked when the applicant hopes to start the project and was told late Spring. Mr. White expressed major concerns as he will be spending a lot of money and wanted the Boards approval. Mr. Paradis explained that the Board does not usually turn a project down but may require changes. He would prefer to continue this case as there is much to absorb. Mr. Dingman stated that he can sympathize with the applicant but the Board needs to give due diligence and not just move the case

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WHITE SITE PLAN continued:

along. Ms. Seeler explained that this approval would only be the part to approve that all necessary material has been provided so that the Board may continue. Ms. DellaCroce said that she would like the various Department Head's input (Highway, Public Works, Fire). Mr. Paradis asked if the applicant has spoken with the Fire Chief. Mr. White stated that Chris Dolloff, of the Fire Dept., has asked to use the present building for training. Mr. Paradis asked where the Fire hydrant is and was told it is across the street. Mr. Paradis thought we might need a letter from the Fire Chief. Ms. Keegan stated that she is against burning as the debris would scatter onto the adjoining properties. A discussion followed.

Mr. Dingman mentioned that the age of the present structure is a concern as it was built in 1853 and may have historical significance. It may have a pretty sturdy basic structure and he would like a sympathetic look made to renovation. Mr. Jenkins stated that they need 8,000 sq. ft. and the house is only 1500 sq. ft. Mr. White stated that he could not afford to restore the house. Mr. Dingman would like him to look favorably on renovation or to do an inventory. Jean Cramer, present owner of the home, stated that a section of the structure is very weak and a lot of metal has replaced beams. Mr. Dingman asked that they inventory the details. Ms. Cramer stated that most of the original structure has been torn down. Mr. White said that he will at least look at the barn. He cannot fathom restoring what is there to suit retail space; it is not economical. Mr. Paradis stated that he might look at the guidelines for architectural significance. It would be interesting to have the inventory but the Board has no authority to request it. Mr. Dion explained that Mr. Dingman is the Chair for the Historical District Commission and Mr. White could talk with him and have Mr. Dingman tell him what he is looking for. Ms. Seeler stated that she just had to have a building demolished in Concord and someone had to come out and sign off on everything, though the building had no worth, and this was before plumbing and everything drained into the city sewer. She thought that maybe we should do that here.

Mr. Dingman thought that we should see what the proposed building will look like. Mr. Jenkins stated that he wanted to team up with everyone. He has never had anyone who was disappointed. Mr. Paradis stated that there is nothing in the ordinance to require this. Mr. Dingman stated that Meredith has architectural standards in their ordinance. Ms. DellaCroce said that, here, it is a clean slate, not renovations. Mr. White stated that has done more than was asked of him.

Kristen Reid asked the hours of business and Mr. Jenkins answered that it will be 7 days a week, 8:00 to 8:00 Monday through Saturday and 9:00 to 6:00 on Sunday. Overnight, everything shuts down. There will be 40' of glass in the front of the building. Mr. Paradis stated that the Board will want no pollution on the abutters. Ms. Reid then asked the length of time expected to build and was told 4 months. When asked why they need a sign on the side facing Keegan's field (Robie Road side), Mr. Jenkins stated that they don't need to have it on all 3 sides but wanted to ask for the maximum in case. They need 36 sq. ft. for the sign on the side. The Board said that this would require another variance.

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WHITE SITE PLAN continued:

Ms. Keegan asked how this project would impact the other stores in town. Mr. Jenkins that sometime Hannaford rents space from them and Rite Aid has often leased the space after they leave. He also said that competition is good. Mr. Jenkins then stated that they find that 50% cross over. Mr. Dion asked if the septic can be shown on the plan. Mr. Johnson stated that they may have the drainage and septic available for the next plan.

Mr. Reid asked if the company will do a survey on the drainage across the street as water comes into his yard as beavers back up the culvert there. Mr. Johnson felt that the area will be looked at and added that the State encourages rain gardens which will be on the drainage plan.

E. Seeler made a MOTION, second by C. Dingman, TO CONTINUE THE HEARING FOR JONATHAN T. WHITE REALTY LLC TO JANUARY 11, 2011. The motion CARRIED.

Mr. Dingman asked if the applicant has any questions as to what is needed for next month and Mr. Johnson answered that he feels that he knows everything needed.

MINUTES OF NOVEMBER 30, 2011:

The following amendments and clarifications were made:

Page 1, last paragraph, 5th line, change the sentence from “Ms. Jacques mentioned that the sign can be on two sides and Mr. Dingman said that signs come under Planning Board” to read “Ms. Jacques mentioned that the sign will be two sided.” Page 2, 1st line, at the end of the sentence, insert “as long as it is not a neon sign”. Page 3, change the heading “Page 2” to “page 3”. Page 4, following the 1st paragraph, insert “C. Dingman made a MOTION, second by J. DellaCroce, TO BRING AMENDMENT #8 TO THE BALLOT FOR A MARCH VOTE. The motion CARRIED.” 2nd paragraph, 2nd line, insert “two” following “writing” and in the 6th line, following “understand” insert “what we are trying to do with this ordinance.” Communications, 3rd line, following “Dave Jeffers” insert “of LRPC” and replace “their book” with “the Smart Growth and Natural Resources Assessment which they prepared.” Page 5, 1st paragraph, 2nd line, insert “business” before “offices”. 6th paragraph, 2nd line, following “town” insert “rate”.

C. Dingman made a motion, second by J. DellaCroce, to approve the minutes of November 30, 2011 as amended. The motion carried with 1 abstention.

COMMUNICATIONS:

The Board looked at the 3 DES septic notices (Holiday Hills Dr., Crodem Dr., and Hall Rd.). The LGC Publications Catalog was taken by Mr. Dingman. Mr. Paradis reported that there was a budget request to remove \$1689.00 from our budget. He has taken most of our education line as there is little else that can be removed. It was noted by the Board that the majority of our budget is reimbursed by the applicants.

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REPORTS:

Historic District Commission – No hearings on the agenda.

Selectmen – Mr. Dion stated that they have set the tax rate and 2 bills went out (one with more detail than the first). They are working on the budget to level-fund it. Mr. Paradis asked about the mica building progress. Mr. Capone answered that they have the review analysis of the Brownfields grant on how the building is to come down. There are 14 pages of it on the web; a full copy is in Mr. Capone's office. At the Selectmen's meeting tomorrow night, the DES, GZA Environmental group, and the USEPA will present this at a hearing and we shall be able to put it out to bid in January, hopefully.

Capital Improvement Committee – We have not received confirmation for our 2012 meeting dates as yet.

OTHER:

Ms. DellaCroce mentioned that, with condos, etc., they are no longer billed on the land. This must be a separate bill she assumes.

Mr. Campbell mentioned that Fire Chief Yannuzzi received a grant for a generator and a used vehicle is in the works instead of the purchase of a new one.

NEW BUSINESS:

The Board mentioned that Site Plans used to go through the Department Heads as needed (Fire, Police, Highway, and Public Works). When Michelle Bonsteel was here, she handled this. Now we do not receive any input. Mr. Capone stated that he will gladly see that this process is reinstated now that he is aware. Ms. DellaCroce asked about a proposed Fire and Planning meeting of Sites and Mr. Capone stated that this is under discussion.

NEXT MEETING:

Our next meeting will be held December 28th. We shall hold the 2nd public hearing on proposed zoning amendments and work on the Smart Growth answer.

With no other business, C. Dingman made a motion, second by M. Campbell, to adjourn at 9:55 p.m.

Respectfully submitted,
Jan Laferriere, recording secretary