

PLANNING BOARD MINUTES
December 28, 2011

APPROVED as amended & clarified:
1/11/12_jrl_____

AGENDA: PCC: MICHELE WIGGS (DIVINE INSPIRATIONS)
SECOND PUBLIC HEARING FOR 2012 PROPOSED
ZONING AMENDMENTS
ANSWER TO SMART GROWTH REQUEST

ATTENDING: Dan Paradis (Chairman), Denice DeStefano (Vice Chairman), Murray Campbell,
Janice DellaCroce, Clay Dingman, Steve Favorite (Alternate)

ABSENT: Phil Dion (Sel. Rep.), Elizabeth Seeler (away)

OTHER: -----

The meeting opened at 7:00 p.m. Mr. Paradis appointed Mr. Favorite to sit in for Ms. Seeler. As no-one was in attendance for the 2nd public hearing, Mr. Paradis determined to hold the PCC first.

PCC: MICHELE WIGGS (DIVINE INSPIRATIONS)

Mr. Paradis explained the procedure for a PCC and how it is neither binding on the applicant nor the Planning Board, who will give answers to the best of their knowledge based on what is presented. He then read the letter from Elizabeth Seeler, owner of the property in question. Ms. Seeler gave permission for Ms. Wiggs to consult with the Board.

Ms. Wiggs stated that she has been in business, in Alexandria, for 10 years and would like to expand here in Bristol. Her business consists of 80% manufacturing and rental (chair covers, etc.) and 20% retail (sewing and weddings). She makes the chair covers, etc., cleans & sends them out. She will want to have a warehouse to hold rustic items to rent out.

Mr. Paradis felt that it is not unusual to have a warehouse and an outlet store. Ms. DellaCroce asked if she intend to continue operating any of the business in Alexandria. Ms. Wiggs answered that she will only do so during the transition. She hopes to begin cleaning, plumbing, painting, etc. by Feb. 1st and would be open by May 1st. The transition would be over those few months. Mr. Paradis stated that, if she was just having an outlet store for materials she makes, she would be covered but if she has other retail sales, she would need a Special Exception. The Board then read the needs of a Site Plan and felt that this would come under Minor Site Plan as she is not changing anything outside. They also checked to see if the regulations would allow them to waive this and found that they cannot.

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WIGGS PCC continued:

In the interest of time and expense for the client, the Board thought it would be feasible to hold a joint meeting with the Zoning Board. After much discussion on the best time to hold this, the Board felt it best to hold it at the Feb. 7th ZBA meeting and to cancel their Feb. 8th meeting date. The ZBA Chairman will be notified and asked if he concurs.

C. Dingman made a MOTION, second by D. DeStefano, to ALLOW THE APPLICATION FROM MS. WIGGS TO BE FOR A MINOR SITE PLAN. The motion CARRIED.

The secretary reminded Ms. Wiggs that she must have both the Special Exception and the Minor Site Plan applications in to her by January 13th. in order to be heard on Feb. 7th.

SECOND PUBLIC HEARING ON PROPOSED 2012 ZONING AMENDMENTS:

Mr. Paradis stated that most of the changes in the proposed zoning amendments were recommended by town counsel and have been implemented and are presented this evening. With no public in attendance, Mr. Paradis gave only a brief synopsis of each amendment change.

PROPOSED AMENDMENT #1, Section 10.7.3 and 10.3.3

The intent is to replace an impractical standard with one which is more easily applied and gives the Planning Board some discretion.

D. DeStefano made a MOTION, second by C. Dingman, to BRING AMENDMENT #1 TO VOTE AT TOWN MEETING IN MARCH. The motion CARRIED.

PROPOSED AMENDMENT #2, Section 10.8.7

This gives the Planning Board the ability to consider specific site conditions.

D. DeStefano made a MOTION, second by J. DellaCroce, to BRING AMENDMENT #2 TO VOTE AT TOWN MEETING IN MARCH. The motion CARRIED.

PROPOSED AMENDMENT #4, Section 4.20

This addresses concerns which have been expressed to the Board. It has purposely been kept as simple as possible.

C. Dingman made a MOTION, second by D. DeStefano, to BRING AMENDMENT #4 TO VOTE AT TOWN MEETING IN MARCH. The motion CARRIED.

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2nd HEARING ON PROPOSED 2012 AMENDMENTS:

PROPOSED AMENDMENT #5, Section 4.19

This would extend the protections in the Pemi Overlay District to all districts. At the same time, the standard is updated to a current publication.

D. DeStefano made a MOTION, second by C. Dingman, to BRING AMENDMENT #5 TO VOTE AT TOWN MEETING IN MARCH. The motion CARRIED.

PROPOSED AMENDMENT #7, Section 4.17 E,1 and 4.17 E,3

This corrects an oversight in the steep slopes provisions, allowing for a parking lot if it's a commercial development. It also makes clear the Planning Board's authority to regulate the layout of both buildings and parking lots.

D. DeStefano made a MOTION, second by M. Campbell, to BRING AMENDMENT #7 TO VOTE AT TOWN MEETING IN MARCH. The motion CARRIED.

MINUTES OF DECEMBER 14, 2011:

The following amendments and clarifications were made:

Page 1, next to last paragraph, 2nd line, Change "That office space" to read "He explained that office space". Page 2, 3rd paragraph, 1st line, following "Route 104" change "of" to "or" and 6th paragraph, last line, replace "give" with "gives". Page 3, 2nd paragraph, 2nd line, replace "figured" with "considered" and 3rd line, following "metal siding" delete "and". 3rd paragraph, 2nd line, following "1% change" insert "in impervious cover" and 4th line, replace "until the" with "prior to the ZBA", add a comma after variance and insert "option" before "away". Last paragraph, 1st line, replace "They" with "The Site Plan" and second line, delete "or they would be off the property". Page 4, 1st paragraph, 6th line, before "field floods" insert "nearby" and 8th line, following "about" replace "flooding and the sewer system" with "how flooding would affect the septic system". 4th paragraph, 1st line, replace "schematic cut-off" with "cut-off schematic". Last paragraph, 6th line, replace "refuge" with "refuse" and 7th line, replace "about curbing and he" with "about the curbing in front of the building as a buffer to pedestrian traffic and he". Page 6, 2nd paragraph, 2nd & 3rd lines, replace "a sympathetic look made to renovation." With "the applicant to consider an adaptive reuse of the building, possibly integrating it into the structure that will be the store.". 4th and 5th line, replace "would like him to look favorably on renovation or to do an" with "said if the applicant has to tear down the building, please consider doing an historic". Last paragraph, 6th line, before "They need 36 sq. ft." insert the following sentence "They would be willing to amend the application to have signs on two sides only.". Page 8, under New Business, 4th line, replace "Fire and" with "part-time" and "meeting of Sites" with "position".

COMMUNICATIONS:

A DES Notice of No Further Action for the Route 104 and 3A site was looked at.

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REPORTS:

Historic District: Mr. Dingman stated that their next meeting will be held in January.

A discussion was held as to architectural standards. Mr. Paradis stated that there have been no court cases in this regard and suggested that we pass a zoning amendment in order to do this. Mr. Dingman stated that the case in question was for Concord for a certain area in town in which they wished to keep a certain look. The applicant wanted a strip mall and it was denied. This went to court and was upheld. The issue was not on architectural standards. Mr. Dingman feels that this would be better to be in Site Plan. We could have some general language in the Zoning Ordinance, giving the authority to the Planning Board under Site Plan. Mr. Paradis felt that the voters should be able to look at this proposal. A discussion followed as to how to word the portion to go into the Zoning Ordinance.

Mr. Dingman stated that he would like the Planning Board to have some impact on architectural standards. Mr. Paradis feels that we need to get the public involved first. Mr. Dingman suggested that the Board put it in public form for Site Plan and later do the Zoning portion. Mr. Paradis stated that he would vote "no" himself if it was not in the Zoning Ordinance first. Mr. Dingman then suggested that we work on the proposed architectural standards in the next few months. Ms. DeStefano suggested that public awareness is needed and Mr. Dingman might get a news article in the paper (s). Mr. Dingman asked for Planning Board support for him to get public awareness done and to get this into Site Plan and the Zoning Ordinance. A discussion was held and it was decided that the Planning Board work on this next year.

Mr. Dingman asked how involved can we be and not show bias. Mr. Paradis thought that we could authorize Mr. Dingman to make up a draft and the Board can discuss it at a public hearing. Mr. Dingman mentioned that we might invite Marcia Morris, from the Plymouth Enterprise, to the public hearing for more public awareness.

Selectmen: Mr. Dion was not in attendance to report.

Capital Improvements: Mr. Campbell stated that the 2012 calendar of our meetings have been approved.

ANSWER TO SMART GROWTH REQUEST:

The Board went over the Smart Growth Assessment Form which they had received:

1. It was determined to evaluate a. as a 4, b. as a 4, and c. as a 3.

Overall: The Board felt that the process was useful in causing them to pause and think about. They mentioned that the presenter went away and did most of this from what he heard when he first came to the Board. The end result was an overwhelming amount of detail and the Board feels that a priority list of possibly 5 items would have been better.

- II. It was determined to evaluate as: 3, 3, skip the next as not relevant, 4, skip the next, and 3.
- III. The Board felt that the most useful items were implemented.

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SMART GROWTH REQUEST continued:

- IV. The Board listed Extension of erosion control, Light pollution, Ridgeline protection, and Steep Slope building restrictions as relevant here.
- V. The Board has acted upon Steep Slope building restrictions, Dark Skies zoning restrictions, and extension of erosion control measures.
- VI. The Board felt that time and lack of resources fit here.
- VII. No-one knew if Smart Growth references were made.
- VIII. As to educating citizens, the Board felt that this was only done indirectly.
- IX. The Board felt that funding resources was lacking. They would also have liked to see sample language and a more concise summary prioritized.
- X. It was felt that the amount of detail in the report could have been useful if shared with other departments, such as the Conservation Commission.

The Board then authorized Mr. Paradis to fill out the form and return it for them.

NEW BUSINESS:

Ms. DellaCroce asked about the directional sign that was to be placed in the Town Square. The Board explained that Selectman Don Milbrand was in charge of this and they believe that it has been tabled until the Square renovations have been completed.

Ms. DellaCroce questioned how we are to do amendments to our bylaws. Ms. DeStefano read the procedure as it is written in the bylaws. The secretary explained that she needs to notice this on the bulletin board and on TV and it can be done at any public meeting so notified. Ms. DellaCroce stated that she would like to consider something that she saw on the OEP web site which states that the new law is that an alternate can sit in at the table and participate in discussion but they cannot vote unless they have been appointed to fill a vacancy.

Mr. Paradis said that he would like to try to have Bernie Waugh, Town Attorney, give the new law updates at our January 25th workshop meeting.

NEXT MEETING:

Our next meeting will be held January 11, 2012 at 7:00 p.m. at the Town Office building. On the agenda will be the Continued Site Plan for Jonathan T. White Realty LLC/Family Dollar.

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OTHER:

When asked if he had any insight on Planning Board issues while he has been away, Mr. Favorite stated that he has found that most MA. Towns are not coordinated well between their road crews and emergency management. Ms. DellaCroce asked if he has anything to bring back to Bristol and he answered that we need to look at roads for evacuation and medical emergencies as a region. He added that NH is stronger about taking care of ourselves than what he has seen in other states.

With no other business, C. Dingman made a motion, second by D. DeStefano, to adjourn at 9:15 p.m.

Respectfully submitted,
Jan Laferriere, recording secretary