

PLANNING BOARD MINUTES
March 28, 2012

APPROVED as Amended & Clarified:
4/11/12 ___jrl_____

AGENDA: PCC: PINWOOD DEVELOPMENT, 838 Lake St., #216-099
COMPLIANCE: PASQUANEY BAY REAL ESTATE LLC,
64 Lake St., #113-042 & -042.1
PCC: CHRIS STAMNAS, South Main St., #114-027
WORKSHOP: PROPOSED BYLAW AMENDMENTS

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

ABSENT: Phil Dion (Sel. Rep. - away)

OTHER: Michael Capone (Town Administrator), public

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

PCC: PINWOOD DEVELOPMENT/ALAN BARNARD/MATT HUGHES

Ms. DeStefano stepped down as her husband is the Real Estate agent involved. Mr. Paradis presided and explained the procedure of a PCC and how it does not obligate the applicant nor the Board. The Board will give their best answers based on what is presented.

Mr. Barnard, representative for Pinewood Development, stated that Matt Hughes, the owner, is interested in purchasing the Dow property on Lake St. He wishes to open his business there (Newfound Boat Shoppe). There is a mix of architecture in that area. Mr. Hughes showed a rendition drawing of what he would like the building to look like. Mr. Barnard continued by saying that the front will face the street. They would like to expand by building a second building later (these areas were pointed out on a rough plan). The front section (display room) and the rear section (repair shop) are to be one floor. The middle section will allow for a walk-in entry on the ground floor with 2 offices and a break room upstairs. Mr. Hughes anticipates having 4 employees. The building is to be a wood structure with cement board siding. The size to be 60' x 140'.

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PCC: PINEWOOD continued:

A discussion followed as to the parking. Mr. Paradis explained that the new ordinance amendment allows the Planning Board to reduce the amount required up to 25%. Mr. Barnard stated that the property is in both the Village Commercial and the Village Residential Districts. He is showing parking spaces as required in the first parking lot but would like 9' x 18' spaces in the back for employee parking. Mr. Paradis read the ordinance in the case of a property being in two districts. It requires that the stricter of the two districts takes precedence. The Board then looked at the parking regulations. Mr. Barnard calculated that with 4 employees and 2 offices he has accounted for 10 spaces in the rear. He asked if they would be allowed to use some of the Village Residential area for this. A discussion followed. Ms. DellaCroce asked if they plan on paving all of it. Mr. Hughes stated that he would like certain areas to be paved to store boats and to keep dust down. Mr. Paradis explained that our regulations only have lot coverage restrictions for structures. He added that, if they go for paving, they will need to look at drainage. Also, the ordinance says no parking in front of the building.

The second building was asked about. Mr. Barnard stated that it would be 75' x 120' to hold a combination of boats to sell and any overload of repair of boats. Mr. Hughes added that it would have a similar look as the first building. Mr. Barnard said that it would be an accessory to the first building. Mr. Paradis thought that it could be counted as storage space. A discussion followed. Mr. Dingman and Mr. Paradis felt that the accessory building could have the public coming in to review the new boats that are for sale. Mr. Barnard felt that a Variance would be for additional space that is considered storage. Mr. Dingman and Mr. Paradis expressed that they would prefer less parking where possible. Mr. Paradis stated that they should figure the amount required, using the nearest description, and they could go 25% less. Mr. Barnard asked if the service area would be counted as storage and Mr. Dingman answered that they should look at the descriptions in the ordinance and figure the closest to their use. Ms. Seeler thought they might be light industrial. Mr. Paradis felt that could use the amount of employees. Mr. Barnard stated that, either way it is 6 spaces. Mr. Dingman stated that, if they go to the ZBA, they should ask for the lowest amount that they can as it looks like what is required is more than they need. Mr. Barnard asked if grassy areas could be used and Mr. Paradis answered that it can.

Mr. Barnard then pointed out a man-made pond to the back of the property that they will need a permit for in order to fill it. Mr. Dingman mentioned that the Historic District Commission (HDC) likes cement board use. Ms. DellaCroce asked the height of the building and was told that the highest point is 33 1/2'. She then asked about lighting and Mr. Barnard stated that they are aware of the desire for down-lit signs and they do not intend on having any internally lit signs. Ms. DellaCroce then asked the size of the sign shown across the front of the building and Mr. Hughes answered that what is shown is just rough but they will go with what is allowed. Mr. Barnard stated that there is a culvert on the property which shall have to be moved. Mr. Paradis reminded them that there is an ordinance now in regard to erosion/sediment control.

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PCC: PINEWOOD continued:

Mr. Paradis asked about the driveway and Mr. Barnard stated that the property had 3 but they only want 1. He added that they own both lots there and the building on lot #094 is a shed. He asked if the Board would need samples of the downcast lights and Mr. Paradis answered that they do not as long as they are downcast. Ms. DellaCroce asked the hours of operation. Mr. Hughes stated that it will be seasonal but he has not come up with exact times as yet. Ms. DellaCroce mentioned that a buffer is needed for any residential abutters.

NEW LAW: Ms. DeStefano returned to the table and it was mentioned that there is a new law now where alternates can sit at the table, participate in the dialogue, but are not to vote unless they sit in for a regular member. Mr. Favorite came forward.

COMPLIANCE: PASQUANEY BAY REAL ESTATE LLC/COLIN BROWN

Mr. Brown presented the revised plan and pointed out the changes made to notes 5 & 7. This covered the conditions set and the Board signed the plans and the Notice of Decision.

PCC: CHRIS STAMNAS

Mr. Stamnas explained that he owns the property next to the Diner and stated that the Diner owner now wants to build a fence. As Mr. Stamnas understands, they wish to use the fence to shield his property for liquor uses. Mr. Stamnas asked if they are allowed to expand their business. He added that there is a right-of-way between the buildings to access parking in back.

Mr. Paradis stated that they can build a fence. Mr. Dingman stated that they would need to come before the HDC, however, as they are within that District overlay. Ms. DeStefano asked if they intend to add more seating. Mr. Stamnas was not sure but thought they wanted to increase hours. Ms. Seeler stated that they would be grandfathered if there are no changes. Ms. DeStefano added that, if they exceed occupancy issues, they would need to talk to the Fire Chief. Ms. DellaCroce asked how much land is there. Mr. Paradis explained that the purpose of the law is to protect the abutters. The secretary mentioned that, if they are to go into the back yard, wouldn't it be a change of Site Plan? Ms. DeStefano advised that he look at Site Plan regulations and Mr. Dingman added that he needs to come to the HDC for a Certificate of Approval, even for just a fence. Mr. Stamnas alluded to the fact that there may be a lot line problem. Mr. Dingman explained that the lot line problem would be between owners not the Commission. However, they are only interested in the type of fence or any outside changes being made. Mr. Paradis felt that they would need Site Plan for a change of use, screening and lighting.

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MINUTES OF MARCH 14, 2012:

The following amendments and clarifications were made:

Page 2, next to last paragraph, 1st line, replace “on the sign” with “to an internally lit sign” and insert “the” before “Route 104”. Insert “project” following “Route 104”. Change “character of the area” to “character of that area”. Line 2, replace “is different” with “location is different”. Page 4, 1st paragraph, 1st line, replace “notified” with “re-notified”. Page 5, 1st paragraph, 2nd line, replace “WITYH” with “WITH”. 3rd paragraph, 2nd line, replace “TO BE” with “ARE RECEIPT OF” and 3rd line, place a comma after “APPROVALS”, delete “AS LONG AS”, and following “PLAN” insert “BASED ON ANY SUBSEQUENT STATE REQUIREMENTS,”. Page 6, NEW BUSINESS, 1st paragraph, 3rd line, replace “is to have” with “may need”.

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

PROPOSED BYLAW CHANGES:

As we voted the previous change to the Bylaws, the secretary had suggested that the document be looked at for any other changes needed so that they might be done at the same time. Mr. Paradis mentioned that a final vote would have to be taken at a regular meeting and not a workshop meeting.

Ms. DeStefano presented a page of items that the Board should look at so as to address them at the next meeting of the Board. Those items to look at: Regular Meetings, Public Hearings, Decisions, and Records. Ms. DeStefano went over her suggestions. She then said that the secretary had questioned Section 8, Manner of Voting, as well. She asked the Board to consider all of these and to bring any others to our next meeting so as to vote on them. Mr. Paradis added that in Section X, the Master Plan time is now 5 to 10 years. The exact wording is under RSA674:2.II. We shall act on all of these on April 11th.

COMMUNICATIONS:

A merger for Ernest & Nancy Richards and 2 DES permits (Central Square TE Project and corner of Route 3A and 104) were looked at.

UNFINISHED BUSINESS: REPORTS

HDC: Mr. Dingman stated that they met last night. They are working with Mr. Capone and are pulling out properties 50 years old or older for the Historic Inventory. These to be put on the data base. We will look into a CLG grant to help with the Inventory beyond what we can do. It was determined that Mr. Dingman will send in a letter of intent about the Inventory, a feasibility study of the Old Town Hall, and a reprint of the Walking Tour. Two of these do not require matching funds; the Town Hall may need some. Ms. DeStefano asked if the Walking Tour is on the web and Mr. Dingman stated that it is on the HDC web site. He added that we may get it onto the town web site. Mr. Paradis asked if any markers are on the building and Mr. Dingman stated that they aren't but HDC could do this.

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UNFINISHED BUSINESS: REPORTS continued:

Selectmen: -----

Capital Improvements Plan (CIP): Mr. Campbell reported that they held their first meeting of the year last Tuesday. They set a proposed schedule for the Department visits. Mr. Campbell asked Mr. Capone if a memo could be sent to the Department Heads to ask if these dates are okay with them. Bob Gilbert (alternate) has resigned due to time constraints. John Bianchi is to come to this Board on April 11th as a candidate to replace him. Mr. Campbell also had another candidate interested, Joseph Lukeman, and will ask him to come to that meeting, as well.

NEW BUSINESS:

Gilpatrick: Mr. Capone explained that the Kilpatrick's wish to build a 3-sided 30' x 30' metal building on their property of 40 acres. On the property is their residence and a Salvage Yard. Does this require Site Plan?

Mr. Paradis stated that it would as any new construction requires this for commercial uses. He suggested that they come in for a PCC and ask for a Minor Site Plan, which only the Planning Board can determine.

Bristol Shores: Mr. Capone asked when Bristol Shores is supposed to be closed. He explained that they understand that it is set for 6 weeks in the fall and 6 weeks around May. Ms. DeStefano thought that it had been determined to be between a certain month and another certain month twice a year. The secretary will look into this and see Mr. Capone on Friday.

Mica Building: Mr. Capone stated that there are 3 videos on the town web site now (5 minutes, 15 minutes, and 30 minutes). The bricks are staying as fill. We got the old sign and have to test it for contamination. It may then go to the Historic Society. We also got a few old insulators.

NEXT MEETING: Our next meeting is April 11th at 7:00 p.m. On the agenda: The scenic roads hearing (Mr. Capone is asking the Highway Superintendent which roads these are), the CIP proposed candidates, the Bylaws, and the possible compliance for Habitat for Humanity if they have received their permits from the State.

Mr. Campbell asked if Thad Gulbrandson would be useful for the Master Plan. Mr. Paradis was not sure. The Board discussed having LRPC, Steve Whitman, etc for bids for the Master Plan work. Ms. DellaCroce asked if we were to do the survey first. Mr. Paradis and Ms. DeStefano answered that we will need professional help with the survey also. Mr. Dingman asked if we shall be working on the Master Plan this year or next. He can apply for a CLG grant for the Historic section, he added. Mr. Paradis asked if the grant must be spent within a year and Mr. Dingman answered that he thought they allow 13 months. Mr. Paradis thought that a grant for that section would be good as the section we have now, he wrote himself as we had no committee to do it.

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ZONING ORDINANCE: Ms. DeStefano asked the secretary when the new Zoning Ordinance revision would be done as, if there was not time, Ms. DeStefano could do it if it was e-mailed to her. The secretary plans on getting this done next wee,.

With no other business, C. Dingman made a motion, second by D. Paradis, to adjourn at 8:50 p.m.

Respectfully submitted,
Jan Laferriere, recording secretary