

PLANNING BOARD MINUTES
August 8, 2012

APPROVED as amended & clarified:
8-22-12_jrl_____

AGENDA: PCC: Sondra Keene, B & B
PCC: Theresa & Jay Adams, Downtown Tavern
Sign plans for Norm E. Hebert
Steve Whitman, Taylor Assoc., and Boyd Smith re: Master Plan & NLRA funds

ATTEND: Denice DeStefano (Chairman), Dan Paradis (Vice Chair), Murray
Campbell, Janice Della Croce, Clay Dingman, Phil Dion (Selectman's Rep)
Elizabeth Seeler

ABSENT: Steve Favorite (alternate) Jan Laferriere (Secretary)

OTHER: Michael Capone (Town Administrator), Steve Whitman, (Taylor Assoc.) Boyd
Smith (NLRA), Public

The meeting opened at 7:02 p.m. with a quorum.

PCC: Sondra Keene, Newfound B & B

Ms. DeStefano explained the reason for Ms. Keene's appearance before the Board was to discuss adherence to the conditions of approval from the ZBA and Planning Board during her application process in 2007. Specifically to be reviewed are the conditions of the Special Exception which included that the B&B would not exceed 4 bedrooms and the change in use to include weddings and large gatherings.

Ms. Keene said she only rents the 4 bedrooms. Ms. DeStefano interjected a submitted email that stated the rates for the additional suite. Ms. Keene said that the suite in the "barn" is only used for overflow, maybe two or three times per year.

Regarding the special events that take place on the property Ms. Keene said that there is no additional charge for weddings, only the room rate for the B&B is charged. All other expenses are the responsibility of the renter. i.e. porta potties, tent etc.

Additional concerns surfaced from the Board, which included increased traffic generated from large events, fire safety, and parking.

Ms. Seeler explained that these types of changes require a new site plan review.

Ms. Keene stated that the business has not changed it is a B&B and that she was never told of these regulations.

Mr. Paradis explained that it appears that one of the benefits of the B&B is the common use of the land and that use is expanded use that was not originally approved.

As Ms. Keene was visibly upset, Ms. DeStefano refocused the conversation to what was agreed upon during the application process in 2007, and the Board's obligation to the public for due diligence regarding adherence to the ordinances.

Ms. Keene said she is just using her property, and if needed she can take the ability to have weddings off her website and will not do it again.

Mr. Paradis mentioned the barn renovations without permits and that there are restrictions for use.

Ms. Keene said she was being educated and was trying to figure it out and wanted to move forward.

Ms. Seeler pointed out that when you have a business you have more regulations than an individual and site plan review is needed.

Ms. DeStefano pointed out that the Board is not asking for an appeasement it is the ordinance. If the situation continues the ZBA and Planning Board would have to revisit the Special Exception and Site Plan for the expanded use.

Ms. Keene repeatedly asked "what is the problem?" Mr. Dion explained again the Board only abides by the ordinances, and does not make the rules; the voting public decides how the ordinances are framed. He also answered her question by saying that she would have to scale back to the agreed upon parameters of the granted Special Exception.

Ms. Keene asked what would be needed to go forward and approached the Board with a parking plan.

Mr. Paradis asked that she pledge that she will abide by the agreed upon stipulations. With no response Mr. Dion and Ms. Seeler asked for an agreement from Ms. Keene.

Ms. Keene expressed her feelings toward the Board stating that these things were not disclosed to her. She left abruptly without resolution.

PCC: Theresa & Jay Adams, Downtown Tavern

Theresa Adams owner of the property at 50 S. Main Street was requested before the Board for adding a 19' x 19' outside patio and fence, which she was informed may need a site plan review, and possibly a variance.

Some questions that were posed by the board: (and Ms. Adams response)

- Additional seating: (possibly up to 5 tables)
- Parking: (no additional parking)
- Lighting: (no additional lighting is needed)
- Setbacks: (the patio takes 19' of the approx. 30' to property line)
- Hours of Operation: (Undetermined)

The Board discussed the need for minor v. full site plan review and the need for a ZBA variance for the setback.

The requirement for a minor site plan review was read by the Chairperson.

Michael Capone added that he spoke with Mr. Adams previously and that he was unable to find a former site plan. Mr. Capone confirmed that a building permit was not requested for the constructed patio.

At this point Ms. DeStafano reviewed the options:

- If the patio remains as the constructed size it will require a ZBA variance decision for the reduced side setback from 15’.
- If granted, the property would need a full site plan review by the Planning Board
- Alternately if the size of the patio is reduced to maintain the town established side setback the Planning Board would consider only a minor site plan review which does not require engineered plans.
- Either option requires that abutters will be notified for their input.

Ms. DeStafano directed Ms. Adams to the town website or the town office for the appropriate application and assistance if needed.

Steve Whitman and Boyd Smith: Master Plan and NLRA available funds

Boyd Smith wanted to inform the Board that the 3rd round of Federal funding to the State for the Newfound watershed has been awarded. He extended the offer to work with the Town to maintain water quality in the watershed and work on the Master Plan.

Steve Whitman offered suggestions such as steep slope management, ordinance recommendations, master plan input and/or any other concerns that are viewed as town priorities.

He presented a demographic data change map that Dan Sunquist (Forest Society) compiled. The data map was reviewed by the Board and the benefits of the data were cited as a visual tool that displays the subtle growth changes that took place over the past 20 years.

The presentation ended asking what is needed from them to assist with the Master Plan.

Ms. Seeler said we may not at that determination point yet, but Mr. Paradis suggested that if they could offer some guidelines for parking requirements it would be helpful since the Board has been challenged with unique businesses that most likely do not need the number of calculated parking spaces.

Boyd Smith recommended that the Watershed Master Plan be adopted as a starting point. He also mentioned it may be beneficial for the Board to participate in the upcoming roundtable which will look at roads within the watershed.

Steve Whitman requested an opportunity to present Master Plan options with various price points and durations depending on the services needed.

Ms. DeStefano concluded that the Board will review the information and she will keep in contact with both of them.

SUBDIVISION: NORM E. HEBERT, Hemphill Rd., #215-003

The Board signed the previously approved plans for submission.

COMMUNICATIONS:

- Nominations for 25th Annual Municipal Volunteer of the Year Awards
- DES Approval for Construction for Michael Hayward, Hemlock Brook Road
- DES permit for Central Square TE Project
- NH Division of Historical Resources – finds no Historic Properties for Hedstrom Way Cluster Subdivision
- FYI e-mail from Christina: Joshua McGraw
- July/August Town & City magazine

-4-

REPORTS:

Historic District Commission: No update

Selectmen: Mr. Dion expressed his disappointment with the recently replaced Cumberland Farms sign. A discussion followed about:

- Internally illuminated sign ordinance
- Possible increased size
- Permit specs
- Continued review by Town

Town Administrator added the following:

- Bids are going out on the TE downtown project
- Presentation by DRED at the August 27th Selectboard meeting for a plan that enables tax credits for industrial businesses in underutilized economic revitalization zones.
- Digging will begin August 15th under the Newfound River for the Downtown project.
- Library groundbreaking August 15th.
- Bids for library construction project are due by Friday 2:00 p.m. Bids will be reviewed and analyzed following submission.
- Boundary line adjustment has been submitted for the new deed for the property adjacent to the library which changes the ROW etc.

Capital Improvements Plan: No update

NEW BUSINESS:

- Ms. DeStafano provided an action plan for the Master Plan revisions.
- Mr. Paradis asked if it would be best served if the chapter reviews by Board members were in a report format for the workshop on August 22nd.
 - It was agreed that it would be best to have it in report format for discussion.

Michael Capone posed the following to the Board:

- How long can a 5th wheel trailer remain on a property?
- Policy on notification of abutters for multiple owners of the same property?

- Asked for next step on the Sondra Keene Newfound B & B PCC.
 - Discussion followed and it was determined that the issue is unresolved; a letter will be sent including what was approved and the options.
- Permitting. Discussion of penalties and the process for assessment.

- Ms. DeStafano noted that Parkhurst is to be reminded that they will need to schedule a site plan review.

NEXT MEETING:

- Next meeting is a workshop that is scheduled for August 22th.
- Lot line adjustment for the library parking will be reviewed.
- PCC: Don Martin
- Peter Voorhees (PSU) regarding assistance with the Master Plan.
- Workshop for Master Plan chapter assessments.

With no other business before the Board, E. Seeler made a motion, second by C. Dingman, to adjourn at 9:00 p.m.

Respectfully submitted,
Janice Della Croce (scribed in absence of Secretary)