

PLANNING BOARD MINUTES
October 10, 2012

APPROVED as amended & clarified:
10/24/12_jrl_____

AGENDA: MINOR LOT LINE ADJUSTMENT: JAMES A. III & LINDA C. LEE
and GEORGE F. & SHEILA M. BRUCKERT, S. Main St.,
#227-013 & -012
PCC: LI ZHAO GAUDET, School St., #114-018
PCC: JOE SANTAMARIA, Lake St., #112-033
PCC: JOHN & AMY SOUTHLAND/DAVIDSON CAMPGROUND,
River Road, #220-015

ATTEND: Denice DeStefano (Chairman), Dan Paradis (Vice Chair), Murray Campbell,
Janice DellaCroce, Elizabeth Seeler

ABSENT: Phil Dion (Sel. Rep. - work), Clay Dingman , Steve Favorite (alternate)

OTHER: Michael Capone (Town Administrator), Joe Denning (Selectman), public

The meeting opened at 7:00 p.m. with a quorum and Ms. DeStefano welcomed everyone.

MINOR LOT LINE ADJUSTMENT: COLIN BROWN FOR LEE AND BRUCKERT.

Mr. Brown explained that this adjustment is just to transfer 3,000 sq. ft. to the Bruckert's so as to accommodate their driveway to property that they own.

Mr. Paradis stated that there is plenty of frontage left on the Lee property. Ms. DellaCroce asked if there is a house on the Lee property and Mr. Brown answered that the house is on a lot to the other side of this one. The Lees own both lots.

E. Seeler made a MOTION, second by D. Paradis, to APPROVE THE MINOR LOT LINE ADJUSTMENT AS PRESENTED. The motion CARRIED and the Board signed the plans. Mr. Brown gave the fees to the recording secretary.

PCC: LI ZHAO GAUDET

Ms. DeStefano explained that a PCC does not obligate either the applicant or the Board but the Board will give the best answers that they can based on what is presented.

Ms. Gaudet explained that she has been in business for 6 years. She had been renting space but would now like to run it from home. She would use 600 sq. ft. of the old Church building for the clinic with 4 treatment rooms (100 sq. ft. each), a reception room and a bathroom, all on the ground floor. The property is in the Village Residential District.

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GAUDET PCC continued:

Ms. Seeler felt that it was a home occupation.

Mr. Gaudet asked to speak and stated that the property was presented, and the town papers agreed, that this property was commercial. They spoke with the secretary and the Vice President of the Planning Board who felt at that time that it was a home occupation. There is a doctor's office at the end of the street and close by on the street is a school. There is a low level business. They have plenty of parking as they also own the parking lot on Mayhew Street.

Mr. Paradis stated that they are living in the rectory and the business would be in the old Church. It was determined that this is all on one lot. Ms. DeStefano cautioned everyone that the Board must follow all the rules and regulations. Ms. Seeler then read the definition of Home Occupation. Ms. DellaCroce asked which building was to be converted and was told it was the Church. Mr. Paradis asked if the Church could be looked at as an accessory building. After reading that definition and seeing that the Church is smaller than the rectory, the Board felt that this description fit. Ms. Gaudet stated that only 10% of the renovated building would be used. There is plenty of parking and Mr. Paradis emphasized that there can only be the equivalent of one full-time employee beyond the residents in the rectory.

The Board determined that this is a Home Occupation and is an allowable use in the District.

PCC: JOE SANTAMARIA

Mr. Santamaria was present when Ms. DeStefano explained the rules for a PCC so she did not repeat them.

Mr. Santamaria stated that he would like to build a 6 unit apartment building, each apartment would have 2 rooms. He already has the DES permit and has spoken with the Fire Chief for those needs. The requirement is for 1 ½ parking spaces per unit and he has room for more than that. Everyone then calculated the percentage of lot use and it seemed to be 100 sq. ft. shy of what is needed. The Board explained that he needs to have a survey done to prove enough lot coverage, cut to 5 units, or apply for a Variance. Once this is established, he will need a Site Plan which is required for anything over 2 units.

Mr. Santamaria was given the schedule for hearing deadlines and was thanked for coming in.

PCC: JOHN & AMY SOUTHLAND/DAVIDSON'S CAMPGROUND

No-one was in attendance and the secretary explained that they may not be in as they have started the process for a Minor Site Plan. Ms. DeStefano stated that we shall let them speak should they arrive before the meeting is over. Ms. Seeler mentioned that we have to have a Site Plan to be sure that the pool is fenced.

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At this time, J. P. Morrison arrived and asked about the Gaudet case. He had come to show support.

DEVOST YACHT CLUB:

Ms. DeStefano had been given the mylar and plans for the Board to sign based on the presentation by Attorney Todd Fahey at our last meeting. The Board signed these and the secretary is to hold them until the fees have been paid.

MINUTES OF SEPTEMBER 26, 2012

The following clarification was made:

Page 3, 2nd paragraph, first and second line, replace “they are against” with “the documents are contrary to”.

D. Paradis made a motion, second by E. Seeler, to approve the minutes as clarified. The motion carried with one abstention.

Ms. Seeler thanked the Board for her PCC at the last meeting and stated that her client left when he heard what needed to be done.

COMMUNICATIONS:

There are 3 books from LGC; NH Law Lecture Series Booklets. These may be of interest to both Planning and Zoning. They will be available in the Land Use Office.

There was also a Des permit for Tami & Paul Zareas for the Big Catch.

CHRISTINA’S E-MAILS:

Ms. DeStefano had received several e-mails from Ms. Goodwin, Assessing Assistant.

Bond Auto: They did not show a storage container on their recent Site Plan and also feel that the Dumpster needs to be moved to allow for snow removal. The Board felt that these are both small modifications and they need to come back to the Board to modify both issues.

Lakeside Village Condominium: Roof replacement of over 1’ increase in height. The Board determined that they need a Special Exception from the ZBA.

Robert Herman: Mr. Herman has learned that the Fire Chief is requiring a sprinkler system for his 4-unit building. Mr. Herman is asking what is needed if he decides to go back to 3 apartments and 1 commercial unit that were there previously. He would also like a PCC for 10/24. The Board determined that he would need Site Plan. They are okay with his coming in on Oct. 24th.

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CHRISTINA continued:

Ms. Goodwin also sent an FYI: Liquor Store blinking sign. She was told that there is a switch on it and they will make sure it will not happen again. It was noted that this may be an epidemic situation as of late.

Ms. Goodwin also mentioned the Mulhern property on Shore Drive. A complaint was made that digging was going on in the back yard. The new Land Use Officer and Ms. Goodwin went out and found that they are installing a drainage system. The water appears to sit right behind the back building. There are no issues as it currently stands.

REPORTS:

Historic District: Mr. Dingman was not in attendance.

Selectmen: Mr. Dion had to work this evening. In his absence, Mr. Capone stated that the Library project has begun and they will be pouring the footings tomorrow. They hope to have the building all closed in by Christmas and then to finish the inside by Feb. The contractor is CCI.

We have a temporary lease agreement with Mr. Getty for his access.

As to Downtown, the contractor is John H. Lyman of Gilford. The bid came in higher so we went back to the State and requested additional funding (this is for the whole project – drainage, water and sewer, and the TE grant). The State has some Federal money and agreed to give us some. DOT got \$124,000 of it for their part. We have plans to do the main portion as far as the money goes. The old fashioned street lights are on what is called the bid alternate. Should we run out of funds, these would have to wait until funds are found, however the base that they will fit in shall be in place so the new lights can just be put into them. The contract final date is June 15th. Ms. DellaCroce asked if there is a penalty if they go over and Mr. Capone stated that they are fined \$1,000 a day but this may be deducted from the final payment due.

Mr. Capone then stated that Al Defeo has been hired as the part-time Land Use and Health officer. His schedule is flexible and he has an engineering background, is semi-retired, and has great people skills.

Mr. Paradis mentioned that tax information is now on the web site. Mr. Capone added that they are close to getting all of the properties on line, as well. The tax cards are on. They hope to set the tax rate by the end of this month. Ms. DellaCroce asked who we see if we have any questions and Mr. Capone answered that we should see Ms. Goodwin.

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Selectmen's Report continued:

Ms. DellaCroce asked about progress with the Pankhurst's. Ms. DeStefano stated that there was to be a follow-up letter. Mr. Capone added that Ms. Keene's B & B should be looked into again, also.

Mr. Capone mentioned that the Selectmen have also agreed to form an Economic Revitalization Zone and have done so with our Industrial Districts. It is a business process tax credit on full-time employees. The State administers it and there is Federal money for these businesses. It is under the direction of DRED.

CIP: Mr. Campbell stated that the final plan was reported to the Budget Committee. They were still reluctant about spreading cost over time with Capital Reserve accounts. Mr. Campbell presented a Chart for them to determine some of the items for purchase with categories to buy immediately, to do lend/lease, capital reserve or not purchase at all. They did not want to do this. Another Chart was presented that showed appropriations purchased in the year they are due (27% per year) and another with the CIP plan (-5 1/2% per year). The bottom lines showed that the first chart final figures would be up and down (from over a million to a drop of as much as \$700,000+).

A discouraged Mr. Campbell suggested that the committee just do what is required by the State. Mr. Paradis read the State law on CIP which gives less information than what the committee has been doing. The State law suggests the rest but does not require it. Mr. Campbell also mentioned that a couple of items have changed since we assembled the booklet. He added that we are trying to work with the Budget Committee. Most towns use Capital Reserves of Lease/Purchase. Some give a portion of the Dept.'s revenues back to that Dept. for capital projects. Mr. Capone stated that these are called a Revolving Fund. The Selectmen are required to approve the use of these funds for the specified purchase it is being held for. The fund commits to a specific purpose. A Revolving Account has a higher oversight than the budget does.

Mr. Campbell asked if a bond was taken for the Water/Wastewater project. Mr. Capone answered stated that the whole amount was asked for with 50% to come from the users. It was felt by the Board that the Budget Committee and Selectmen should support the issues when people just arbitrarily motion to cut.

WORKSHOP:

Ms. DeStefano gave out 2 copies that she had worked on. She explained that Steve Whitman has asked to come to our Oct. 24th meeting in regard to the Newfound Watershed Master Plan Recommendations. He is excited about this.

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WORKSHOP continued:

Ms. Seeler stated that she looked at Village Residential and suggested that we move “offices” to permitted uses instead of Special Exception. Ms. DellaCroce felt that it would cause sprawl to neighborhoods instead of filling office space in the downtown. Having apartments over the downtown businesses creates the problem of no parking. The Board agreed.

Ms. Seeler than suggested adding Restaurant to the Rural District, as long as it is not the largest definition. The Board supported that suggestion. Ms. Seeler also felt that Retail Sales is less offensive for the Industrial District than some of the allowed uses and she wishes to add this. The Board also supported that suggestion.

Ms. Seeler asked if these should each be a separate article and was told that they should.

Mr. Campbell distributed paperwork in regard to VISION of the Master Plan. This included the 1999 survey. Ms. DellaCroce also distributed paperwork for her assignment. These will all be discussed at our next meeting.

Ms. DeStefano mentioned that Peter Voorhees was sent an e-mail to review publications for the Master Plan. Mr. Capone suggested that the Board look to spend their \$5,000 for the Master Plan before the end of the year. It can only be encumbered if a contract agreement has been made.

With no other business, M. Campbell made a motion, second by E. Seeler, to adjourn at 9:12 p.m.

Respectfully submitted,
Jan Laferriere, recording secretary