

PLANNING BOARD MINUTES
July 10, 2013

APPROVED as amended & clarified:
8/14/13 __jrl_____

AGENDA: 13SUP01 SPECIAL USE PERMIT: LYNNE ENGLAND, 18 Browns Beach Rd., #104-162
13SUB01 & 13SPRO3 SUBDIVISION/SITE PLAN: ALAN BARNARD ET AL, 802 Lake St.,
#216-100
WORKSHOP: MASTER PLAN SURVEY

ATTENDING: Denice DeStefano (Chairman), Dan Paradis (Vice Chairman), Joe Denning (Sel. Rep.), Clay Dingman, Elizabeth Seeler.

ABSENT: Murray Campbell (ill), opening for one member, Steve Favorite (alternate).

OTHER: Michael Capone (Town Administrator), Janet Cote (Selectman/Conservation Commission), public

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

SPECIAL USE PERMIT: LYNN ENGLAND

The secretary read the application, abutters notified, where the hearing was advertised, and stated that there were no phone calls but one written response as well as a written response from the Conservation Commission.

Mr. Paradis questioned why this was brought to the Planning Board and added that it should have been before the Zoning Board for height. A discussion followed in which it was felt that a Special Exception with the Zoning Board was needed and that the Planning Board will continue with the Special Use permit. Mr. Paradis explained that the need for a Special Exception is on page 28 of the Zoning Ordinance, Article IV, Section 4.12, C.1.a. The reason is that this is "construction over expansions" and the present condition is 0 height, therefore the new construction will be higher than 1'. After more discussion, the Board concluded that Mr. Paradis was correct.

Mr. Paradis then read Special Use Permits, ARTICLE IX, Section 9.6 – 9.8. He pointed out that this is neither a subdivision nor a site plan in which construction shall not encroach within 50' of a wetland. Ms. Seeler felt that it should fall under 9.6A.3 and the Board continued the Special Use permit process.

Ms. England stated that her Mom is now wheelchair bound and cannot get around the cottage as it is at present. They want to add 2 rooms to accommodate her.

Ms. DeStefano read the abutter e-mail in which they had no objection and an e-mail from the Conservation Commission whose concerns included the need of a detailed drawing, to be sure that the setbacks from Black Brook are met, and the lot size and septic requirements are met.

-2-
Planning Board Minutes
7/10/13

ENGLAND SPECIAL USE PERMIT continued:

When asking for public comments, Janet Cote (representing the Conservation Commission) stated their concern of an appropriate-sized septic (for the number of bedrooms), and Shoreland Protection. Ms. England stated that they are approved for a 3-bedroom septic and will have 2-3 bedrooms. Mr. Paradis said that the Board will need to see the approval.

Mr. Dingman asked how we know if the Conservation Commission concerns are met. Ms. Cote answered that they sign off on Shoreland Protection/Wetland permits, whenever they are applied for. Mr. Paradis asked how large the addition will be and Ms. England stated that it is to be 26' x 30'. Mr. Paradis then read the State law regarding wetlands and said that Ms. England will need to contact DES. Ms. DeStefano asked the Board if we need a better drawing and the Board was fine with the last plan submitted.

Ms. England assured the Board that there will be no additional plumbing in the new section. Mr. Dingman stated that he is willing to grant the Special Use permit with the approval of the proper permits and verification of the septic approval with no more bedrooms than what is allowed.

Alan Barnard, Hebron, asked to speak and mentioned that the Shoreland permit and a Wetlands permit are separate entities.

Mr. Denning asked what specifically the applicant needs at this point. With much discussion, it was felt that she needed a Special Exception from the Zoning Board, DES Shoreland approval, and a copy of her septic approval. It was pointed out to her that the regulations for a Special Exception are in Section 5.4 of the Zoning Ordinance. Mr. Capone volunteered to help Ms. England after her hearing, if she has time.

E. Seeler made a MOTION, second by C. Dingman, to APPROVE A CONDITIONAL SPECIAL USE PERMIT, THE CONDITIONS ARE FOR A DES SHORELAND PERMIT AND AN APPROVED SEPTIC DESIGN. The motion CARRIED.

Ms. England was told the time lines for a Special Exception hearing and that she could come in for a compliance with Planning on Aug. 14. The Board apologized for her inconvenience and felt that the Administration fee could be waived for the Special Exception.

COMPLIANCE HEARING: ALAN BARNARD ET AL

Mr. Barnard pointed out the conditions that the Board had previously required to be placed on the Site Plan/Subdivision plot plan.

C. Dingman made a MOTION, second by E. Seeler, to APPROVE THE SITE PLAN/SUBDIVISION OF MICHAEL CAPSALIS & JOE SANTAMARIA AS PRESENTED BY ALAN M. BARNARD. The motion CARRIED.

Mr. Capsalis stated that the wetlands on lot #1 and 4 may change as he was not getting good water pressure and when he looked into the water lines, he found several leaks that apparently have been running for some time. The leaks were before the meter so Bristol has been losing this revenue for some time. Mr. Capsalis is now correcting this and the area may become much drier.

-3-
Planning Board Minutes
7/10/13

MINUTES OF JUNE 26, 2013:

The following amendments were made: Page 1, 2nd line of the heading, replace "July" with "June". Under Worksheets, last line, replace "NANO" with "nano". Page 3, under New Business, 1st line, replace "IPODS" with "Ipods".

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

WORKSHOP: MASTER PLAN SURVEY

Mr. Dingman stated that he and Mr. Capone met with Nancy and with Mike Izard, LRPC, and he has sent to the Board comments from each. In the packet is also a copy of what we presented to them and also a copy of the survey with changes done from their comments. Some of Nancy's comments were not clear directions so we need to go over these. Once we finalize the survey, LRPC wants to see it again, will do a pre-test, and then we go for the final mailing. This will put us off another month.

The Board then went over the changes and comments not changed with Mr. Dingman. A few were felt should remain as is. Mr. Dingman will speak with Nancy again and tell her what the Board feels and see what she says. We can go over it again on August 14th. Mr. Dingman added that he would like to get together with Mr. Capone for the data base. He will also check the size of the mail card with the post office.

COMMUNICATIONS:

Looked at were a NH Div. Of Historical Resources project review of Ayers Island Dam Resurfacing temporary access road and a NH DOT driveway permit for Elizabeth Buitenbuys.

REPORTS:

Historic District Commission: Mr. Dingman stated that they did not meet as they had no applications. The CLG paperwork is in with the Division of Historic Resources. The data base programming and architectural history is complete. The gentleman doing this work completed 38 properties on Summer St. This included the Old Town Hall and the Old Fire Station. He updated the old properties that we already had and added some new. The Old Fire Station and Old Town Hall are eligible for the State and National Registers. The next step is to do that.

Selectmen: Mr. Denning stated that the main project is Central Square. They hope to start putting in the curbstone tomorrow. After that, the sidewalks will be started. The State did not want the cobblestones for trucks that we had on the plan so a pattern will be stamped instead. This allows room for trucks. Mr. Capone added that the roads will be 2' wider than they are now once the sidewalks are in.

Mr. Denning mentioned that we had a great 4th of July celebration with the parade, movie (though they got a little wet near the end), the fireworks, and the circus. Mr. Dingman stated that the fireworks were spectacular and he feels that everyone is doing a great job on the Square.

Capital Improvements: The secretary stated that they will meet next Tuesday.

-4-
Planning Board Minutes
7/10/13

OLD/NEW BUSINESS: -----

NEXT MEETING: Our next meeting will be Wednesday, August 14th at 7:00 p.m. No applications as yet. We will hold the compliance for Lynne England.

With no other business before the Board, E. Seeler made a motion, second by C. Dingman, to adjourn at 9:05 p.m. The motion carried.

Respectfully submitted,
Jan Laferriere, recording secretary