

PLANNING BOARD MINUTES

May 14, 2014

APPROVED as amended & clarified:

5/28/14_jrl_____

AGENDA: CONTINUED MINOR SITE PLAN: ANSON & GENEVIEVE SMITH,
16 Central St., #114-122
CONDITIONAL USE PERMIT: CUMBERLAND FARMS/CAROLYN
PARKER, 25 Pleasant St., #114-178
PCC: ROSEANNA ANDERSON, Lake St., #112-034

ATTEND: Denice DeStefano (Chairman), Dan Paradis (Vice Chair), Betsy Schneider,
(Sel. Rep.), Clay Dingman, Steve Favorite

ABSENT: Elizabeth Seeler (away)

OTHER: Michael Capone (Town Administrator)

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

CONTINUED MINOR SITE PLAN: ANSON & GENEVIEVE SMITH

The last requirement for Mr. Smith was for permission from the Selectmen for parking spaces. As they are still working on this, there was a discussion as to how many spaces are needed. It was determined that he would need 5 spaces. Mr. Capone stated that the lease document would place the parking spaces in the lot on Central St. Mr. Smith thought he was grandfathered and Ms. DeStefano explained that something that never existed cannot be grandfathered. Mr. Dingman added that, originally, the plan was for 2 apartments and 2 commercial spaces but has been changed to 4 apartments. This requires 5 parking spaces. Mr. Smith asked if this can be conditionally approved.

C. Dingman made a MOTION, second by S. Favorite, to **CONDITIONALLY APPROVE THE APPLICATION FOR ANSON & GENEVIEVE SMITH. THE CONDITION IS THE SUBMISSION TO THE PLANNING BOARD OF A SIGNED COPY OF THE LEASE WITH THE SELECT BOARD FOR 5 PARKING SPACES.** The motion **CARRIED.**

CONDITIONAL USE PERMIT: CUMBERLAND FARMS/CAROLYN PARKER

The Board looked at the paperwork submitted to determine if they have a complete application. S. Favorite made a MOTION, second by C. Dingman, to **ACCEPT THE APPLICATION AS COMPLETE.** The motion **CARRIED.**

Ms. Parker explained that this is to install two (2) LED pump toppers with “Smart Pay” alternators. She would like these set at a change of numbers every 8 seconds. She then showed the Board a phone video of similar pumps. She added that the signs dim as it gets darker out.

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PARKER CONDITIONAL USE PERMIT continued:

Mr. Paradis felt that this falls under Article IV, Section 4.11 (D) 2. He asked if they had considered liquid crystal instead of LED. Ms. Parker answered that she knows nothing about liquid crystal and they only deal with LED. Mr. Dingman stated that they are part of the pump and Ms. Parker stated that she has never heard of them. Mr. Dingman asked if her point is to gain attention to the pumps. She answered that it is just to show the change of price. Mr. Dingman mentioned that the traffic speeds are slow in that area.

Mr. Paradis read Section 4.11 (E) which addresses lighting. Ms. Parker felt that the special circumstance, in her case, is that this is a gas station. She feels that they meet all the criteria. Mr. Paradis stated that they are open 24 hours and need to be looked at. Ms. Parker stated that it is also a safety feature so that the employees do not have to physically go out and change the figures. Mr. Paradis said that he feels that LCD (liquid crystal) should be looked at.

Ms. DeStefano addressed the points that are looked at for a Conditional Use permit. Some of the Board felt that it does affect the neighborhood. Ms. Schneider mentioned that, due to the lights over the pumps, the LED will not stand out. Ms. Parker stated that the lights over the pumps shine down and that N.H. regulates the LED signs. This will be an improvement. Mr. Dingman corrected Ms. Parker's statement in that the State requires 2 out of 3 signs only: one on the pump and one on the large sign. These are already there.

Mr. Paradis mentioned that, if this is allowed, than other businesses in the area will want the same. We want to avoid a "Las Vegas" look.

Ms. Parker stated no-one has ever brought up LCD lights to her before. Mr. Dingman stated that it is to diminish light pollution. He added that a lesser solution would be worth looking at. Mr. Paradis added that we are to protect the scenic views and character in our rural area. Mr. Favorite stated that we have Open and Closed signs that are red in color as well as banners on buildings. He feels that these are not flashing and not noticeable. You almost have to be on top of the pumps to see them. Ms. Parker added that she cannot ask for something that she has never heard of. Mr. Favorite feels that the only concern would be for the large light, which is under the ZBA. Ms. Parker felt that the ZBA may approve the pumps but not the sign.

S. Favorite made a MOTION to APPROVE THE LED PUMP TOPPERS. There was no second given.

Mr. Paradis stated that he needs to be assured that it will not be too bright at night. Ms. Parker added that they dim at night. She has only once known of a problem when they did not dim. She felt that the Board could approve these and check again in a few months as to how bright they are.

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PARKER CONDITIONAL USE PERMIT continued:

S. Favorite made a MOTION to APPROVE THE LED PUMP TOPPERS THAT WILL DIM AFTER HOURS WITH THE CONDITION THAT WE ARE TO CHECK ON THEM WITHIN 90 DAYS. No second was given.

Ms. DeStefano asked who would determine this. Mr. Dingman felt that it is too objective. Mr. Paradis would prefer to continue this case and have them look into LCD. Ms. Parker stated that they do not have LCD pump toppers that she knows of, only LED.

S. Favorite made a MOTION to CONDITIONALLY APPROVE ON AN AGREEABLE DIM LIGHT. Again, no second was given.

Mr. Dingman would like to consider a continuation and the Board to see something to compare to.

S. Favorite made a MOTION to TABLE THE DECISION UNTIL THE BOARD GOES TO SEE, AS A GROUP, ONE ALREADY IN USE (Such as in Tilton or Meredith). It was mentioned that “as a group” would be considered a meeting and would need the secretary to be in attendance. Mr. Favorite dropped his motion.

After making a phone call to Cumberland Farms, Ms. Parker still insisted that they only do LED lights. Mr. Dingman stated that they can just deny the application unless the applicant can address some of our concerns. Ms. Parker stated that the LED lights dim and they have them all over the place. She has never been denied. She added that she is willing to meet with the Board to show them some that already exist. Ms. DeStefano asked for a motion to table the case until Ms. Parker can have a site with a manager to show the Board the automatic change and the dimmed setting.

C. Dingman made a MOTION, second by E. Schneider, to TABLE THIS CASE UNTIL MS PARKER CAN SET UP A SITE, WITH A MANAGER, TO SHOW THE AUTOMATIC CHANGE AND THE DIMMING SETTINGS. The motion CARRIED.

Ms. Parker will let the secretary know when she has the arrangements made. It was thought that this should be after dark and only 2 members of the Board will go at a time.

PCC: ROSEANNA ANDERSON

Ms. DeStefano explained that a PCC is not binding on either the applicant or the Board, etc.

Ms. Anderson stated that this is at 365 Lake Street. The Amazing Grace Fellowship meets there and would like to have a Thrift shop downstairs 2 days a week.

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ANDERSON PCC continued:

Mr. Paradis asked what is there now. Ms. Anderson answered that it is a walk-out basement and they use it for storage, at the moment. They would add a sign under their current sign to advertise it. On the second floor, they have a meeting room, bath, and the Pastor and his wife live there. There is another apartment on the top floor.

Ms. DeStefano asked about parking and was told they could hold about 40 cars. Ms. DeStefano then read the requirements for a Site Plan. This did not seem to fit into this criterion. Mr. Dingman asked if this would only be open a couple of days a week and Ms. Anderson thought just 2 or 3 days as the attendants are all volunteers. Mr. Dingman asked if the Thrift Shop would be open when Church is in session and was told that it would not. Ms. Anderson added that they have 50 seats in the meeting room.

Ms. DeStefano looked at a previous Variance given in which there were 33 parking spaces allowed for 4 businesses and one apartment there. Ms. Anderson also stated that they will have no additional lighting. The Board then stated that she will only need a sign permit.

MINUTES OF APRIL 23, 2014: The following amendments and clarifications were made: Page 1, under The Rumor Mill, 2nd paragraph, 2nd and 3rd line, replace “criteria” with “criterion”. Last line, replace “#3” with “Section 8.3C” Page 2, 4th paragraph, 2nd line, before “guidelines” insert “Design”. Page 3, last paragraph, 4th line, delete “)”. 9th line, replace “have” with “ask”, remove “here” following “LRPC” and following “about5” insert “cost or to help with”. Last line following “section” insert “and Dan Paradis will review”. Page 5, 1st paragraph, 2nd line, following “Resources” and deleting “in regard to” and insert “for a CLG grant for putting”. Delete the last line of that paragraph. 2nd paragraph, 1st line, following “updating” insert “repair estimate”. Under “OTHER”, 2nd paragraph, 2nd line, following “being” insert “a” and in the 3rd line, replace “Historic District” with “National Register”.

C. Dingman made a motion, second by D. Paradis, to approve the minutes of April 23, 2014 as amended. The motion carried with one abstention.

COMMUNICATIONS: Mr. Dingman took the copy of The Source to read. The Board was also invited to attend the LRPC 2014 Annual Meeting to be held June 16th.

REPORTS:

HDC – Mr. Dingman stated that they met last night and had a PCC on the Rollins block in the Square. It will require a Certificate of Approval or no changes should be made to the front of the building. Also, Mr. Dingman stated that a grant application has been completed for the Old Town Hall to be placed on the National Register.

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REPORTS:

SELECT BOARD: At some point, Mark Bucklin, Highway Superintendent, and Mr. Capone will do a change on road standards to present to the Board. They are also to do a second hearing on Safe Routes to school at their next meeting on May 22nd at the Fire Station.

CIP: Not meeting this month.

OTHER:

Mr. Favorite stated that he attended the annual conference and there are changes to State regulations for cell towers. Additional racks may be added and there is a placement change. Mr. Favorite was impressed with the presentation on color added to plans. He added that they stress getting the plans ahead of time for this. Mr. Favorite also mentioned that Industry is down though exports are up in NH. Building permits are way down, he added.

NEW BUSINESS:

Mr. Capone mentioned that another new addition for gas stations is to install T-V's over the pumps.

NEXT MEETING: Our next meeting will be held Wednesday, May 28th at 7:00 p.m. There will be a public hearing on Architectural Standards, followed by a Workshop on parking and on the Master Plan (with Mike IZARD help).

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

Respectfully submitted,
Jan Laferriere, recording secretary