

PLANNING BOARD  
November 12, 2014

**APPROVED as amended & clarified:**

12/10/14\_\_jrl\_\_\_\_\_

AGENDA: PCC: EUGENIO IANICIELLO, Lake St., #216-021  
PCC: JOSH HILL, Peaked Hill Road, #222-006  
PCC: ALAN BARNARD/WARING COTTAGES, Waring Road, #109-063  
WORKSHOP

ATTEND: Denice DeStefano (Chairman), Dan Paradis (Vice Chair), Debbie Denning, Clay Dingman, Steve Favorite, Betty Seeler

ABSENT: Betsy Schneider (Selectmen's Rep. – conflict)

OTHER: Public, Sandra Heaney (representing Conservation Commission), Michael Capone (Town Administrator)

The meeting opened at 7:00 p.m. with a quorum. Ms. DeStefano explained that a PCC (Preliminary Conceptual Consultation) is neither binding on the applicant or the Board but that the Board will give their answers to the best of their ability based on what is presented.

**PCC: EUGENIO IANNICIELLO**

Mr. Ianniciello stated that the property is at 861 Lake Street. There is one big space on the bottom floor and he had a tenant upstairs (2 bedroom, 2 bath). He has met with the Fire Chief and the Town Office folks. He is taking out one window and a doorway. He is using the same footprint. When asked about lighting, Mr. Ianniciello stated that he is putting in a 4-car garage and put conduits underground with residential pole lights. He will keep the existing lights (four on the front of the building) but has added 3 LED lights for the stairs. Mr. Favorite asked about inside walls and was told that he put up a wall to divide the bottom floor so as to have 600 sq. ft. to each side.

Mr. Paradis stated that he would need Site Plan but it might be a Minor. Ms. Seeler asked the type of lights and was told that they are gooseneck instead of the street light that was there. The Board stated that he would need Site Plan, going from 2 to 4 units. Mr. Ianniciello stated that it is 3 to 4 units. Ms. DeStefano stated that it still triggers Site Plan. She then read the requirements for a Minor Site Plan (Page 34B in the regulations). The Board felt that it falls under this. Mr. Dingman asked about the building in back and the paving. Mr. Ianniciello stated that the paving was existing, just redone, and there is just a pad for the garage as yet but he hopes to get that built soon. Mr. Favorite asked how large the lot is and was told that it is a little over an acre and that he has all of the right permits.

E. Seeler made a MOTION, second by D. Denning, to ALLOW MR. IANNICIELLO TO DO THIS AS A MINOR SITE PLAN. The motion CARRIED.

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PCC: JOSH HILL

Mr. Hill stated that his property is at 25 Peaked Hill Road. He has been composting from his own scraps and would now like to sell compost. It is an aerobic process. The Health Officer has been out to see him and felt that the only concern might be odors. Mr. Hill would only do 200 yards at a time to keep the odor down. He has an existing water supply and will use the DES process.

Mr. Paradis asked what District he is in and was told that it is Rural. Mr. Hill added that he hopes to attain an AA classification. The Board felt that this comes under the allowed use of Agriculture and Home Occupation. Ms. Seeler asked about the odor and Mr. Hill explained that Nitrogen causes it but is reduced as you turn the materials. It is a 30 to 1 ratio. Mr. Paradis stated that this probably comes under ornamental greenhouse products in the Agriculture definition. Mr. Dingman was okay with it as long as he safeguards the odor for the neighbors. Mr. Favorite asked what materials he uses and Mr. Hill stated that he does grass clippings, organic home food scraps, leaves, and wood chips. Mr. Paradis felt that chipping wood could be noisy and Mr. Hill said that he collects the brush and only chips every once in a while. He added that he has spoken with Ashley Dolloff (a neighbor) who advised him to come and talk to this Board. The Board then told Mr. Hill that he was good to go but to watch the smell.

PCC: ALAN BARNARD/WARING COTTAGES

Mr. Barnard stated that he is representing George and Ann Bennett who are buying the property from the Warings. The Bennetts wish to convert to Condominiums. The Waring family built the area over the years. The cottages shown in brown are year-round. They wish to change the 4 white cottages, combining 2 on each side; 4 into 2 as single units. Mr. Barnard acknowledged that they will need the NHDES permits, a Subdivision, and the Shoreland Quality for the 50' setback. They also wish to build a storage building up by West Shore Road. There are underground utilities. The question is whether they need a Special Exception, Special Use Permit, and/or a Variance. The Board looked at page 29, D of the regulations. It was felt that a Variance would be needed for the 4 cottages turning into 2 (still within the shoreline setback). Mr. Barnard asked if there is a possibility of a joint hearing of the Planning Bd. and Zoning Bd. Ms. DeStefano will speak to the ZBA Chairman about this.

Mr. Barnard stated that Bruce Barnard and Matt (both present) will work on the DES portion. There is a hydrant right there next to the property, he added. There is an easement for Mayhew Island next to this property. When asked, Mr. Bennett said that they wish to make the cottages more conforming to each other and to landscape the lot. Mr. Barnard stated that he is not sure if the Water Dept. will be affected. He would like to do the Variance in January.

Mr. Dingman stated that the Conservation Commission should probably be notified. It was explained that this is not under the regulations to be brought to them (unless a Special Use Permit is needed). They will be notified by a copy of the DES permit. When asked if there is a brook on the property, Mr. Barnard stated that there is not.

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PCC: BARNARD/WARING continued:

Sandra Heaney (representing the Conservation Commission) cautioned that they need to keep in mind the setback from the neighboring brook when they redo the 4 white cottages. Mr. Barnard stated that he would see that the Conservation Commission gets a copy of the DES application. The Warings and Mr. Barnard were thanked for the depictions that they submitted which made the intent easier to picture.

PCC: RON VARY

Mr. Vary stated that he is purchasing 71 Bristol Hill Road which has 1.2 acres. He would like to subdivide it into 3 lots but some of the property is over 15% slope. There is a well and septic system there with an old mobile home which he would demolish and replace with a double wide. If he cannot divide into 3 lots, he would like at least 2 lots and place a modular home on the second lot. Mr. Dingman stated that he would need a topo. Map in order to see if there is enough area for this. Mr. Paradis pointed out that he should look at page 30 of the Zoning Ordinance, Section 4.17. Mr. Dingman mentioned that, for the slope, he might go to caltopo.com. Mr. Vary also mentioned that he does not know what is below ground either. These are all things that he must work out. He noted that there may be a problem with a 2<sup>nd</sup> driveway and he might have to have a shared drive. The secretary told him that he should see Highway Superintendent, Mark Bucklin, about that. Mr. Vary was going to need to do a lot of research and figuring and will come back to the Board if he plans on continuing.

#### DISCUSSION OF NEEDS FOR THE WARING CASE

Ms. DeStefano asked the Board what they thought about a Special Exception or a Special Use Permit for this. The Board ruled out Special Exception. They agree that a Variance is needed for setbacks and a Subdivision is needed to make them Condos. Mr. Paradis pointed out D. on page 29 of the Zoning regulations again. Mr. Dingman wants the Conservation Commission to be involved.

Ms. DeStefano stated that a Subdivision and Variance is needed and that she would check with the Conservation Commission as to whether or not they feel that a Special Use Permit is needed. She will also check into the possibility of a joint hearing.

#### MINUTES OF OCTOBER 22, 2014:

The following amendments and clarifications were made:  
Page 2, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> line, replace "Seeler" with "Schneider". Page 3, under Possible Site Plan/Subdivision changes, 1<sup>st</sup> line, following SECTION V, insert 5.10. Page 4, 1<sup>st</sup> paragraph, change "this to All new free-standing construction" to read "the definition would be of a new free-standing structure as defined in this ordinance and under new construction." and in the motion, following "Free-standing" insert "to the definition". Under New Addition to Section 8, 1<sup>st</sup> line, following "provisions" insert "as well as other changes made to an approved Site Plan". Under Section V: C and G.4, 5, & 6: following "V" insert "5.10.

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E. Seeler made a motion, second by C. Dingman, to approve the minutes as amended. The motion carried with 1 abstention.

It was noted that the Subdivision/Site Plan changes could be continued as we have a long agenda planned for Dec. 10<sup>th</sup>.

**COMMUNICATIONS:**

DES applications were looked at for Scott & Deborah Oglevee and for Joe Santamaria. A copy of the request for extension by the Conservation Commission to DES regarding Dollar General was looked at as well. Mr. Dingman took the copy of The Source to read. An e-mail from Land Use Officer, Al Defeo, was received with his explanation as to what is going on at Swiss View.

**REPORTS:**

HDC: -----

SELECTMEN: Working on budgets.

CIP: Done for the year.

**NEW BUSINESS:**

A question has come up while setting up the 2015 Planning Board schedule: the first November date is on Veteran's Day. The Board determined that they would like to meet on Nov. 18<sup>th</sup> instead as the 2<sup>nd</sup> meeting date will be canceled due to the Thanksgiving holiday. The secretary will see to this.

**OTHER:**

Mr. Dingman was concerned that the Architectural Standards (HDC) are not on the web.

Mr. Dingman mentioned that we have just 65 days to make a decision on a Site Plan once it has been accepted as complete. He would like the Board to review and extend as far as possible so as to be sure we have everything that we need. He asked if a PDF file of the drainage plans and plan for Dollar General might be asked for as the small plans are too hard to read. The Chairman stated that she plans on coming in and taking everything to this Conference Room so as to determine everything. A discussion followed as to the possible hiring of a professional planner, a professional engineer, and/or have the town attorney attend as they have a whole entourage with them.

Mr. Dingman also mentioned the hostile take-over of the Family Dollar by Dollar General or Dollar Tree. He also noted that we might need to look at regulations concerning medical marijuana. Ms. Seeler read minutes from 2013 where we talked about looking at pawn shops in our regulations.

With no other business before the Board, Ms. Seeler moved to adjourn at 9:17p.m.  
Respectfully submitted, Jan Laferriere, Recording Secretary