

PLANNING BOARD
July 22, 2015

APPROVED as amended & clarified:

jrl_____

AGENDA: WORKSHOP – PROPOSED ZONING AMENDMENTS
 MEET WITH AL DEFEO, LAND USE OFFICER

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

ABSENT: -----

OTHER: Michael Capone (Town Administrator), Al Defeo (Land Use Officer)

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

MINUTES OF JULY 8, 2015: The following amendments and clarifications were made:
Page 3, 1st paragraph, first line, delete “explained that she” and 3rd line, delete “pipe” and
replace with “lot line in question”. Last paragraph, 4th line, replace “They are” with “HDC is”.
Last line, replace “Energy” with “Utility”. Page 6, 1st paragraph, 6th line, following “over”
insert “town, but she sleeps well knowing the Board” and delete “but they do not affect her
sleep. The Board”. 7th line, delete “and still” and replace with “to still”. Last line, replace “are”
with “is”. 2nd paragraph, 1st line, replace “one” with “them”.

E. Seeler made a motion, second by D. Denning, to approve the minutes as amended. The
motion carried.

WORKSHOP:

Ms. DeStefano asked the Board about proposed Zoning Amendments and listed the following:
Grandfathered/Lapsed Use – Mr. Paradis suggested we use Bernie Waugh’s answer, which he
had e-mailed to the Board. He added that he would understand a grandfathered mobile home,
for example, which had been abandoned and left empty but was not sure that he would feel the
same about the ice cream take-out and restaurant. Mr. Dingman volunteered to research this and
report back to the Board.

Sign Ordinance – This is to deal with the ground-mounted signs that Mike Capsalis brought
before the Board. Ms. DeStefano read a section for the e-mail that Mr. Capsalis had sent. Mr.
Dingman stated that the concern is to have no pollution upwards. Mr. Favorite added that there
should be no pollution sideways, also. Mr. Dingman felt that we’ve already covered that part in
our Ordinance.

-2-
Planning Board Minutes
7/22/15

WORKSHOP continued:

Free-standing Solar: Mr. Paradis will research this one.

Dark Skies: Mr. Dingman feels that we need to look at this section of the Ordinance again and he will look into it.

Non-conforming ridge-line increases: It was felt that something needs to be clarified here as it includes cases where the roof needs replacing but has to go higher in order to meet the State building codes. Mr. Paradis suggested that we make this a Special Use permit instead of a Special Exception. The Board agreed.

Parking: Mr. Paradis felt that we need to look at other towns. Mr. Dingman stated that he is fascinated by this subject and is willing to look into it. Mr. Capone mentioned the Central Street problem of a need to supply special permission from the Selectmen for parking spaces for upstairs tenants in the Downtown Square area. Ms. DeStefano felt that this will take a lot of research and may take a couple of years. She added that it would be helpful to get public input and also from the downtown businesses. Mr. Capone volunteered to share on this with Mr. Dingman.

Others: Ms. DeStefano asked what other concerns there might be. Ms. Denning stated that we need overall direction for the public. Ms. DeStefano said that the Downtown Economic Development Committee is working on something. Mr. Manganiello mentioned a Rick and Robert example being used. Mr. Capone stated that Christina Goodwin (Assessing Assistant) and Mr. Defeo are working on a checklist that will have links.

Ms. DeStefano mentioned that we had talked about what districts Garage/Repair Shops should be in. Also to look at Alternative Treatment Center. Mr. Capone stated that he has some information on this and will send it to the Board. Mr. Manganiello stated that Bristol is the lowest town in Zone 4 which is allowed one center.

It was thought that we might want to revisit Steep Slopes. Mr. Favorite mentioned that density is being looked at more now. Rules are being put in to hold down large density but does not restrict it. It regulates how many units are allowed in an area. It also has to be in the Master Plan. The Board felt that it should come under our Land Use section that we are working on.

Mr. Dingman brought up the issue of whether or not the Planning Board can reduce parking 25% even after the reduction done by a Variance. As he understands the answer that we got, we can if it doesn't go against the Ordinance. Ms. Seeler asked what the point would be for having a variance if that is the case. The Board agreed and Mr. Capone stated that he can look into this further. Mr. Paradis felt that, for now, the ZBA needs to understand that this could happen as the Ordinance reads now. A discussion followed and everyone felt that it is not clear whether or

-3-
Planning Bd. Minutes
7/22/15

WORKSHOP, PARKING VARIANCE continued:

not we can reduce further when a variance has already done so. Mr. Capone will try to get an answer before August 4th when the ZBA has such a variance coming before them.

REPORTS:

HDC – Did not meet; no quorum.

SELECTMEN – The Selectmen are holding a public meeting with surrounding Selectmen tomorrow. It will be held at the Old Town Hall at 6:00pm. Also, there is an issue brought to them by Ian Schaefer involving Jeffers Road. An individual is encroaching on the grassy area. The Board felt that this is a civil matter. Mr. Dingman added that they are also creating a bottleneck at the curve. It is a town road and the Board felt that perhaps Mr. Bucklin (Highway Superintendent) should be involved.

CIP Committee – They met last night and received just one new request which is for replacing the relay tower on Hemphill Rd. The replacement request is not for next year. Also, Bill Cote is setting up tours of the Departments and some questions need answers. It is felt that the Police Station is too preliminary at this point for the committee to deal with.

WELCOME: Mr. Defeo was welcomed and asked if he has any specific problems. He stated that he has seen a big change since coming on board. People are now aware that he is here and are even stopping him on the street to ask questions. He checks on jobs as they progress. He recently received a call about an Arrowhead Point property in which they want a free-standing solar panel. Mr. Defeo is treating it like fences. As to solar on roofs during new construction, Mr. Defeo was looking for direction. Mr. Capone added that these are not flush and tilt. The Board discussed this issue and determined that the overall height must stay within the 35’.

Ms. DeStefano asked if there is anything that the Board can do to help make his job easier. Mr. Defeo felt that his biggest issue is having no teeth. He can apply fines but then it can go to court. Mr. Capone stated that e-mails documenting cases helps. He added that the four of us in the office (Mr. Defeo, Ms. Goodwin, the Planning secretary, and himself) are working to make things better.

Ms. DeStefano then had a request for Mr. Defeo and Ms. Laferriere: that dates and conversations with the Parkhurst/Creamery situation be followed up with e-mails. The reason for this is that she has seen on Facebook this week that Ms. Parkhurst has posted wanting folks to attend our meeting and to petition us in regard to her case. Mr. Defeo stated that he has sent her a letter on spending less than \$600.00. and Ms. Laferriere has also sent a letter with what Ms. Parkhurst needs, as well as phone calls and meeting with her. It was noted that we need documentation on cases.

-4-
Planning Board Minutes
7/22/15

WELCOME continued:

Mr. Favorite brought up the issue of the Purple Pit off-premises sign. Mr. Defeo stated that he is composing a letter about off-premises signs and will hand deliver it. Mr. Favorite then mentioned the banner sign on the Gold shop. Mr. Defeo stated that the owner told him that he will take it down. Mr. Defeo also told the folks next door that they should see the HDC. It was noted that both should see HDC.

Mr. Defeo stated that he looked into the Landscape sign with Woody and was told that this is another business owned by them and booked out of that office. Ms. Seeler stated that this makes it a second business and is not allowed. They need Site Plan. Mr. Defeo stated that this is what our secretary told him.

Mr. Paradis mentioned that there are signs at Moody Landing as well. Mr. Defeo added that he sent a letter to Mr. Shackett about his Real Estate sign at his store.

Mr. Capone stated that we shall work on doing a paper trail and shall probably have to try a lot of things first for improving communications. Ms. DeStefano felt that having Mr. Defeo visit us with any issues he has will help. Mr. Defeo was thanked for coming in and for all he is trying to do.

NEXT MEETING: Our next scheduled meeting is August 12th. As there is no agenda, it was felt that we should cancel this one and meet again at our Workshop meeting on August 26th at 7:00pm. Ms. DeStefano will check to see if Lakes Region Planning Commission will be able to attend.

QUESTION: Mr. Capone stated that he received a call on the Hanser property as to what is legal to rent. He believes it to be the cottage (grandfathered) and the 2-bedroom apartment over the garage. Mr. Capone and Ms. Laferriere researched our files today and he feels that the grandfather status is lost due to all the changes that have occurred. Ms. Seeler and Mr. Favorite both stated that there was never an apartment over the garage to come to this Board. The Board concurred that the grandfather status is probably lost.

With no other business before the Board, E. Seeler moved to adjourn at 8:20pm.

Respectfully submitted,
Jan Laferriere, recording secretary