

PLANNING BOARD MINUTES  
Old Town Hall  
September 13, 2017

**APPROVED as amended & clarified:**  
9/27/17 \_\_jrl\_\_\_\_\_

**AGENDA:** 17SPR03, CONTINUED SITE PLAN: TURNER COTTAGES LLC, Batten Rd., #103-032  
17MSPR03, MINOR SITE PLAN: ALAN & DENICE DE STEFANO, 370 Lake St.,  
#112-059  
PCC: ALEX MOODY, 28 Central Square, #114-095

**ATTENDING:** Denice DeStefano (Chairman), Clay Dingman (Vice Chairman), Bob Curtis, Steve Favorite, Dan Paradis, Betty Seeler

**ABSENT:** Paul Manganiello (Sel. Rep., conflict), Brian Howe (Alternate, excused), Sashesh Mani (alternate)

**OTHER:** Liz Kelly (Bristol Planner), Christina Goodwin (Bristol Assessing Assistant/Land Use Adm.), Peter Daniels (Bristol Land Use Officer), applicants, public

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

**CONTINUED SITE PLAN: TURNER COTTAGES LLC**

Ms. DeStefano read the letter from the applicant which asks for a continuation to November. She then read an abutter letter asking that the hearing be continued until February as he will be out of the country in Nov. It was explained that, once we accept the application as complete, the 65 day clock starts. There are only 3 ways in which that clock can be changed: the applicant asks for a continuation, the Board and the applicant can do so, or the Board can ask the Selectmen or Town Attorney for a 90 day extension. Ms. Goodwin explained that the NH Municipal Association only pointed out the request of the Select Board. Mr. Dingman stated that we often have been continued even further.

C. Dingman made a MOTION, second by E. Seeler, to CONTINUE THE HEARING OF TURNER COTTAGES LLC TO NOVEMBER 8, 2017 AT 7:00P.M. HERE IN THE OLD TOWN HALL. The motion CARRIED.

Deborah Richard asked if we meet in December and was told that we do.

**MINOR SITE PLAN REVIEW: ALAN & DENICE DE STEFANO**

Ms. DeStefano stepped down and Mr. Dingman took over. Ms. Laferriere read the application, abutters notified, where the hearing was noticed, and stated that there were no telephone calls or written notices received nor any comments from the Department Heads. It was noted that Alan Barnard was authorized to represent the applicants.

Mr. Barnard stated that there are two apartments there now. The applicants wish to add a 3<sup>rd</sup> unit of 690 sq. ft. over the garage and breezeway. The parking is calculated at 9' x 18' as previously allowed. They need 1200 sq. ft. for this and have 1246 sq. ft. They have put drainage in and it is working.. They

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**MINOR SITE PLAN: DE STEFANO continued:**

wish to add a dormer in the new unit for added light. Mr. Barnard presented photos and the checklist was gone through.

E. Seeler made a MOTION, second by B. Curtis, to ACCEPT THE APPLICATION AS COMPLETE. The motion CARRIED.

Mr. Barnard explained that he added the Bianchi Trust as an abutter on the plan. There were no Board questions at this time.

David Marshall, abutter, asked to see the photos that had been submitted. He stated that, with the trees removed on the DeStefano property, there is a lot more noise. Mr. Gempka, another abutter, agreed. Mr. DeStefano stated that they only removed the timber that endangered the building (10 or 12 trees). The stubs are still there to help maintain the hill. They have done a drainage swirl, as well. The proposed dormer will face Franklin Savings bank. Again, Mr. Marshall stated that he is concerned about the noise. Mr. Barnard mentioned that there is a 6' to 8' wall still there, along with some green. Mr. DeStefano feels that there is little additional noise. Mr. Marshall said that some of the trees removed were hardwood. Mr. Dingman suggested that the applicant might work something out with the abutters. Mr. DeStefano felt that the one bedroom addition will not create that much noise. Mr. Gempka suggested that they do as he has and plant some lilacs along the boundary.

B. Curtis made a MOTION, second by E. Seeler, to APPROVE THE MINOR SITE PLAN FOR ALAN AND DENICE DE STEFANO. The motion CARRIED and the plans and Notice of Decision were signed.

**PCC: ALEX MOODY**

Ms. Goodwin stated that they have decided to go with the permitted signage on the front and not do any neon signs. In that case, she told them that they did not have to come before the Board. Mr. Dingman stated that it is under the Planning Board purview for internally lit signs; that the HDC only looks at the paint on a sign. Ms. Laferriere mentioned that two previous sign cases on this building and on the Presidential Grille building were handled by the HDC. The Land Use team would like to have the Board consider revamping the language for 4.11,E.

Ms. Seeler asked if the vape shop is an allowed use and Ms. Goodwin felt that it falls under Retail to Retail. Ms. DeStefano brought up an e-mail from Mr. Manganiello about the Select Board's work on no smoking in the Square. Ms. Goodwin explained that not all of the Selectmen are in agreement on this. It may be that you cannot stand and loiter while smoking but you would be able to walk through. This is for any tobacco products.

**MINUTES OF AUGUST 23, 2017**

The following amendments and clarifications were made: Page 1, heading, replace "Old Town Hall" with "The Town Office". Under Workshop, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> line, following "sentence" insert "of 4.11, D4". 4<sup>th</sup> line, following "all the time" add "electrically or electronically". Page 2, 2<sup>nd</sup> paragraph, insert "considered" following "figures are not". Under Article lii, change to read "Article III". Page 3, first paragraph, 2<sup>nd</sup> line, replace "anw" with "and" and line 3, remove "8" from "building". Under Kennel, last

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line, change “further in the main text” to read “further detail in the ordinance”. Last paragraph, 3<sup>rd</sup> line, before “expansion” insert “lounge”. 6<sup>th</sup> line, following “Minor Site Plan insert “for the patio” and at the end of that line, add “lounge”. Page 5, under Land Use, last line, replace “which” with “this”

C. Dingman made a motion, second by S. Favorite, to amend the minutes as stated. The motion carried.

**COMMUNICATIONS:**

There was an invite to the 2017 NH Sustainable Forestry Initiative Field Day, an invite to the NH Extension Wildlife Habitat Workshop, and an e-mail from the Town Administrator inviting all to the Newfound Housing groundbreaking.

**REPORTS:**

**HDC** – The HDC met with two PCC’s. The first was the Vape shop sign which was discussed earlier tonight. The second was with Mr. Goodrum for the changes he has made to his building’s front. Mr. Goodrum was upset and felt that he had been given permission to do this back in January. It was originally permission for maintenance. The insurance company required the change. Mr. Goodrum will come in for a CoA in January after he finishes buttoning up for the winter.

**Selectmen:** -----

**CIP:** -----

**Land Use:** Ms. Kelly would like a list from the Board at the next workshop to tell her what they would like her to do to help the Board. Whether they need her to help with the Zoning amendments, to provide recommendations, and the like. At that workshop, Ms. Kelly feels that she will have a recommendation for Kennels for them. It will include a memo of what other towns have as well as the State laws.

Mr. Paradis stated that he has been assigned the solar issue. The former OEP now OSI) has recently stated that they are hiring to get a model for the towns. Mr. Paradis asked if the Board wants him to wait to see their model. Ms. DeStefano felt that there is no great desire to get this done before that.

Ms. Kelly asked about getting these done by November (as stated in an earlier meeting). A discussion of the schedule followed. Ms. DeStefano stated that she will send out a reminder.

The Board’s wish list was brought up again. Ms. DeStefano felt that applications received is a big problem. Perhaps a one page information sheet could let the abutters know what their part is. It was felt that this could be included with the notice of the hearing. Mr. Dingman added that there might be something to make sure that the process is in place and everyone is given what they need to know. Ms. Kelly felt that this is a high priority.

Ms. Goodwin mentioned a property at the lake where the owner wishes to replace a 26’ x 48’ cottage with a 28’ x 48’ cottage. DES is okay with this except that they want it moved back 3’ from the water. A

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**LAND USE continued:**

discussion was held as there are two grandfathered residences on the property now. The change could cause them to lose the grandfathered clause and they would need subdivision. Ms. DeStefano felt that they could cantilever the addition in order to keep grandfathering. Mr. Dingman felt that they could go for a Variance and claim hardship as DES is requiring them to move back. Mr. Paradis mentioned that expansion could be allowed and then remembered that he had forgotten to consider it being two structures on the property. Ms. DeStefano felt that they might not be able to claim hardship as she is aware of the property and that cottage is not falling down. She did not know if there is a foundation problem, however. Ms. Goodwin said that it seems to come down to a variance as DES is forcing the move, or build in the same footprint, or connect the two buildings.

Ms. Goodwin stated that the team is looking at registering businesses. They would sit with them and go over needs/regulations/etc. before they open. There would be no fees involved but would get everyone on the same page.

Ms. Goodwin mentioned that there is no horse on the property spoken of earlier. The dogs are still there. The owner has been told that, to have the horse, she would need a variance or a boundary line adjustment that would give her the required acreage to have a horse.

**WETLAND ORDINANCE:**

Mr. Dingman had presented a draft of this ordinance which has two changes. Ms. Seeler stated that she is okay if the Conservation Commission is removed but only if the town says it is okay. Mr. Dingman stated that the Commission feels that they don't do it now and are okay with removing it. Ms. DeStefano felt that, once the ordinance changes are approved, she would like to have Ms. Kelly do the language for the ballot. It was pointed out that the two changes are for 9.3 and 9.4A & B. Ms. DeStefano was okay with both. Mr. Paradis questioned the 9.3s definition. Mr. Dingman stated that a buffer is as an addendum. It is a quick fix. This was felt to be okay.

E. Seeler made a MOTION, second by B. Curtis, to MOVE 9.3 TO PUBLIC HEARING. The motion CARRIED. C. Dingman made a MOTION, second by E. Seeler, to MOVE 9.4 TO PUBLIC HEARING. The motion CARRIED. The public hearing date is yet to be determined.

**NEW BUSINESS:**

Mr. Dingman would like to see the Board write a letter of support for the multi-use path basing it on the Master Plan. Ms. Kelly stated that the Town Administrator sent out a couple of samples and Mr. Dingman said that he would be happy to write a draft letter. Mr. Paradis mentioned that he might add that it is also based on the Charrette we had. Ms. Kelly said that she is willing to help Mr. Dingman.

Mr. Dingman then brought up the issue of getting engineers to send plans in digitally. We could give people that option and add it to the Site Plan/Subdivision regulations. Ms. Goodwin stated that she is pushing for document storage. She hopes that we can scan them to save. Mr. Dingman felt this to be a great idea. He has been doing it for 20 years himself.

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**NEW BUSINESS continued:**

Ms. Goodwin mentioned that Kelley Park would like to do a Charrette. They need a letter of support from the Planning Board and the Selectmen. Alan Barnard has done the survey.

**NEXT MEETING:**

Our next meeting will be held Wednesday, Sept. 27 at 7:00p.m. It will be a workshop meeting. Ms. DeStefano will not be here as she leaves 9/24. Mr. Dingman stated that he will be away in October.

**OTHER:**

Mr. Favorite mentioned that Moultonboro is having a problem with someone who built out on an island with no permits. Something we might need to think about. Other issues brought up were on-going yard sales, the Purple Pit sign/off-premises signs, building codes. Ms. DeStefano added that the Selectmen need to enforce signs in order for folks to listen. The Board commended Ms. Goodwin on all she has been doing.

With no other items to come before the Board, they adjourned at 9:03p.m.

Respectfully submitted,  
Jan Laferriere,  
Land Use Admin. Assistant