

PLANNING BOARD MINUTES

February 8, 2023

APPROVED: 2/22/2023

AGENDA: PCC - MIKE KELLY - 188 PLEASANT STREET - #113/014 (via Zoom)
MSP NOD EXTENSION – PAUL MANGANIELLO - 1777 LAKE STREET – BASIC INGREDIENTS
PCC – TIM DUMONT - 149 LAKE STREET - *Withdrawn*
BRISTOL COMMUNITY OPINION SURVEY REPORT
PRIORITIZE ZONING AMENDMENTS

ATTENDING: Denice DeStefano (Chair) (via Zoom), Randall Kelley (Vice Chair), David Shirley, Elizabeth Seeler, and Donald Milbrand (Select Board Representative) and John Miller (Alternate)

OTHER: Christina Goodwin (Town Administrator) Joanne Bailey (Land Use Manager), Donna Sullivan (Land Use Administrative Assistant), Applicants & Others: Mike Kelly (via Zoom), and Paul Manganiello.

Chair DeStefano called the meeting to order at 7:01 pm with a quorum present in person.

NEW BUSINESS:

PCC - MIKE KELLY - 188 Pleasant Street - #113/014

Chair DeStefano explained to Mr. Kelly that this Preliminary Conceptual Consultation (PCC) was an informal information sharing opportunity where he could discuss his plans and the Board may share non-binding feedback and suggestions about his proposed project concept. He was cautioned not to commit to anything formally or financially based on anything shared at this meeting. His next steps could be guided by this discussion.

Mr. Kelly stated that he owned property at 188 Pleasant Street and wished to subdivide this property into two (2) parcels. Mrs. DeStefano stated that the property was in the Village Commercial District and referenced Page 14 of the Bristol Zoning Ordinance for Conditions and Restrictions.

She asked Mr. Kelly if the property had Town Water and Sewer. Mr. Kelly responded that it had both. Mrs. DeStefano remarked that the frontage restriction for a lot in the Village Commercial District was 75 feet. Mr. Kelly indicated that he had 132 feet of frontage that he hoped to split in half. Mr. Shirley remarked that the neighbors all had about 66 feet of frontage.

Mr. Kelly stated that he understood the frontage problem and that he would probably need a variance to allow this. His intention was to match the neighborhood with frontage and have an easement from right lot to left lot. Mr. Miller stated that 75 feet was a minimum requirement so he would need a variance from the Zoning Board.

Ms. Goodwin added that the minimum lot size would be 10,000 square feet and setbacks would be 20 feet in front, and 15 feet for sides and rear for any buildings. Mr. Shirley stated that these requirements looked okay and that the minimum road frontage of 75 feet seemed to be only issue but that his split of the 132 feet would be in keeping with the neighbors.

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Mrs. DeStefano stated that the Zoning requirements would need to be met or a variance would be necessary. She added that one of the stricter requirements from the Zoning Board is the need to show hardship. Mr. Kelly stated that he understood. Mr. Randall Kelley explained that the reason for the hardship could not be because of a financial hardship.

Mr. Kelly stated his intention upon subdivision, if approved, would be to put up another house with about 1800 square feet of living space, similar to and conforming to the neighborhood. He added that it would be of value to the Town as well for increasing the tax base. Mrs. DeStefano said this would be something that could be part of your reasoning for variance request for the Zoning Board, but the Planning Board would have no position on that.

Mr. Miller suggested that Mr. Kelly consider all the setbacks and water/sewer connections etc. if he moved forward with the idea. Mr. Kelly added that he would like to set the new house back further on the lot but had to consider the terrain and the wetlands district. Mrs. DeStefano indicated that if construction took place outside of wetlands setbacks, there would be no problems, but if within setbacks it would require additional permits. Mr. Shirley suggested if variance given, Mr. Kelly keep in mind neighbor's privacy and site lines with placement of house on lot. Mr. Kelly stated he was not averse to adding fencing for additional neighbor privacy.

As follow up to discussion, Mrs. DeStefano explained that the Land Use Staff can help Mr. Kelly with the application process for the Zoning Board, timelines and scheduling. Mr. Kelly indicated he had already contracted with Meridian for a survey and subdivision plan. Mrs. DeStefano asked if he planned to have them represent him with the Zoning Board. Mr. Kelly stated he would take any advice on that. Mrs. DeStefano stated she could not speak for the Zoning Board and Mr. Milbrand added that Mr. Kelly might find it helpful to reach out to the staff about prior history of similar cases. Mr. Kelly stated again that the only issue seemed to be the frontage. Ms. Goodwin added that if Meridian designated any part of the lot(s) as wetland, then this wetland area could not be counted as part of the minimum lot size square footage so he should be aware that the wetlands could change this and add additional requirements. Mr. Kelly said he would look closely at this when he gets the plans, and he will then contact the Land Use Office to find his way forward.

Mr. Kelly thanked the Board for its feedback.

Minor Site Plan (MSP) EXTENSION – PAUL MANGANIELLO - 1777 LAKE STREET – BASIC INGREDIENTS

Chair DeStefano stated the Board was in receipt of a Request for Extension on a Minor Site Plan from Mr. Paul Manganiello for a project approved to replace the existing Basic Ingredients Bakery and add a two-car garage and screen porch to main house at 1777 Lake Street. Mr. Manganiello spoke to a need to extend the expiration date of the permit to allow for additional time to get necessary permits and contract Asbestos Remediation for vermiculite (asbestos) in attic spaces that will be disturbed with renovations and construction. He would prefer to have the remediation activity when the bakery is not in operation and indications are that the permitting and process is more time-consuming than anticipated.

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MSP EXTENSION – PAUL MANGANIELLO - 1777 LAKE STREET – BASIC INGREDIENTS - continued

Mr. Shirley motioned to extend the Minor Site Plan Notice of Decision for 1 year to March 9, 2024. Mr. Shirley listed the following reasons for the motion:

1. It is in the Town's best interest to allow for the remediation of asbestos.
2. The Manganiello's business, Basic Ingredients has been a long-standing good business in Town and deserving of support.
3. All other reasons set forth in the original approved Minor Site Plan Notice of Decision for this project.

Mr. Kelley seconded.

In discussion of the motion, Mr. Milbrand asked Mr. Manganiello if a 1-year extension would be enough. Mr. Manganiello stated he thought it should be but asked if necessary would he be able to extend it again. Mrs. DeStefano indicated that there should be no issue with that. The motion was approved by roll call vote 5-0-0.

PCC – TIM DUMONT - 149 LAKE STREET – Withdrawn

Chair DeStefano reported that the original request for PCC by Tim Dumont for a proposed gun shop was withdrawn.

BRISTOL COMMUNITY OPINION SURVEY REPORT

Chair DeStefano shared a hard copy of pages 1-39 of the Survey Response report done for the Planning Board. She indicated that the full report would be posted on the Town website with all of the responses provided.

PRIORITIZE ZONING AMENDMENTS

The Board reviewed the Zoning Amendments Tracking Log to consider, determine, and prioritize any amendments to work on in 2023 for the 2024 Ballot. It was determined that the priorities would be to work on review and editing of the Solar Ordinance, support and review work Mr. Shirley was completing on Steep Slopes and Ridgelines, and work on Split Zoning in the two (2) districts previously discussed. This would be the direction for 2023 unless there was a need to change gears due to any legislative changes that could come out of Concord.

Mr. Miller asked if there would be more Master Plan work in 2023. Mrs. DeStefano expected the Land Use Chapter would be the only work in 2023, and the Economic Development Chapter would be in 2024. She indicated there were still pending items from the Lakes Region Planning Commission regarding the housing survey and other information that would be helpful for the Land Use Chapter, so it was hard to put a timeline and cost on any of this right now and possibly more would be known in April or May for workshop planning.

MINUTES:

The meeting minutes of December 14, 2022, were reviewed. Mr. Shirley asked for a change on page 2. With no other changes made, Ms. Seeler motioned to accept the minutes as amended. Mr. Kelley seconded. The motion carried 5-0-0.

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COMMUNICATIONS: NONE

REPORTS:

HISTORIC DISTRICT COMMISSION – Next meeting scheduled for February 14, 2023

SELECT BOARD – Mr. Milbrand stated that the Public Safety Building project is moving forward with the Select Board making cuts and staff moving to space in Town Offices. It is expected that demolition will start on the old building soon. He also reported that Chief McIntire has moved on to Deputy Sheriff at the Belknap County Sheriff's Office as of the end of January and that Lt. Bean was promoted to Police Chief effective February 1. A swearing-in ceremony was held at the last Select Board Meeting. He also added that the Town Meeting Warrant is in process and a petition article was received regarding Solar Exemptions. The Select Board did not support placing on the Warrant, which is why it added as a petition. Ms. Goodwin added that the article, as written, would not be binding so the petitioners were notified and given two options of either rewriting and seeking new signatures or amending this from the Town Meeting floor. They chose to amend from the floor.

CIP COMMITTEE – No meetings until next August

CONSERVATION COMMISSION – Ms. Bailey stated that the Public Safety Building project will be under review by the Conservation Commission due to Wetlands Overlay and State Permits. Ms. Goodwin added that Town is moving the project forward but is pursuing and complying with all process permits as would be required by anyone. It is something that municipalities do not have to do, but it was important for the Town to do what they would require of any others in the Town. The State permits are in process which includes a Wetlands Permit, Shoreland Permit and Alteration of Terrain Permit and it is anticipated that the project will be coming before Town Boards and Committees for Site Plan Review, Special Use, Conditional Use and Merger. Mr. Kelley stated that he has been getting comments from townspeople, but he felt it was great to see and say the Town is going through the application process for all the State and Town permits.

Ms. Bailey shared that the new FEMA Flood Plain Maps Appeal period deadline had passed with no appeals for Bristol Map changes.

Ms. Bailey stated that the Pemigewasset Shores Road property owner who had been cited by the New Hampshire Department of Environmental Services for site work without permits was now in compliance with State permits and working with Land Use for Town permits. If their paperwork comes in by Friday deadline, this project will be on the upcoming agenda.

LAND USE – Ms. Bailey updated the Board about new people and changes in the Land Use Office. She introduced Donna Sullivan who took the place of Michelle McCaleb as Land Use Administrative Assistant. A new hire will be starting as the Shared Admin, whose duties are split between Assessing and Highway. She stated that Mike Lacasse had started as the new Permitting and Enforcement Officer. He is working 35 hours a week and is getting familiar with the open enforcement items along with working on issuing new permits. She stated that the training was gaining good ground and appreciated Denice's help with that.

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NEXT MEETING: February 22, 2023, which is a workshop meeting.

ADJOURNMENT: With no other business before the Board, Ms. Seeler motioned to adjourn. Mr. Kelley seconded. The motion carried 5-0-0 and the meeting adjourned at 8:01 pm.

Respectfully submitted,

Janet Cote
Land Use Associate