

PLANNING BOARD MINUTES
January 10, 2018

APPROVED as amended:
2/14/18 __jrl_____

AGENDA: PUBLIC HEARING #2: PROPOSED ZONING AMENDMENT – Accessory Dwelling Units
17MSPR04 MINOR SITE PLAN REVIEW: VACATION PARADISE REALTY TRUST,
16 & 20 Central St., #114-121 & -122
17SPR03 SITE PLAN: TURNER COTTAGES LLC, Wulamat/Batten Rds.,
#110-032
7SUP01 SPECIAL USE PERMIT: DOUGLAS J. WILLIAMS SR. REV. TRUST OF 1999,
Brown's Beach Rd., #104-123

ATTENDING: Denice DeStefano (Chairman), Clay Dingman (Vice-Chairman), Paul Manganiello (Sel. Rep.), Bob Curtis, Steve Favorite, Dan Paradis, Betty Seeler

ABSENT: Sathesh Mani (alternate, excused)

OTHER: Christina Goodwin (Land Use Manager), Liz Kelly (Bristol Planner), Peter Daniels (Bristol Land Use Officer), Sandra Heaney (Conservation Commission), James Houle, PhD (UNH), public, applicants

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

SECOND PUBLIC HEARING: ACCESSORY DWELLING UNITS

Ms. DeStefano explained that the Board removed 12.3 Administration from the previous version as they felt it would make it more complicated. There were no comments from the public.

E. Seeler made a MOTION, second b C. Dingman, to MOVE THE AMENDED ACCESSORY DWELLING UNITS TO THE MARCH TOWN MEETING. The motion CARRIED.

CONTINUED 17MSPR04 MINOR SITE PLAN: VACATION PARADISE REALTY TRUST:

Ms. Goodwin explained that the applicant is asking for a continuance due to changes needed pertaining to the driveway and parking.

C. Dingman made a MOTION, second by P. Manganiello, to CONTINUE THE MINOR SITE PLAN FOR VACATION PARADISE REALTY TRUST TO FEBRUARY 14, 2018 AT THE TOWN OFFICE BUILDING. The motion CARRIED.

CONTINUED 17SPR03 SITE PLAN: TURNER COTTAGES LLC: Larry Ellis (representative), Kent Brown (engineer/surveyor)

Ms. DeStefano read the correspondence received since our last meeting: 1 from Jennifer Pinkney, 3 from William and Nancy Dowey, 1 from Thomas & Ann Arnold, 1 from William Nassar (as this was on attorney stationary, Mr. Ellis was asked if Atty. Nassar is representing and was told that he is not, 1 from Donald Freeman, and 11 from Alan and Christin Bogossian.

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SITE PLAN: TURNER COTTAGES continued:

Ms. DeStefano then recapped items to be considered by the Board: tree removal, stormwater & run-off, buffer, no outside storage, lighting, only for personal use, gated or chained entry, blasting, traffic safety, permeable pavement, excavation, no overflow parking, loss of neighborhood character, maintenance agreement, overseeing the project, addressing the current outdoor storage, site walk of proposed project.

Ms. DeStefano then stated that the UNH report was received yesterday afternoon and the Board has not had time to absorb it as yet. She read the report and asked Mr. Houle to speak. Mr. Houle explained that maintenance is needed whether porous or non-porous materials are used. If a catch basin fails, the sub-base perforated underdrain will take over. All must be maintained. Ms. DeStefano thanked Mr. Houle for coming and added that he or a representative from UNH will attend the next meeting in February.

William Dowey, abutter, was concerned about what has happened this year: we got 3.95" of rain in just 6 hours. He would like proof of the design to handle this and complete features.

Don Freeman, abutter and engineer, wished to reiterate that porous pavement only works when maintained the four recommended times a year. He questioned who will enforce this. Also, who will oversee the construction? He has no issues with the UNH report.

Mr. Brown stated that they have tried to address all of the previous issues and more have come up tonight. They will attempt to address these. As for the porous asphalt, Mr. Ellis searched to find a contractor who is qualified to do this. It will reduce the number of trees to be cut, elevate the site several feet, and minimize the width of the pavement. Mr. Ellis added that they want this to work for everyone. They have moved the setback and reduced the amount of fill.

Ellen Rawlings (representing Camelot Acres Assoc., abutters) mentioned that there was a discrepancy of when Turner Cottages was built as well as with the present outside boat storage. She thanked the staff for all their help through this process. Ms. DeStefano stated that it is a long process but the Board wants to be sure that they have addressed everything well.

P. Manganiello made a MOTION, second by C. Dingman, to CONTINUED THE TURNER COTTAGES LLC HEARING TO FEBRUARY 14, 7:00P.M. AT THE TOWN OFFICE. The motion CARRIED after a discussion as to whether another larger place (Library) might be used. As there was no way to find out if the Library would be available, the Board had to leave it at the town office.

17SUP01 SPECIAL USE PERMIT: DOUGLAS J. WILLIAMS SR. REVOCABLE TRUST OF 1999

The Conservation Commission requested (due to not being able to read the application plan well) to continue this case to our February meeting. Mr. Williams has been notified of this.

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WILLIAMS SPECIAL USE PERMIT continued:

C. Dingman, made a MOTION, second by B. Curtis, to CONTINUE THE SPECIAL USE PERMIT FOR DOUGLAS J. WILLIAMS SR. REVOCABLE TRUST OF 1999 TO FEBRUARY 14, 2018, 7:00P.M. AT THE TOWN OFFICE. The motion CARRIED.

CORRESPONDENCE ON THE ZONING AMENDMENTS

An answer on the Zoning amendment language was received. The Fire Chief is being contacted about his Article 10 for feedback. Ms. Kelly is reducing the redundancy by combining a couple of them. It is suggested that we retract Article 10 and 15 at this time.

C. Dingman made a MOTION, second by S. Favorite, to RETRACT ARTICLE 10 AND 15, COMBINE THOSE AS RECOMMENDED AND RENUMBER THE REMAINING AMENDMENTS. The motion CARRIED.

C. Dingman made a MOTION, second by S. Favorite, to ADHERE TO COUNSELS' ADVICE. The motion CARRIED.

MINUTES OF DECEMBER 13, 2017:

The following amendments and clarifications were made: Page 2, 1st paragraph, 3rd line, replace "50000" to "5000". Page 3, last paragraph, last line, remove "no5t" and replace with "not". Page 4, under Keeping of Animals, 1st line, change "addition" to "additional". Page 5,

Article IV signs, 1st line, replace "prohibited" with "allowed" and 2nd line, following "discriminate" add "on the basis of a sign message".

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

REPORTS:

HDC – Did not meet.

SELECTMEN – They will be interviewing for the new Police Chief next week. They are also to meet in regard to the warrant articles.

CIP – Do not meet again until after town meeting.

LAND USE – Ms. Goodwin reported the answer from the Municipal Association in which they feel that the Williams case is insignificant enough of a change not to absolve his grandfathering. Ms. DeStefano stated that we could get other answers depending on who we asked. A discussion followed. Ms. DeStefano suggested that we contact town counsel as he has to defend the issue should it go to court. Mr. Dingman asked what would happen if they move the structures. Ms. Goodwin answered that they would have to go back to the State again. Ms. DeStefano added that they can't move the structure back far enough to be out of the Shoreland Protection. Ms. Goodwin said that the State is having him do some work within the 50' buffer.

Ms. Goodwin explained that Auto Trends will be in to see the Board in March as he is away. Also, Jeff Goodrum is to do his C of C with the HDC. The Homestead is contacting Kevin French to find out why he has not applied for them as yet. They have not received a response.

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LAND USE REPORT continued:

As for the Chestnut St. case, we are doing no further enforcement at this time. Ms. Choate is staying in a camper on the property. This is allowed for 90 days (3/20/18) or up to a year with a Special Use Permit and Building Permit when planning to rebuild. There are a couple of manufactured storage containers on the property as well. These are allowed if given the okay by the Planning Board. She has 2 and Ms. Goodwin has asked to see the lease. She was asked, and did, secure the cottage. Ms. DeStefano felt it reasonable to have the camper and storage containers. Ms. Goodwin stated that Peter (land use officer) will drive by at least once a week to keep an eye on it.

30 Beech Street is also an issue. Ms. Goodwin is sending a letter to them as they have no permits or water/sewer for each unit. The Condo owners do not get along.

The Land Use Team has reviewed new software programs for better tracking. Mr. Dingman asked the result of the CAI meeting and Ms. Goodwin answered that they will add hydric layers with no additional charge. There is access to an editor program for the staff (roads, storm drainage area – Jeff Chartier’s layers). Mr. Dingman asked if we will be able to help on hydric and was told that all shall be able to. Ms. Kelly is doing a hand-out on how to access information. The Land Use Team is to meet with Ms. DeStefano and Mr. Dingman on Friday.

Ms. Goodwin stated that they are also looking at education on building codes. One of the off-premise signs is applying for a Special Exception and they are waiting an answer from the second.

Mr. Paradis asked when the Legal Updates will be held and was told this will be at the Planning Board’s February workshop meeting on Feb. 28. Mr. Paradis then asked if Mr. Mani is still an alternate and Ms. Kelly will reach out to him to check. Ms. Goodwin added that they have made him a binder. Ms. DeStefano thought that we should have an orientation for new members and Ms. Goodwin thought that a training manual would work. Ms. DeStefano thought that some of the present Board members might help with that.

OTHER:

Margaret Hoyle thanked Ms. Kelly and Ms. Goodwin for their help and she has been working with them on what other towns are doing. Many regulate by the number of animals.

NEXT MEETING; We are scheduled to meet Jan. 24th. Ms. DeStefano will be away. The Board felt that this meeting can be canceled. Instead, we shall meet next on Feb. 14th here at the town office building, 7:00p.m.

With no other business before the Board, C. Dingman made a motion, second by E. Seeler, to adjourn at 8:50p.m.

Respectfully submitted,
Jan Laferriere,
Land Use Admin. Assistant

