

PLANNING BOARD MINUTES
April 11, 2018

APPROVED:

4/25/18 __jrl_____

AGENDA: 17MSPR04: COMPLIANCE FOR MINOR SITE PLAN: VACATION PARADISE REALTY TRUST, 16 & 20 Central Street, #114-121 & -122
17SPR03 CONT. SITE PLAN: TURNER COTTAGES LLC, Wulamat & Batten Roads, #110-032
17SUP01 SPECIAL USE PERMIT DOUGLAS J. WILLIAMS SR. REV. TRUST OF 1999, 95 Browns Beach Road, #104-123
18SUB01 SUBDIVISION: COLIN BROWN FOR RICHARD A. & LILLIAN C. GOULETTE, Hall Road, #217-135
18MSPR01 MINOR SITE PLAN: DEBRA L. ENGLAND STEVENS, 802 Lake Street, #216-100
18SPR01 SITE PLAN REVIEW: 831 UNION AVENUE LIMITED PARTNERSHIP, 1567 Summer Street, #221-008

ATTENDING: Denice DeStefano (Chairman), Clay Dingman (Vice-Chairman), Don Milbrand (Sel. Rep.), Dan Paradis

ABSENT: Betty Seeler, Sathesh Mina (alternate)

OTHER: Christina Goodwin (Land Use Manager), Liz Kelly (Bristol Planner), Sandra Heaney (Conservation Commission, public and applicants).

The meeting opened at 7:00p.m. with a quorum. Ms. Kelly was introduced to the public.

MOTION:

C. Dingman made a MOTION, second by D. Paradis, to GO INTO NONPUBLIC SESSION AT 7:05pm TO REVIEW THE TOWN ATTORNEY'S LETTER WHICH WAS RECEIVED THIS AFTERNOON.

Denice DeStefano = yes, Clay Dingman = yes, Don Milbrand = yes, Dan Paradis = yes

The room was cleared and the Board with Ms. Goodwin, Ms. Kelly, and Ms. Laferriere were in attendance. The Board discussed the contents of the letter.

D. Milbrand made a MOTION, second by C. Dingman, to LEAVE NONPUBLIC SESSION AND RETURN TO PUBLIC SESSION. The motion PASSED and public session reconvened at 7:15pm.

17MSPR04 VACATION PARADISE REALTY TRUST:

Ms. DeStefano read the request for a continuance. C. Dingman made a MOTION, second by D. Milbrand, to CONTINUE THE HEARING FOR VACATION PARADISE REALTY TRUST TO MAY 9, 2018 AT 7:00PM. The motion CARRIED.

17SPR03 CONTINUED SITE PLAN: TURNER COTTAGES LLC/Kent Brown, Larry Ellis

Ms. DeStefano stated that the Board has received 4 more letters: one from Attorney W. Scott O'Connell of Nixon Peabody, Donald Freeman, William & Nancy Dowey, and Thomas & Anne Arnold and the Board has had a chance to read them.

C. Dingman made a MOTION, second by D. Milbrand, to APPROVE THE SITE PLAN FOR TURNER COTTAGES LLC WITH CONDITIONS (Kept in the file folder in the Land Use Office). The motion CARRIED.

Mr. Paradis mentioned that nothing was brought in to the Board on the amended looks of the garage, such as the overhang, slope of the roof, etc.

C. Dingman made a MOTION, second by D. Milbrand, to SET THE COMPLIANCE HEARING TO MAY 9, 2018 AT 7:00PM. The motion CARRIED.

William Dowey questioned the blasting notification and Ms. Goodwin answered that any blasting comes under the State.

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

Ms. Kelly did a recap of a memo that she had done for the Board at Ms. DeStefano's request (see file in Land Use Office). Mr. Dingman expressed that he feels most questions have been answered. As to making it more non-conforming, he feels that the applicant is making it slightly less. To ask that they move up the hill is extreme. He feels that they should follow the Shoreland Protection permit.

Ms. DeStefano asked for public comment. There was none.

Mr. Milbrand asked if it could be moved a little. Mr. Williams stated that they could move it 3' but DES wants it left because of the permeable area before the building. Ms. Goodwin added that they would also lose the grandfathering. Mr. Dingman thought that the attorney said the Board could ask that they move it and not lose their grandfathering. Ms. DeStefano read the considerations for a Special Use Permit in the Zoning Ordinance and added that DES is involved.

C. Dingman made a MOTION, second by D. Milbrand, to APPROVE THE SPECIAL USE PERMIT FOR DOUGLAS J. WILLIAMS SR. REV. TRUST OF 1999 WITH THE CONDITION THAT THEY MEET THE CONDITIONS OF THE DES SHORELAND PROTECTION PERMIT OF OCTOBER 31, 2017. The motion CARRIED.

18SUB01 SUBDIVISION: COLIN R. BROWN FOR RICHARD A. & LILLIAN C. GOULETTE

Ms. Laferriere read the application, abutters notified, where the hearing was notified and stated that there was one written correspondence received and no telephone calls or Dept. Head comments.

-3-
Planning Board Minutes
4/11/18

GOULETTE SUBDIVISION continued:

The Board went over the checklist. Waivers were noted for #14, 16, 18, 23, 24, 26, and 27. Mr. Paradis asked why #24 drainage and Mr. Brown answered that there will be no construction at this time.

D. Milbrand made a MOTION, second by D. Paradis, to APPROVE THE WAIVERS AS LISTED. The motion CARRIED.

Mr. Milbrand asked about the driveways and Mr. Brown pointed out the existing one and the proposed one which Mark Bucklin, Highway Superintendent, has approved. Ms. Goodwin added that one was established so the permit is only for the one proposed.

Ms. DeStefano read the e-mail from the Messer's in which they are concerned with drainage onto their property. Mr. Brown stated that the applicant has almost 26 acres across from the Messer's on the east side of Hall Road. Garrett Gilpatrick, abutter, mentioned that there is a brook that runs across it. When asked, Mr. Goulette stated that he did not know the classification of the brook but felt it was probably a Class A. Gail Bartlett, abutter, had no objections.

Mr. Dingman asked the topography of the property and Mr. Brown answered that it is fairly flat up to the brook and then is fairly steep. All of the lot has been logged. Mr. Goulette stated that he plans to replant some of the Pine and Maple trees. He has a forester for this project.

C. Dingman made a MOTION, second by D. Paradis, to ACCEPT THE SUBDIVISION AS COMPLETE. The motion CARRIED.

C. Dingman made a MOTION, second by D. Milbrand, to APPROVE THE SUBDIVISION FOR RICHARD AND LILLIAN GOULETTE AS PRESENTED. The motion CARRIED. The Board signed the plans and the Notice of Decision.

18MSPR01 MINOR SITE PLAN REVIEW: DEBRA L. ENGLAND STEVENS

Ms. Laferriere read the application, abutters notified, where the hearing was advertised and stated that there were no telephone calls, written correspondence, or Dept. Head comments received.

The Board went over the checklist. Ms. Stevens stated that she is a registered nurse. She wishes to have a small business (integrated health & wellness coaching, Reiki services, whole health education classes, Reiki training, Health & Wellness related workshops, Garden design, sculpture and Creative Arts services, and consulting.

Ms. DeStefano read the allowed uses for the district. Mr. Milbrand thought that Personal Services fit it best and the Board agreed. It was explained that the reason this was back in to us is that it was a condition on Mr. Capsalis' previous Site Plan if a second business was to come in.

-4-
Planning Board Minutes
4/11/18

STEVENS MINOR SITE PLAN continued:

Ms. DeStefano asked if this was to be 7 days a week and Ms. Stevens answered that it is and is by appointment. A discussion was held as to parking. Mr. Milbrand asked the class size and was told 10 to 12. She will be in the 15' x 30' area in the back of the building. There will be no changes in lighting. She plans on opening in June. She was told that she will need a sign permit.

C. Dingman made a MOTION, second by D. Paradis, to ACCEPT THE APPLICATION AS COMPLETE. The motion CARRIED.

C. Dingman made a MOTION, second by D. Milbrand, to APPROVE THE MINOR SITE PLAN FOR DEBRA L. ENGLAND STEVENS AS PRESENTED. The motion CARRIED.

The Board signed the plans and the Notice of Decision.

18SPR01 SITE PLAN REVIEW: KEVIN FRENCH FOR 831 UNION AVENUE LIMITED PARTNERSHIP

Ms. Laferriere read the application, abutters notified, where the Hearing was advertised and stated that no telephone calls, written correspondence, or Dept. Head comments received.

The Board went over the checklist and then Ms. DeStefano read the reasons given for the "Not applicable" lines. She wondered about #30 landscaping, #42 drainage, #43 erosion, and #46 snow removal. Mr. French explained that the landscaping is around the entrance and Mr. McDonough added that they have window boxes. Mr. Dingman stated that we need a landscaping plan. Mr. Paradis asked about #39 off-street loading and was told that this is existing. #42 Drainage: Mr. French stated that there is an existing culvert and they are re-routing to the same catch basin. Ms. DeStefano asked about paving and was told that the paved areas will stay as they are now. #43 Erosion/Sediment Control: This will be handled by the State. #46 Snow removal: There is a note on the plan and Mr. Mark McDonough added that they push snow to the far end of the parking lots. Ms. DeStefano asked that the snow removal areas be shown on the plan.

Mr. Milbrand asked where the septic is and Mr. French pointed it out on the plan. Mr. Paradis asked about the well and it was also shown.

C. Dingman made a MOTION, second by D. Milbrand, to ACCEPT THE APPLICATION AS COMPLETE PENDING A LANDSCAPE PLAN AND SNOW REMOVAL ON THE PLAN. The motion CARRIED.

C. Dingman made a MOTION, second by D. Milbrand, to CONTINUE THE HEARING FOR 831 UNION AVENUE LIMITED PARTNERSHIP TO APRIL 25, 2018 AT 7:00PM. The motion CARRIED.

Mr. Lohnes stated that these folks are good neighbors.

-5-
Planning Board Minutes
4/11/18

MINUTES OF MARCH 28, 2018: The following amendments and clarifications were made:
Page 2, first paragraph, 2nd line, replace “they” with “there” and following “screen” add
“, they immediately”. 4th paragraph, 1st line, before “lighting” insert “outside”, replace “inside”
with “manually controlled” and replace “timer” with “that the”. Next line, replace “for outside”
with “shut off automatically after a period of time”. 8th paragraph, first line, add “for guidance” at the
end of the sentence. 2nd line, replace “That it” with “The completed project” and “feel” with “look”.
Page 3, first paragraph, last sentence, replace “Paradis” with “Milbrand”.

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

COMMUNICATIONS: None.

REPORTS:

HDC = The Commission met last night and the Certificate of Approval compliance was granted. The new
slate of officers were elected with Clay Dingman remaining as Chairman and Sandra Heaney as Vice
Chairman.

SELECTMEN = The Board has cut the budget as was voted at town meeting. We are now doing a
separate glass recycling to cut down on the other recycling as the cost for this has increased due to
China no longer taking some.

CIP = This committee will meet next week.

LAND USE = West Shore Marine wish to add a 24’ x 60’ awning, rest room, and apron. They need to
come for a PCC to determine if this is a minor or regular site plan. A gentleman on Rte. 3A South
(towards Hill) makes picnic tables and is asking about home occupation not allowing outside display. It
was felt that he might put out one table with a sign Lin Cross has 3 signs with no permit. Two of these
are okay, with a permit, but the 3rd one is not facing a road. It will need a Variance. XLNT has not taken
their sign down and have sold the building. We have reached out to Kathleen’s Cottage about the
proposed butcher shop but have heard nothing as yet. We are trying to send to the Boards, the
materials for hearings two Fridays before they are to be heard. The agendas will continue to be sent the
Friday before.

NEXT MEETING: The next Planning Board meeting is scheduled for Wednesday, April 25, 2018 at
7:00pm. We have a Special Use Permit for Bobbi Choate, a PCC with Tim Smith regarding a winery, etc.
and the continued Homestead Site Plan. We also have a workshop in which Ms. Goodwin would like to
discuss signs and real estate signs. We also need to address Air B&B’s.

Ms. Goodwin also mentioned that the Town Administrator and the Economic Development
representatives have asked to be on our June workshop agenda. She added that “farm animals” was
missed as a warrant article. As it is, it needs to be updated.

-6-
Planning Board Minutes
4/11/18

OTHER:

The Kelley Park charrette is to be held May 18 and 19. On Friday, the 18th, at 3:00pm several Boards will be invited to attend a session before the public sessions.

With no other business before the Board, D. Milbrand moved to adjourn at 9:45p.m.

Respectfully submitted,
Jan Laferriere,
Land Use Admin. Assistant