

PLANNING BOARD MINUTES  
April 25, 2018

**APPROVED as amended**  
**5/9/18\_\_jrl\_\_\_\_\_**

**AGENDA:** 18SUP01 SPECIAL USE PERMIT: JENNIFER "BOBBI" CHOATE, 90 Chestnut St.,  
#115-027  
PCC: TIM SMITH, 365 Lake St., #112-034  
18SPR01 CONTINUED SITE PLAN REVIEW: 831 UNION AVENUE LIMITED PARTNERSHIP,  
1567 Summer Street, #221-008  
WORKSHOP: Signs, Air B&B, Farm Animals

**ATTENDING:** Clay Dingman (Vice-Chairman), Don Milbrand (Sel. Rep.), Dan Paradis, Betty Seeler

**ABSENT:** Denice DeStefano (Chairman, ill), Sathesh Mina (alternate)

**OTHER:** Christina Goodwin (Land Use Manager/Health Officer), Liz Kelly (Bristol Planner), applicants & public.

The meeting opened at 7:00p.m. with a quorum and Mr. Dingman officiating.

**18SUP01 SPECIAL USE PERMIT: JENNIFER "Bobbi" CHOATE**

Ms. Laferriere read the application, abutters notified, and where the hearing was advertised. She stated that there were no telephone calls or written correspondence received and no comments from the Conservation Commission or Dept. Heads. There was a memo from the Health Officer and a verification of a meeting date of May 9, 2018 with the insurance company. Mr. Dingman read the Zoning Ordinance section requiring a Special Use Permit.

Ms. Choate stated that she has been residing in the trailer for 90 days. The Insurance adjustment has been delayed to May 9<sup>th</sup> so she is requesting the Special Use Permit to allow her to continue to live in the trailer until she can rebuild.

Ms. Goodwin explained that the Special Use Permit would allow Ms. Choate to continue in the trailer for up to a year. As the Health Officer, she recommends that the termination of the Special Use Permit be the same time as the Land Use Permit which is 2/22/19 as well as the storage containers. She is also recommending that Ms. Choate install a meter with the Water and Sewer Department and that an inspection schedule by the Health and Land Use office be required.

Mr. Dingman stated that there is nothing from the Conservation Commission as there is no wetland involved. Mr. Milbrand explained the need of the Water/Sewer hook-up as Ms. Choate is using the town Septic system without a meter so there is no way to record how much sewer is being used.

Abutter, Margaret Hoyle, asked what happens if the insurance adjustment gets delayed beyond the year end. Mr. Dingman explained that this will be addressed at that time. Mr. Paradis suggested that the Land Use Office look into legal counsel in that case.

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**CHOATE SPECIAL USE PERMIT continued:**

E. Seeler made a MOTION, second by D. Milbrand, to APPROVE THE SPECIAL USE PERMIT FOR JENNIRER "BOBBI" CHOATE WITH THE CONDITIONS OUTLINED IN THE HEALTH OFFICER'S MEMO DATED APRIL 25, 2018. The motion CARRIED and the Notice of Decision was signed.

**PCC: TIM SMITH**

Mr. Dingman explained that a PCC (Preliminary Conceptual Consultation) is not binding on either the applicant or the Board but the Board will give their best answers based on what is presented.

Mr. Smith explained that they have entered a contract on this property which will be finalized on June 15, 2018. He went on to say that, in the Main house (currently used as 2 rental apartments) their intent is to occupy the entire first floor and a portion of the second as their residence and will keep the second floor apartment as the tenant wishes to stay. The Carriage House main floor is currently rented as a new business (an Art Studio) which will remain. The lower level is unoccupied at present and is where he intends to produce wine and a limited line of ciders and offer tastings for a fee as well as have retail sales of their products, wine related items including glasses, gift baskets, décor, etc. They intend to be open Thursday through Sunday generally between the hours of 12pm and 8pm. They expect it to be a semi-seasonal business with reduced hours/days during the winter months.

Mr. Smith added that, during the high season summer months, they would like to utilize the parking lot by operating a commercial sized smoker and grill to offer genuine southern BBQ takeout. They would provide a limited amount of picnic bench seating. They plan to have the BBQ Friday through Sunday, 11am to 5pm during the months of June to October.

Mr. Dingman directed the Board to the allowed uses for the area (Village Commercial). As to the liquor licensing, Mr. Paradis explained that the State gets involved with that. Much discussion was held and it was determined that the regular winery business is an allowed use. The BBQ is closest to Restaurant Take-out. Mr. Paradis felt that the Spirit of the Ordinance would require Site Plan or Minor Site Plan and he read the section in the Ordinance that deals with obnoxious use.

Mr. Smith added that the BBQ smoker will be mobile and he may want to take it to special events. Ms. Goodwin explained that he would need a Vendor Permit for that. When asked how the town would feel about selling by the glass and they were told that this would come under the State permit.

D. Milbrand made a MOTION, second by E. Seeler, to ALLOW MR. SMITH TO BRING THE BBQ PROPOSAL IN AS A MINOR SITE PLAN. The motion CARRIED.

**18SPR01 CONTINUED SITE PLAN: KEVIN L. FRENCH FOR 831 UNION AVENUE LIMITED PARTNERSHIP**

As Mr. French is out of town, he asked Kent Brown to fill in for him this evening. The revised plan was looked at to see that all conditions were met.

D. Milbrand made a MOTION, second by D. Paradis, to APPROVE THE SITE PLAN FOR 831 UNION AVENUE LIMITED PARTNERSHIP (THE HOMESTEAD RESTAURANT) AS COMPLETE. The motion CARRIED and the plans and Notice of Decision were signed.

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**MINUTES OF APRIL 11, 2018:**

D. Milbrand made a motion, second by D. Paradis, to approve the minutes as read. The motion carried with one abstention.

**WORKSHOP:**

**Signs:** Ms. Goodwin explained that the Land Use Office is having some problems with interpretation. The Zoning Board did not understand the off-premise sign recently that needed a Special Exception. Also we are having a problem, due to a shortage of staff, to keep up with Real Estate signs. Also, internally lit signs. There are lots of challenges in this part of the Ordinance and we would like you to review it. Ms. Kelly has been working on something to present to this Board. Mr. Dingman stated that a lot of this was crafted ad hoc. It could be smoothed out and updated, he added. Mr. Paradis stated that he started this maybe ten years ago and it was the best that they could do at the time. Mr. Dingman said that some of this might be put in Site Plan.

Ms. Kelly asked if the Board did anything as to content of signs (she cited a court case dealing with this). The Board had not. Ms. Kelly stated that she will try to incorporate the New Hampshire Municipal Association's recommendations on the sign permit process. Mr. Dingman suggested that Ms. Kelly break this out by what is permitted versus what is not permitted and whether or not we want to make folks need a variance in order to do it. Ms. Kelly mentioned categories of grandfathered or private signs. Do we take them out of Commercial and stand alone? Mr. Dingman felt that Ms. Kelly should write something up and then the Board will go over it. He added that it could be a 4 or 5 month process.

To help the Board, the Land Use Office intends on sending materials of cases coming up two weeks in advance.

As to the Conditional Use process, Mr. Dingman stated that the ZBA is a Board that is to allow relief so that should be looked at with that thought in mind. Mr. Paradis added that placing some under Special Exception makes it a part of a special review. Mr. Dingman suggested that the Ms. Kelly look at the State OEP guidelines. Mr. Paradis suggested looking at 4.11E to deal with "Open" signs. Ms. Kelly plans to look into all the suggestions.

A discussion followed pertaining to real estate signs. Ms. Goodwin stated that we do not have the staff to do this and wondered if they should be exempt. Mr. Paradis disagreed with that by stating the example of eliminating the law for bicycle helmets just because kids didn't want to wear them.

**Air B&B/Short Term Rentals:**

Ms. Kelly is willing to draft something for the Board if they would like. The Board was willing and Mr. Dingman mentioned that fairness and safety issues should be taken into account. Ms. Kelly said that she will research the feel of other towns.

**Keeping of Farm Animals:**

A revised motion was distributed for the Board to look over.

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**OTHER:**

A discussion was held as to the cutting of the Planning Board budget. Ms. Goodwin explained that the Master Plan work and postage were cut. Mr. Dingman did not feel that we could put off the Master Plan. Ms. Goodwin thought that we might just take on the survey portion ourselves. Mr. Dingman stated that, in the past, we announced the survey in the mail and the survey went on line (hard copies could be picked up in the office). The Board wrote out the updates and then Mike Izard (Lakes Region Planning Commission) checked it out and they did the gathering and analysis of the information. Ms. Goodwin mentioned that the Economic Development committee may have some questions for the survey. Ms. Kelly said that she can get the survey on-line. Mr. Dingman would like to see it ready for early fall.

**REPORTS:**

**Historic District Commission** = Didn't meet.

**Selectmen** = Mr. Milbrand said that he had been late getting to the meeting but they appointed the representatives for the committees (Mr. Milbrand will stay with HDC and do Planning as well as CIP). For the Select Board meetings, Rick Alpers will remain Chair and Don Milbrand is Vice Chair.

**Capital Improvements Committee:** Both Mr. Milbrand and Mr. Paradis remain on this committee. Mr. Hill suggested that the committee just double up what didn't get voted in this year but the rest of the committee felt that we need to adjust the whole budget. Mr. Cote is Chair and Mr. Favorite is Vice Chair. Mr. Cote is to set up meetings with the various Dept. Heads and the committee will meet again in July.

**Land Use:** Ms. Goodwin stated that there is a problem with the address for Newfound Family Housing and it is to be resolved by giving the driveway a street name.

**CORRESPONDENCE:** None.

**NEXT MEETING:** The next scheduled meeting of the Planning Board will be held on May 9, 2018 at 7:00p.m. On the agenda is the Continued Compliance Hearing for Vacation Paradise Realty Trust and for Turner Cottages LLC. Ms. Goodwin added that we may have a PCC with West Shore Marine. She added that some of the Turner abutters are asking about the appeal process. A discussion was held and the Land Use Office shall look into this.

**OTHER:** Ms. Hoyle wished to keep the Board aware of what is happening at 90 Chestnut Street. There is now a young horse there. Ms. Hoyle mentioned that, first they had 3 horses, then 5, then 4, then 3. She asked about the 90 days allowed for the trailer and the Water/Sewer hookup and these were explained to her.

With no other business before the Board, D. Milbrand moved to adjourn at 9:10p.m.

Respectfully submitted,

Jan Laferriere,

Land Use Admin. Assistant