

PLANNING BOARD MINUTES  
June 13, 2018

**APPROVED as amended & clarified:**  
**6/27/18\_\_jrl\_\_\_\_\_**

**AGENDA:** CONTINUED COMPLIANCE, 17MSPR04: VACATION PARADISE REALTY TRUST,  
16 & 20 Central Street, #114-121 & -122  
PCC: MARYANN PARKHURST  
PCC: PAUL THOMPSON  
PCC: BARRY WOODMAN  
PCC: DON MILBRAND

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

**ABSENT:** Sathesh Mina (alternate)

**OTHER:** Christina Goodwin (Land Use Manager), applicants

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

**COMPLIANCE, 17MSPR04: VACATION PARADISE REALTY TRUST**

The applicant has again asked for a continuation; this time to August.

C. Dingman made a MOTION, second by D. Milbrand, to CONTINUE THE COMPLIANCE HEARING FOR VACATION PARADISE REALTY TRUST TO AUGUST 8, 2018. The motion CARRIED.

**PCC: MARYANN PARKHURST, 90 Lake St.**

Ms. DeStefano explained that a PCC is not binding on either the applicant or the Board but will be the best advice that the Board can give based on what is presented and she cautioned that nothing is done financially until all approvals have been met.

Ms. Parkhurst stated that she wishes to open a Butcher Shop in the old paint section of the building. She intends to have meats, cheeses, seafood, beer and wine for sale there. It was determined that the property is in the Village Commercial district and comes under Retail Sales which is an allowed use. It will be one allowed use to another.

Ms. Goodwin asked about parking and mentioned the clutter in the rear parking area. Ms. Parkhurst stated that they have started clearing that area. Mr. Milbrand felt that the requirement for parking will be the same. Ms. DeStefano asked the hours of the new business and was told probably up to 7:00 or 8:00pm weekends and to 6:00pm weekdays. Ms. DeStefano then asked when Ms. Parkhurst intends to open and Ms. Parkhurst answered before fall. Mr. Dingman asked the size and was told about 1200 square feet. Ms. DeStefano asked about deliveries and was told that it will be the same as now.

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**PARKHURST continued:**

Ms. Parkhurst mentioned that she would like to add a Steakhouse and Brewery down the line. It would be in the middle section of the building with a large kitchen to service it and Kathleen's Cottage. The Board determined that she is okay with the Butcher Shop for now but will need Site Plan before adding the Steakhouse and Brewery.

**PCC: PAUL THOMPSON, 15 TRISTAN LANE**

As the applicant was in attendance when Ms. DeStefano explained the PCC process, she did not repeat it. Mr. Thompson stated that he has lot #12 and Mary O'Mara has #15. They wish to do a lot line adjustment which would make lot #12 more conforming but lot #15 non-conforming. Ms. O'Mara does not use this area and Mr. Thompson would like it to store his boat and add a shed, which he cannot do now due to size.

The Board determined that it would be against Zoning to make lot #15 non-conforming. Mr. Paradis directed the Board to section 4.1 in Site Plan. Ms. DeStefano read this aloud. Mr. Paradis questioned the size and Mr. Thompson answered that it reduces her lot to about ½ acre (.55). This is in the Lake district. Lot #12 would be more conforming and there are quite a few lots in the area that are only ½ an acre. Mr. Paradis pointed out 8.10 of Site Plan. Mr. Dingman stated that it is okay for the Site Plan regulations but he is stuck on the minimum lot size in the Zoning Ordinance. He mentioned the Williams case, which is nearby, and feels that it would meet the spirit of the ordinance. Ms. DeStefano agreed. A discussion was held as to the need of a Variance. Mr. Dingman thought it might be just a simple lot line adjustment but would like a legal opinion based on spirit of the ordinance.

Mr. Paradis suggested that they might keep #15 at 30,000 sq. ft. (conforming) and adjust the rest to #12. Mr. Thompson felt that it would be too small to warrant that. Mr. Dingman stated that it is grandfathered as is right now. Ms. Goodwin will reach out to the attorney and asked clarification: if the attorney says it would be okay, it will be a lot line adjustment; if he says no, it will mean a Variance. The Board agreed.

**PCC: BARRY WOODMAN, 211 PEAKED HILL ROAD**

Ms. DeStefano read the process for a PCC again. Mr. Woodman wishes to expand to outside seating for his brewery. A proposed plan of the area to be used was shown. This is in the Rural district. Mr. Dingman felt that some sort of Site Plan would be needed. Ms. DeStefano read 8.3 of the Site Plan Regulations and the Board felt that it could be a Minor Site Plan. Ms. DeStefano explained that the forms are on line and Mr. Woodman should see Ms. Laferriere or Ms. Goodwin for assistance. Ms. Goodwin made an appointment with them for tomorrow at 4:00pm. If all is ready by Friday, June 15, it will be heard on July 11<sup>th</sup>.

**PCC: DON MILBRAND, HEMP HILL ROAD**

Ms. Goodwin stated that Mr. Milbrand came in for PCC's on this proposal in 2009 and 2012. In 2012, it was determined that he could do a minor site plan. This is the Rural district. Mr. Milbrand stated that this is for a brewery for the existing portion of the building/barn. Nothing will change on the exterior. He will need an additional sign as this is an additional use. He would seat about 24 people. He explained that if he has more, the State puts it into another category. He will need a State kitchen

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**MILBRAND continued:**

license as a restaurant is required with a brewery. In the past, he had spoken with the Fire Chief but will update with the new Fire Chief again. Ms. DeStefano stated that Mr. Milbrand should get something in writing from the Fire Chief.

Mr. Milbrand went on to say that he has 7 parking spaces now but will have plenty of room for the additional need. Mr. Dingman stated that he would prefer that they not stripe the parking spaces. Mr. Milbrand then asked the timing of the restaurant and the brewery; will he need to do both at the exact same time. He would get the restaurant in first. Ms. DeStefano stated that the State may have a time line but we won't have a problem if it is done in a reasonable amount of time and present a time frame for us. Mr. Dingman added that he would need to get the brewery added fairly soon so as to avoid having to do a Special Exception. Ms. DeStefano stated that the State Regulation comes under RSA178:13.

Mr. Milbrand went on to say that he would be required to be open 5 days a week so is planning Friday through Tuesday, from 4:00 to 11:00pm. In the winter, he gets snowmobilers and would like to open for the noon meal, as well (open at 11:00am). He will need both a State and Federal brewery license. Ms. DeStefano said that the Board could make those conditional until we get copies of those permits.

**MINUTES OF MAY 23, 2018**

C. Dingman made a motion, second by D. Paradis, to approve the minutes as written. The motion carried with one abstention.

**COMMUNICATIONS:**

Ms. DeStefano read the notice for assistance from the Newfound Lake Region Association and Steve Whitman. Ms. DeStefano asked if we want to meet with them in this regard. Mr. Dingman felt that our plate is already pretty full but if there is something that the contracted person can do for forms, etc., it might be good. Ms. Goodwin will look into that. Mr. Paradis had a copy of an old flow chart which Ms. Goodwin took a picture of so that she can update it.

**REPORTS:**

**HDC** – Mr. Dingman reported that they met last night. They went over their forms and discussed a CLG grant that the town has been awarded (\$6300.00) for archeological survey of our burial grounds with a follow-up for and educational workshop with Tom Wetzel. The workshop is a 60/40 grant (survey is 100%) and will be done in 2019 probably.

**Selectmen** – Mr. Milbrand reported that there is an Eagle Scout willing to make picnic tables and benches for various areas around town. Also, the Selectmen have officially named the park on Central St. "Eagle Scout Park". They are also moving forward with negotiations for the Medical Building on School Street.

**CIP** – Will meet in July.

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**REPORTS continued:**

**Land Use** – Ms. Goodwin stated that plans are moving forward on Mill Stream park. There will be a little extra money left after the kiosk is done so that a little more can be done. Better arrangements are being made.

The Zoning Board Appeal hearing has been continued to June 26<sup>th</sup>. Our attorney was great. The ZBA consisted of just 3 members and the applicants determined to continue despite the fact that all 3 must agree in order for the hearing to be approved. The big issue is boat storage and whether or not it means Commercial or all boat storage. Ms. Goodwin is researching to prove that we have always addressed it as Commercial for needing a Special Exception. The definition has not been changed since its incorporation in 1990 and only the Lake District has this requirement which implies it is for commercial. Special Exception was put in later than the definition. 2006 is the most recent change. In 2010, Turner's came in about outside boat storage and was not told that they needed Special Exception at that time.

In order to catch up, the Land Use office will be closed to the public on Thursday now.

Ms. DeStefano asked if there is any progress for hiring a new Planner. Ms. Goodwin answered that they are to do a 2<sup>nd</sup> interview with two that have applied.

Ms. Goodwin stated that someone in the Square wishes to place two tv's in their window, one with a map of the town and the other a rolling one of events. She asked if they should come for a PCC. Mr. Dingman felt that they constitute signs and need a PCC and then come to the HDC.

Ms. Goodwin next mentioned that Lin Cross will be receiving her 2<sup>nd</sup> letter (she mailed today) concerning their signs. They have 3 with no permits and 1 of those is on the side of the building not abutting a street and is not allowed. Next she will give a notice to the Select Board regarding this situation.

**OTHER:**

Ms. DeStefano mentioned a property on Wicom Road that has a full dumpster that has been there for some time. She noted that garbage is now being added and she is concerned that it will become a health problem. Ms. Goodwin will look into this.

Ms. DeStefano had a suggestion for abutter notices from the city of Concord. Ms. Goodwin explained that we already include this information when we sent out the notices.

**NEXT MEETING:**

Our next meeting is June 27<sup>th</sup>. We have a PCC with West Shore Marine, meet with the EDC and work on the survey. It was thought that the EDC is coming to talk about Zoning Amendments.

With no other business before the Board, they adjourned at 8:35p.m.

Respectfully submitted

Jan Laferriere,

Land Use Admin. Assistant