

PLANNING BOARD MINUTES
May 22, 2019

APPROVED as amended & clarified:

See the minutes of 6/12/19 jrl_____

AGENDA: COMPLIANCE: 19MSP01, MINOR SITE PLAN: SPEEDY GONZALEZ INC., 265 Lake Street, #112-024
AMEND SITE PLAN: FRED'S AUTO TRENDS LLC, 215 Lake Street, #112-001
19PCC04: BETTY SEELER, 66 Danforth Brook Road, #223-071
WORKSHOP

ATTENDING: Denice DeStefano (Chair), Don Milbrand (Sel. Rep.), Paul Barnett, Clay Dingman, Betty Seeler

ABSENT: Evan Hickey (conflict)

OTHER: Christina Goodwin (Land Use Manager), Tyler Simonds (Planner)

The meeting opened at 7:01p.m. with a quorum.

MINUTES OF MAY 8, 2019: The following amendments and clarifications were made: Page 1, last paragraph, first line, before "square" insert "memo from Mr. Simonds pointed out that" and replace "1500" with "500". 4th line, change "manage" to "managed". Page 2, 1st paragraph, 6th line, replace "needs" with "can". 7th paragraph, 1st line, delete "at page 11, the Variance Section of" and before "7J" insert "H". 2nd line, replace "determined" with "estimated" and eliminate "it is" before "15%" and replace with "impervious cover is already". Following "15%", insert "not". Last paragraph, 1st line, following "area" insert "to be paved" and replace "vs. pervious" with "cover". 2nd line, replace "definitions" with "definition". 4th line, replace "it" with "a variance". Page 3, LAND USE, replace the first paragraph with "Mr. Simonds stated that the Master Plan Group met, they are looking into funding, and still await an update from USDA on the REDI initiative. The Group wants to address issues on the horizon like AirBnB. They also would like to acknowledge that Retail is a distinct type of Commercial activity. Mr. Simonds distributed copies of a potential scope for the Master Plan Land Use chapter." Page 4, 2nd paragraph, 3rd line, replace "make one up" with draft a form for review and approval." 5th paragraph, 1st line, replace "She" with "Ms. Goodwin". 3rd and 4th line, delete the sentence beginning with "In about 5 years," SIGNS, 2nd line, replace "They will" with "They would". Last paragraph, 2nd line, replace "Also" with "Ms. Goodwin shared that" and replace "15" with "1500"

B. Seeler made a MOTION, second by D. Milbrand, to APPROVE THE MINUTES AS AMENDED. The motion CARRIED with one abstention.

COMPLIANCE: SPEEDY GONZALEZ INC.

Mr. Gonzalez had submitted a new plan which Mr. Simonds presented for him. Ms. DeStefano felt that there was still 2 items to be corrected: to park one cab only is not on the plan and the square footage is still not correct. Ms. Seeler asked if the fenced area is for 2 vehicles. Ms. Goodwin explained that the fenced area is for incoming pawn shop items and the cab is to be parked next to this. Mr. Simonds added that the square footage should be 2600 sq. ft. The bottom measurement should be 34' instead of

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GONZALEZ MINOR SITE PLAN continued:

30', the 5' should be 6' and the total for the length should be 70'. Ms. Goodwin and Mr. Simonds asked to allow them to make the necessary changes and they will explain them to Mr. Gonzalez. The Board agreed, changes were made, and the Board signed the updated plan and the Notice of Decision.

AMENDED SITE PLAN FOR FRED'S AUTO TRENDS:

Ms. Goodwin explained that, on the new plan, they did not replace the green around their free-standing sign but she felt that the buffer green between Auto Trends and Dollar General is enough. They are replacing the green in front of the display window and in front of the Service Center. They are not wrapping the green, by the display window, around the corner of the building as had been there previously and will not replace the tree by the Service Center as it would impact the State's approved driveway.

Mr. Dingman questioned some of this and Mr. Barnett reminded him that, at the previous meeting, the Board focused on the area in front of the display window. The Admin. Assistant reminded the Board that this was an amended plan not a Site Plan. Ms. Goodwin added that, after the last meeting, she spoke with Mr. Schneider (the owner) and asked him to provide the amended plan. The plan also shows the internal wall that will be placed as a separation of the businesses.

A discussion followed as to the State right-of-way and Mr. Dingman stated that Attorney Waugh says that the town has the final jurisdiction.

C. Dingman made a MOTION, second by P. Barnett, to APPROVE THE AMENDED SITE PLAN FOR FRED'S AUTO TRENDS. The motion CARRIED and the Board signed the new plan.

PCC: BETTY SEELER

Ms. Seeler stepped down and proceeded to explain that the 40' x 70' section is to be rented by Brad Dunlop who has trucks and the 40' x 60' section is rented by Matt Kessler who repairs race cars. It was noted that he has been parking between the buildings which was supposed to be left open. Ms. Seeler explained that Troy rents the other building and is taking more spaces than needed. The town requested a removable fence as the Highway Dept. did not want cars backing out from in front of the building. This would allow the fence to be removed for winter plowing. However, Ms. Seeler stated, the holes for the fence get filled in when the town plows. She added that she spoke with the Enforcement Officer who said she could just put up No Parking signs. Folks pay no heed to these. She took them to court and the judge threw the case out.

Ms. DeStefano felt that there are other means for preventing parking in areas such as this. She mentioned curbing or metal poles as an example. Ms. Seeler was brought in so the Board could determine her next step. Ms. DeStefano felt that we have made other folks update their plans. She was not sure about a Minor Site Plan or an amended plan as this property has changed a lot over the years.

MS. Seeler stated that her property is the only rental in the Industrial district which requires changes, such as parking. Ms. DeStefano stated that there are other districts that have rentals and changes and must update. Mr. Milbrand felt that we need an updated plan but suggested that there be a

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PCC: SEELER continued:

designated overall area for parking instead of individual spaces. Ms. DeStefano thought that would work. She added that, if there is not enough parking beyond that, this would be Ms. Seeler's problem. The Board agreed and added that, as the previous Site Plan has no signatures, we need a new Site Plan of the whole lot (both buildings). They requested a full Site Plan.

Ms. Seeler stated that Brad wants to start bringing stuff up and the Board felt that he could as long as it is inside the building.

WORKSHOP:

LAND USE FOR THE MASTER PLAN:

Mr. Simonds, who heads the committee that is working on this, gave the Board an outline of items for the Master Plan. Mr. Barnett mentioned that Bill Dowey, a member of the committee, has sent out an e-mail in which he wishes to have an Economic Development chapter. The Board had felt that they could incorporate this in the Land Use chapter. Ms. Goodwin stated that the Economic Development Committee (EDC) is to look into a grant for a separate chapter. Mr. Barnett also mentioned that they felt that there should be a multi-use development and questioned if this could be included in the Land Use chapter. The Board felt that it can. Mr. Dingman explained that, when the Board writes Zoning Ordinance changes, they go back to the Master Plan for guidance. It should include ways that the land can be used. Ms. DeStefano reminded the Board that when the Newfound Family Housing came in to us, the applicants referred to the Master Plan. Mr. Dingman mentioned that cell towers would be the same and Ms. DeStefano also added wind farms as examples.

Mr. Simonds then went over the outline that he had presented. Ms. DeStefano asked about money for the updated Land Use chapter. Mr. Simonds stated that we should hear from USDA within a couple of weeks. Mr. Dingman suggested that they check with Lakes Region Planning Commission (LRPC) as to how much we will need. Mr. Simonds felt he could reach out to them and Mr. Dingman stated that he would be willing to meet with them and Mr. Simonds.

COMMUNICATIONS: None received.

MINOR SITE PLAN FORMS:

Mr. Simonds went over the suggested forms that he is proposing. Ms. DeStefano stated that the designation of a Minor Site Plan shall be designated by the Planning Board at a PCC. The applicants do not get to designate this. It should be very clear as to who designates this. She also questioned if the public would all understand what an engineered plan is. She would like more time to look at this.

Ms. DeStefano also questioned who decides if an application is complete. Ms. Goodwin stated that the office staff is required to schedule the hearing once an application and fees have come in. We review the case and try to get everything in before the hearing, but this is not always possible. By law, the Planning Board must make that decision.

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REPORTS:

HDC: The Commissioners held two Certificates of Approval hearings: the new barbershop and Pizza Bene.

SELECTMEN: The Transfer Station is to open an hour earlier on Monday and Wednesday (7:00am to 4:00pm). They have also been dealing with a camper owner up on Old Stagecoach Road to be allowed to upkeep the road. This would not be full time. The Garden Club would like to put in a permanent Christmas tree in the Square. They are researching this.

CIP: Don't meet until August.

LAND USE: The cell tower application has been received. Ms. Goodwin has asked the town attorney to look at our Ordinance and point out the changes that have been made which we have no jurisdiction over anymore. The hearing is scheduled for June 12th at the Historic Town Hall. Ms. DeStefano stated that she would like to close at 9:00pm if the Board is okay with that and they agreed to this. Ms. Goodwin mentioned the 150-day clock started on May 17th when we received the application. They applied for both the Site Plan and a Conditional Use permit. The latter was to save time if the Board feels a Conditional Use is needed. Ms. Goodwin was unsure of the interpretation for steep slopes (4.17,B in the Ordinance). The steep portion is the driveway but the site itself is actually flat. Mr. Dingman and Ms. DeStefano felt that a Conditional Use will not be needed after looking at the Ordinance. The Board agreed.

Ms. Goodwin stated that the Selectmen are testing out digital tablets for themselves and the Budget Committee. After we move to the new building, the Planning Board and other Boards will be able to use them as well.

As to the Bristol Diner, Ms. Goodwin has requested that he get a survey done first due to an abutter. The owner and family will be living in the basement, which is allowed. There are no side setbacks in this area.

Ms. Goodwin stated that the Selectmen are asking us to hold to a 1 ½% increase in the budget for next year. They are going to visit the various Departments. Ms. DeStefano mentioned that she would like to see some money set aside for the Master Plan.

Ms. Goodwin would like to invite the public to our next workshop for a question and answer period in hopes of stirring interest in volunteers to the Board. We are one member short with no alternates. The Board agreed to inviting the public.

Ms. Goodwin noted a problem that is coming up in June: there will be no parking at the new building while they are working on it. This is a problem for us for that June 12 meeting for the cell tower which will be held at the Historic Town Hall as well as some rentals that she has scheduled. Ms. DeStefano suggested that we get the word out to folks. Ms. Goodwin suggested that "Only Downtown and North Main Street parking will be available". Ms. DeStefano thought that the Elementary School might be willing to let us use their parking lot. Ms. Goodwin will ask.

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LAND USE REPORT continued:

Ms. Goodwin stated that Pizza Bene will be open 11:00am to 8:00 or 9:00 pm and will serve beer and wine.

OTHER: Ms. DeStefano stated that she is working on a Special Use form which will be needed if the adult novelty business applies. She will have it ready for the June workshop. A discussion followed on the need to look at where these types of businesses can be allowed and where we have them now, there is little area, if any, that they can come in. This is not allowed by law.

NEXT MEETING: Our next meeting is June 12, 2019, 7:00pm at the Historic Town Hall with the cell tower hearing.

With no other business before the Board, D. Milbrand made a motion to adjourn and all agreed.

Respectfully submitted,
Jan Laferriere,
Land Use Admin. Assistant`