

PLANNING BOARD MINUTES

March 24, 2021

APPROVED: 4/14/21

AGENDA: PCC: RUSS HERTRICH, 865 Lake Street, #216-022
WORKSHOP

TENDING: Denice DeStefano (Chair), Don Milbrand (Sel. Rep.), Betty Seeler, Randall Kelley

ABSENT: Jackie Elliott (Vice Chair) Bruce Beaurivage (Alternate)

OTHER: Christina Goodwin (Land Use Manager), applicant

Ms. DeStefano stated that there is still an emergency order issued by the Governor that allows for meetings to be held both in-person and electronically, due to the pandemic. Members are attending in-person, via video and telephone conference and the meeting is open to the public via the same options. The meeting opened by roll call vote 4-0 at 7:00pm with a quorum.

Preliminary Conceptual Consultation (PCC): RUSS HERTRICH, 865 Lake Street, #216-022

Ms. DeStefano explained the process of a PCC and added that this is for free standing signs and equipment located in various areas of the property, which is in the Village Commercial district. Ms. DeStefano had looked through the Zoning Ordinance and nothing really fits with this use. The closest she could find was a junkyard and she read that description.

Mr. Hertrich explained that 8 to 10 years ago he began investing in Bristol. He bought the property and tried renting it to no avail. Then he tried selling it with the same result, so he decided to use the property for his own personal use. Years ago, he worked for a Texaco station and has found that he likes the old gas station stuff and began to collect them. He owns both 150 and 865 Lake Street, and has some items stored in those two (2) locations. Mr. Hertrich then showed the Board photos of some of his signs. He wants to display them as part of the history of America. He will not place them along the street, but in the backyard and to the sides. He has cars, as well, and he showed the Board photos. He feels it is more like a museum (which we do not have in our list of uses).

Mr. Kelley asked what his intent is and was told that this is storing his own personal stuff. He showed an inside photo of his 865 Lake Street property. Mr. Kelley asked if he intended to sell any the items. Mr. Hertrich replied that he might, but he has not yet. He has no intention of doing so now. He showed the Board more photos of the old gas pumps.

Ms. DeStefano stated that, for free standing signs for a business, only one (1) is allowed. Mr. Hertrich answered that these are not business signs. Ms. Goodwin stated that the current Site Plan does not indicate any equipment storage outside. Mr. Hertrich thought that that requirement is more like a service station. He has a copy of the previously approved Site Plan. Ms. DeStefano read the definition for auto repairs, cars, trucks, antiques, and hot rods. Mr. Hertrich felt that what he wants to do is not far from what was approved, but it is not a junkyard. Ms. DeStefano reminded all that a junkyard consists of two (2) or more unregistered vehicles. Ms. Goodwin added that a repair shop must be registered with the State and it would allow for up to six (6) vehicles. Mr. Kelley feels it is a great idea but is difficult to categorize.

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PCC HERTICH continued:

Mr. Hertrich stated that he has all commercial neighbors except one and that one offered to store some for him. He added an example where he does not need to register his box truck with the Department of Transportation (DOT), if he just uses it for his personal stuff and he is not planning to sell. Mr. Kelley stated that he Understands, but we must follow the Zoning Ordinance and we are looking for automotive parameters to what you want to do; trying to put you under what you need.

Ms. DeStefano read the definition of Commercial Enterprise. She feels that we need to dig a little deeper. She also read the definition of signs. Mr. Hertrich felt that this is usually for the selling of goods. A discussion followed. Ms. Godwin said that he has an accumulation of things and Mr. Milbrand stated that vehicles is a problem. Mr. Hertrich said that he could register all of them. Ms. Goodwin pointed out that registration only is not the answer, they must be roadworthy. Ms. DeStefano advised Mr. Hertrich to not do anything until they can find out what this can qualify under. Ms. Goodwin will contact Town Counsel. Ms. DeStefano stated that we need to know how to clarify a personal collection. Mr. Milbrand reminded the Board that all uses are pretty much for commercial use and he wants personal use. Ms. Goodwin stated that this is a commercial property, and the Site Plan is for commercial use. Ms. DeStefano felt that the Board needs to consider something for museum, commercial and personal. Ms. Goodwin will try to get an answer as soon as possible. Mr. Milbrand explained that, if the Board had to make a change to the Zoning Ordinance, that process will take a year, as it would need to go for a Town vote in March.

WORKSHOP:

ELECTION OF OFFICERS:

E. Seeler made a motion, second by D. Milbrand, to nominate Denice DeStefano as Chair. The motion carried by roll call vote 3-0-1.

D. Milbrand made a motion, second by E. Seeler, to nominate Randall Kelley as Vice Chair. The motion carried by roll call vote 3-0-1.

PRIORITIZING ZONING AMENDMENTS:

Ms. DeStefano explained for Mr. Kelley that, each year, we prioritize possible Zoning amendments to work on throughout the year. The following items were reviewed:

- The multi-use district and the expansion of the boundaries in the Corridor Commercial District.
- Revision of the Sexually Oriented Business Ordinance – the current Ordinance does not allow the business, which we cannot do. Ms. DeStefano has been working on this and has a preliminary amendment ready for the Board to review.
- Ms. Goodwin has been working on camping on undeveloped properties. She said that there are different options and asked if she might use park model campers as an example. She needs the Board's direction. Ms. DeStefano stated that this is not meant to cover pitching a tent for a couple of nights.
- Tiny Homes and Accessory Dwelling Units may also become priority as the legislature has bills that affect where they are allowed and under what rules. The bills have not been finalized but could affect what needs to be updated if the bills pass.
- Ms. Goodwin mentioned that there is also a bill that will limit what towns set as a minimum lot size, making it so that it can be no more than ½ acre.

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WORKSHOP, PRIORITIZING ZONING AMENDMENTS continued:

- Ms. DeStefano stated that pools are regulated by the State.
- External lighting. This came from the former Planner.
- Ms. Goodwin mentioned Airbnb's and added that we have more of them than we know.
- We may add museums after we hear back from Town Counsel.
- Mr. Milbrand is working on regulations for multi-use and expanding boundaries, which is mostly done.
- Mr. Kelley asked if we have a model ordinance for a Solar Ordinance and Ms. Goodwin answered yes and it is about 16 pages long. Right now, this is regulated by the Fire Department.

Ms. Goodwin is concerned that some of the items on this list, may not have been recommended by the Planning Board. The Board agreed and approved Ms. DeStefano and Ms. Goodwin's review and update of the list.

Ms. DeStefano explained to Mr. Kelley that we try to get our hearings done by December, which leaves us two (2) meetings in January should any second hearings be needed. Ms. Goodwin added that we no longer must notice the hearings in a newspaper.

REVIEW OF FORMS, SITE PLAN:

The Board reviewed the proposed changes for the Site Plan application and the procedures. In the discussion, they felt that only three (3) of the large plans are needed – only one (1) when the application is submitted and then the three (3) to be signed when complete. The Board felt that something should be said about paying attention to scheduling. Electronic submission is encouraged and should be accompanied by the single large and small plans.

Ms. Goodwin asked if we should recommend deadlines on the checklist and was told that we should. She then pointed out #5 and asked if verified should be taken out so that they do not think we will do the list for them. Ms. DeStefano will change the answer area to boxes. We are not able to do a check mark so it will either be a "yes" or a check box. It was thought that there needs to be a little more space. Ms. DeStefano said, #13, we changed in the Site Plan and the Board discussed the size of the signature block. #14 needs to change to three (3) plans (1 for Planning, 1 for mapping, and 1 for the owner). As to the contours, it was noted that most folks ask to waive the, so there was no need to change. #28 wetlands delineation, do we need a licensed Scientist or can we use the Town's mapping. Ms. DeStefano stated that a full site plan needs a scientist usually, a minor does not. Ms. Goodwin asked about the last page that says must be accepted by the Planning Board Chair. It was felt that the Chair could sign off. Ms. Goodwin stated that we should put the fees back on the form and the Board was okay with that.

REVIEW OF PLANNING BOARD MEMBER JOB DESCRIPTION:

Ms. DeStefano will change to 5 members instead of 7. She asked that the Board members review and submit feedback to her as soon as possible.

MINUTES OF MARCH 10, 2021:

As the Board had not had time to read them previously, it was felt that they should be held for the next meeting.

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COMMUNICATIONS:

The Board received an invite to a virtual event for planning and development.

There was a Shoreland Permit issued for Eugene Ianniciello for a single building with two (2) townhouse units at 50 Beech Street.

REPORTS:

Historic District Commission (HDC) – They talked about the historic signage for the boundaries. They are replacing the small ones we have now and are looking into the types of posts and where they should be located. They are also looking into a grant for historic signage on buildings including the Historic Town Hall. HDC elected their officers - Richard LaFlamme is Chair and Kyle Sandler is Vice Chair. HDC also looked at the brochure and supplied language to include.

Select Board - Mr. Milbrand is the new Chair and continues as the Planning Board Representative. They are planning a workshop with the Economic Development Committee (EDC).

Capital Improvements Program Committee (CIP) – They have not met. Bill Cote is to schedule a meeting.

Land Use – All of the Planning Board needs to be reappointed due to the Warrant Article changing the members. Members will stay with the same terms. We are planning to have the Town Clerk come to the next meeting to swear members in.

The Homestead wants to put a structure by their patio to serve as a bar. They do have heaters out there as it is a 3-season patio. It was determined that they may need to come for a PCC. Ms. Goodwin will gather more information.

NEXT MEETING: The next meeting is scheduled for April 14, 2021 at 7:00pm. Ms. DeStefano will attend via Zoom for this meeting. She will also have to step down for the subdivision hearing, as she is an abutter, so Mr. Kelley will have to take over the meeting. The Special Use Permit for Mayhew has been moved to April 28, as it is required to have 30-day's notice to the Conservation Commission and Health Officer.

With no other business before the Board, E. Seeler made a motion, second by R. Kelley, to adjourn at 9:13pm. The motion carried by roll call vote 4-0.

Respectfully submitted,
Jan Laferriere
Land Use Administrative Assistant