

PLANNING BOARD MINUTES

April 28, 2021

APPROVED: 5/14/12

AGENDA: 21SUP02 - SPECIAL USE PERMIT: MAYHEW PROGRAM, 6 Olde Lane Rd., #104-134
PCC: BRENT GOUDREAU, 190 Lake St., #113-035
PCC: RUSS HERTRICH, 865 Lake St., #216-022
LAKES REGION PLANNING COMMISSION (LRPC)

ATENDING: Denice DeStefano (Chair - Zoom), Randall Kelley (Vice Chair), Don Milbrand (Sel. Rep.), Jackie Elliott (Member - Zoom), Bruce Beaurivage (Alternate – Phone)

ABSENT: Betty Seeler

OTHER: Christina Goodwin (Land Use Manager), Jay Buckley (Mayhew), Jim Nute (Mayhew), Susan Slack (LRPC - Zoom), Denise Feltz (Abutter - Zoom)

Ms. DeStefano stated that there is still an emergency order issued by the Governor that allows for meeting 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. Bruce Beaurivage was asked to sit in for an absent member and the meeting opened with a quorum by roll call vote 5-0.

21SUP02 - SPECIAL USE PERMIT: MAYHEW PROGRAM, 6 Olde Lane Rd, #104-134

Ms. Goodwin read the application, abutters notified, where the hearing was advertised, and stated that there are comments from the Health Officer, the Conservation Commission, and the Water / Sewer Department.

Mr. Buckley, presenting on behalf of Mayhew as the project manager, explained that they wish to demolish the present cottage and build in the same footprint. The septic design is close to the water and will be 75 feet from the Lake. It is approved by the State. The proposed septic makes it less non-conforming.

Mrs. DeStefano read the comment from the Water / Sewer Department, which stated that the water lines are within the 25-foot setback and 10 feet from the septic tank. She then directed the Board to look at page 57 of the Zoning Ordinance, Article IX.7.

Mrs. DeStefano then read the comments from Health Officer (support the approval as it lessens the risk of the older system failing considering its proximity to the Lake) and the Conservation Commission (the system is an improvement over what exists currently and therefore is recommended for approval).

Ms. Goodwin added that the applicant has received approval for a Special Exception to make the new cottage a two-story with two (2) bedrooms.

At this time, Ms. DeStefano opened the hearing to the public and asked for comments for or against. Denise Feltz, abutter, asked why they needed to come before the Board and Ms. DeStefano answered because the septic system is to be closer to the Lake than the Zoning Ordinance's 125 feet. Ms. Feltz then mentioned that, when there is a heavy rain, she is not sure

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MAYHEW SPECIAL USE PERMIT continued:

about the drainage. It was determined that the system is to the west side and further from the Lake. Mr. Milbrand added that the design is to protect and absorb from the run-off. Ms. Feltz asked what the red line on the plan was and Mr. Buckley stated that it is the 10-foot setback. Ms. Feltz was okay with the plan.

Ms. DeStefano then read the Special Use regulations for approval (IX.7) for the Board to consider. There were no more questions from the public, so the public hearing was closed for deliberations. Mr. Kelley felt that the Board had all they needed to decide.

D. Milbrand made a MOTION, second by R. Kelley, to APPROVE THE SPECIAL USE PERMIT AS PRESENTED. The motion CARRIED by roll call vote 5-0.

The Board expressed that it is a great improvement. The Notice of Decision will be signed and submitted to the applicant. Ms. Goodwin reminded the applicant that they have the demolition permit but will still need a land use permit to build.

PCC - BRENT GOUDREAU, 190 Lake St, #113-035

Ms. DeStefano read the procedure for a PCC. Mr. Goudreau explained that they just moved into the area and would like to have a nursery on the property. They came in for a sign permit and were recommended to come in for a PCC regarding what may need to be done for a Site Plan. They are planning to do in-person and on-line sales. They are in the Village Commercial district. On the property now are the house, a garage, and the office building. They intend to continue to use the office. There will be no lighting at night. They will get a NH license to sell plants. There will be a greenhouse in the back in the future.

Ms. DeStefano asked if this is an allowed use and Mr. Milbrand stated that it is. Parking was then discussed. It was felt that they would have 8 to 10 spaces with in and out entrances for the drive. They intend to only be open on weekends for now. When asked about truck deliveries, Mr. Goudreau stated that it would be basic FED EX or UPS. He added that the expectation is 3-5% growth in 5 years.

The Board determined that they would like to see the parking behind the office building. Ms. Goodwin asked about paving and Mr. Goudreau answered that they do not plan on paving anything more at this time.

The Board went over the criteria for Site Plans and determined that they can do a Minor Site Plan. They directed the Goudreau's to see the Land Use staff for direction.

PCC RUSS HERTRICH, 865 Lake St, #216-022

Ms. DeStefano explained that this is a follow-up from the original PCC and the input the Board has received from Town counsel. He will need some sort of Variance, depending on Mr. Hertrich's choice. Mr. Hertrich stated that he wished he had seen this earlier, so he was prepared to respond and was told that the Board just got it.

The options were Auto Repair garage (as approved for the former owner), Storage Yard, Junkyard, and Outdoor Personal Display.

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HERTRICH PCC continued:

Mr. Hertrich felt that he would be using the property almost the same as what was previously approved. Ms. DeStefano read the approval in which there was to be no outside display. Following a discussion, Mr. Milbrand pointed out the last option from Town counsel, that seems to be the closest to what Mr. Hertrich would like. Ms. DeStefano added that, depending on what he wants, he may need more than one Variance.

LAKES REGION PLANNING COMMISSION, SUSAN SLACK

Ms. Slack stated that this was the best prepared and organized Board that she has seen.

Ms. DeStefano explained that we have signed a contract with LRPC to do the Master Plan. We have developed a Scope of Work and the Board is meeting with LRPC to review and discuss that work. Ms. Slack proposed some changes from the current scope and when the discussion is done tonight, she will send a written report, timetable, and outline. She then addressed the chapters.

VISION: Ms. Slack felt that the visionary statement is pretty much okay as it is and might need some minor adjustments.

LAND USE: Ms. Slack noted that the changes for 2015 were never finished for adoption. It will probably need updating. She suggested folding in the Downtown, Village Commercial and Lake as subsections to this. Ms. DeStefano mentioned that we have an Economic Development Committee that would like a stand-alone chapter. Mr. Milbrand suggested that it be a replacement for the Downtown since we redid that area. There was further discussion.

Ms. DeStefano explained that we have added Mixed Use Development to the Corridor Commercial district. Ms. Slack added that the existing and future land use needs to be updated. It can include a graph of the last 10 years of new houses and subdivisions. Ms. DeStefano mentioned that there is a Sewer to the Lake project going on, as well. Ms. Slack said that will be in future land use.

Ms. Slack suggested the following timetable: Vision and Land Use until the end of December 2021, Economic Development and Population and Housing in 2022 and Conservation and Recreation in 2023. She felt that Historic Resources is okay as it was only done a few years ago. She stated that we may want to look at Transportation. Ms. DeStefano added possibly Communication and Technology. Ms. Slack felt that those could come under Economic Development and the Board agreed. Ms. Slack then stated that she strongly recommends an Implementation Chapter and showed samples from Pembroke and Plymouth: adds more photos, background of all the chapters, on-going projects, short-term and long-term, who's responsible, and challenges and opportunities. Ms. Slack added that it should be kept simple. The Board agreed and this will be added to the 2021 updates beginning with Vision and Land Use. She stated that we can add more as we redo other chapters. The CIP plan and Reserve Funds were also mentioned and suggested to review those options for future funding of the Master Plan updates.

Ms. Slack will do a memo and send it to Ms. Goodwin. She was thanked by the Board at this time.

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MINUTES OF APRIL 14, 2021:

R. Kelley made a motion, second by B. Beaurivage, to approve the minutes as written. The motion carried by roll call vote 5-0.

SITE PLAN FORMS:

The Board continued the review of the forms to the next meeting, due to the late hour.

COMMUNIATIONS: None.

REPORTS:

Historic District Commission (HDC) – They canceled their May 11 meeting and will meet in June.

Select Board - They are working on cardboard recycling still.

They held the final vote on the easement and Land Purchase near the Solar project.

They are dealing with the easement and land around the water tower as the land sold to a new owner.

Capital Improvements Program Committee (CIP) – They voted Bill Cote as Chair and Randall Kelley as Vice Chair. They also set their schedule of meetings and will move the time up to 5:00pm.

Land Use – The Hemphill subdivision from the last meeting was reviewed and it is correct that it is in the Lake district. Mr. Milbrand and Ms. Goodwin wanted the Board to consider corrected some district boundaries this year, such as this property and the properties that are split along Lake Street. It is a good time to make the corrections because the Board is considering extending the boundaries of the Corridor Commercial District.

Ms. Goodwin stated that she has a question regarding the new impervious cover change and paving with a residential property. There are no permits required for these properties, but they could affect the lot coverage calculations. A discussion followed. It was agreed that paving would not impact as hardpack driveways are already included in the calculation, so the paving would replace existing impervious cover.

Ms. Goodwin had asked the Town attorney about putting conditions on the plan and mylar and they can. She then read the conditions of approval. Following a discussion, it was determined that the conditions were for the Special Use Permit and not the Subdivision. The Board did not feel that those should be on the plan. Any conditions would be enforced as normal. The Board reviewed the conditions of the subdivision, which were to get a driveway permit, the DES subdivision approval and set the monuments. The Board was unable to confirm that the monuments are set so the compliance was moved to the next meeting.

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NEXT MEETING:

The next meeting is scheduled for May 12, 2021 at 7:00pm. The Board will have the Murphy compliance, Site Plan Amendment for the Crazy Cat Winery, and the review of the Site Plan forms.

With no other business before the Board, R. Kelley made a motion, second by B. Beaurivage, to adjourn at 9:06 pm. The motion carried by roll call votes 5-0.

Respectfully submitted,
Jan Laferriere,
Land Use Associate