

PLANNING BOARD MINUTES

June 9, 2021

APPROVED: 6/23/21

AGENDA: 21MSP06, MINOR SITE PLAN: BRENT GOUDREAU/STORMY DAVIS, 190 Lake St, #113-035
21MSP07, MINOR SITE PLAN: RUSSELL HERTRICH, 865 Lake St, #216-022

ATTENDING: Denice DeStefano (Chair), Randall Kelley (Vice Chair), Don Milbrand (Sel. Rep.), Jackie Elliott, Betty Seeler, Bruce Beaurivage (Alternate – Phone)

ABSENT: -----

OTHER: Christina Goodwin (Land Use Manager), Applicants, Eugene Ianniciello (abutter), Alan DeStefano (Manager of abutting property)

Mrs. DeStefano stated that there is still an emergency order that allows for meetings to be held in person and electronically. Members are attending in-person, via video and telephone conference and the meeting is open to the public via the same options. All members of the Board were present and the meeting opened at 7:00pm with a quorum by roll call vote 5-0.

MINOR SITE PLAN: BRENT GOUDREAU/STORMY DAVIS, 190 Lake St, #113-035

Ms. Goodwin read the application, abutters notified, and where the hearing was advertised. There were no phone calls or written responses from the public. The Fire Chief asked to be notified if there were any changes to make the inside a mercantile space. The Board reviewed the checklist.

R. Kelley made a MOTION, second by B. Seeler, to ACCEPT THE APPLICATION AS COMPLETE. The motion CARRIED, 5-0. When asked, Mr. Goudreau had no further comments. There were no abutters nor public who wished to speak. Mr. Kelley mentioned that the plan is very detailed and easy to follow. The public hearing was closed at 7:10pm.

D. Milbrand made a MOTION, second by R. Kelley, to APPROVE THE SITE PLAN FOR BRENT GOUDREAU AND STORMY DAVIS AS PRESENTED. The motion CARRIED by roll call vote 5-0. Mrs. DeStefano reminded all that the Fire Chief must be notified if anything changes inside. Ms. Goodwin added that the sign would need a permit and that there is a 30-day appeal period. The Board signed the plans.

MINOR SITE PLAN: RUSSELL HERTRICH, 865 Lake St, #216-022

Ms. Goodwin read the application, abutters notified, and where the hearing was advertised. There were no phone calls or written correspondence from the public. The Fire Chief will require an on-site meeting to review any code requirements for occupancy use and the State of New Hampshire Department of Transportation (NHDOT) asks that there be no signs or vehicles in the right-of-way. The checklist was reviewed. It was noted that there are no right-of-way or easements on the property itself.

D. Milbrand made a MOTION, second by B. Seeler, to ACCEPT THE APPLICATION AS COMPLETE. The motion CARRIED by roll call vote 5-0.

Mr. Hertrich explained that he once worked at a Texaco station and likes the old vintage signs, etc. He has six (6) old tow trucks on the property which he believes is allowed. He also has a collection of original

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HERTRICH MINOR SITE PLAN continued:

signs (19 feet tall) that he would like to display along the property line and two (2) Texaco signs out front to look like an old Texaco station. He would illuminate three (3) signs during the day. He plans on selling some signs, gas pumps, etc.

Mrs. DeStefano stated that, first, the Board needs to determine if these are considered signs. Mr. Kelley stated that signs are usually outside a business advertising the business, but these do not. Mrs. DeStefano read the sign ordinance. Mr. Kelley then said that he feels that they create a distraction and Ms. Seeler agreed. Mr. Milbrand stated that these are not signs to promote the business. Mrs. DeStefano added that they are to attract attention. A discussion followed. Mr. Beaurivage stated that they create an atmosphere, but should not be lit as it will cause a traffic hazard. Under the Zoning Ordinance, all businesses in town are allowed one sign. He felt that the 19-foot tall signs are a distraction. Mr. Kelley feels the same way. He likes the idea but feels it is too much, in this location. It was mentioned that this property is in the Village Commercial district. Mr. Milbrand thought that flowers also distract as do Christmas lights. There was more discussion and then Mr. Beaurivage stated that Christmas lights are standard seasonal displays. This is unusual and unique; one of a kind. Mr. Milbrand pointed out that Aubuchon, across the street, has flowers, mulch, chairs, etc. on display. Others stated that these are for sale. Mrs. DeStefano said that the big signs are not for sale. Mr. Milbrand felt that they are structures, but would not want any lighting.

Ms. DeStefano asked for any public input. Eugene Ianniciello, abutter, stated that Mr. Hertrich has some great stuff, but Mr. Ianniciello has tenants that he is concerned about. He is baffled by the height of the signs and about the lighting. He added that Mr. Hertrich has been a good neighbor in some of their other endeavors and keeps his property clean. However, he does not feel that this is the right location. These are usually out on a farm. Again, he stated that he feels it is too much and he would not like the lighting.

Alan DeStefano, manager of Mr. Ianniciello's property and also a member of the Real Estate business, stated that it will diminish the property values and tenant's won't want to look at it. The driveway to this property runs across the front of Mr. Ianniciello's front line, which will cause a traffic problem. Traffic will slow down to see what is there and it will cause problems.

Mr. Beaurivage said that he is trying to display vintage, but this is on a curve. As these trucks are not restored, they are not pleasant to the eye which is not a good thing when you enter the Lake District. Mr. Hertrich answered that this all makes some sense and he asked if there is a way that we can come to some middle ground. Maybe put up some signs and only light them like three (3) days a year. It was felt that this would be hard to monitor. Mr. Ianniciello was okay with one (1) sign and suggested signs on the actual front of the building. Mr. Hertrich stated that he has spaced the tow trucks so that they look like a display. He may restore one at a time. Mrs. DeStefano felt that some folks love these while others hate it. Mr. Hertrich has been told that it will bring economic value to Bristol. Mr. Kelley felt that it would if there was better accessibility. A discussion followed about putting up chains, which would probably result in folks parking on the road or neighbor's property to get pictures. Mr. Hertrich said he is willing to work with folks. Mr. Kelley asked if some of the vehicles will be restored, and Mr. Hertrich answered yes.

Ms. Goodwin asked if these are to be considered signs or not. Mrs. DeStefano added that, if not, they must be considered structures. Mr. Hertrich stated that he has some inside and some will be on the farmer's porch. He also wants to add a coke machine and other items that go along with the theme. Mrs. DeStefano said the Board must determine if these are signs or structures under our definitions. A

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HERTRICH MINOR SITE PLAN continued:

discussion followed. Mr. Hertrich said he is willing to take the signs off the plan except for the two (2) Texaco signs and one (1) future business sign.

Mrs. DeStefano read the structures definition in the ordinance and stated that the Board must justify our decision to other businesses in the future. Mr. Beaurivage stated that, if we decide that these are structures, others will have to follow that.

D. Milbrand made a MOTION, second by J. Elliott, that THE BOARD WILL CONSIDER VINTAGE GAS STATION SIGNS AS STRUCTURES. Ms. Goodwin reminded the Board that there are 17 of them. Mr. Milbrand felt that structures will give the Board more control. The motion CARRIED by roll call vote 3 -2.

Mr. Milbrand then said that they must meet setbacks and Ms. Goodwin added that they must be setbacks from the right-of-way. Mr. Hertrich asked if he could get a Variance and was told that he can, however, it might be hard to prove that there was a hardship. Mr. Hertrich felt that it might have been better to count them as signs. Ms. Goodwin said that signs could only be 16 feet tall, meet a 5-foot setback from boundaries and/or rights-of-way, but then he also would be limited to the quantity he could have. She asked about registering of the automotive business. Mrs. DeStefano asked the Board about 17 structures on the property. Mr. Kelley felt that Mr. Hertrich is a reasonable gentleman and will consider all that has been said.

Mr. Hertrich mentioned a similar situation on Lake Winnepesaukee which attracts folks and is a cool place to visit. Mrs. DeStefano said that it still would not stop folks from stopping to take pictures. Mr. Beaurivage added that the business Mr. Hertrich mentioned is for antique boats and has no signs.

Ms. Goodwin asked for further directions for Mr. Hertrich such as the business sign lighting and any other issues. Mr. Milbrand wanted the paved area and the gravel area labeled. Mrs. DeStefano added that he should note where any future business sign would be placed. Any new paving will need a permit (per our Site Plan regulations. Ms. Goodwin reminded all that hard-packed gravel is the same as paved now. Mr. Milbrand stated that he is allowed two (2) Texaco and one (1) business sign with their location and how they would be lit. Ms. Goodwin pointed out that this property has some wetlands, and everything must be 50 feet away from the wetland. Mrs. DeStefano stated that he come back with a revised plan with signs, their dimensions and how they are lit. Allowed are two (2) vintage structures and a future business sign. Setbacks are 20 feet from the front boundary and 15 feet from the sides.

B. Seeler made a MOTION, second by R. Kelley, to CONTINUE THE MINOR SITE PLAN HEARING TO JULY 14, 2021, AT 7:00PM. The motion CARRIED by roll call vote 5-0. A discussion followed as to what happens to the structures should the property be sold and it was felt that this would be up to the buyer.

MINUTES OF MAY 26, 2021: D. Milbrand made a motion, second by R. Kelley, to approve the minutes as read. The motion CARRIED by roll call vote 4-0-1.

COMMUNICATIONS: None.

SIGN CHART: A new Quick Reference Sign Chart was given each member as an FYI. It was created to give the public a tool to assist with permitting and the sign Ordinance. It has been posted online.

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REPORTS:

Historic District Commission (HDC) – The Commission met last night and worked on the brochure. They also reviewed sign locations and proposed changes to have them at eye level. Two (2) will have to go to the Select Board for their approval as they would be on Town property. The Commission may have a Certificate of Approval (COA) coming in for next month.

Select Board - They continue working on recycling and the Sewer to the Lake project.

Land Use

Meeting access - Beginning June 12th, the rules for meetings will return to normal. Zoom meetings can still occur, however, there must be a quorum in-person. A quorum for the Board is three (3) members. She is also asking that the Boards eliminate the phone access and require either in-person or Zoom attendance for all future meetings.

New Hires - We have hired new folks: 1 part-time to start June 21 and 1 full-time to start June 28, as long as the Select Board approve at their next meeting.

Vacation / Coverage - Ms. Goodwin will be on vacation July 2 through July 13 and Mrs. DeStefano will be the Acting Manager. Ms. Goodwin's jury duty has been postponed to September.

Enforcement - The Department has received numerous complaints, which has set us back a couple of weeks. We will get to enforcement just as soon as we can. There has been a lot of permitting, as well. Any hazardous cases will get looked at right away.

NEXT MEETING: Our next meeting will be held June 23, 2021 at 7:00pm. It is a workshop meeting. The Board will discuss the updated Sexually Oriented Business Ordinance, Proposed Tents (if ready), and a discussion on Mixed Use definition and proposed changes.

With no other business before the Board, D. Milbrand made a motion to adjourn at 9:12pm, second by R. Kelley. The motion CARRIED by roll call vote 5-0.

Respectfully submitted,
Jan Laferriere,
Land Use Associate