

PLANNING BOARD MINUTES

June 23, 2021

APPROVED: 7/28/21

AGENDA: WORKSHOP:
SEXUALLY ORIENTED BUSINESS ORDINANCE, TENTING, MIXED USE DEVELOPMENT
BYLAWS REVISIONS
SUBDIVISION FORMS

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

ABSENT: Jackie Elliott

OTHER: Christina Goodwin (Land Use Manager)

Mrs. DeStefano stated that the emergency order for meetings has expired. Members can still attend in-person and electronically, but there must be a quorum of members present in the meeting room for the meeting to continue. Tonight, members are attending in-person and via Zoom and the meeting is open to the public via the same options. Mr. Beaurivage was asked to fill in for Ms. Elliott and the meeting was opened at 7:00pm with a quorum present in-person.

MINUTES OF JUNE 9, 2021:

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

WORKSHOP:

SEXUALLY ORIENTED BUSINESS ORDINANCE:

It was determined to change 12.3.2 to 500 feet to be more uniform with the other limits proposed. Ms. Goodwin will review the Corridor Commercial district, both existing and proposed changes, to determine if there are any issues with this being allowed in that district. It is proposed to move use from Industrial to Corridor Commercial. Ms. DeStefano will prepare a clean copy for the Board to review at the next workshop.

TENTING:

Ms. Goodwin explained that, at present, there are no regulations for tenting outside of a campground on private property. The Board discussed options for the regulation of tenting, such as to mirror it with the camper regulations, and consider adding regulations about portable units or contained septic systems, regulations on limiting the number of tents, regulations on limiting how long tents can be used, and consider how handling vacant lots versus developed properties. Ms. DeStefano will review the suggestions and bring an update to the next workshop.

MIXED USE:

Mr. Milbrand had debated as to whether this should be in the Zoning Ordinance or in the Site Plan/Subdivision Regulations. He is unsure if it should be a District or an Allowed Use in a District. Ms. Goodwin pointed out, that it is currently an allowed use in the Corridor Commercial district, but if the Board makes it an overlay, then it could create conflict with the intent, as the stricter regulations take

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MIXED USE continued:

precedence. Ms. DeStefano added that we used the Town of Bow's example to craft what is being reviewed and that the Economic Development Committee (EDC) had been pushing for this, so the Board got the definition and use onto the ballot. We previously debated if it should be in the Ordinance or in Regulations. Mr. Milbrand had a problem with it in Site Plan/Subdivision Regulations, as it looks like we are bypassing the Town vote and because there is existing conflict with the Ordinance (height of buildings, boundaries, etc.). It was decided that Mr. Milbrand will work on a section to be placed in the Ordinance as a use and we shall work on it again at the next workshop. Ms. Goodwin will also bring the proposed expansion of the Corridor Commercial District to the next workshop.

BYLAWS REVISIONS:

The Board reviewed the suggestions of the Town's Attorney and staff for changes to the bylaws. A lot of it is just formatting. Under disqualification of a member, it was noted that the Board must request that the Select Board remove that member. A discussion was held regarding return receipt for notices sent out as it is no longer a requirement to be Certified Mail only as Verified Mail is now allowed. The Board felt that Certified Mail is the better option. The notification of the Board's decision will be updated from 60 days to 90 days from the approval of a completed application that has been submitted. Under Joint Meetings, it was determined to eliminate the "Land Use Department". A clean copy will be provided to the Board members.

SUBDIVISION FORMS:

The review of the subdivision forms was moved to the next meeting.

COMMUNICATIONS: None.

REPORTS:

Historic District Commission – Met in June and already reported on.

Select Board – Mr. Milbrand reported that the Board is working on his least favorite duty – the taking of properties. They have been getting updates on straightening up of properties. They are planning a workshop on the EDC.

Capital Improvements Program Committee – To meet in August. The Land Use Department is inviting Department Heads to the first few meetings.

Land Use Department –

The new Administrative Assistant and the Shared Administrative Assistant will both be starting next week.

Ms. Goodwin will be on vacation 7/2 – 7/12 and Ms. DeStefano will be Acting Manager in her absence.

Cardigan Mountain wishes to have music, both indoors and out. The Board reviewed the proposal and determined that it was okay inside but due to the possible distraction at that intersection and the effect on abutters, the outside music would need to come before the Planning Board.

The businesses in the Town were notified that they could have temporary outside seating for 2021, but this would be the last time. Any future changes must come to the Board. Entertainment in the Square is

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also being allowed on a first come first served basis and they must carry their own insurance and cannot serve alcohol in the green space or allow it to be transported from their establishment to the green space.

The Select Board continues to work on junkyards and junky yards.

A letter of violation has been sent to the property owner where a driveway was installed through a designated wetland. They have until July 9, 2021, to respond.

NEW BUSINESS: None.

NEXT MEETING: The next Planning Board meeting will be held July 14, 2021, at 7:00pm. On the agenda is Mr. Hertrich's revised Site Plan as well as completion of the Bylaws and the Subdivision forms. July 28, 2021 is the next workshop and the Board will continue work on the Sexually Oriented Business Ordinance, Tenting, and Mixed Use.

It was noted that Mr. Hertrich may be buying two (2) more buildings in town. It was also pointed out that Mr. Hertrich was holding an Open House to display some of his collection at the property on Lake Street during the Friday night antique car show. A discussion followed as to the legality of this where the Site Plan has not been approved yet. Some felt that he does not have a business there yet, so it is allowed.

With no other business before the Board, R. Kelley made a motion, second by D. Milbrand, to adjourn at 8:41 pm. The motion carried 5-0.

Respectfully submitted,
Jan Laferriere
Land Use Associate