

PLANNING BOARD MINUTES

October 13, 2021

APPROVED: 10/27/21

AGENDA: 21MSP09 MINOR SITE PLAN: JOHN BAUER, Summer St., #223-026
21MSP10 MINOR SITE PLAN: Donald & Margaret Duba, Prospect St., #115-039
21MSP07 MINOR SITE PLAN COMPLIANCE: BRISTOL CENTRAL SQUARE, Lake St., #216-022
WORKSHOP – ZONING AMENDMENTS

ATENDING: Denice DeStefano (Chair), Randall Kelley (Vice Chair), Don Milbrand (Select Board Rep.),
Betty Seeler

ABSENT: Jackie Elliott, Bruce Beaurivage (Alternate)

OTHER: Christina Goodwin (Land Use Manager), applicants/public

Mrs. DeStefano opened the meeting at 7:00pm with a quorum in the room. She explained the procedure for hearings.

MINOR SITE PLAN: JOHN BAUER, Summer St, #223-026

Ms. Goodwin read the application, abutters notified, where the hearing was advertised and stated that the only communication she received was from the Water/Sewer Department. The Board then reviewed the checklist. D. Milbrand made a motion, second by R. Kelley, to accept the checklist as complete. The motion carried 4-0.

Mr. Milbrand asked about parking and Mr. Bauer stated that there is space for seven (7) customer vehicles, but usually they only get three (3) at a time. When Mrs. DeStefano asked about lighting, she was told that they wish to have accent lighting that will change with the seasons, and it was determined that business lighting will be turned off with the business closure at 7:00pm. It was noted that the business and office will be on the first floor with the residence on the second floor. A discussion on the exit and entrance was held and Mr. Bauer pointed out the area designated to turn around. He stated that there is no access out in the back of the property and there is lots of traffic on Sugar Hill Drive. Mrs. DeStefano read the communication from the Water/Sewer Department in which they need to receive an application for the second unit being proposed.

Mrs. DeStefano opened the hearing for abutter/public comment. David White, abutter, spoke about the driveway being directly across from Dunkin' Donuts and agreed that the traffic makes it hard to get in and out, but this should have been addressed when Dunkin was built. The Board noted that the town can do nothing about the entrance as this is a State road. Margaret Hoyle, town resident, felt that the traffic and access will only get worse as it is happening all over town. Mr. White explained that he put in the culvert, and he asked about liability as this driveway is shared by the applicant and himself. The Board felt that there would be none as this hearing is only to convert the use. Mr. Bauer added that the use as a home occupation has been in effect for three (3) years. He also added that any future expansion will not be able to stay at this location as it is too small. Steve Favorite, representing the Transportation Advisory Committee (TAC) with Lakes Region Planning Commission (LRPC), stated that the Department of Transportation (DOT) is moving forward with planning the road expansion along Summer Street. He stated that this is on the 10-year plan, and they are considering adding sidewalks to the Transfer Station road. Ms. Seeler asked if the whole building will be retail and Mr. Bauer said that the upstairs will be residential

PLANNING BOARD MINUTES

October 13, 2021

BAUER MINOR SITE PLAN continued:

unit and if they move out it will become a residential rental unit. Mrs. DeStefano closed the public portion of the hearing at 7:30pm.

Mr. Kelley commented, saying that the access is no different than others in the area.

D. Milbrand made a MOTION, second by R. Kelley, to APPROVE THE MINOR SITE PLAN FOR JOHN BAUER WITH THE FOLLOWING CONDITIONS: ACCENT LIGHTING FOR THE BUSINESS WILL BE TURNED OFF AT THE CLOSE OF BUSINESS AND THE PROPERTY OWNER IS TO FOLLOW UP WITH WATER/SEWER REGARDING THE ADDITIONAL UNIT. The motion CARRIED 4-0.

MINOR SITE PLAN: DONALD & MARGARET DUBA, Prospect St, #115-039

Ms. Goodwin read the application, the abutters notified, where the hearing was advertised, and stated that there were communications from the Fire Department and the Water/Sewer Department. The Board then reviewed the checklist. It was mentioned that there will be no personal sales on the property. D. Milbrand made a motion, second by R. Kelley, to accept the checklist as complete. The motion carried 4-0.

Mr. Milbrand asked if everything will be done inside and was told it would be. There will be no proposed additions to the building. Mrs. DeStefano read the comments of the Departments, which included that the Fire Department will require a permit for the gas roaster and the Water/Sewer Department will require an application for the addition of a unit.

Mrs. DeStefano opened the public portion of the hearing. Margaret Hoyle, abutter, inquired about delivery trucks. Mr. Duba explained that they get one (1) delivery a year right now of coffee beans, and they will be shipping via Fed Ex, which is like other homes in the area. Mrs. Hoyle stated that the delivery drivers fly up and down the street and this will increase. Mrs. Hoyle then questioned it being a home occupation. It was explained that all would be inside and run by only family members. Mrs. Hoyle asked about noise and smell and was told that the garage is sprayed with foam insulation to limit noise and they have purchased a vent kit to reduce the smell. When asked about trash, it was explained that burlap bags should have a minimal impact. Mr. Duba also added that there will be no signage and that he expects two (2) years before he will need to expand elsewhere. Andrew Bostrom, abutter, has discussed this with the Duba family and has no problem with the plan as presented. Mr. Milbrand asked what license has been applied for and was told a Food service prep license. Mr. Duba added that the general plan has been approved however they will need state inspection once they get approval from this Board. Mr. Milbrand felt that we do not need to add the license requirements as conditions as the State will follow through on them. Mrs. Hoyle stated that she prefers that it remain a residential street. Following a short discussion, it was determined that the operation will be 9:00 am to 4:00 pm for roasting, Monday through Friday.

Mrs. Hoyle questioned if there were any conflict of interests in this case. Mrs. DeStefano stated that anyone on the Board who felt they had a conflict would say so at the opening of the hearing and the members would vote on it. When Mrs. DeStefano asked what the problem was, Mrs. Hoyle would not state. Mrs. DeStefano further mentioned that one (1) of the family members did work in her husband's real estate business, but she has no connection. With no other comments from the public, the public portion of the hearing was closed at 8:00pm.

R. Kelley made a MOTION, second by E. Seeler, to APPROVE THE MINOR SITE PLAN FOR DONALD AND

PLANNING BOARD MINUTES

October 13, 2021

DUBA MINOR SITE PLAN continued:

MARGARET DUBA WITH THE FOLLOWING CONDITIONS: MUST MEET FIRE AND WATER/SEWER REQUIREMENTS AND BUSINESS HOURS TO BE 9:00AM TO 4:00PM, MONDAY THROUGH FRIDAY. After further discussion on the motion, D. Milbrand made an AMENDMENT, second by E. Seeler, to AMEND THE CONDITIONS TO: MUST MEET THE FIRE DEPARTMENT AND WATER/SEWER DEPARTMENT REQUIREMENTS AND ROASTING OF COFFEE MUST OCCUR BETWEEN 9:00AM AND 4:00PM, MONDAY THROUGH FRIDAY. The approval and amendment CARRIED 4-0.

MINOR SITE PLAN COMPLIANCE: BRISTOL CENTRAL SQUARE - RUSSELL HERTRICH, Lake St, #216-022

Mrs. DeStefano stated that the Board received the revised plan and listed the conditions that were required to be met from the original hearing:

- To be listed on the plan: Hours of operation, 10 vehicles allowed outside, Outdoor display eight (8) feet from the building on the south and east sides, Outside lighting until 10:00pm, and Outside storage area.

All appeared to be on the revised plan. Ms. Goodwin pointed out that the outside storage area doesn't meet setback requirements as presented. The Board discussed the location and determined that the Chair could sign outside of the meeting once the outside storage area is correctly shown on the plan as the setback from wetlands was not completed on the plan either.

E. Seeler made a MOTION, second by D. Milbrand, to APPROVE THE COMPLIANCE PLAN FOR BRISTOL CENTRAL SQUARE PENDING THE CORRECT LOCATION OF THE OUTSIDE STORAGE AREA BEING ADDED TO THE PLAN. The motion CARRIED 4-0 and Mrs. DeStefano will help Mr. Hertrich with the correct location.

MINUTES OF SEPTEMBER 6, 2021:

The minutes of September 6, 2021 were reviewed and an amendment was made. R. Kelley made a motion, second by D. Milbrand, to approve the minutes as amended. The motion carried 4-0.

MINUTES OF SEPTEMBER 22, 2021:

Mrs. DeStefano mentioned that, on Zoom, this meeting was very hard to hear. E. Seeler made a motion, second by D. Milbrand, to approve the minutes as written. The motion carried 4-0.

WORKSHOP ITEMS:

SHORT TERM RENTALS – With much discussion, the Board agreed to the proposed definition. Short Term Rentals will be permitted in the Lake, Rural, Corridor Commercial, and Village Commercial Districts. It will require a Special Exception in the Village Residential and Downtown Commercial Districts. It will not be allowed in the Industrial District. D. Milbrand made a motion, second by R. Kelley, to send this to public hearing on November 10, 2021, as amended. The motion carried 4-0.

TEMPORARY SIGNS: This is for a minor change to allow banner, flag, and/or balloons in any zone except the Historic District. D. Milbrand made a motion, second by E. Seeler, to move it to public hearing on October 27, 2021, as presented. The motion carried 4-0.

LAKE DISTRICT EASEMENTS REGULATION: This is to correct easements for the Lake District regarding single ownership. The language was provided by the Town Attorney. Ms. Goodwin suggested the Board consider the removal of "residents" from the sentence, as that really pertains to property owners. The

PLANNING BOARD MINUTES

October 13, 2021

WORKSHOP ITEMS continued:

Board agreed. D. Milbrand made a motion, second by E. Seeler, to move this to public hearing on October 27, 2021, as amended. The motion carried 4-0.

SEXUALLY ORIENTED BUSINESSES (SOB):

The Board determined to remove SOB from the Industrial district and add it to the allowed uses in the Corridor Commercial district. E. Seeler made a motion, second by R. Kelley, to move this to the November 10, 2021, public hearing as presented. The motion carried 4-0.

REVISED CORRIDOR COMMERCIAL DISTRICT: The expansion of the Corridor Commercial district with the removal of the section east of River Road was agreed to previously. Ms. Goodwin presented the wording as created by the Town's Attorney. D. Milbrand made a motion, second by R. Kelley, to move this to public hearing on November 10, 2021, as presented. The motion carried 4-0.

MIXED USE DEVELOPMENT: The Board agreed that there is much left to be done on this amendment and it shouldn't be rushed. It is already an allowed use in the Corridor Commercial district and the district is proposed to be expanded. Mrs. DeStefano suggested moving it to 2022 and the Board agreed.

DRIVEWAY REGULATIONS: It was explained that these have been updated by the Highway Superintendent and reviewed by the Town's Attorney. They should be in the Subdivision/Site Plan Regulations and are to be discussed at the October 27, 2021, meeting. If no changes, then they can go to a public hearing. Then the Select Board will be asked to revoke the Driveway Ordinance that was adopted previously.

REPORTS:

Historic District Commission (HDC) – Did not meet.

Select Board – They held a meeting to discuss changes to the ballot.

Capital Improvements Program Committee (CIP) – They are working on finalizing the narrative and the worksheet.

Land Use Department – Ms. Goodwin asked the Board to update their contact information.

The 2021 Planning and Land Use Regulation books order must be submitted.

The Board needs to recruit more alternates as members are getting harder to replace.

The Master Plan updates with LRPC are slow in coming. They would like to meet with the Board on October 27 or November 10. As we only have one (1) meeting in November and one (1) in December these meetings are very busy. Ms. Goodwin did not think we can encumber the funds for another year (she will check on this). Ms. DeStefano said to schedule LRPC, and we can hope to get to them. Ms. Goodwin suggested cutting a check in December and bringing them in for a January meeting. Ms. Goodwin will research options, but the Board agreed to try to push the finalizing of the Vision and Land Use chapters to the end of February 2022 and then March would start the review of the next chapter.

Ms. Goodwin reported that the Department is working on several violations.

PLANNING BOARD MINUTES

October 13, 2021

NEXT MEETING:

The Planning Board's next meeting is scheduled for October 27, 2021, at 7:00pm. The Board shall be holding the first public hearing on Zoning amendments, there may be a couple of Preliminary Conceptual Consultations (PCCs) for Bristol Shores Campground and maybe the new owners of the former gun shop, and there will be an amended site plan for Woodman's Brewery.

With no other business, E. Seeler made a motion, second by D. Milbrand, to adjourn at 9:35pm. The motion carried 4-0.

Respectfully submitted,
Jan Laferriere
Land Use Associate

.