

## PLANNING BOARD MINUTES

October 27, 2021

**APPROVED: 11/10/21**

**AGENDA:** AMENDED SITE PLAN: BARRY WOODMAN, 211 Peaked Hill Rd., #218-004  
21PCC10: BLUEBERRY SHORES, Wulamat Rd., #102-051  
**PUBLIC HEARING:**  
ARTICLE III, 3.2, Fb. Lake District Regulations  
ARTICLE IV, General Provisions: 4.10.B Camping on Undeveloped Residential  
Lots & 4.11.J Signs  
ARTICLE VII, Miscellaneous Provisions: 7.2 Amendments  
ARTICLE VIII, Definitions: Proposed definition of Temporary Camping Unit  
ARTICLE XII, Sexually Oriented Business  
**WORKSHOP ITEMS**

**ATTENDING:** Denice DeStefano (Chair – Zoom), Randall Kelley (Vice Chair), Don Milbrand (Select Board Rep.), Betty Seeler, Bruce Beaurivage (Alternate)

**ABSENT:** Jackie Elliott

**OTHER:** Christina Goodwin (Land Use Manager), Lindsay Thompson (Land Use Administrative Assistant), Barry Woodman (applicant)

Mrs. DeStefano opened the meeting at 7:00 pm with a quorum in-person, and asked Mr. Beaurivage to sit for Ms. Elliott.

### **AMENDED SITE PLAN: BARRY WOODMAN, 211 Peaked Hill Rd, #218-004**

Mr. Woodman explained that he has added a screened porch, outside seating and adjusted the parking. Ms. Seeler read the four (4) points required for an amendment. Mrs. DeStefano then read the original requirements for a Site Plan for the Board to consider.

D. Milbrand made a MOTION, second by R. Kelley, to APPROVE THE AMENDED SITE PLAN FOR WOODMAN'S BREWERY. The motion CARRIED 5-0-0.

### **21PCC10: BLUEBERRY SHORES, Wulamat Rd, #102-051**

The applicant could not attend the meeting and asked for the Preliminary Conceptual Consultation (PCC) to be moved to the next meeting.

### **PUBLIC HEARING ON PROPOSED ZONING AMENDMENTS:**

The Public Hearing for the first group of Proposed Zoning Amendments was opened at 7:16pm. It was noted that there were no members of the public present, and the Board agreed to vote on these in one vote.

### **ARTICLE III, 3.2Fb: LAKE DISTRICT REGULATIONS**

The amendment is being proposed to allow a private, water-front, homeowner to grant an easement across their land for another property to gain access to the body of water if the property is a single or two-family dwelling.

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### **PUBLIC HEARING ON PROPOSED ZONING AMENDMENTS (continued):**

#### *4.10B, CAMPING ON UNDEVELOPED RESIDENTIAL LOTS:*

This amendment is to add a new section to regulate camping on undeveloped residential lots to ensure that they meet setback regulations, have an operational waste system, and have adequate off-street parking on the lot.

#### *4.11 TEMPORARY SIGNS:*

This amendment removes the requirement that one flag, banner, or balloon, etc. be allowed only during business hours, except for businesses located in the Historic District. This has been too difficult to enforce.

#### *ARTICLE VII.7.2, MISCELLANEOUS PROVISIONS, AMENDMENTS*

This Article will allow the Planning Board, upon approval by vote at a Town meeting, to add or delete sections of the Zoning Ordinance and re-number without having to put forth an amendment to the ballot to make numbering changes. This will not apply to substantive changes and is considered housekeeping only.

#### *ARTICLE VIII, DEFINITIONS:*

The amendment defines a temporary camping unit.

#### *ARTICLE XII, SEXUALLY ORIENTED BUSINESS:*

This amendment greatly reduces the size and complexity of the existing ordinance. It is modeled after the Town of Gilford's, which has been tested through legal action.

Ms. Thompson stated where the hearing was advertised and that she did not receive any communications or Department Head comments regarding the amendments.

Mr. Kelley made a MOTION, second by Mr. Beaurivage, to SEND THE PROPOSED AMENDMENTS TO THE MARCH BALLOT. The motion CARRIED 5-0-0. Mrs. DeStefano closed the public hearing at 7:24pm.

### **WORKSHOP ITEMS:**

#### *SEWER TO THE LAKE PROJECT:*

Ms. Goodwin stated that the Conservation Commission canceled their meeting, so there will be no November joint meeting with the Planning Board on the Sewer to the Lake Project. It is anticipated that this will be reschedule for December.

Ms. Goodwin and Mrs. DeStefano also pointed out that pending this project, the Board should review conforming vs nonconforming lots and how a Special Exception might apply.

#### *PROPOSED DRIVEWAY REGULATIONS:*

It was explained that the Highway Department, Land Use Office, and Town Counsel developed regulations to provide better enforceability and more appropriate plans for a driveway to be installed. The Planning Board can approve them, take them to a public hearing, and once adopted by the Board, the Land Use Office will go to the Select Board to have the prior two (2) paragraph ordinance rescinded. The Planning Board can also approve a new application and \$25.00 fee.

#### *PROPOSED DRIVEWAY REGULATIONS (continued):*

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Mr. Kelley made a MOTION, second by Mr. Beaurivage, to TAKE THE NEW REGULATIONS TO A PUBLIC HEARING ON DECEMBER 8, 2021. The motion CARRIED 5-0.

### MINUTES OF OCTOBER 13, 2021:

Ms. Seeler made a motion, second by R. Kelley, to APPROVE THE MINUTES AS READ. The motion carried 4-0-1.

**COMMUNICATIONS:** None.

### REPORTS:

#### *Historic District Commission (HDC)*

The Commission didn't meet for October. Their next meeting is November 9, 2021.

#### *Select Board*

The Select Board has included \$6,000 for the Master Plan in the 2022 budget.

#### *Capital Improvements Program Committee (CIP)*

The Committee are set to present the new plan and narrative to the Planning Board on November 10, 2021.

#### *Land Use Department –*

Solar Array, Barrington Power Updated Plans - Ms. Goodwin explained that they have updated their Site Plan to show a change to the panel layout.

R. Kelley made a MOTION, second by B. Beaurivage, to APPROVE THE CHANGE TO THEIR SITE PLAN. The motion CARRIED 5-0-0.

Park-n-Go Sign and Lighting change - Ms. Goodwin showed a sample photo of the proposed change in LED lighting around the canopy and the proposed replacement sign on the canopy. Mr. Beaurivage thought that it looks like they want them on 24/7. The Board requested to see the hours of operation and any other significant terms of the original Site Plan. They also feel that the applicant needs to come in to see them for the LED lighting and the proposed free-standing sign. It was thought that they may need a Conditional Use Permit and a Special Use Permit.

Master plan updated - Ms. Goodwin has learned that Susan Slack (Lakes Region Planning Commission - LRPC) is retiring in April. Ms. Goodwin is working with Ms. Slack to get a draft for the Board to review.

November 10 Public Hearing - Ms. Goodwin stated that approximately 200 mailings have been sent out and they have received many calls and visits concerning some of the items in the meeting. She is recommending that the hearing be held at the Historic Town Hall. The Board discussed the location and the possibility of a Police Officer being present. Ms. Goodwin also recommended that the Board consider keeping Sexually Oriented Business in the Industrial District, should the new proposed district not pass, as it would leave us with no place allowing the use and, therefore, if someone applied, they would have an argument to have the business anywhere in town. The Board agreed and may vote at the Public Hearing to withdraw.

Pawn Shop – The property is now in compliance.

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### **NEW BUSINESS:**

Mrs. DeStefano mentioned that it is time that the Board start to think about Building Codes. The Board might think about some education in 2022 (it was noted that May is Building Code Education month). It was felt that the Board should talk to the Select Board about getting support first as Building Code would require a Building Code Officer to be hired. Mr. Milbrand suggested that the Board wait until after March Town Meeting, when the new Select Board is elected. A discussion of the pros and cons was held. Mr. Beaurivage raised a concern that properties aren't getting permits when they should. Ms. Goodwin mentioned that our Land Use Officer checks a portion of the Town weekly, and we also compare to Assessing changes throughout the year. The Board agreed to reach out to the Select Board first in 2022 after Town meeting.

### **NEXT MEETING:**

The next Planning Board meeting will be held November 10, 2021, at 7:00pm at the Historic Town Hall. There are some PCC's, the Public Hearing, and the CIP Presentation.

With no other business, B. Beaurivage made a MOTION, second by B. Seeler, to adjourn the meeting at 8:23pm. The motion CARRIED 5-0.

Respectfully submitted,  
Jan Laferriere  
Land Use Associate