

PLANNING BOARD MINUTES
July 12, 2017

APPROVED as amended & clarified:
7/26/17__jrl_____

- AGENDA:** 17SPR03, SITE PLAN REVIEW: TURNER COTTAGES LLC, Batten Road, #103-032
PCC: AUTO TRENDS/FRED SCHNEIDER
- ATTENDING:** Denice DeStefano (Chairman), Clay Dingman (Vice Chairman), Paul Manganiello (Sel. Rep.), Bob Curtis, Steve Favorite, Dan Paradis
- ABSENT:** Betty Seeler (excused), Brian Howe (Alternate, excused)
- OTHER:** Sandra Heaney (Conservation Commission), many of the public

The meeting opened at 7:00p.m. with a quorum.

17SPR03 SITE PLAN REVIEW: TURNER COTTAGES LLC/KENT BROWN, SURVEYOR:

Ms. DeStefano explained that boat storage also needs a Special Exception. The Board is asking that this be done first and then they will continue the Site Plan. Mr. Brown introduced Larry Ellis who made out the application and Bill Nassar, one of the owners. He then asked if Mr. Nassar could speak to explain some confusion. Given permission, Mr. Nassar stated that there is confusion between boat storage and garages (which are accessory buildings, which are an allowed use). He explained that he has spoken with some of the Camelot Acres abutters and wishes to clarify the misunderstanding.

The 2 buildings are to be garages for each cottage: 2 groups of 5 in each. This fits the description of Accessory Buildings and they do not feel that it comes under Boat Storage. Mr. Nassar added that they have fixed drainage by the cottages, a lot of which came from Camelot. He directed the Board to 8.2 of the Zoning Ordinance and 3.2 of the Subdivision/Site Plan Regulations (Accessory Building definitions).

Ms. DeStefano read the application which states that this is for boat storage. Her concern is that it was not updated for garages. Mr. Nassar agreed and apologized. Mr. Favorite asked about the third building and Mr. Nassar answered that the Association did not approve that and it should not have been included. He added that they own enough land to do this project. What the Association approved was to have 1 unit for each household with a 15' buffer consisting of trees and a rock retaining wall. Each unit is partitioned off and is single floor height. They will replant whatever they need to which is taken away for the construction. Mr. Favorite asked about party barges and was told that there are none as none would fit their dock or moorings. Mr. Paradis asked if this is to be assessed by the 10 owners. Mr. Nassar said that they will share the cost and each garage will be by deed. If someone does not use their garage, they are not to rent it out.

Mr. Curtis stated that we need a revised application and plans and Mr. Nassar agreed. Mr. Manganiello added that the checklist may need updating.

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TURNER COTTAGES LLC SITE PLAN continued:

Ms. DeStefano explained the process of a Site Plan: the Board will go through the checklist to see if they feel that the application is complete enough for them to continue. They will take testimony of concerns and/or approvals, and then the Board will hold a discussion in order to approve or deny the project. She added that she ends all meetings by 9:30p.m. as good decisions are difficult to make by then. This may take 2 or 3 meetings before we can make a determination. Mr. Dingman stated that we may want another venue and Ms. DeStefano agreed. It was determined that we should try for the Old Town Hall if it is available.

Ellen Rawlings, President of Camelot Acres Residents' Association, asked what the difference is with boat storage versus a garage to store boats. Mr. Dingman stated that boat storage for a Special Exception is only required for the Lake District which makes him not sold on not needing Special Exception even in this case. He feels that it may be a Conservation issue. Ms. DeStefano did not feel that this is clear cut. She has no problem with checking with counsel but did not believe that will give the Boards' intent at the time that the use was changed to needing Special Exception. Mr. Paradis thought that it might have been 20 years ago. Mr. Nassar added that things were different then. Ms. DeStefano thought that we might be able to research the intent.

Mr. Brown asked if we can continue the Site Plan if he gets the updates to us by Friday, July 14. Ms. DeStefano answered that we shall continue this to August 9th, possibly at the Old Town Hall. We shall get the location out on the town web site, TV channel 24, and on the bulletin boards as soon as we get a definite site.

One lady asked how many cottages are without garages. Mr. Nassar stated that there are 3 with garages and 4 that have one under their cottage. The questioner then expressed that only 3 are needed then. Mr. Nassar explained that the ones under the buildings are impossible to get a boat into. Most have only space big enough for small items. He personally would like a place to store his car when he goes away.

The Board determined that they are okay with continuing the Site Plan with a resubmitted application, etc. Ms. DeStefano then asked how many of the folks attending are full-time residents and mentioned that we can use volunteers on the Planning Board. She then thanked everyone for coming.

PCC FRED SCHNEIDER, AUTO TRENDS

Ms. DeStefano read the form and notice of violation (driveway entrances and removal of green space). Mr. Schneider stated that when the original dealership was there, the front was completely paved. He and Betsy decided to cut the pavement and did the landscaping. They just put it back to the way it was originally. He did not understand that the green space was to be left. When they did the paving, they repaired the manholes which now drain into the Dollar General drainage system, which is an improvement.

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FRED SCHNEIDER/AUTO TRENDS PCC continued:

Mr. Schneider went on to say that he met with the State and they liked what they did. They were to get something to the town before this meeting (those attending had not received anything new). Mr. Favorite stated that he spent an hour or two with DOT with the concern about the parking in front of the showroom. Again, Mr. Schneider stated that they came to an agreement and was to give the town something. Ms. DeStefano explained that, even once he has satisfied the State, he shall still need to rectify the Site Plan with this Board.

Mr. Favorite then asked about the delivery of cars which was not to be done on the street. Mr. Schneider mentioned that Cumberland's deliveries are often on the sidewalk and felt that this is no different. He also mentioned that he did not sign anything for the driveways and Site Plan. The Board had a copy of the State driveway permit which Mr. Schneider had signed 7/7/2000. This allows for two driveways, one on each side of the building. Mr. Schneider said that they are still there and he was a little vague about the kind of barrier was to be put up to eliminate cars from driving in anywhere they wished. He said that they can't drive up in front of the showroom as the display car is there and was reminded that this meant that he had to drive it over an area where it is not allowed. Mr. Dingman stated that he is still in violation of the Site Plan done at the same time as Dollar General when they subdivided. Ms. DeStefano stated that we shall look into hearing from the State and then will invite Mr. Schneider back in to rectify the Site Plan violation.

MINUTES OF JUNE 28, 2017:

With no amendments made, P. Manganiello made a motion, second by S. Favorite, to approve the minutes as read. The motion carried with one abstention.

COMMUNICATIONS:

The Source is to be available in the office for any member interested. There was also a Wetlands permit for Steven Croll, 128 Brown's Beach Rd., #104-120

REPORTS:

HDC = Mr. Dingman stated that they did not meet. He added that the new Town Planner has been hired. She will be our CLG and LCHIP representative, he felt.

SELECTMEN = Mr. Manganiello stated that they had a work session and are working on a to-do list. The election primary is to be held July 18 for the State Representative replacement. We have had a complaint about a property which seems to have a driveway right on the waterline and have taken trees down but without any permits. The new Planner will start July 24th. Ms. DeStefano added that the Land Use Officer position applicant will be interviewed tomorrow.

CIP = Meet next week.

LAND USE = Christina is on vacation.

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NOMINATION FOR THE SECOND POSITION TO LRPC:

Ms. DeStefano stated that she felt that the new Planner, Elizabeth Kelly, should be nominated and the Board agreed.

OTHER:

Mr. Favorite mentioned that FEMA has a new hydraulic fracturing policy.

Ms. DeStefano has heard rumors that someone is pretty set to bring a hotel in to Bristol. Mr. Manganiello mentioned that Ragged Mountain plans are to expand their facilities.

NEXT MEETING:

The next meeting of the Planning Board will be on Wednesday, July 26 at 7:00p.m. It is to be our workshop meeting and Ms. DeStefano hopes to have a couple of her assignments ready for this. There is a possibility of the NLRA coming in to speak with us (Ms. DeStefano will check with Boyd Smith).

With no other business before the Board, they adjourned at 8:17p.m.

Respectfully submitted,
Jan Laferriere, Land Use Assistant
Planning, ZBA, HDC, CIP