

# PLANNING BOARD MINUTES

May 24, 2023

**APPROVED:** June 14, 2023

**AGENDA:** 23SUP05 - FLEMING - #112-024 - 45 LAKE STREET  
UPDATED 2023 PB AMENDMENT WORKSHEET FOR 2024 BALLOT  
LAND USE CHAPTER – MASTER PLAN  
COMMUNITY SURVEY REPORT

**ATTENDING:** John Miller (Vice Chair) David Shirley, Scott Sanschagrin, Elizabeth Seeler (via ZOOM) and Don Milbrand

**OTHER:** **Staff:** Christina Goodwin (Town Administrator) Joanne Bailey (Land Use Manager), and Donna Sullivan (L and Use Administrative Assistant); **Applicants and Public:** Alan Barnard

With a quorum present, the meeting started at 7:00 pm with Vice Chair John Miller as acting Chair. He asked for a moment of silence for former Chair Randall Kelley who recently passed away.

Following this and prior to conducting the scheduled business, the Board discussed reorganization and Board structure options, new membership, and Election of Officers. The Board welcomed the return of Don Milbrand. David Shirley motioned to nominate John Miller as Chair. Ms. Seeler seconded. The motion carried by roll call vote 5-0-0. Mr. Milbrand motioned to nominate David Shirley as Vice Chair. Mr. Sanschagrin seconded. The motion carried by roll call vote 5-0-0.

## OLD BUSINESS:

### 23SUP05 – Paul Fleming – #113-020 - 45 LAKE STREET

Ms. Sullivan read the application for Special Use Permit application 23SUP05 for demolition of an existing building and construction of a new mixed-use building at 45 Lake Street which will include two apartments on the second floor and a custom cabinet showroom on the first floor with a two car attached garage. Ms. Sullivan noted the advertising, abutter notices and postings. The Special Use Permit was necessary because the project activities would take place within the Wetland Ordinance setbacks. Department Heads reviewed the application and had opportunity to comment. She stated the application was also reviewed by the Conservation Commission, and they saw no issues with the plans as presented.

Mr. Shirley and others received clarification from Christina Goodwin that this application was for the Special Use Permit and not the Full Site Plan, which was heard separately, so consideration by the Board should be for the activity and impacts within the Wetland setback and other plan compliance items such as egress, or fire alarms were not of issue for this permit.

Mr. Miller reviewed the application checklist to determine if it was complete. Following this, Mr. Shirley motioned to accept the application as complete. Mr. Milbrand seconded. The motion carried by roll call vote 5-0-0.

Mr. Alan Barnard made a presentation of the application and plans noting construction details and actions to minimize any impact within the Wetland Ordinance setback. He elaborated on the location of pervious pavers for parking areas and the installation details for these on the plans. He updated the Board about

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### 23SUP05 – Paul Fleming – #113-020 - 45 LAKE STREET - continued

actions being taken to meet the requests to make the lot “more nearly conforming” for the NH Department of Environmental Services (NHDES) Shoreland Permit which was still pending. He stated that once NHDES reviews and accepts what they are doing and issues the Shoreland Permit, he would amend the plans for the 23FSP02 permit and submit for Planning Board signatures.

Mr. Shirley motioned to approve the Special Use Permit application 23SUP05 for 45 Lake Street as presented with the following condition:

- that the applicant gets all NH Department of Environmental Services (NH DES) permit approvals.

For the following reasons:

- The Board is satisfied that the Conservation Commission found no concerns.
- The Board agrees that the applicant’s actions to meet NHDES Shoreland requests and the parking area plans will minimize any impacts within the Wetland setbacks.

Mr. Sanschagrin seconded. The motion carried by roll call vote 5-0-0.

Mr. Miller advised Mr. Barnard that Mr. Fleming should contact the Land Use Office for the Notice of Decision and any next steps.

### UPDATED 2023 PB AMENDMENT WORKSHEET FOR 2024 BALLOT

The Board reviewed its workshop priority worksheet which was updated based on discussion from the April workshop meeting. This will be the guide for workshop activities and zoning amendments work moving forward through 2023.

### STEEP SLOPES UPDATE – DAVID SHIRLEY

Mr. Shirley talked about some additional comparison research he has done, some edits he made to his outline and notes made based on previous Board discussions. He talked about definitions, and also some possible issues with current setbacks and those that would be required with Steep Slopes based on his review of other towns and State Steep Slopes documents. Overall, he felt that his outline was ready for discussion, and it would be up to the Board as to how far they may want to go with it. He also cautioned that some of the restrictions and items should be run by Town Counsel to be sure restrictions do not cause liability issues for the Town. Ms. Bailey reported that Liz Kelly of Resilience Planning & Design (Resilience) was reviewing Mr. Shirley’s work on Steep Slopes and coming back to the Planning Board to discuss a proposal for assistance with this ordinance at the next workshop session. There was some additional discussion about protection and definition of ridgelines and other priorities. Mr. Miller indicated that with the work done by Mr. Shirley and the possibility of Resilience helping, this could be finished up soon.

There was some additional discussion of definition issues for solar arrays, and comparisons for commercial vs. residential as they may be considered for the Solar Ordinance. Mr. Miller asked Mr. Shirley to continue to work on definitions for this and for the Steep Slopes.

Mr. Miller asked Ms. Sullivan to update him about agendas for June. She shared a letter from Liz Kelly of Resilience Planning & Design outlining a scope of work proposal for some assistance on some different

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## STEEP SLOPES UPDATE – DAVID SHIRLEY - continued

items the Planning Board is working on. Mr. Miller asked Ms. Sullivan to include the Steep Slopes item on the June workshop agenda and asked that the Solar be moved to July workshop.

## **NEW BUSINESS:**

### LAND USE CHAPTER – MASTER PLAN

Mr. Miller asked about another letter in the Board packet. Ms. Bailey spoke to the budget and her discussion with Steve Whitman of Resilience Planning & Design for work on the Land Use Chapter of the Master Plan. He submitted the letter and proposal for consideration. She stated that Resilience had worked on the Community Survey.

There was discussion about the individual review of the current Master Plan and the Community Survey Report by Board Members. Mr. Shirley stated that his takeaway from his review of the report was that townspeople were very much in favor of improving parks, preserving resources and overall improvements but did not want to spend any more money to do it.

There was more discussion of the Lakes Region Planning Commission Housing Needs Assessment. Mr. Miller and others were concerned about where housing projects could happen in Bristol based on zoning and land availability and what types of housing could be considered based on survey responses.

Following discussion, Mr. Miller stated that the next step for the Land Use Chapter may be to talk with Resilience about some assistance.

### COMMUNITY SURVEY REPORT

The Board postponed discussion of this until the next meeting when the Board can discuss it in more detail with Resilience Planning present.

## **MINUTES:**

Mr. Sanschagrin motioned to approve the May 10, 2023 minutes as written. Mr. Miller seconded. The motion carried by roll call voted 4-0-1.

## **OTHER BUSINESS:**

### APPOINTMENT TO THE CIP COMMITTEE

Mr. Shirley nominated Don Milbrand to represent the Planning Board on the CIP Committee. Mr. Sanschagrin seconded. The motion carried by roll call vote 5-0-0.

## **COMMUNICATIONS:** None

## **REPORTS:**

*HISTORIC DISTRICT COMMISSION (HDC)* – Ms. Sullivan reported that the May meeting was postponed to June 13, 2023 due to lack of quorum.

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### REPORTS: - continued

*SELECT BOARD* - Mr. Sanschagrín updated the Board about activities with the construction of the new Public Safety Building. Ms. Goodwin added that the Select Board was working on the Beach Ordinance and Parking Permits and other beach issues and Technology policies. She stated that the Board held a meeting with the Department Heads for discussion to determine Strategic Objectives and will be meeting with the Planning Board and the Economic Development Committee (EDC) in the future. She stated that the Select Board has a goal to do Strategic Planning every two years. Mr. Miller asked if there was a way to align these activities with the Master Plan work the Planning Board is doing. He clarified that he was concerned for incorporating the EDC planning and Select Board goals with the Master Plan.

Further discussion included activities that Land Use would be talking with the Select Board about, such as updated to forms, application checklists, review of fee structures and proposals for penalties for unpermitted activities.

*CIP COMMITTEE* – no report

*CONSERVATION COMMISSION* – Ms. Sullivan reported that the Conservation Commission met on May 3, 2023, and had planned site visits on May 20<sup>th</sup> but this was postponed due to weather.

*LAND USE* – Ms. Sullivan stated Liz Kelly of Resilience Planning will be on agenda in June. She also talked about the materials copies and asked if Board members needed the paper copies in folders. She reminded the Board about the draft minutes policy and not to take draft minutes from folders.

**NEXT MEETING:** June 14, 2023 – 7 pm

Ms. Seeler indicated that she will be absent from the next meeting due to continuing education requirements, and she asked if the Select Board was looking to appoint more alternates to the Planning Board. Mr. Miller thanked her for the notice and stated that the alternates issue was being worked on.

**ADJOURNMENT:** With no other business before the Board, Ms. Seeler motioned to adjourn. Mr. Milbrand seconded. The motion carried by roll call vote 5-0-0. The meeting adjourned at 8:12 pm.

Respectfully submitted,

Janet Cote  
Land Use Associate