

PLANNING BOARD MINUTES
November 8, 2017

APPROVED as amended & clarified:
12/13/17__jrl_____

AGENDA: CONTINUED TURNER COTTAGES LLC, Wulamat Rd., #110-032
2018 CAPITAL IMPROVEMENT PROGRAM PRESENTATION
PCC: BOBBI CHOATE
PCC: NORMAN & DIANE LACASSE
WORKSHOP: CONTINUED WORK ON ZONING AMENDMENTS

ATTENDING: Paul Manganiello (Sel. Rep.), Bob Curtis, Steve Favorite (Acting Chairman),
Dan Paradis, Betty Seeler

ABSENT: Denice DeStefano (Chairman – ill), Clay Dingman (Vice Chairman – away), Brian Howe
(Alternate, excused), Sathesh Mani (alternate – excused)

OTHER: Liz Kelly (Bristol Planner), Peter Daniels (Bristol Land Use Officer), Christina Goodwin
(Assessing & Land Use Manager), Joe Lukeman/Don Milbrand/David Hill (CIP
Committee), public

The meeting opened at 7:00p.m. with a quorum. D. Paradis made a motion, second by P. Manganiello, to elect Steve Favorite as Chairman for this meeting. The motion carried.

CONTINUED 17SPR03 SITE PLAN REVIEW: TURNER COTTAGES LLC

Mr. Favorite read the applicant's letter requesting a continuation to Dec. 13, 2017.

E. Seeler made a MOTION, second by B. Curtis, to MOVE THE SITE PLAN REVIEW FOR TURNER COTTAGES LLC TO DECEMBER 13, 2017 AT 7:00P.M. HERE IN THE OLD TOWN HALL. The motion CARRIED.

Ellen Rawlings, President of the Camelot Acres Association, asked that the hearing be continued to January as Bill Dowey is away and wished to be present. She added that two large trees on the Turner property fell during the last storm and luckily fell away from instead of to Mr. Doweys' house. Mr. Manganiello stated that we will probably only hear the results from the experts at that hearing anyway. Ms. Goodwin explained that we cannot defer for a 3rd party. A discussion followed in which it was explained that the Board must come to a decision within 60 days of the first hearing unless the applicant asks for a continuation.

2018 CAPITAL IMPROVEMENTS PROGRAM PRESENTATION:

Mr. Milbrand distributed spreadsheets to the Board and the members already had copies of the written explanations. Mr. Lukeman went over the sheets. He stated that there was a correction to the Highway Capital Reserve from \$140,000 to \$150,000.

Police: Mr. Manganiello asked about the new cruiser and Mr. Milbrand answered that this will be up to the Budget Committee. The CIP committee is suggesting that we keep the Reserve to \$50,000 and it will be up to the Budget committee and the Chief as to when to purchase the next cruiser.

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CIP PRESENTATION continued:

Fire: Mr. Manganiello asked when they would have \$200,000 in Reserve and Mr. Lukeman and Mr. Milbrand answered that they should have by next year.

Town General: Kelley Park – Mr. Favorite mentioned that they are looking into a Community Grant. Mr. Milbrand added that, after they hold a Charrette, the CIP committee will be able to adjust the figures accordingly.

Mr. Milbrand stated that it will take a couple of years to smooth out the bottom line when they add Kelley Park and the Space Needs figures. He added that he commends the CIP committee for all the work that they have done on the program. Mr. Hill mentioned that we shall need to look for funding for the Fire bay addition, also. Mr. Manganiello felt that they have about \$45,000 right now. The committee felt that it will be about 6 years before they have to buy 2 of the new ambulances which will need the added space. Mr. Favorite mentioned that Fire Chief Laroche offered to reach out to UNH for engineering help.

E. Seeler made a MOTION, second by P. Manganiello, to ACCEPT THE CAPITAL IMPROVEMENTS PROGRAM FOR 2018 AS PRESENTED. The motion CARRIED.

PCC: BOBBI CHOATE

Ms. Goodwin stated that she sent Ms. Choate a notice of violation with three choices to remedy: a Variance for the dogs, get rid of the dogs, or come in for a PCC and talk to the Board. Ms. Goodwin is looking for direction from the Board. At the time the violation was noted, there were 26 dogs and 3 horses.

Mr. Favorite explained that a PCC is not binding on either the applicant or the Board but would be the best answers based on what is said this evening. Ms. Choate stated that she is moving the dogs to another property. Initially she wanted them for a business. At present, she has 10 adult dogs and 8 puppies. She is looking to keep her original 6 personal dogs. She has decided that a breeding program will not work for her. Mr. Favorite asked if the puppies are being moved to Alexandria and s. Choate answered that they are.

Ms. Goodwin felt that we need a time line for the removal of the extra dogs and direction for the 6 dogs. Mr. Favorite asked Ms. Kelly if she has done more on the proposed kennel amendment. Ms. Goodwin stated that we must go by the present Ordinance at this time.

Ms. Kelly explained that she has found that most towns limit to 5 dogs beyond the age of 3 months. Ms. Seeler thought that puppies went up to 6 weeks and Mr. Milbrand thought that was changed to 9 weeks. Mr. Favorite asked if Ms. Choate will have the puppies removed by Friday. Ms. Choate stated that she needs 30 days. Ms. Goodwin stated that the Land Use team would like no more than 30 days, though to get a Variance would take more than 30 days. The Board determined to give her the 30 days.

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PCC: CHOATE continued:

It was asked about the 6 dogs. Mr. Manganiello mentioned that this is a Residential zone. Ms. Goodwin mentioned that s. Choate could try for a Variance and then, as commercial, she would need Site Plan. Mr. Favorite asked if the adult dogs have been moved to a safe covered space and was told that they were. Ms. Seeler mentioned that we have no definition for a private kennel. Mr. Favorite said that we would have to look to the State as this is new to the Board. Ms. Kelly explained that the State requires a group license for 5 or more dogs but does not require they obtain a private kennel license. Ms. Choate stated that she just wants to make things right. Mr. Favorite stated that the Board will give her 30 days. Ms. Goodwin asked about the licensing and Ms. Seeler said that the 6 dogs are not commercial. Mr. Favorite added that they will need to be licensed. Ms. Choate stated that 4 are licensed and 2 are pending tonight.

Margaret Hoyle, abutter, stated that there is a noise problem as well as smell. Mr. Favorite asked if the dogs are inside at night and was told that they are. Ms. Seeler stated that at one time she has 4 dogs and 11 puppies. Mr. Favorite reiterated that she has 30 days to remove the extra dogs and that she should control the dogs barking. He added that Ms. Goodwin will follow up on this.

Ms. Hoyle asked about breeding horses. Ms. Choate stated that she is not breeding them. Ms. Hoyle mentioned that there are now 5 horses. Ms. Goodwin added that this is on 1.1 acres of land. She then read the Zoning Ordinance description of Keeping of Animals. Mr. Favorite asked if she intends to keep the 5 horses for a while and was told that she does. She added that she has redone some of the fence. She is correcting the runaways and keeping them in at night. Mr. Favorite told s. Choate to keep in contact with Ms. Goodwin.

PCC: NORMAN AND DIANE LACASSE

Ms. Goodwin explained that these folks wish to purchase 2 lots. Her concern is that lot #46 also has substantial wetlands listed on the property card. Mr. Daniels stated that the potential buyers said that someone filled in the wetlands. They were supposed to have had a permit. Mr. Favorite stated that, as he remembers the properties, they were wet. Mr. Daniels said that one lot has water not too far from the surface. Ms. Seeler felt that they need a soil scientist to determine. Ms. Kelly said that a wetland is very poor drained soil. Ms. Goodwin stated that the subdivision was done in January 1968 and only showed wetlands by the corner of Ackerman and Country.

WORKSHOP:

Winery/Meadery/Distillery – Ms. Kelly went over these suggested definitions. Mr. Favorite asked if it might need sizes. Ms. Kelly answered that others mentioned the place and ½ oz. samples. Mr. Favorite thought that it leaves this wide open and we might want to add size. Mr. Curtis felt that this is covered by the State. Ms. Kelly added that it puts the responsibility on the owner. Mr. Paradis mentioned that they also will need Special Exception. A discussion followed as to how much restriction is needed. Ms. Kelly thought that this would be done under Special Exception. Mr. Manganiello asked why these particular districts and felt that it should only be by Special Exception. Ms. Goodwin stated that these are where Nano Breweries and Brewpubs are to be allowed. A Distillery is of more concern. S. Kelly stated that she did not realize that Nano Breweries and Brewpubs are mostly in all districts. Mr.

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WORKSHOP: Winery/Meadery/Distillery continued:

Favorite asked Mr. Milbrand about the Rural District. Mr. Milbrand explained that the issue he had was for a restaurant. Ms. Kelly thought that we could mirror NanoBrewery and Brewpub. Ms. Seeler felt that it would come up at Site Plan.

E. Seeler made a MOTION, second by P. Manganiello, to ACCEPT THESE DEFINITIONS, AND MIRROR THE SAME DISTRICTS, AND BRING THEM TO THE DEC. 13, 2017 PUBLIC HEARING. The motion CARRIED.

Kennel – Ms. Kelly read her definition of Kennels and stated that they would be allowed in the Rural District by Special Exception. Mr. Favorite asked why she hadn't added a minimum size, such as 6' x 8'. Ms. Kelly answered that she wanted to at least get the definition in this year. A discussion was held as to the age of puppies. Ms. Goodwin asked about other kennels as this is just for dogs.

Ms. Hoyle asked if this is just to be in the Rural District and s. Goodwin stated that it is. The Board then explained that a Site Plan would be in order. Ms. Seeler asked what we can do if there is a violation. Ms. Goodwin answered that fines can be imposed and the Police would step in as well as the Health Officer. We would follow RSA674 for this.

E. Seeler made a MOTION, second by P. Manganiello, to TAKE KENNEL AS READ TO THE PUBLIC HEARING ON DEC. 13, 2017. The motion CARRIED.

Stables and Keeping of Farm Animals (4.2) – A discussion was held on the various stable definitions and of the 4.2 section in which Ms. Kelly has added a couple of sentences. Ms. Goodwin felt that we need a better definition. Mr. Manganiello suggested it require Special Exception and be in the Rural District.

E. Seeler made a MOTION, second by P. Manganiello, to USE THE PLAISTOW DEFINITION FOR STABLES AND BRING IT TO PUBLIC HEARING ON DEC. 13, 2017. The motion CARRIED.

As to Farm Animals (4.2), it was felt that "a minimum of one acre" be designated in the added sentence. Ms. Hoyle asked if the one acre is pasture area. Ms. Goodwin felt that this could be covered in the Site Plan. Mr. Paradis thought we might change it to "minimum of one acre of pasture area" and Ms. Goodwin felt that this would be too hard for the Land Use Officer to determine. Ms. Kelly and Ms. Goodwin repeated the new definitions.

E. Seeler made a MOTION, second by B. Curtis, to APPROVE KEEPING OF FARM ANIMALS AS AMENDED AND BRING TO THE PUBLIC HEARING ON DEC. 13, 2017. The motion CARRIED.

Accessory Dwelling Units (ADU) – Ms. Kelly went over this section. Mr. Manganiello asked if, in 12.4D, it should be shall or may. It was determined to be "shall". Mr. Paradis felt that #5. is subjective. Ms. Kelly explained that this is what she found that most towns use. It was determined to use "may" in this case. Ms. Seeler felt it would give the idea to match the primary residence. The Board determined to remove #6 altogether.

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ADU continued:

E. Seeler made a MOTION, second by P. Manganiello, to BRING ACCESSORY DWELLING UNITS, AS AMENDED, TO THE PUBLIC HEARING ON DEC. 13, 2017. The motion CARRIED.

MINUTES OF OCTOBER 25, 2017: The following amendments and clarifications were made:

Page 2, 1st paragraph, 2nd line, after “around” add “)”. 3rd paragraph, last line, delete “4” in “th4e”. Page 3, under Accessory Dwelling Units, 4th line, delete “do something like the one” and replace with “model the ordinance on another”. 8th line, delete the sentence beginning with “Ms. DeStefano”.

P. Manganiello made a motion, second by B. Curtis, to approve the minutes as amended. The motion carried with one abstention.

RESIGNATION: Mr. Favorite read the resignation submitted by Brian Howe (Planning Board alternate).

REPORTS:

HDC – Didn’t meet.

Selectmen – The Space Needs committee will hold another public hearing a week from today. They will meet this Friday to get the numbers for it.

CIP – The committee presented tonight and will now take the plan to the Budget Committee and Selectmen.

Land Use – Three letters have gone out for removal of off-premises signs. They were given 3 options, remove the signs by Nov. 10th, see the Planning Board, or apply for Special Exception. One has decided to apply for Special Exception and Ms. Goodwin would like to know how to figure the abutters. The Board felt that it should be to the abutters of the property being used. Ms. Goodwin added that she has requested that they provide written permission of the owners of the property when doing the Special Exception. Mr. Manganiello asked if one is the Auction sign. He was told that the three are the barn (chosen to go for Special Exception), Randy Colby’s (he has removed his sign), and the Purple Pit.

Ms. Goodwin mentioned that she would like to see some sort of a sign such as what Mr. Milbrand started some years ago. It would give businesses, and others, the option of paying for a sign which would point in their direction. Mr. Manganiello asked if she has spoken to either Hilda Bruno or Lucille Keegan and he mentioned placing it by the Historic Society garden. Ms. Goodwin thought that it would be too late by the time folks got to it. Ms. Goodwin mentioned, perhaps a larger sign further out to show what is in our Downtown area.

SCOREBOARDS: The proposed scoreboards for Kelley Park are 12’ x 5’ and 24’ tall. They would be placed by the concession stand and also in midfield. The Board still feels that this comes under Signs.

AUTO TRENDS: A PCC with Auto Trends will probably be brought in to the Dec. 13th meeting.

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OTHER:

The NH Planner's Association met in Bristol. Rick Alpers, Dorcas Gordon, and Ms. Kelly represented us. The Association was impressed by our Square.

Mr. Favorite reported that the Executive Board stated that LRPC finances are in good shape. There is a change coming to LRPC (Lakes Region Planning Commission): Mike Izard is leaving after 17 years. The new person is coming in to meet with Mr. Izard before he leaves. Alton has chosen to leave. There has been a lot of housing going on, Laconia has had a huge amount. Under road safety, they are looking again at Route 104, Bristol from possibly the blind corner to Rite Aid.

Ms. Kelly and Ms. Goodwin attended the Dover Planning Conference and felt it to be one of the best 2-day conferences that they have been to.

Mr. Favorite asked about Downtown parking and Mr. Manganiello stated that the Selectmen are suggesting a one-way on Spring St., angle parking by the school on North Main Street. They are also looking at the possibility of the small lot next to the Mexican Restaurant where they could possibly get 20 cars. Ms. Goodwin mentioned that the new policy does not allow overnight parking for commercial vehicles. Also, warning letters have gone out for winter parking. There are to be "no parking" signs.

Mr. Favorite asked about smoke free signs and Ms. Goodwin stated that they are to meet Jan. 1st.

COMMUNICATIONS: -----

NEXT MEETING: The next Planning Board meeting will be Dec. 13, 2017 at 7:00p.m. at the Old Town Hall. On the agenda to date is the continued Site Plan for Turner Cottages LLC, and the public hearing on proposed Zoning Ordinance changes.

With no other business before the Board, D. Paradis made a motion to adjourn at 10:00p.m.

Respectfully submitted,
Jan Laferriere,
Land Use Adm. Ass't.