

PLANNING BOARD MINUTES
February 13, 2019

APPROVED as amended:

See minutes of 3/27/19 __jrl_____

AGENDA: 18SUP03 SPECIAL USE PERMIT: SCOTT & MELANIE KELLEY, 47 Arrowhead Point Rd., #102-031
18SPR02 SITE PLAN REVIEW: MARYANN PARKHURST/PAT MILLER/ALAN BARNARD, 11 Hobart Road, #217-040
19PCC01 PRELIMINARY CONCEPTUAL CONSULTATION: EKS REALTY LLC, 861 Lake Street, #216-021

ATTENDING: Paul Barnett (Acting Chairman), Don Milbrand (Selectmen's Representative), Evan Hickey, Betty Seeler

ABSENT: Denice DeStefano (Chairman – away), Clay Dingman (ViceChair – excused), Dan Paradis (excused)

OTHER: Christina Goodwin (Land Use Manager), Tyler Simonds (Planner), applicants and public

The meeting opened at 7:00p.m. with a quorum and the Board elected Mr. Barnett to act as Chairman.

18SUP03 SPECIAL USE PERMIT: SCOTT & MELANIE KELLEY

Ms. Laferriere read the application abutters notified, where the hearing was advertised, and stated that there were no telephone calls or written correspondence pertaining to this hearing. Also, that she did not receive any comments from Department Heads.

Ms. Goodwin reported that, as Health Officer, she had no issues with the case and she also reported that the Conservation Commission was fine with it. Mr. Barnett asked about the State and Matt Barnard, representative for this case, stated that the State is okay with the wall but denied the patio. He added that the water line is under the garage. Trees removed for the leach field are to be replaced along the side. The septic is a pump system.

Mr. Barnett opened for comments from the public. Martha Marshall, abutter, stated that her concern is, if they take dirt away, if drainage will now run down to her property. Matt Barnard stated that they are to flatten the Kelley property which will allow drainage to be absorbed into the ground. They have State approval for the drainage plan.

D. Milbrand made a MOTION, second by E. Seeler, to APPROVE THE SPECIAL USE PERMIT FOR THE KELLEYS. Ms. Goodwin read the requirements for approving a Special Use Permit. The Board looked at the State approval and Mr. Milbrand mentioned that the design will improve drainage. The motion CARRIED.

The Notice of Decision was signed and Ms. Goodwin explained that there is a 30-day appeal time line.

-2-
Planning Board Minutes
2/13/19

18SPRO2 SITE PLAN REVIEW: MARYANN PARKHURST/PAT MILLER/ALAN BARNARD

Ms. Laferriere read the application, the abutters notified, where the hearing was advertised and stated that there was no correspondence or phone calls received. There were no Department Head comments. Ms. Goodwin read Mr. Dingman's comments that she had received. Mr. Barnard (representative for this case) stated that previous ZBA approvals are shown on the plan.

The Board went through the checklist. Waivers were asked for #16 contours and #35 parking. Mr. Barnard asked that these be addressed during the regular portion of the meeting.

E. Seeler made a Motion, Second by E. Hickey, to ACCEPT THE APPLICATION AS COMPLETE EXCLUDING WAIVERS #16 AND #35. The motion CARRIED.

A short discussion was held as to the need of contours. Seeing as there was not a significant change in elevation, D. Milbrand made a MOTION, second by P. Barnett, to GRANT THE WAIVER FOR CHECKLIST #16. The motion CARRIED.

Mr. Barnard stated that the CuNaMara Restaurant was here previously. The proposed new owner, Ms. Miller, would like to bring back a restaurant, maintain the 2-bedroom apartment upstairs, add 8 picnic tables and a shed. The Fire Chief approved the restaurant for 72 seats. Ms. Miller is looking for 34 inside and 39 outside. The apartment requires 1 ½ parking spaces. The restaurant requires 1 for every 3 seats which amounts to 24 for a total of 26. The applicant is asking for a reduction of 15.

Mr. Milbrand asked how many Ms. Parkhurst (present owner) had and she answered that she had the full compliment. These are 10' x 18'. Following much discussion, it was felt that 3 more could be added for a total of 18. Ms. Parkhurst mentioned that they used parking across the street, as well.

D. Milbrand made a MOTION, second by P. Barnett, to GRANT THE WAIVER TO ALLOW 18 PARKING SPACES. The motion CARRIED.

The septic issue was then addressed. Ms. Goodwin stated that Byron checked it out and stated that it was in fair condition and should be emptied every 2 years. She added that there are two tanks and they do not know exactly where or how old they are. Mr. Barnard stated that a 1991 review said that they were okay for 52 seats with the one tank. Ms. Parkhurst stated that they used the same septic company as the McDonough's (previous owners). She would have one pumped out one month and the other the next month. In her 10 years, there was never an issue. Mr. Barnard mentioned that grease control is the most important part. Ms. Parkhurst stated that the restaurant has been closed about 2 years but the tenant is still there and is on that system. It is a drive-over system.

Ms. Goodwin mentioned that, should the system fail, she, as Health officer, would have to close them down and the State would require a new design. Ms. Parkhurst stated that the State looks at this when you apply for the restaurant permit. Ms. Miller added that she will be using paper plates.

Catherine Currier was in attendance when Byron did the inspection. They found that one tank had some refuse but the second was empty. They use a camera to see this.

Planning Board Minutes
2/13/19

PARKHURST SITE PLAN continued:

Mr. Barnett asked for public comment. Eugene Ianiciello, Bristol property owner, stated that he feels it is a good thing and a great addition to the Lake. With no other comments, the public portion was closed.

A discussion was held about the picnic tables and the Board was told that there were picnic tables there previously. Mr. Hickey asked about handicap facilities and Ms. Parkhurst said that they are grandfathered.

E. Seeler made a MOTION, second by D. Milbrand, to APPROVE WITH CONDITIONS: THAT THE WATER LINE AND THE 18 PARKING SPACES BE ADDED TO THE PLAN. The motion CARRIED and a Compliance Hearing was set for February 27, 2019 at 7:00p.m. The Notice of Decision was signed and Ms. Goodwin reminded them of the 30-day appeal time.

PCC: EKSN REALTY LLC, EUGENE IANICIELLO

Ms. Goodwin had no Conservation Commission minutes regarding this case. The approved motion from the Planning Board had a condition where the garage was not to be added to and was to be used for personal use only. The square footage would be exceeded if he was to add anything. There is 6,000 sq. ft. of coverage now, would need 70,000 (1.6 acres) and the lot is only 1 acre.

Mr. Ianiciello stated that he collects cars and tinkers on them. He needs a bathroom. He thought that if he put in a small apartment he could rent it out. He would put in a second septic. Right now, he has made the upstairs into a "man cave". There is one bedroom, a new artesian well, and he keeps his properties neat.

The Board considered the case and he will need at least 2 variances: one for the second residential on a lot and one for minimum square footage on the lot. Ms. Seeler stated that, though they know Mr. Ianiciello will take care of the property, the Board must look at the future. Mr. Barnett mentioned that he is thinking of having 3 rooms; what if he only has one room and a bathroom. Would that be a residence? Ms. Goodwin read the description of a dwelling unit in the Ordinance Ms. Goodwin will ask the attorney about Mr. Barnett's question. It was determined that he will need the two variances and a Site Plan.

CELL TOWER: MR. PARISI

Mr. Parisi stated that they are considering a new cell tower off Chestnut Street, down ridge from Slim Baker. There is an issue with frontage so he knows that he will need ZBA as well as the Planning Board. He wishes to start with the Planning Board and have a Joint Hearing. Ms. Seeler stated that the Board is not keen on joint hearings. Ms. Goodwin stated that the attorney is recommending that we do a joint hearing due to the clock (150 days). A discussion was held.

Planning Board Minutes
2/13/19

CELL TOWER continued:

Ms. Goodwin explained that the property in question was part of a subdivided plot so the frontage is okay. They will need a variance for a ladder and will need proof of access. Mr. Barnett suggested they take photos of a balloon test. Mr. Parisi and Ms. Goodwin mentioned that there are not a lot of choices in Bristol.

MINUTES OF JANUARY 23, 2019:

d. Milbrand made a MOTION, second by E. Hickey, to POSTPONE THE APPROVAL OF THESE MINUTES TO 2/27/19 DUE TO THE HOUR. The motion CARRIED.

CORRESPONDENCE:

There was a notice of a cell tower hearing in Gilmanton.

REPORTS:

HDC – They will be discussing the CLG grant in April.

SELECTMEN – Working on the warrant.

CIP: -----

LAND USE: -----

NEXT MEETING: February 27, 2019 at 7:00p.m. There will be two compliance hearings: Bobbi Choate and MaryAnn Parkhurst, and a workshop.

With no other business before the Board, E. Seeler made a motion, second by D. Milbrand to adjourn at 9:53p.m.

Respectfully submitted,
Jan Laferriere, Land Use Admin. Assistant