

PLANNING BOARD MINUTES

November 13, 2019

APPROVED:

12/11/10__jrl_____

AGENDA: COMPLIANCE: 19MSP04, MINOR SITE PLAN: VERY EXCELLENT IMMOVABLES LLC, 290 Lake Street, #112-066 & -026

CONTINUED: 19SPR03, SITE PLAN: ELIZABETH A. SEELER, 66 & 88 Danforth Brook Rd., #223-071

2020 CAPITAL IMPROVEMENTS PLAN PRESENTATION AND VOTE
ATTORNEY RECOMMENDATIONS ON PROPOSED ZONING AMENDMENTS

ATTENDING: Don Milbrand (Sel. Rep.), Paul Barnett, Jackie Elliott, Betty Seeler
Denice DeStefano (Chair – away but attending via telephone)

ABSENT: Evan Hickey (excused), Clay Dingman (excused), Bruce Beaurivage (excused)

OTHER: Christina Goodwin (Land Use Manager), Tyler Simonds (Planner), CIP members: Bill Cote and Steve Favorite, Colin Brown, Robert Brooks Jr.

The meeting opened at 7:00pm. E. Seeler made a motion, second by J. Elliott, to elect Paul Barnett as Chair for this evening. The motion carried.

CIP PRESENTATION: BILL COTE, STEVE FAVORITE

The write-up and spreadsheet copies were distributed to the Board. Mr. Cote explained that the committee began in April and visited the various Department heads for their needs. Mr. Milbrand explained that the CIP committee is a sub-committee to the Planning Board. They work to put out a yearly 10-year plan so as to try to even out the tax rate on all capital equipment from year to year. It is an advisory plan which gets presented to the Budget Committee and the Select Board. The Board looked over what was presented.

E. Seeler made a MOTION, second by J. Elliott, to APPROVE THE 2020 CIP AS PRESENTED. The motion CARRIED.

CONTINUED SITE PLAN: ELIZABETH SEELER/COLIN BROWN

Ms. Seeler stepped down and the Board referred to the Sept. 11, 2019 minutes for what was still needed. There was to be a solution to No Parking in the front of the building. Bollards are to be placed about 15' apart. Mr. Barnett was concerned that cars could park between the bollards. Mr. Simonds suggested that we might want them to be connected by chains so that no-one can park between them. The Board agreed. Ms. Goodwin asked how far these are from the road and Mr. Brown stated that they are 25' from the center of the road. Mr. Barnett asked that the chains be high enough to be seen above snow.

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SEELER SITE PLAN continued:

When it was questioned as to why the southern abutter is not shown on the plan, Mr. Brown explained that they are too far south to show on the plan. The State right-of-way and Summer Street are before them.

Ms. Goodwin asked about the maintenance of the parking lot. Ms. Seeler stated that the tenant is supposed to maintain it. The new tenant may not use the back parking as he is gone a lot. Ms. Goodwin explained that, regardless of whether the tenant is there or not or any agreement with the tenant, the plan shows a designated parking area and it should be maintained. Mr. Brown stated that maintenance of the parking lot is not on the plan and asked if a note on the plan will be sufficient. The Board agreed that it would. Ms. DeStefano added that all areas designated by square foot on the plan must be maintained. Mr. Milbrand agreed. Mr. Barnett felt that Ms. Seeler should be able to decide how to do it. Ms. DeStefano said that part of the motion should be to maintain these areas. It should be designated on the plan that it be kept clear for parking. Mr. Brown will add a note.

D. Milbrand made a MOTION, second by J. Elliott, to APPROVE THE SITE PLAN OF ELIZABETH A. SEELER WITH THE ADDITION OF NOTES TO HAVE CHAINS BETWEEN THE BOLLARDS AND THAT THE GRAVEL PARKING AREAS BE KEPT CLEAR. A roll call vote was made: D. DeStefano – yes, J. Elliott – yes, D. Milbrand – yes, P. Barnett – yes. The motion CARRIED unanimously.

It was asked if they can have a reasonable time to set the bollards due to the winter. Ms. Goodwin asked for a time frame and Mr. Milbrand felt that Spring would be fine. Ms. Goodwin stated that she has been in contact with Ms. Seeler and her tenant. The tenant has moved all but the 1st row of cars. Ms. Seeler stated that some are now back.

A compliance hearing was set for Dec. 11, 2019.

Ms. Seeler came back to the table.

COMPLIANCE: MINOR SITE PLAN – VERY EXCELLENT IMMOVABLES LLC

Ms. Goodwin stated that they still need Occupancy from the Fire Chief and to install an automatic sprinkler. Ms. DeStefano stated that she has seen the plan and understands that there are people in the building. Ms. Goodwin stated that they began doing take-out without the proper permits and she has given them a Cease and Desist. They need the sprinkler system before they rent the B & B. She continued to point out that, on the application, the open hours are listed as 11:00am to 9:30pm with the sign lit until 10:00 pm. However, they were open for take-out until 10:00pm the other night. It was determined that they must abide by what is on the application and can do an amendment to the plan, if they wish. Mr. Simonds mentioned that their sign says 10:00pm and it was felt that this should be covered up until it is properly rectified. Ms. Elliott asked if this should be on the plan and Ms. DeStefano answered that it is best to have on the plan and can be hand written in. Ms. Goodwin asked about the lighting and Ms. DeStefano stated that the Ordinance states that it must be down-lit.

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VERY EXCELLENT IMMOVABLES LLC COMPLIANCE continued:

Ms. Goodwin stated that, in the one night, they received a complaint about the parking on Hillside. People parked all over and one even stopped in the middle of the road while he got his order. Mr. Barnett thought that the Police could put up No Parking signs. Mr. Milbrand stated that the Chief can bring it to the Select Board. Ms. DeStefano suggested that we ask the owner to put up signs asking folks to park across the street in their parking lot.

Ms. Goodwin stated that, before they open, they have 6 items to comply with: they have a provisional license for the take-out but cannot open the restaurant until they get the permanent one. They need a proper tank that complies with the Fire Dept., they have no fire alarm and have employees living there, Life Safety approval from the Fire Chief, and sign permits.

D. Milbrand made a MOTION, second by J. Elliott, to NOT APPROVE THE COMPLIANCE OF VERY EXCELLENT IMMOVABLES LLC UNTIL THEY MEET CLOSING AT 9:30PM WITH THE SIGN OFF AT 10:00PM. AND HOURS OF OPERATION NOTE ON THE PLAN. The motion CARRIED with one abstention.

D. Milbrand made a MOTION, second by J. Elliott, to CONTINUE THE COMPLIANCE HEARING TO DEC. 11, 2019 AT 7:00PM. The motion CARRIED.

ATTORNEY RECOMMENDATIONS ON PROPOSED ZONING AMENDMENTS:

Mr. Barnett asked if it is acceptable to have a subcommittee meet with the attorney to go through the recommendations so as to understand them. Ms. DeStefano suggested that the Board pull out all of the amendments that the attorney was okay with and bring them to the Dec. 11th hearing. Push off the others which can be heard on January 8, 2020 (if necessary, a 2nd hearing can still be held Jan. 22nd). The Board agreed.

The Board pulled out: Cell Towers, Impervious Cover, Fence, Research and/or Testing Facilities, Light Industrial Facilities, Hotel, Motel/Lodging Facilities, Mixed-Use Development, and Combined Dwelling and Business and Distillery.

E. Seeler made a MOTION, second by D. Milbrand, to MOVE SAPLING & TREES, COMMERCIAL ENTERPRISES, AGRICULTURE & HYDROPONICS, ENERGY FACILITY, AND HDC TO THE JANUARY 8, 2020 PUBLIC HEARING. The motion CARRIED.

COMMUNICATIONS: None

MINUTES OF OCTOBER 23, 2019:

E. Seeler made a motion, second by J. Elliott, to approve the minutes as amended. The motion carried with one abstention.

REPORTS:

HDC – Meeting was canceled, no agenda.

SELECT BOARD – They are selecting a recycling subcommittee and they are into the Budget season.

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REPORTS continued:

CIP – Completed and to present to the Budget Committee and Select Board.

LAND USE – Mr. Simonds stated that we are to meet on Dec. 4, 2019 at 7:00pm on the Redi Initiative. Ms. Elliott stated that she will not be able to make that meeting. Mr. Simonds will send out the Assets list again before this meeting.

Ms. Goodwin stated that they have the contract from LRPC for \$1,000. For work that is proactive to the Sewer to the Lake project. It deals with setbacks, etc. and will not affect any of our proposed amendments. The Chair will need to sign the contract and the money will be encumbered. The anticipated completion date is March 15, 2020.

Mr. Barnett asked about rumors he has heard in regard to a Public Safety Building. Mr. Milbrand stated that there has been talk of one but it would be a warrant article. The CIP has it coming up in 2022. D. Milbrand made a motion, second by E. Seeler, to allow the Chair to sign the contract with LRPC for the Sewer to the Lake analysis for \$1,000. The motion carried.

Ms. Goodwin stated that that the tax rate has been set at \$22.80, an increase of \$1.00. We are on the process of a revaluation.

Auto Trends has been working on their front and will seed and plant trees in the Spring. Mr. Milbrand mentioned that the Turner garages are up and Ms. Goodwin added that Mike Vignale keeps her up to date on them. Mr. Coffill's boat storage sign is up and he is to come in to meet with Land Use. There are no boats currently stored there.

NEXT MEETING: Our next meeting will be held Dec. 11, 2019 at 7:00pm. We shall hold the 1st public hearing on proposed Zoning Amendments.

With no other business before the Board, E. Seeler moved, second by D. Milbrand, to adjourn at 8:40pm.

Respectfully submitted,
Jan Laferriere,
Land Use Admin. Assistant