

PLANNING BOARD MINUTES
May 24, 2017

APPROVED as amended:
6/28/17__jrl_____

AGENDA: CONTINUED 17SPR SITE PLAN REVIEW and 17SUP02 SPECIAL USE PERMIT, ALAN BARNARD FOR KENNETH A. & LINDA D. ROSSI, 861 Lake St., #216-022
WORKSHOP: MEET WITH CONSERVATION COMMISSION REGARDING THE WETLANDS OVERLAY SECTION OF THE ZONING ORDINANCE

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)

OTHER: Christina Goodwin (Assessing/Land Use), Sandra Heaney (Conservation Commission), Alan Barnard

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

CONTINUED 17SPR02 SITE PLAN REVIEW and 17SUP02 SPECIAL USE PERMIT, ALAN BARNARD FOR KENNETH A. & LINDA D. ROSSI

The Board looked over the Site Plan which now includes a note for down cast lighting and has an enlarged signature block. A copy of the agreement between the Rossi's and Mr. Ianniciello was received.

SPECIAL USE PERMIT:

As both the Site Plan and Special Use Permit were submitted together, the same information for both was read at the previous hearing on May 10th.

Mr. Barnard pointed the stamp of the wetland scientist used and added that there is 1 ¼ acres of wetland. The well and disturbance will be in the 50' buffer. It is a treed wetland area (shown in green on the site plan. This lot was put in on January 7, 1986 and has been disturbed and graded previous to the Rossi's ownership. The well is as far from the building and parking lot as possible. Mr. Barnard pointed out the drainage and the retaining pond and showed the 4 sheets of construction plans.

Ms. DeStefano presented the copy received from the Conservation Commission (the Board all had copies). She then read the requirements for a Special Use Permit shown on page 59 of the Zoning Ordinance. The Health Officer had no issues with the project. Mr. Dingman mentioned that the impact on the wetlands is temporary and Mr. Paradis pointed out that it is all in the wetland buffer. Mr. Barnard added that the drain is parallel to the buffer and the well is a half-way split (25' away).

Ms. Heaney asked if they have the DES permit. Mr. Barnard showed this to her and then showed the State approval for the septic plan.

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SPECIAL USE PERMIT, ROSSI continued:

C. Dingman made a MOTION, second by S. Favorite, to GRANT THE SPECIAL USE PERMIT. The motion CARRIED.

As the conditions for the Site Plan had been met now, the Board signed the plan and the Notices of Decision. Mr. Dingman stated that he appreciated Mr. Barnard's cooperation with bringing in all that was needed.

WORKSHOP: CONSERVATION COMMISSION ON THE WETLANDS OVERLAY

Ms. Heaney went over the items that the Conservation Commission recommends for updating this section of the Zoning Ordinance. In 8.163, they recommend it to mention anything over 1 acre and also the 50' buffer. Wherever it says "Wetlands Conservation Overlay District", they would like changed to "Wetlands as defined in 8.163 and to eliminate 9.3H altogether. Also, eliminate 9.4B.

Mr. Dingman volunteered to write up a draft copy of these changes to bring back to the Board.

Ms. Heaney mentioned that DES permits are needed when anything is being constructed over water, even if it is just for repairs.

Ms. Heaney was then thanked for her input.

MINUTES OF MAY 10, 2017: The following amendments were made: page 1, 2nd paragraph under Site Plan, 6th line, replace "in an out" to "in and out". Page 4, under NEW, 2nd paragraph, 3rd line, replace "Handbook(" with "Handbook)".

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

COMMUNICATIONS:

Ms. DeStefano read the invitation to the Lakes Region Planning Commission 46th Annual Meeting for any Board member who wishes to attend. A DOT driveway permit for Steve Hanser and a DOT driveway application for Rossi was received.

REPORTS:

HDC – Didn't meet.

SELECTMEN – Mr. Manganiello reported that there is to be a special election for a State Representative to replace Jeff Shackett. The primary will be held July 18th and the election is to be the day after Labor Day. The Space Needs Committee has recommended Salmon D'Elia of Ashland to look at reconfiguring the present Town Offices/Police Department building and use the lot next door for parking.

CIP – Don't meet until July.

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REPORTS continued:

LAND USE – Ms. Goodwin explained that she has 9 Health issues in process.

She sent a letter to Mr. Schneider, Auto Trends, to set up a PCC. Someone had already spoken to him before he got the letter as he called her. She explained that his options are: to put everything back to reflect his Site Plan or come in to revise his Site Plan. She advised that he come to a PCC in June concerning this matter. She also notified DOT about the curb cuts. The Board advised that the PCC be at their workshop meeting in June. Mr. Dingman questioned about the legal advice for this. Ms. Goodwin explained that she spoke with NHMA who gave the options allowed. The secretary will pull the Site Plan and Ms. Goodwin was asked to send copies of all the correspondence to the secretary so that she could send it on to the Board.

There has been a complaint about the old Chinese Restaurant lot. There are two sheds (one that encroaches on the abutting lot and the other within the setback. This is to be brought back to the Board.

There is a complaint about the downward lighting supposed to be at the car wash. The Board shall check the Site Plan but this may have been before the downward lighting and hours of business were put into effect.

Newfound Family Housing must have the State Fire Marshall involved to sign the permit. Ms. Goodwin explained that we shall be involved. Mr. Dingman thought that someone should be hired part time to oversee this project as it was a difficult one. The Board agreed. Ms. DeStefano thought that we might want to talk to Town Counsel as to how to handle this.

Mr. Favorite asked about Mr. O'Hara's complaint about the truck delivery for Auto Trends. This will be looked at when the Site Plan is pulled, as well.

Ms. Goodwin went on to say that she e-mailed Mr. Gagnon, West Shore garage change, who asked for a recommendation of surveyors which she provided (all of the local ones she could think of).

There was a complaint about 41 Beech St. We have 9 bedrooms, 6 apartments listed and the complainant has pointed out that they advertised it for sale with 14 bedrooms. Ms. Goodwin will check to see if additional apartments are there now.

A complaint was received about a Chestnut St. property that is housing 6 dogs in individual kennels. This is also being looked into.

The Mill Fudge building is re-doing their deck, adding a fence and trellis. Does this need to come back to HDC? Mr. Dingman answered that it does as it is over one year.

Ms. Goodwin continued by saying that Wind Ridge Condominium never built all 43 condos that are on their site plan. They are looking for a loan based on these but do not intend to build those that are missing. Ms. DeStefano mentioned that they might want to see what is registered with the AG office.

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LAND USE, WIND RIDGE continued:

The Board determined that, if they decide to build, they will need to come back for Site Plan as the time has expired. Ms. Goodwin stated that they want the loan to re-do roofing and siding. The Board stated that, if the Planning Board must sign anything for the loan, the applicants would need to come in for a PCC.

Mr. Favorite asked what is happening with the car dealership (John's Auto). Ms. Goodwin answered that we shall have to look into that. We are not sure where Mr. Lacroix (former Land Use Officer) was at with this one.

PART TIME PLANNER:

Ms. DeStefano is asking the Board of what their expectations are of a part time Planner besides learning from Ms. Laferriere. Mr. Dingman asked if this is part time or full time. Ms. Goodwin answered that this is to be determined by the Select Board with possible 2 part time and shuffling of the office. Ms. DeStefano stated that compliance and enforcement should be two separate people. Compliance would consist of someone to check and guide folks with their applications. Mr. Dingman added that they would need to know the rules, regulations, and prepare for hearings. This would help the Planning Board to actually have time to plan ahead. Ms. DeStefano mentioned that they may get someone just out of school, entry level or have Nik Coates (Town Administrator) look at the possibility of sharing with other towns. Mr. Manganiello added that it was clearly better when we had Ms. Goodwin, Ms. Laferriere, and Mr. Lacroix. Mr. Dingman stated that they would help the applicants to be as prepared as they can.

NEW BUSINESS:

There is to be a special meeting with the Selectmen, the Economic Development Committee, the Planning Board and the Historic District Commission on June 15, 4:00p.m. at the Old Town Hall. Ms. DeStefano is to do a Flow Chart for this. Mr. Dingman asked why the ZBA was not invited. Ms. Laferriere answered that this was probably because they are a judicial board not planners. He still felt that they should be invited.

Ms. DeStefano explained that the Newfound Lake Region Association will meet with us in July at our workshop meeting.

Ms. Goodwin remembered another Land Use issue: a distillery is looking at Jeff Goodrum's building on Spring Street. She advised that a revision to the Site Plan would be needed as the building is approved for 4 apartments. Jon Shackett is planning on moving part of his Nano Brewery to Jeff Goodrum's building on the Square (Abel block); just the tasting and selling portion. He has been advised that if he wants to expand to a Brew Pub, he will need to wait for a change in the Ordinance or go for a Variance. Mr. Paradis asked if, like the sexual businesses, are we required to place it in some part of the town? No-one knew the answer to that. A discussion followed and the question was asked if it is possible to get a Variance for something that is not allowed? Ms. Goodwin will check into that.

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OTHER:

Mr. Dingman stated that he attended the Accessory Building seminar at the Spring OEP Conference and is willing to help whoever has been assigned that project. Mr. Favorite has that assignment.

Mr. Favorite stated that he is to attend a seminar on Food, Waste, and Municipal Composting tomorrow.

Ms. Goodwin will send the Auto Trends information.

NEXT MEETING:

Our next scheduled meeting is June 14 and we have the other meeting on June 15. The Board determined to cancel the June 14th meeting as we have no hearings or PCC's scheduled. It was noted that that Nick Morelis will be the main speaker at this workshop session.

With no other business before the Board, C. Dingman made a motion to adjourn at 8:35p.m.

Respectfully submitted,
Jan Laferriere, recording secretary
Land Use Assistant