

## PLANNING BOARD MINUTES

May 12, 2021

**APPROVED: 5/26/21**

**AGENDA:** SITE PLAN AMENDMENT - CRAZY CAT WINERY, 365 Lake St, #112-034  
21SUB01 - COMPLIANCE, 111 Castle Lane, #203-132  
21PCC07 - JOHN SUNBERG III, 396 Old Stage Rd, #210-002  
Review site plan application, instructions, and checklist forms

**ATENDING:** Denice DeStefano (Chair), Randall Kelley (Vice Chair), Don Milbrand (Sel. Rep.), Bruce Beaurivage (Alternate – Phone)

**ABSENT:** Jackie Elliott, Betty Seeler

**OTHER:** Christina Goodwin (Land Use Manager), Tim Smith & Claudette Boisvert, John Sundberg III (Zoom)

Ms. DeStefano stated that there is still an emergency order that allows for meetings to be held in person and electronically. Members are attending in-person, via video, and telephone conference and the meeting is open to the public via the same options. Bruce Beaurivage was asked to sit in for an absent member and the meeting opened with a quorum by roll call vote 5-0.

### **SITE PLAN AMENDMENT - CRAZY CAT WINERY, TIM SMITH & CLAUDETTE BOISVERT, #112-034**

Ms. DeStefano stepped down as she is an abutter. Mr. Kelley took over the meeting. Ms. Goodwin read the Application, abutters notified, and stated that she had communication from the Fire Chief and Water and Sewer Department.

Mr. Smith explained that their original Site Plan approval included an Air B & B. He pointed out that there is no Unit 1, Unit 2 will have no changes, Unit 3 was the Air B & B, and they want to return it to residential space and Unit 4 is the winery with no change. The proposed change is to add Unit 5, which is for the Deli with a Class D kitchen, space to be split 50/50 between retail/gift and quick serve take-out food. They also want outside seating.

Mr. Kelley asked if they do not need to serve food with the alcohol and Mr. Smith answered that they are not allowed to serve like a Class C restaurant. Ms. Goodwin then read the communications for the record. Water/Sewer – if the State requires a grease separator, then the Department will need to add the business to the monthly inspection list. Fire Chief - requires an occupancy number, emergency lighting, proper egress, fire extinguishers, signage, smoke detectors, and an exhaust hood.

Mr. Kelley asked if they want the same outdoor seating area as last year and was told they do. He then asked if it would interfere with the parking and was told that it would not. The parking requirements were discussed. It was determined that there were to be 24 or less seats. Mr. Smith stated that he intends to work with the bank (across the street) for his employee parking. Ms. Goodwin reiterated that there are four (4) units: two (2) residences, the winery, and the Deli. Ms. DeStefano asked if the 24 seats are just the inside ones or does it include the outside seating. Mr. Smith said they had four (4) tables outside last year, and Ms. Boisvert added that they want eight (8). They will have no seating in the winery now. Ms.

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### **CRAZY CAT WINERY AMENDMENT continued:**

DeStefano stated that this means that seasonally the number will change. Mr. Smith stated that Public Health will allow 24 seats only. They have 20 seats in the deli. He wants to limit that to reservations.

Mr. Kelley read the Subdivision/Site Plan Regulations, Article 8.3 concerning amendments to Site Plans. Ms. DeStefano, as an abutter, stated that she had no objections. There were no other abutters present.

D. Milbrand made a MOTION, second by B. Beaurivage, to APPROVE THE AMENDMENT TO THE SITE PLAN FOR THE CRAZY CAT WINERY AS PRESENTED. The motion CARRIED by roll call vote 3-0 and the Board signed the plan.

### **PCC: JOHN SUNDBORG III, 396 Old Stage Rd, #210-002**

Ms. DeStefano had returned to the table and explained the process for a Preliminary Conceptual Consultation (PCC).

Mr. Sundborg stated that he inherited the land from his grandfather. There are 60 acres with an old farmhouse that was built in the 1970's, but it has deteriorated. He would like to demolish it, keeping some of the lumber to use to repair the barn (that is across the road) and over the next 10 years, build a stable for two (2) horses. After that, he wishes to build a new house further back where there is a nice view of Mount Kearsarge. It would be a 3-season log cabin. As he understands it, the issue is question is regarding the Class VI road.

Ms. DeStefano stated that the staff has been researching Class VI roads and has more to look at, but they have found that there can be no building permit unless there is access by a certain type of road and, unfortunately, his property does not have that. As she understands it, the Select Board could allow it and he may need to apply for a Variance from the Zoning Board. He would also need the approval of the Fire Chief and the Highway Department and a waiver of the Town's liability would also be required.

Ms. Goodwin mentioned that the Fire Chief would require that the new house be built to State codes and he would need an upgrade of the road to be able to sustain a 66,800 lb. fire truck. Ms. Goodwin felt that a demolition permit would do for when Mr. Sundborg wants to demolish the building. Ms. DeStefano asked Mr. Sundborg to give the staff until next week to gather more information.

Mr. Sundborg asked if it would be okay if he left the house where it is. Ms. Goodwin said she would have to verify that. He may be able to, but he will need a permit and the Fire Chief would still be needed. She is not sure if it needs to go to the Select Board.

Ms. DeStefano stated that they will do the research for both a renovation and for a new build. Mr. Sundborg mentioned his neighbor next door who has a house. Ms. Goodwin said she looked them up and found that the only permits they got was for a shed, deck, and storage building, not for a house, however this would need to be further researched. Mr. Sundborg added that the owner used to rent his grandfather's house.

Mr. Beaurivage asked about the liability to the Town; whether the Fire Department has to serve the house. Ms. Goodwin answered that this is the reason for a waiver to be signed for anyone on a Class VI or a private road. Mr. Milbrand stated that he does not see, in his personal opinion, that the Select Board would take over the road. Ms. Goodwin stated that the Fire Chief found that the road is in pretty good

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condition up to the neighbor's driveway. She asked what Mr. Sundborg intends for septic and electricity. He answered pretty much like the neighbor; to be off the grid.

### **COMPLIANCE: CASTLE LANE, #203-132**

Ms. Goodwin explained that the pins have been added and the note is now on the plan. The driveway permit has been done, and the State subdivision approval has been received.

D. Milbrand made a MOTION, second by D. DeStefano, to APPROVE THE SUBDIVISION AS BEING IN COMPLIANCE. A motion CARRIED by roll call vote 4-0 and the Board signed the plan.

### **SITE PLAN APPLICATION, INSTRUCTIONS, AND CHECKLIST FORMS:**

The three (3) forms were reviewed and found to only have a couple of minor changes. The changes will be made, and the new forms will be added to the website.

### **MINUTES OF APRIL 28, 2021**

The minutes of 4/28/21 were reviewed. D. Milbrand made a motion, second by R. Kelley, to approve the minutes as amended. The motion carried by roll call vote 4-0.

**COMMUNICATIONS:** None.

### **REPORTS:**

Historic District Commission – Next meeting is in June.

Select Board – The Board is holding a workshop to catch up on projects. They want to work with the Economic Development Committee (EDC) and Planning Board to streamline all projects. They continue to investigate recycling. They also have worked on the Ordinance for the beaches (updating every five (5) years).

Capital Improvements Program Committee (CIP) – The do not meet until August.

Land Use -

Hertrich: Additional information has been provided and reviewed by the Town Attorney. He can stick with the current approved Site Plan for Automotive Restoration and Repair for the antique restoration, and he would need to add Retail Sales as another use to allow for some outside display. Mr. Milbrand noted that Retail Sales is for buying and selling. Ms. DeStefano was concerned about how many signs he would have that are permanent (in concrete) and how many would be temporary. Mr. Beaurivage wanted to know how many unregistered vehicles he would be allowed, and Ms. Goodwin said six (6). The Board determined that Mr. Hertrich needs a Minor Site Plan.

Enforcement Concerns: Mr. Beaurivage also questioned the \$2,000.00 or higher amount for a permit requirement. Ms. Goodwin said that this amount is in the Zoning Ordinance. Ms. DeStefano noted that the more work required for enforcement would require more bodies to do. Ms. Goodwin added that we still have not filled the two (2) positions that are open now. Currently, when the Assessor's pick up something new that was not permitted, the property owners receive a notice. She noted also that she must talk to legal counsel more than she ever did before.

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Bleiler: Mount Cardigan Store: They wish to amend their site plan to add the smoker / cooker outside with a safety fence around it and expand their hours to 6 days from 8am to 8pm. D. Milbrand made a motion, second by R. Kelley, to AMEND THE SITE PLAN AS PRESENTED. The motion CARRIED by roll call vote 4-0.

Lot Line Adjustment – LaValley: Once the plans are complete, there will be a Lot Line Adjustment presented to the Planning Board between the Town and LaValley.

Road Issues: The Land Use Office found that there are two (2) Old Stage Roads in town, so they are working on changing one.

Special Use Permit: Pike's Point is replacing the existing boathouse with no change to the footprint or height with a Land Use Permit. They are to do a Dredge and Fill Permit for in front of the boathouse, to change out the type of retaining wall and to build up the access to the road.

Zoning Ordinance: We are working to retype the Zoning Ordinance to make it a more usable format.

**NEXT MEETING:** The next meeting will be held on May 26, 2021 at 7:00pm. Proposed agenda includes the Adkins compliance, some forms review and the Sexually Oriented Business Ordinance.

With no other business before the Board, R. Kelley made a motion, second by D. Milbrand, to adjourn at 8:56pm. The motion carried by roll call vote 4-0.

Respectfully submitted,  
Jan Laferriere  
Land Use Associate