

## PLANNING BOARD MINUTES

August 25, 2021

**APPROVED: 9/8/21**

AGENDA: 21PCC08 CRAZY CAT WINERY: Claudette Boisvert, Lake St., #112-034  
21PCC09 COFFEE ROASTERY: Donald (Rick) Duba, 75 Prospect St., #115-039  
21PCC10 CILEIA'S LITTLE CLOSET: John Bauer, 323 Summer St., #223-026  
21LLA01 COLONIAL PLAZA REALTY & TOWN OF BRISTOL: Summer St., #223-080 &  
#223-075  
21MER01 TOWN OF BRISTOL: Ayers Island Rd., #223-075 & 223-076  
WORKSHOP ITEMS

ATENDING: Denice DeStefano (Chair), Randall Kelley (Vice Chair), Don Milbrand (Select Board Rep.),  
Betty Seeler, Bruce Beaurivage (Alternate)

ABSENT: Jackie Elliott

OTHER: Christina Goodwin (Land Use Manager), Lindsay Thompson (Land Use Administrative  
Assistant)

Ms. DeStefano stated that there was a quorum in the room. Mr. Beaurivage had problems with his Zoom Connection and left the meeting early. The meeting opened at 7:00 pm.

### **PCC: CRAZY CAT WINERY, Claudette Boisvert and Timothy Smith, #112-034**

Ms. DeStefano read the procedure for Preliminary Conceptual Consultations (PCCs). Ms. Boisvert explained that she would like to hold line dance classes every Thursday night, from 6:00 to 8:00 pm, in the Crazy Cat Winery parking lot, weather permitting. Franklin Savings Bank has given them permission to park in their parking lot across the street. They have a professional dance teacher lead the classes. Later, they may move these classes inside. Mr. Smith asked if a blanket provision may be done as they may also want to do crafts or other events outside. When asked, they replied that the winery will be open, but drinks cannot be carried out. Ms. DeStefano stated that a blanket provision can be done, and it was mentioned that a previous case had limits on time for music, which allowed the usage of a tent. Concerns of the apartment building next door were discussed. Ms. Boisvert only allows a small music player, currently. Ms. DeStefano read Site Plan requirements, and the Board agreed that the Crazy Cat could be approved for a minor amendment at this meeting.

D. Milbrand made a MOTION, second by R. Kelley, to AMEND THE CRAZY CAT WINERY SITE PLAN TO ALLOW OUTDOOR ENTERTAINMENT WITH THE CONDITIONS THAT ANY EVENTS AND/OR MUSIC END BY 8:00PM AND THE MUSIC OR NOISE LEVEL MUST NOT EXTEND TO BE AN ANNOYANCE TO THE NEIGHBORS. The motion CARRIED 4-0-0.

### **PCC COFFEE ROASTERY, Rick Duba, #115-034**

The Board determined that this is in the Village Residential District and read the permitted uses for this district. Mr. Duba would like to open a home business in his 2-car garage with his son-in-law. The business is a coffee roastery. They would import green coffee beans from Honduras to NY and then to NH. There will be no on-site sales, only commercial and internet sales. They propose to roast six (6) kilos per session and complete 2-3 sessions a week. Each session takes about 15 minutes and then there is a resting period.

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### **PCC: DUBA/COFFEE ROASTERY PCC continued:**

The Board confirmed that this qualifies as a home business which is allowed in this district. Ms. DeStefano asked how many employees. Mr. Duba answered that there will be family – himself, his wife, daughter, and son-in-law. If they grow, they will need to look for a permanent location. The Board asked if utilities need to be expanded. Mr. Duba explained that they have applied to the State and the application has been accepted. They require plumbing followed by their inspection. The Board felt that the Town's Fire Chief should be made aware of this proposal, as well. When asked about deliveries, Mr. Duba stated that Fed Ex would make pick-ups and deliveries. They are currently on-site daily and entirely on the property. Ms. DeStefano asked if there would be any exhaust and Mr. Duba replied that the fumes will be no more than the usual kitchen exhaust for cooking. They did contact the Environmental Protection Agency (EPA) to see if they needed any additional filtering and were told that would not be required.

Ms. DeStefano read the requirements for site plans and the Board determined that a Minor Site Plan would be sufficient. Mr. Duba was told to see Ms. Thompson for the application, etc., and that the last day to submit for an October hearing would be September 17.

### **PCC: CILEIA'S LITTLE CLOSET, John Bauer and Cileia, #223-026**

Mr. Bauer and Ms. Cileia were present to ask how to make their home business into retail sales. They would like to have outside displays including mannequins, which is not allowed under a home occupation. There will be no changes to the building. The Board determined that they need to apply for a Minor Site Plan with Ms. Thompson and added that the last day to apply for an October hearing is September 17. Ms. Goodwin stated that they do not have to stop what they are doing if they apply in a timely fashion.

### **LLA: COLONIAL PLAZA REALTY & TOWN OF BRISTOL, #223-080 and #223-075**

Ms. DeStefano stated that the Lot Line Adjustment (LLA) needs approval with conditions as the purchase and sales agreement has not been finalized yet. We will also need written authorization from Colonial Plaza Realty Trust to allow the Town of Bristol to represent them. Ms. Goodwin explained that the LLA was required to be done now before the next meeting, so there were no further delays in the process. Parcel A, as proposed on the LLA Plan, is to go to the Water and Sewer Department. Once everything is done, then the Water and Sewer lots will be merged into one (1) lot.

R. Kelley made a MOTION, second by B. Seeler, to APPROVE THE LOT LINE ADJUSTMENT WITH THE CONDITION OF FINALIZING THE PURCHASE AND SALES AGREEMENT AND PROOF OF AUTHORIZATION FROM COLONIAL PLAZA REALTY TRUST FOR BRISTOL TO REPRESENT THEM. The motion CARRIED 4-0-0.

### **MERGER: TOWN OF BRISTOL, #223-075 & #223-076**

The merger is to combine lot A with the rest of the Water/Sewer Department land. Ms. Goodwin explained that a full hearing, with notifications, is not needed and the merger is normally approved by the Land Use Office and submitted to the Planning Board as an FYI.

### **WORKSHOP ITEMS:**

*SEXUALLY ORIENTED BUSINESS* – The Board was given a clean copy of the proposed changes for the Sexually Oriented Business section of the Zoning Ordinance. Ms. DeStefano asked the Board members to review for the next meeting.

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*TENTING* – Sections 4.10 A & B have been updated. Ms. Thompson will look at other town regulations for tenting and will review all the information that Ms. Goodwin previously obtained. Ms. DeStefano asked if we want to limit tenting to only the owner of the property. The Board discussed and agreed that the language should be consistent with 4.10.A, “any property owner or lessee.”

*ZONING AMENDMENT AND PUBLIC HEARING NOTIFICATION REQUIREMENTS* – These are an FYI for the Board’s binders. Ms. DeStefano created an outline and explanation of the process.

*PLANNING BOARD BYLAWS* – This is a final updated copy for the members.

*LEGISLATIVE UPDATES* - Ms. Goodwin provided a legislative update and will continue monitoring for any laws, which might affect the Zoning Ordinance.

### **MINUTES OF JULY 28, 2021:**

There was one correction on page 2. B. Seeler made a motion, second by R. Kelley, to approve the minutes as amended. The motion carried 4-0-0.

### **REPORTS:**

*Historic District Commission (HDC)* – Jeff Goodrum’s deck was approved. The Commission is purchasing posts for their new district signs and has settled on the locations. The HDC budget will be level funded for next year. The Certified Local Government (CLG) will have new forms coming out in September. They will look at the possibility of getting historic signs on buildings and the Historic Town Hall. The LCHIP grant is finished this year with the final report to be filed before the end of the year. The Commission reviewed the draft brochure.

*Select Board* – The Transfer Station cardboard recycling is up and running. The Board is catching up on procedures and trying to push movement on the expansion of the recreation trail.

*Capital Improvements Program Committee (CIP)* – Did not meet.

*Land Use Department* – They had to deal with some Facebook bashing over a violation and required compliance. This is now being addressed through the Planning Board.

The Department has learned of incorrectly delineated wetlands in prior subdivisions that were approved. The applicants plan showed the wetlands being well back on the property, but when the Board reviewed, it did not get directed to review the Town delineated wetlands in relation to the subdivision plan. For the Nashawaty subdivision, it created a non-conforming lot based upon the Town’s delineation. Along with the plan, there was a letter from A & D Klum Engineering LLC backing the applicant. The Zoning Ordinance indicates a process for disputing a wetland delineation and that process was not followed. Ms. DeStefano felt that they need either a Special Use Permit or go through the expense of proving us wrong. As the lot in question has town water and sewer, it was felt that they should be able to develop according to the approved subdivision. The Board agreed that the maps wouldn’t be changed in this case, but the proposed building lot would be allowed, and any further plans will be checked against our map when they come in.

The second case was in Camelot Acres. This case has been issued a Notice of Violation and the owner will be notified of the best process for disputing.

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The Board agreed that there should be a form created, with no fee that will help the applicant through the process. Ms. DeStefano will work on for the next meeting.

Ms. Goodwin also reported that there is a third case that was done in Camelot Acres. The Board reviewed the Murphy plan and felt that Land Use would need to follow the same process – no change to the mapping, approval of only what the conditions allowed in the building envelope of the subdivision plan and that any future projects would need to be reviewed.

Contours on mapping layers - Land Use is requesting that the contour layers be added to the maps and that the Board review the different contours required, such as steep slopes call for 2-foot contours, subdivision/site plan calls for 5-foot and 2-foot.

There is a property out on Lake St. that has a bakery, home, garage, and rental building on it. The applicants wish to down-size the bakery and garage, making the footprint smaller. Ms. Goodwin is questioning the grandfathering. Ms. DeStefano felt that this does not change the use and will not affect grandfathering. The Board agreed. Ms. Goodwin stated that there is no site plan for this property. It is a seasonal business. The Board looked at the requirements. D. Milbrand made a motion, second by R. Kelley, to require a Minor Site Plan. The motion carried 4-0-0.

There was a B & B on Mandi Lane and now the owner states it has been changed to an Airbnb. Currently the Board categorizes Airbnb's as a short-term rental, which is under hotel/motel/lodging. Ms. DeStefano read the definition, which is an allowed use in the Lake district but not in Rural. She pointed out that the BNB on Mandi Lane is in the Rural District. It was felt that the property owner needs a Variance. Ms. DeStefano mentioned that the original Airbnb was called that as they used air mattresses. The Board agreed that there should be a better reference to short-term rentals and/or Airbnb's in the definitions.

We have an applicant who is looking to have tiny houses and/or yurts on a property. He would like 8 to 16 units. Ms. DeStefano stated that yurts are temporary tenting. They are not for residency. Ms. Goodwin pointed out that the Bristol Shores/Blueberry Shores units are taxable, and they are seasonal. Ms. DeStefano read the definition of Recreational vehicles and Camping Parks. It was thought that tiny house renters may be annual. Long term requirements were reviewed. Septic's may be a problem, as well. The Board felt that the proposed project should review the definitions and then consider a PCC.

Ms. Goodwin inquired if Hub66 will need a site plan. They are to lease the Bristol Town Office upstairs storage area, renovating the space for offices, bathroom, and continued Town storage area. It was felt that they do not need this as they are leasing from the Town.

There is a possibility of an electrical service to be put in via a land swap on Lake St. There will be no change of footprint but change of use. The Board agreed that this use would fall under Office.

**NEXT MEETING:** The next Planning Board meeting will be held September 8, 2021, at 7:00pm. On the agenda is the continued Minor Site Plan for Hertrich, Minor Site Plan for CRH Realty LLC, and Full Site Plan for the solar project.

With no other business before the Board, B. Seeler made a motion, second by D. Milbrand, to adjourn at 9:47 pm. The motion carried.

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Respectfully submitted,  
Jan Laferriere  
Land Use Associate