

## **PLANNING BOARD**

**SEPTEMBER 19, 2019**

## **MEMORIAL BUILDING**

**7:00 P.M.**

Planning Board members: Kevin Lee, Chairman; Bryan O'Day, Darrin Patten, Ken Jacques, Michael Howard, Peter Keene, Ex-Officio, George McCusker; Alternates Tim Bray, and Dan Saulnier.

Zoning Board members: Justin Hastings, Tanner Jacques and Bryan O'Day.

Others present: Steve Schneider, UVLSRPC Representative; Whit Smith, Zoning Compliance Officer; Keith and Susan Cutting and Matt Palo.

Kevin called the meeting to order. Board members introduced themselves.

Minutes of August 15, 2019: page 2 last sentence, strike extra less than "structure ~~less than~~ of less than 750 square feet." Bryan moved to approve the minutes as corrected, seconded by Darrin. Mike Howard abstained. The motion passed.

Zoning Board Consultation: The Zoning Board had requested a short consultation with the Planning Board for scheduling a future work session. Susan Chiarella was not present. Tanner Jacques explained the Zoning Board is looking for clarity on interpretation of Commercial Activity. At a recent Special Exception Hearing, a lack of understanding regarding commercial activity caused a delay in the hearing process. The Board spending a great deal of time discussing Home Occupation, Home Business and Commercial Activity before the Special Exception was finally granted. Whit stated he has subsequently provided the Zoning Board with information to help clear this up. Ken stated he recalls several years ago the Planning Board with guidance from the Upper Valley Planning Commission, worked on the Home Occupation and Business definitions to make things clearer. Ken explained the whole town is Rural Residential and anything other than Rural Residential is Commercial Activity. From there, a graduated step-down process determines if the use fits the criteria for a Home Business or Home Occupation. If not, it is a Commercial Activity. An applicant can have a consultation with the Planning Board to determine if a Special Exception is required. Both boards agreed to hold a work session on Tuesday, September 24<sup>th</sup> at 7:00 p.m.

Consultation for Nick Cote: No show

At 7:30 the Site Plan Review Hearing for Ryan Peterson, d/b/a RMP Heating was opened. Ryan had requested a continuation as he needed to be out of State for personal reasons. Motion by Mike to continue the hearing to Thursday, October 17. Motion seconded by Peter and unanimously approved.

Continued Site Plan Hearing for Peter Lacaillade, d/b/a MCNE Masons. Peter requested a continuation as he still has work to do on his plan. Motion by Darrin to continue the hearing to October 17<sup>th</sup>. Motion seconded by Mike and unanimously approved.

Keith Cutting – Consultation. Keith reported his representative was unavailable. Keith would like to reschedule to October 17<sup>th</sup>.

Ken Jacques – Twin Lake Villa – Consultation. Ken stepped down.

Ken noted he will be working on a Site Plan for Twin Lake Villa. He wants to know what will be required. Their business has been operating since before zoning and site plan review was adopted. There are no plans to change the business. There will be no new buildings. Some of the buildings no longer function for the purpose they were built, but they serve another purpose in Villa operations. Ken stated from what he has seen, most applicants who have come before the Board for Site Plan Review have been operating since the adoption of Site Plan. TLV has been operating pretty much the same way since the business began in the 1800's. Their Site Plan will serve as a resource for future generations, for the town, and as a starting point if at some time there a change in use were to take place. Ken stated the property is extensive and several activities make up the Villa package. A third of the business is in New London. He questioned how that aspect should be handled. Steve Schneider stated the main business is in the community where most of the activity takes place. They should treat the Villa as one entity and include New London property on the Site Plan. The Board discussed with Ken plans something like what Durgin & Crowell submitted. A description of the business, a to scale plan, with multiple pages, if needed. Kevin stated the requirements of Section III and V of the Site Plan Review Regulations provide required information. Whit stated the Planning Board has recently asked applicants to include the following: 1. North Arrow, 2. Location(s) of septic, 3. snow removal and storage, 4. parking, 5. names of streets and roads, 6. accommodations for emergency vehicle access, 7. buffering and 8. hours of operation to name some of them. Ken asked if property they don't own is within Twin Lake Villa bounds, should it be shown on the plan? Kevin stated Section V speaks to this. Easements and cross-easements should be shown. Septic approvals are not required but indicating the locations of septic would be helpful. Ken stated he would like to have interim consultations as needed. Ken asked if there would be any requirement for a Special Exception. Steve Schneider suggested if there are any future things to consider triggering a Special Exception, he may want to consider that now. The Board discussed that adding something that is not part of the hospitality business would trigger a Special Exception. If, for instance, TLV wished to open a restaurant or a bar open to the public versus what they do now serving their guests only, that would require a Special Exception. Ken stated their business model does not currently support that. The business predates 1987 and has been run continuously the same way since. Ken does not anticipate making a change in use that would require a Special Exception at this time. Mike stated having a description of what is done there now, would be helpful moving forward. Kevin stated sections III and V of the Site Plan Regulations are very clear as to what the requirements are.

#### Miscellaneous Business:

Ken stated Pierre Bedard has been asked to do some work for Neill Cobb at Exit 12A storage and wanted to know what the site plan review status for the property is. There is new construction on the site. Whit reported he has visited with Mr. Cobb several times. The new

construction is for two buildings, being in the same location, and the same dimensions as shown on the most recent Site Plan Review approval. A zoning permit has been authorized to build.

Noise subcommittee: Tim Bray reported he and Dan have not met yet, but they have looked at different noise ordinances for comparison. There are similarities among all of them. Regulating residential noise is simpler. Regulating commercial noise or continues noise is more challenging. The ordinance needs to fit the resources the town has for monitoring and enforcement. Dan stated in conversation the intent could be taken the wrong way. The framework needs to be clear when it comes time to put this together. The town will need to decide whether decibel levels will be regulated or how to formulate the regulation to fit the town.

There was no other miscellaneous business.

The meeting adjourned at 8:20 p.m.

Submitted by,

Janet Roberts,  
Administrative Assistant