

PRESENT: Vadney, Chairman; Sorell, Vice-Chairman; Bayard, Secretary; Kahn; Dever; LaBrecque, Town Planner; Harvey, Clerk

Kahn moved, Dever seconded, THAT WE APPROVE THE MINUTES OF MAY 13, 2008, AS PRESENTED. Voted unanimously.

APPLICATION SUBMISSIONS

1. **51 MAIN, LLC** – Proposed Site Plan Amendment for a change of use from office to retail, Tax Map U07, Lot 24, located at 51 Main Street in the Central Business District.

This application is for a change of use from a real estate office to retail. The application and abutters list are on file, filing fees have been paid. A request to waive a formal site plan has been made. Due to the limited nature of the scope, its only a change of use and no exterior modifications are occurring other than the sign, it is recommended the formal site plan waiver be granted given the limited nature of the proposal and the site plan application be accepted as complete for purposes of proceeding to public hearing this evening.

Sorell moved, Dever seconded, MR. CHAIRMAN, I MOVE WE ACCEPT THE APPLICATION OF 51 MAIN, LLC AS COMPLETE AND PROCEED TO PUBLIC HEARING THIS EVENING. Voted unanimously.

2. **ASSOCIATED SURVEYORS FOR CALVARY BIBLE CHURCH** – Proposed Site Plan Amendment to construct a 24 x 40 sq. ft. addition and related site improvements, Tax Map U07, Lot 50, located at 6 St. James Street, in the Central Business District.
3. **ASSOCIATED SURVEYORS FOR CALVARY BIBLE CHURCH** – Architectural Design Review of a proposed addition to an existing structure, Tax Map U07, Lot 50, located at 6 St. James Street, in the Central Business District.

This application is for a Site Plan Amendment to construct an addition for the purposes of housing some restrooms because of difficulties with handicapped accessibility to their restrooms and for a carport/canopy drop-off area. We also received architectural elevations and floor plans for that addition. A waiver request has been submitted for various site plan aspects. It's just basically for topography because the site's already developed and the other items didn't specifically apply to our review of this particular application. Applications and abutters list are on file, filing fees have been paid and it is recommend a waiver be granted due to the limited scope of the addition on the developed site. It is also recommended this application be accepted as complete for purposes of proceeding to public hearing this evening.

Dever moved, Bayard seconded, MR. CHAIRMAN, I MOVE WE ACCEPT THE APPLICATIONS AS PRESENTED FOR PUBLIC HEARING. Voted unanimously.

PUBLIC HEARINGS

1. **51 MAIN STREET, LLC.** (Rusty McLearn)

We have a small gift shop called Poni's Parlor moving into the space that used to be Orkins Fuel office for years. For the past 7 years it has been a real estate office. The gift shop will occupy the same space and she calls it gifts with a twist, art work, jewelry, pet gifts and one of the rooms is local craftspeople. LaBrecque – The space is only 660 sq. ft. in size. From what I understand, there will be no modifications to it. The use as Rusty stated has been professional offices and they are proposing to convert it to a gift shop. It's called Poni's Parlor. A photograph of the shop from Main Street is included in your packet showing the small pink sign. No change in lot coverage is anticipated. Some proposed landscaping will occur on this site that would enhance the curb appeal as shown in the pictures included in your packet. There will be no increase in parking demand. Although there is some on-site parking, I know there are a couple of apartments upstairs and a couple of commercial spaces downstairs. So Little Thyme is next door to this unit. I'm not sure if that parking is for the people living in the apartments or if it's also for the business owners of those two retail shops. We typically encourage the owners of those shops and the people who work there to not park on Main Street. The sign is 6 square feet. We encourage down lighting as to not disturb any of the residential neighbors. Bayard questioned the setup of the existing parking. McLearn – There is approximately the availability for 20 parking places in the back parking lot. The building has 3 apartments and 2 retail stores. The 3 apartments are 2 1-bedroom apartments and 1 3-bedroom apartment. The stores are 900 sq. ft. and 660 sq. ft. so that's about 10 parking spaces that are needed for this building and that leaves us with approximately 10 additional parking spaces. As I think you're aware the Congregational Church has talked to the Town and to me about pooling our land and making a larger parking lot that would be publically accessible back there which I would be willing to do and we would either give land to the Church or the Town or however that gets worked out. The only thing I requested is if I now have 20 or 22 spaces that I still be able to count that many places when the lot becomes a public lot. Vadney – Do we have on the site plan now the specified designated parking? LaBrecque – The requirement for a formal site plan was waived given its only a change of use so no parking demand has been calculated, it was 660 sq. ft. for the professional office which would come out to be 1 space for every 200 sq. ft. and retail is the exact same parking demand so it would be 3 parking spaces. Vadney – Since we didn't open up the whole thing and comment directly on the designated number of parking spaces, I'd hate to do it on the fly here. McLearn – I wasn't making that part of this application, I just wanted you to know we're thinking about it and will be talking about it sometime in the future and the Church is putting together a plan to do it. Vadney – I am somewhat familiar with that new proposal and I do recall if you gave up some of

your land back there because of the hill and stuff that it wouldn't penalize you and right now I would support that. How that would go when it comes before some Planning Board in the future, I don't know. For purposes of this tonight, I think we want to be pretty narrow and say that we're recognizing that the 660 sq. ft. from office to retail is not going to be a major parking issue; we're willing to just let it go and not involve the back yard in any way because there is no change in demand. I will make sure she parks out back. Hearing closed at 7:15 p.m.

Kahn moved, Dever seconded, MR. CHAIRMAN, WITH RESPECT TO 51 MAIN STREET, LCC, SITE PLAN AMENDMENT FOR A CHANGE OF USE FROM PROFESSIONAL OFFICE TO RETAIL, TAX MAP U07, LOT 24, LOCATED AT 51 MAIN STREET IN THE CENTRAL BUSINESS DISTRICT, I MOVE WE APPROVE THE SITE PLAN AMENDMENT AND WE RESERVE THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED IN SITE PLAN REVIEW REGULATION NOS. 6 AND 17. Voted 5-0 in favor of the motion.

2. **ASSOCIATED SURVEYORS FOR CALVARY BIBLE CHURCH:** (Rep. Harry Wood)

Wood – Back in February we came before the Board and discussed a proposed addition for handicapped bathrooms and storage on the second floor. The area in blue on the proposed site is the area of the proposed addition. This shows as being 24' wide and the bathroom section will only extend out 10' from the building. The second floor will extend a little bit further and the rest of it will be a canopy. There will be a 10' 8" clearance and anything up through a small van will be able to drive right underneath the overhang and access the back door of the Church. We do have an unloading area there and we have a very small 3' x 4' entranceway but when you get in and out of the cars, you still have to be in the open so this will be a tremendous advantage for the handicapped. We have 3 people in wheelchairs. In the past it has been difficult because they have to leave the sanctuary, go outside the building and all the way around to the front door in order to get to a bathroom. Even then the bathrooms are not fully handicapped in the existing Church. The site is on the back of the Church and will only be visible from St. James Street. We have proposed some evergreen plantings in the small island along St. James Street to help break up the mass of the parking lot. There is a very large cedar tree that has been there a long time, is very well developed and we intend to leave because it not only breaks up the size of this looking from up the street but also screens the existing annex building behind it. The plan you have is a view from the parking lot at the back of the Church looking at the Church and the present entranceway into the sanctuary lines up with this door and that would simply be an addition and would be a gable end. We do intend to salvage several of the stain glass windows and incorporate those in the windows in this addition. The other aspect of it is the bathrooms are only coming out 10', the upstairs sticks out 4'-6' where the roof is and there will be storage on the second floor. We would actually have 14' wide of clearance, 10' 8" high for the unloading area. The siding will be clapboards, the same as the Church and the roof will be

shingled and will match the existing Church roof. Vadney – This packet mentions the continuation of the temporary building. Wood – I'll get to that in a moment. With regard to the Annex building, it's a combination of green and red cross-hatching on the overall plan. That building was put in a number of years ago with the approval of the Planning Board and initially it was supposed to be for a 5-year period. We sort of lost track of it and it expired. At the time we spoke to the Town, we were in the process of acquiring Parcels C and D and adding them to the Church property. We said at that time we would prefer to wait until that occurred before responding regarding the Annex. After we acquired it, we entered into a negotiation with the Ponds for a View Easement and we asked to delay that for a little while until we could work out the details. We had hoped to add an addition to the back of the Church which did not happen. Now in conjunction with the bathrooms, we're bringing back a request to renew the permit for the Annex building for a minimum of 5 years with an option to renew for 5. The Annex building serves as classrooms for Sunday school, youth groups and also houses the clothing center the Church operates and people from the Town benefit from. We also run a food pantry and have managed to locate a site inside the building for that function. Vadney – As far as the permanency of it, if you build on the back of the Church, I'm assuming you would take that building out of there and extend the driveway back for access to the clothing store. I think what would happen is there would be some conversion of space within the Church building that's there now and that building would come out and be used for additional parking. The back parking lot is not advertised as a public parking lot. We do allow Mame's and some of the people down on that street do use it and in response Mr. Cook generally plows that for us during the winter. The front parking lot is by agreement open to the public anytime that the Church does not require it for services with the exception of about 5 spaces that the Church reserves for its own use. The Town maintains the front parking lot in exchange for the use of it. Vadney – In your calculations for lot coverage, does it include the temporary buildings? Wood – Those are included and the addition we're asking for, except for two small strips of grass about 3' wide X 15' long, the addition is being built on top of pavement or uncovered window space that goes into the basement area of the Church. In effect, there is no increase. We have it calculated at about 56%. Bayard – Why are you going for 5 and 5 vs. 10 and I can kind of see John's point that tracking this is possibly going to end up the same thing that happened last time. Wood – There have been some comments by one of the abutters with regard to the facility and I'd like to convey the idea that we're aware of that and we'd rather take it one step at a time rather than just say another 10 years. We don't have anything fixed to guarantee that in 5 years it would be gone. Bayard asked about plantings. Wood indicated they would plant some evergreens in front of the structure. On the sides, it's quite well vegetated at the present time. I do admit its mostly deciduous trees that lose their leaves in the wintertime. As I mentioned, the large tree cluster in the middle of the parking lot screens that from the street. You can see under that tree so we propose to put a few evergreens in front a little bit higher than the skirting on the trailer now. Vadney – Although the 5 + 5 vs. 10 argument seems a little bit silly, at the same time in a period of 5, 6, 7, 8, 9 years, Planning Board

members change, Church management changes and the abutters tend to change so it wouldn't be a bad idea to keep this on everybody's memory base because people change. I think maybe the 5 + 5 is a reasonable way to do that. We have a person in the Church now who's dedicated to keeping track of this. With regards to the dumpster and the shed, there was some discussion when you were in before about somehow screening off one side of that where the Sleeper's abut this property. Wood – At this point I'm going to give you a revised plan. There are two additions on this and one we've talked about and it specifically states to plant some evergreens along the end of the building and I've indicated we would switch the location of the shed and dumpster because the truck that services the dumpster will not be able to access the area where it is now. In order to protect that area, the dumpster will be set on the pavement because we're required to have a pad underneath it and we'd create a berm on the pavement on the two sides and the back. We've also shown placement of retaining blocks to be placed along the side of that driveway that would raise the ground immediately adjacent to that driveway 4 feet and then we could put a 6' stockade fence right immediately adjacent to that raised barrier. That would require us to cut a couple of limbs off the Maple trees that are there but it would provide a screen year-round and we have talked to the neighbor about putting a fence there. We discussed putting it on their property and they prefer that the fence stay on the Church's property. The only way for that to do any good is to elevate the fence otherwise you would be able to see right over it. LaBrecque – I would like to direct your attention to pages 29-33 and the photographs that show the area adjacent to the Annex and looking out from the Annex onto St. James Street. There is quite a bit of vegetation back there in the corner already. Parcel C and D are one lot and they are used in the coverage calculation so it would be helpful if the final plans had the lot area to the actual Church shown in square footage and then the impervious also shown in square footage rather than just the percentages so that way we have a reference for the future. Wood – We will add that to the plan. LaBrecque – How will they be accessing the canopy area to do a dropoff? Wood - They enter the second driveway and come into the side of the overhang and they exit. LaBrecque – So they pull around the tree? Is there something changing in that light blue area? Wood – I think there will be an adjustment to the edge of the pavement to match up with the access into that area, we proposed a supporting post in the corner of the overhang and there would be a couple of bollards there but we would line the edge of the grass up with that and put the plantings in that area. LaBrecque – That should be reflected in the final coverage numbers. Are Parcel C and D open space or does one just have a view easement? Are they deed restricted in any way other than that? Wood – There are a number of restrictions. Parcel C has a view easement on it and that's to Mr. Pond and his wife and they also have the option to acquire that space physically and they also have the right to acquire Parcel D at whatever value it has at that time if we do not use it. The Church has an alternate site available to it but it would require a major investment to utilize the other site so we're kind of wearing this one out before we try to take a jump of that scale and if we were to vacate the site, the Ponds have right of first refusal to purchase that also and that one is not restricted in any way other than that. The

Town has the right of first refusal on the main parcel. As part of our agreement with the Ponds, as far as selling them Parcel C, it would require a boundary line adjustment at that time and would have to come before this Board in order for us to do that. It would remain as a view easement. At this moment, Parcel C and D is one lot of record. LaBrecque – Lighting doesn't appear on the architectural elevations though the Board does encourage cutoff light fixtures due to the residential neighbors and consideration for them and the dumpster on this new site plan its being relocated, but it would only be screened on one side if it weren't fenced in so that may be something you may want to consider. The architectural design review appears to be consistent with the existing building. Wood – With regard to the lighting, our canopy on the front of the building has all the lights underneath the canopy and I presume it would be the same in the back. We do have a motion detector light in the front one so if somebody is walking up to the Church, it comes on and illuminates out from the canopy. That would not be a spotlight shining into the parking lot. Mike Sleeper – I've talked to them about this and I have major concerns with this temporary building being there. They got permission in 1992, 16 years ago. I brought it to the Town's attention 5 years ago and nothing got addressed so I'm glad we're having this meeting now. This area is all stonewall and I have problems, what happens the parents go inside to do the clothing thing and the kids play all over the stonewalls. The neighbor back here has a pool and my wife had to yell down because the kids were hanging on the side of the pool so there's no real supervision for the children so the fence is what I had proposed to them. I don't recall them ever asking to put it on my property but even if they go 6 feet, its 6 feet from on top of my stonewall, I still would be able to see the top of their building which is all rusty and everything of that nature. From Bonnie Calzada's property, you can actually see this building, this does not cover it at all. They also have a spotlight on their trailer and every time a cat or anything walks by, I get the bright light right into my windows. I've mentioned that to them, I've mentioned the fence. I've never had any problems with them, I just really wish you would consider this, another 5 or 10 years, 26 years is not temporary. Even 16 years isn't temporary. I do hope we can come up with something to fix this. I understand it's a great need. It was my understanding they bought my grandmother's parcel to put the clothing center there. It's going to have to be taller than a 6' fence and I would like to go all the way down my property if possible. In the summer they have classes and other activities outside in the parking lot. William Pond – I own the carriage house at 11 Highland Street which directly overlooks the Church parking lot and the Church. The trailer and there's a lot of rust on it, its not really well painted and I think if that were to be done, I think that would be a big improvement because I do have to look down onto that all the time. I have to agree with Mr. Sleeper, it does seem many years ago when those trailers were put in, it was only supposed to be on a temporary basis and it has been a long time. I understand their need but I would like to see something done with those trailers as far as camouflage. Sleeper – They are there every Thursday morning at 6:00 a.m. and the noise wakes up my children. There are food smells that come from the dumpster. Vadney – What are the dimensions of that trailer? Wood – 30' x 57' and its split into two classrooms, display area for the clothing and

an adjacent room which is used for sorting and identifying the clothing before it goes on display. In answer to a couple of comments by the abutters, I believe the pool is gone on the adjacent property. The fence is really going to be 10' high because there would be 4' of retaining blocks and then the fence would be above that and we would fill in behind the blocks so instead of having a steep banking like it is now, it would be not exactly level but somewhat level with Mr. Sleeper's yard and then the fence would be above that. A 6' fence at ground level wouldn't do any good at all. I'm going to take the position that the Church would be willing to paint the building. I was somewhat unaware of the trailer spotlight and I'm sure we can do something about that, if its aggravating a neighbor, we definitely can take care of it. Sleeper – Before you make your decision about the fence, I would like us to come to an agreement. I understand it's a great thing for the community but I have to live there. Keniston – We did meet with the abutters prior to coming to the Planning Board and at the time I thought we had responded to all the concerns because that's what we wanted to do. Just a point of clarification for the Board as to how this temporary situation came about, the reason they are temporary is not because they were deficient in any way as far as zoning or anything like that, the reason they were deemed to be temporary is because they sit right on ledge so it wasn't practical to put a foundation under it so at the time we went to the Planning Board initially for approval of that building, it was designated as temporary because it didn't have a foundation. If it had a foundation under it, we probably wouldn't be having this discussion because it wouldn't have been labeled temporary. At the time we did not request any zoning relief and we weren't advised that any was necessary. Kahn – Mr. Chairman, I don't have any problem with the proposed addition to the Church but on the business of extending the temporary structure, I think I want to go and look at this. I'm not familiar with what's behind that Church so I personally am not prepared to deal with extending the temporary status of that temporary structure at this meeting. I am prepared to go ahead with approving the entryway and toilets. Bayard – I think that makes some sense, obviously we're not saying the thing has to be torn down because we're not granting approval for the next few weeks, but I think it makes sense to take a look at it and get a better feel for it and maybe give the parties a chance to talk a little more. (inaudible) Wood - Mr. Chairman, as several of your members have indicated, if you would be willing to consider a conditional approval for the bathroom addition, we would accept that and the extension on the annex and we would talk with Mr. Sleeper and come up with something that seems to be agreeable to both of us and we'll present that when we come back. I think there's a possibility we could assure you 10 years and no renewals. Vadney – One way we could do that, I've been thinking here tonight we always take a vote on the site plan amendment and a separate vote on architectural design and I've been planning to do a separate discussion and vote on the extension just so that will be a clear standalone item for future Planners and Board members to be able to consider by itself. That being said, we can go ahead and give you the conditional for the addition. I would like the motion on the temporary building to include a time

limit that they have to come back to us within 2 months or 3 months or something like that to give the abutters a sense of seriousness on that. Is 30 days OK with you? Hearing closed at 8:04 p.m.

Bayard moved, Kahn seconded, I MOVE WE CONDITIONALLY APPROVE THE PROPOSED SITE PLAN AMENDMENT TO CONSTRUCT A 24' X 40' ADDITION AND RELATED SITE IMPROVEMENTS, SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) IN CONSIDERATION OF THE RESIDENTIAL NEIGHBORS, CUT-OFF LIGHT FIXTURES ARE REQUIRED WITH DOWNWARD LIGHTING.
- (2) FINAL PLANS SHALL INDICATE THE SETBACKS FOR THE CENTRAL BUSINESS DISTRICT.
- (3) FINAL PLANS SHALL INCLUDE LOT AREA AND COVERAGE IN SQUARE FEET AS WAS DISCUSSED.
- (4) A FENCE SHALL BE USED TO SCREEN THE DUMPSTER FROM VIEW.
- (5) THE TEMPORARY BUILDING, DUMPSTER AND SHED WILL BE DISCUSSED AND A VOTE TAKEN AT THE JULY 8th MEETING.
- (6) THE PLANNING BOARD RESERVES THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED FOR IN SITE PLAN REVIEW REGULATION NOS. 6 & 17.

Voted 5-0 in favor of the motion.

Kahn moved, Sorell seconded, MR. CHAIRMAN, I MOVE WE FIND WITH RESPECT TO THE PROPOSED ADDITION TO THE EXISTING CHURCH BUILDING, THAT THE PROPOSED DESIGN DEMONSTRATES SUBSTANTIAL CONFORMITY WITH THE GENERAL AND SPECIFIC CRITERIA SET FORTH IN THE ORDINANCE. Voted unanimously in favor of the motion.

Vadney – I want to be sure that we're all clear whether we need another vote. Basically, we want to review the temporariness of the building and at this point we're granting no waivers whatsoever and that will be discussed within 60 days but hopefully sooner than that based on time for the abutters to deal with the applicant and discussions. Moved by Kahn and seconded by Bayard. Voted unanimously.

We want to see the temporariness of this site, the shed and the classroom/clothing trailer reviewed definitely within 60 days, hopefully sooner than that depending on when the applicant can meet with the abutters and also during that time work out the details on what fencing they need. LaBrecque – And because its not date specific, it will be renoticed? Vadney – This is almost a separate issue, we've already given them a conditional approval on the part that they are going to go ahead with. I suspect they should renotify. Kahn – Mr. Chairman, should we do a site inspection? Vadney – Good idea. LaBrecque – We're shooting for July 8th which would have an application due date of June 23rd. It might be a good idea to

set the date for a site inspection while it's fresh in our minds. Kahn – Let's let them talk among themselves and let's do it late in June. Date for site walk will be discussed and set at the June 10th meeting. Hearing closed at 8:14 p.m.

TOWN PLANNER'S REPORT

1. FEES, APPLICATIONS & CHECKLISTS:

LaBrecque – I just wanted to bring this up tonight to see if anyone had any comments on the Checklist I handed out last week or wanted to add anything to it. A slight adjustment was made to the fees. The Site Plan fee that was \$125.00 + the square footage of disturbance, I bumped that up to \$150.00. I crunched some numbers on some applications that we had and it was slightly lower than I had anticipated when compared to the Subdivision fees so I just increased the Site Plan by \$25.00 for amendments any other site plan review. Base fee is \$150.00 + .03/cents sq. ft. of disturbance. I also added a note that applications are subject to a Technical Review Fee per Section 4.17 of the Land Subdivision Regulations. I also looked through the Subdivision and Site Plan Regs and found the locations where they would have to be revised and highlighted the “following items are required for an application to be accepted as complete by the Meredith Planning Board”. What if something's not complete? They bring it to me on the deadline and there are things on the checklist that are relevant to the review and they are not on there. Instead of making it a condition of approval which has been the practice, do we come here and go through the checklist and decide its not complete. Is that what happens? Vadney – You can stop most of them by telling them the Board's going to kick it out. The waiver process is the same as we have now. Assuming this list is inclusive and complete, this will make it much easier to turn somebody away. Bayard – We've overindulged a few people in the past. This will allow a more comprehensive review on the front end instead of getting stuff at the end. I think when it comes to doing the completeness review, I'll just refer to this.

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Mary Lee Harvey
Administrative Assistant

The minutes were reviewed and approved at a regular meeting of the Planning Board held on _____.

William Bayard, Secretary