TOWN OF DUNBARTON, NH
PLANNING BOARD MEETING MINUTES

November 28, 2018, 7:00 p.m. at Dunbarton Town Offices

IN ATTENDANCE: Chairman Ken Swayze, Vice Chairman George Holt, Alison Vallieres, Jeff Crosby, Chuck Frost, Ex-Officio Mike Kaminski, Building Inspector Mike Cumings, Planning/Zoning/Building Department Administrator Donna White

BUSINESS:

1. Approval of Minutes of October 17, 2018. Jeff Crosby made a motion to approve the minutes as written; Chuck Frost seconded the motion. All in favor.

2. Correspondence: A letter about the Overlook project was received. There are several items to be addressed before the project is finalized.

3. Selectmen’s Office Report: Selectman Kaminski reported that Purgatory Pond Road was accepted as a Class V road on October 25, 2018. The Board of Selectmen held a public hearing on the safety concerns of Page’s Corner on November 15, 2018. A letter of the Board’s recommendations will be submitted to NH DOT. Mr. Kaminski said this gives the town a placeholder for safety improvements, both short-term and long-term.

4. Planning/Building Department Report: Donna reported that all Certificates of Occupancy have been issued for the Overlook project. Mike has been out to verify monumentation with Jacques Belanger; there are a couple still to be set. She said they have cleaned up some outstanding projects and the department is in good shape. Mike Kaminski asked if the Board of Selectmen will be approached to reduce the Overlook bond. Jeff Crosby said Kevin Leonard, the engineer on the project, crafted the letter of deficiencies mentioned earlier in the meeting. He feels the developer will be asking for a reduction or release of the bond upon completion of those items.

NEW BUSINESS:

Application #2018-PB-006, MG’s Farmhouse Café, Justin & Ashley Rioux, E3-05-06, 1007 School Street, Village District, Minor Site Plan Review – Based on the department’s review of the application and plan, George Holt made a motion to accept the application as complete. Brian Pike seconded the motion. Chairman Swayze stated that five waiver requests were included with the application. Maria Dolder, attorney for the applicants, presented the explanations of the waiver requests as follows:
1. **Section VI.B.18** – The existing topography slopes gradually downward from School Street to two existing ponds located on-site. There are no existing grading issues and there are no proposed changes to the existing topography. **George Holt moved to accept the waiver request; seconded by Chuck Frost. All were in favor.**

2. **Section VI.B.19** – There are two man-made ponds located on the property that have been located and shown on the plans. There are no indications that there are wetlands on the property in the area depicted on the plans. There are no proposed improvements to the property except for the expansion of the existing entrance. Soil and wetland delineation would not have an impact on the Board’s decision. **George Holt moved to accept the waiver request; seconded by Chuck Frost.** Brian Pike noted that the applicants will be increasing the usage of the septic system; he wondered if additional leaching won’t affect the soils. Ken Swayze said that is DES jurisdiction and putting the soils on the plan won’t accomplish anything. **All were in favor.**

3. **Section VI.B.23** – The access points for the property are shown on the plan. The sight distances at these points have not been measured. Vehicles leaving the property can see down School Street all the way to the ends of the street in both directions. **George Holt moved to accept the waiver request; seconded by Mike Kaminski.** Chuck Frost asked for police department input on the sight distance. Maria Dolder noted that a traffic analysis was done by T F Moran. Very low peak time traffic is expected, and no changes were needed. Jeff Crosby spoke about the sight distance at the existing driveway. He said not much can be done, other than remove some shrubs; the area is pretty flat and straight. **All were in favor.**

4. **Section VII.K.1.d** - The existing parking lot is constrained by a raised median containing landscape trees and an artesian well. The aisle width varies in this area and has a width of 21’ at its narrowest point and meets the 24’ required width for 34’ of the 55’ width of the parking lot. The parking lot has been used for several years and there has not been an issue with the width in the past. **Mike Kaminski made a motion to accept the waiver; seconded by Brian Pike. All were in favor.**

5. **Section VII.K.1.e** – The existing entrance is approximately 14’ wide and has been used for decades without issue. We are proposing to increase the width to 20’ and not 24’ to minimize the impacts of constructions and maintain as much of the existing landscaping as possible. Maria Dolder stated her applicants are willing to widen the access to 20’ but would prefer not to if the Board doesn’t require them to. **George Holt stated that he drove through the parking lot today and feels they need the extra width. Jeff Crosby mentioned the effect of snowbanks with a narrow access. Justin Rioux said he felt it should be fine. Mike Kaminski moved to accept the waiver request; seconded by Chuck Frost. All were in favor.**

Chairman Swayze stated that the Board reserves the right to go back to these waiver requests. **All were in favor of the motion to accept the application as complete.** Ken Swayze and Mike Kaminski spoke about the Town’s Master Plan visioning sessions where the message was clear about having some sort of coffee shop in town. They said the applicants’ proposal will be a welcome addition to the Village.

Maria Dolder gave an overview of the applicants’ request. She said nothing on the
outside or scale of the building will change. George Holt asked about signs. Attorney Dolder said they will have signs, complying with the Zoning Ordinance. She said the ZBA required parking signs; the ZBA determined the parking signs are not considered part of the sign limit given in the Zoning Ordinance. Ms. Dolder said the parking will comply with Site Plan regulations. A pad and fence are to be added to the dumpster location as required by the regulations. No additional lighting is being proposed. A traffic analysis was done for the ZBA; a copy of the analysis is in the ZBA record. Ms. Dolder said the bulk of work being done is internal; the site is existing, which they are trying to maintain as is. She said the applicants will be getting a food service license. They are waiting for water testing; it is considered a public water supply.

Brian Pike stated that there is a 25’ no excavation area by the cemetery. Maria Dolder said that can be added to the plan. George Holt asked about the intended traffic flow, considering the building tenants and café. Anthony Costello, applicants’ engineer, said traffic for the restaurant will come into the first driveway and tenants will use the driveway near the cemetery. Ken Swayze suggested that Board members might want to look at this on-site. Ms. Dolder said the applicants are trying to avoid having customers around the back of the building. She said they will maintain customer and tenant traffic. Jeff Crosby spoke about parking concerns. He said it is up to the owners to enforce this with their tenants. Ms. Dolder explained there are two spaces per five units, allowing for two cars and guests.

George Holt asked if the vegetative area between the properties is enough to avoid lights on the neighbors. Anthony Costello said it is as there will be no more lights than now. He said the operating hours end before dark. Chuck Frost asked about the square footage of the building as listed on the plan. He said the property card shows over 6,000, yet the plan shows 2,909. He said the property card also shows four units. Ashley Rioux confirmed that there are four units and two studios.

It was noted that the ZBA notice of decision will be put on this site plan.

Jeff Crosby asked about existing lights. Anthony Costello said there are carriage lights on the building. Mr. Crosby noted they are moving the tenant parking away from the building; he asked if additional lighting should be considered. Mr. Costello said they are addressing the lights that affect the café parking. He said there are other lights on the back of the building.

Mr. Crosby said the café will create additional usage. He asked if someone could guarantee that it will not have an effect on the town parking lot. Mr. Costello and Mike Kaminski both said they are meeting the town regulations. Maria Dolder said they cannot make that guarantee; the plan meets the site plan regulations. Mr. Kaminski said the applicants can encourage their customers to use the café parking lot.

Chairman Swayze asked Police Chief Sklut if he had any questions or comments. Chief Sklut said it is a small café and the impact will be very minimal. The chairman asked Fire Chief Wiggin if he had any questions or comments. Chief Wiggin said building access by fire apparatus is his concern. He said the driveway could very well be blocked by someone parked to run in for a coffee, etc. The chief said he would like to see the driveway access made at least 20’ wide. He said it appears that traffic would stay to the right and exit under the canopy. Chief Wiggin said the rear is clear for access as proposed. Chairman Swayze suggested there be further dialog between Chief Wiggin and Anthony Costello. Chief Wiggin stated they would need a fire inspection and meet fire code before they can occupy the area. Chairman Swayze
asked Building Inspector Mike Cumings if he had any questions or concerns. Mike asked if anyone has considered if the business needs to be ADA compliant. Anthony Costello said there is an existing ramp. The chairman stated that would fall under building department purview.

Chairman Swayze opened the hearing to the public.

Donna called upon abutters.

William Zeller said he is looking forward to the café opening. Anne Zeller said the café will be a great asset to the town. She said lighting is her main concern, noting they will only be open until 8 p.m. Mrs. Zeller requested that anything being added consider dark sky lighting.

Peter Weeks said he attended the ZBA meetings and is very excited and totally in favor of the proposal. He said a lot of people are looking forward to having the café in town.

Kenneth and Susan Koerber – not present

Town of Dunbarton – represented by Selectman Kaminski

Dan Sklut spoke as a tenant of the building. He said he is looking forward to the café being open, feeling it is a good thing for the town. Mr. Sklut said there may be a minor impact on the tenants but nothing significant.

Chairman Swayze closed the public hearing and brought it back to the Board. There were no further comments.

Brian Pike made a motion to continue the application to the meeting of December 19, 2018 at 7:00 p.m. in the Town Office meeting room. Ken Swayze recommended that Board members individually view the site prior to that date. George Holt seconded the motion. All were in favor.

There will be no further notification.

Application #2018-PB-007, Falcon Heights Properties, LLC, C6-02-03, 1139 Montalona Road, Low-Density Residential District, Three-Lot Subdivision – Jeff Crosby recused himself from the Board due to having a business association with the owner. Donna gave an overview of the application as a 15.06-acre parcel being divided into three lots of 5.02 acres each. With minor corrections, the application appears complete. Based on the department’s review of the application and plan, Chuck Frost moved to accept the application as complete; seconded by Mike Kaminski. Mike Kaminski asked to confirm that these are mostly small administrative changes. George Holt said he reviewed the plan, the concept is clear, and the corrections are minor. All were in favor.

Jacques Belanger represented the applicant. He explained the intent of the plan, noting there will be three five-acre lots, each with sufficient frontage. There is a strip of wetland break that runs midway across the main parcel. Mr. Belanger said the plan has been reconfigured several times in order to maintain access to the back of the lots which is all field. As a result, the lots are a bit skewed. Because each lot is over five acres, state approval is not needed. Driveway access points are shown on the plan; the existing driveway to the house currently on the parcel has been kept in place.

Mr. Belanger went over the review comments, noting that they are pretty minor. He showed the areas on the plan, explaining the corrections and that they have no effect on the subdivision itself.

Chairman Swayze opened the hearing to the public.

Donna called upon abutters.
Gourley Realty Trust – Mary Gourley stated this could be too close to her house. Jacques Belanger explained there is no commitment to a house location at this point. He said it is a five-acre lot and the house location would be up to the buyer. Ms. Gourley asked if the lot is for sale. Mr. Belanger said it is. Ms. Gourley asked if the existing house will remain in place. Mr. Belanger said that is his understanding at this point. Ms. Gourley said the area should stay wild, she loves the country, and feels sad to think it will be destroyed. She said she would be interested in purchasing the lot; Mr. Belanger suggested that she contact the owner.

Brian & Laura Hardwick – not present
Aimee & Gordon Eglintine – not present
Dunbarton Telephone – A representative said he was there to see if there would be any changes to their easement on the property. Mr. Belanger said the easement will not change.
Janet & David Dugrenier – not present
Darren McLean – Mr. McLean said he shares Mary Gourley's sentiment about keeping the area wilderness. He said he bought his property in 2017 because he liked the surrounding area and fields. Mr. McLean said he hates to see the land built upon. He asked what the effect on his well would be with the addition of a new well on the lot near him. Ken Swayze said the well draw on a residential property is minimal and would do very little damage to the water table. George Holt noted that recycled water from the septic system helps replenish groundwater. Mr. Swayze explained that Dunbarton has one of the largest lot size requirements in the area as an effort to maintain open space.
Mary Carlisle-Stadleman – Ms. Carlisle-Stadleman said the loss of farmland saddens her as you can't get it back once lost.
William & Nancy Sherman – not present

Hearing no further comments, Chairman Swayze closed the hearing to the public and brought it back to the Board. Brian Pike made a motion to continue the application to the meeting of December 19, 2018 at 7:00 p.m. in the Town Office meeting room; seconded by Chuck Frost. All were in favor. There will be no further notification.

Jeff Crosby returned to the table.

OTHER BUSINESS:

Mike Tardiff, Central N H Regional Planning Commission – Mr. Tardiff said they are ready to work on the implementation portion of the Master Plan. He explained that his staff has pulled out the recommendations from all the chapters and created a document for the Board’s review. Mr. Tardiff handed the documents out and asked Board members to pick their top twenty preferences, rating them as S (short -through town meeting 2020), M (medium – 2-5 years), or L (long – 5+ years). Board members were asked to get their forms back to Donna in a week.

Zoning Amendments – There was brief discussion about possible amendments for the March 2019 ballot. The sub-committee has met once to discuss proposed changes; they will meet for a second workshop on January 2, 2019 to complete their review. Should it be decided that
any of the proposed changes be submitted for the ballot, a public hearing on such will be held at the January 16, 2019 Planning Board meeting.

Jeff Crosby moved to adjourn the meeting at 8:42 p.m.; seconded by Brian Pike. All in favor.

Respectfully submitted,
Donna White