

TOWN OF WEARE

PLANNING BOARD

15 Flanders Memorial Rd - PO Box 190

Weare NH 03281

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October 24, 2013 - Meeting Minutes

****DRAFT COPY****

PRESENT: Craig Francisco, Chairman, Neal Kurk, Bruce Fillmore, George Malette, Sheila Savaria, Recording Secretary

GUESTS: Paul Smith, Michael Murray, Brian Ivinjack, Jon Osborne, Robert Connor, Tina Connor, JoAnn Casper, Joseph Kasper, Art Siciliano

I: CALL TO ORDER:

Chairman Craig Francisco called the meeting to order at 7:00 pm at the Weare Town Office Building, and appointed Bruce Fillmore as a voting member.

II: PUBLIC HEARINGS:

Conceptual Hearing

B&B Lane

Michael Murray

Michael Murray wants to add 1500 square feet of paving to the south side of his property on B&B Lane. He feels this will finalize the building entrances and make it more handicap accessible. The surface has already been prepared for pavement with nit pack. He does not plan to ask for any more paving in the future. Bruce Fillmore asked if he had considered using any other material such as block because it has a more porous surface and the water runoff wouldn't be so fast because they aren't smooth. Mr. Murray says he prefers pavement. Neal Kurk commented that they had previously determined that the surface was impervious but the fact that he put nit pack down may make it pervious. The Board scheduled a site walk for Friday, November 1, at 3:30.

Conceptual Hearing

Barnard Hill Road

Judith Vimenti

Judith Vimenti purchased 3 lots from a subdivision in the 1980's, lots 168, 169, & 170. She needs to have access to the land to be able to sell the lots. There is currently a guardrail that is blocking her access. Land Surveyor Art Siciliano spoke to the neighbors who are willing to trade land in order for Vimenti to gain access. The neighbor, Mr. Hart, will deed Ms. Vimenti an access and he will get land on the back of lot 169 & 170. Lots 168 and 169 will be combined, and 170 will be on its own. They will need variances for a driveway easement to access 2 lots, a variance for having 3 houses on one driveway, and a variance to subdivide the land for reduced frontage or to allow 150' frontage on a class 5 road. Neal Kurk said he isn't sure if they need to give a building permit because she has access to her land, but may not be able to build a house on it. She has the option to use it in other ways such as agricultural. George Malette feels that because this is only conceptual and the neighbors are working together to work something out, that they should consider cluster regulations. Mr. Siciliano feels building and maintaining a road to adhere to the cluster regulations would not be the best option. Chairman Francisco feels Mr. Siciliano's plan could be feasible, but the extra 50' needed on the class 6 road may be an issue.

Conceptual Hearing

South Stark Hwy

JoAnn Casper

JoAnn Casper would like to open a daycare at the site of the old Thrift Store site. The septic has been looked at and is adequate. They will have to do repairs and updates to the space to make it suitable for

children. They are not sure how many children they will be permitted to have, but are predicting 30-40. There are approximately 13 parking spots and 5-6 employees. Neal Kurk feels the playground across the driveway may be a problem if there is traffic going to the back building. The owner of the building, Brian Ivinjack, said he has no plans to change the use of the back building and will mark the driveway with appropriate signage. Ms. Casper added that the children will always be accompanied by an adult if crossing the driveway to get to the playground. Chairman Francisco said they'd need to renew the driveway permit, check on the septic, and look into playground access.

Expedited Site Plan Review

Nana's Snack Shack, Tina Connor
1387 South Stark Hwy, Map 203-1
Add a bakery to existing business

Tina Connor, the owner of the Snack Shack, would like to add a trailer that will be used as a bakery. The trailer will be on a slab and sided to blend in with what is existing. There will be a 2-way transfer to the roof. There will be a hallway built to connect the trailer with the existing shack. There is a 9' x 9' bathroom in the trailer for employees. The business is on town septic. Their grease traps are currently in full compliance with the state. The only addition to the plumbing is a hand sink in the trailer. There is no need for a public restroom because the new proposed number of seats is under what is required to require a public restroom. They will use this addition for baking for catering and consumption at the Shack like they currently do. Ms. Connor met with the Conservation Committee and has since brought the property to be less non-conforming.

Bruce Fillmore moved to accept the application as completed; Neal Kurk seconded, all voted in favor.

Chairman Francisco closed the public hearing at 8:15pm.

Bruce Fillmore asked if it was possible to move the trailer in a couple feet to get it out of the wetland buffer. Ms. Connor replied that they would not be able to make the connections between the trailer and the shack if they move it any more. Mr. Kurk said he is concerned that this lot is one of the first things people see when they come into town, and the fact that they are making it look better is a good thing and is helping the town. According to town parking regulations and based on the size of the buildings, they need 34 parking spaces. They currently have 28, and 6 are in the wetland buffer. Chairman Francisco said the Board can waive the parking regulations. Currently the hours for the Snack are 11-9 seven days a week. The plan says the bakery hours will be open 7-7 seven days a week.

Chairman Francisco told Ms. Connor she should get another DOT Driveway permit because she is expanding the use. Also, the parking spots 14-19 on the plan need to be turned parallel to the edge of the wetland buffer so it's not in the buffer. The hours of operation on the plan should read 7 days a week, 12 months a year. The parking calculations on the plan need to be revised because they are not correct.

Neal Kurk moved to waive the number of parking places required to a minimum of 24; George Malette seconded, all voted in favor.

Chairman Francisco moved to approve the plans for the expansion at Nana's Snack Shack dated August 5, 2013 with the following conditions: DPW signoff on the sewer, relocate parking spaces 14-19 outside the wetland buffer, loam and seed the area, hours of operation changes, revise parking regulations on sheet 2. Neal Kurk seconded the motion, all voted in favor.

Proposed Zoning Change

Add Article 14.1 regarding lot sizes in RA Zone
Paul Smith

Paul Smith wants to change the zoning in the RA district and add Article 14.1 in the regulations. Mr. Smith purchased a conditionally approved 6-lot plan that was not completed because a cistern needed to be added, so it is now one lot with 1400 feet of frontage. He'd like to subdivide it and give a piece to his son. Instead of a 10 acre minimum in this zone, Smith wants a 5 acre minimum requirement. He filed this citizen's petition last year, but the Planning Board said they needed more information on what

the impact would be. He feels it's not fair because many people have a lot of acreage but cannot do anything with it, but he could not say how this affects the public as a whole and not just him personally. Neal Kurk said that argument could be used in any zone and he'd like to see the minutes from 1999 when the change was originally brought forward to see what the argument was then. Chairman Francisco said he is going to try and find a map of all the gravel roads in town so Mr. Smith can figure out how many lots this proposed change will affect.

III: OTHER BUSINESS:

Chairman Francisco appointed Bob Ledger to the CIP Committee.

Voluntary Merger – Neal Kurk moved to approve the application of the voluntary merger of Lake Shore Village Realty Holdings, LLC, merging tax map 103-6 & 103-2, once merged referred to as 103-6; Bruce Fillmore seconded, all voted in favor.

Minutes: Neal Kurk moved to approve the minutes from the September 26, 2013 meeting as written; Bruce Fillmore seconded, all voted in favor.

IV: ADJOURNMENT:

As there was no further business to come before the Board, Chairman Francisco declared the meeting adjourned at 9:20 pm.

Respectfully submitted,

Sheila Savaria,
Recording Secretary