



Town of Gilman, New Hampshire
Gilman Planning Board
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Michael Jean, Chair
Gary Anderson, Vice Chair
Gabriel Jerome, Member
Roy Buttrick, Member
Brett Currier, Member
Shane Bruneau, Member
Mark Warren, Selectmen Rep
Michael Wilson, Alt. Selectmen Rep
Nic Peterson, Alt. Member
Dustin Milliken, Alt. Member
Mark Fougere, Certified Planner
Bre Daigneault Planning Admin

Minutes of May 9, 2019

APPROVED

Planning Board Minutes of the joint meeting with the

Zoning Board of Adjustment, also see the Minutes of the ZBA dated same

Roll Call

Planning Board Chairman Michael Jean called the meeting to order at 7:03 p.m., Chairman Michael Jean, Vice Chair Gary Anderson, Member Roy Buttrick, Member Brett Currier, Alt. Member Nic Peterson, Selectmen Representative Mark Warren, Member Shane Bruneau, and Planning Administrator Bre Daigneault were present at this meeting. ZBA members present included Chair Elizabeth Hackett, Vice Chair Nathaniel Abbott, Member Perry Onion, Member Zannah Roberts, Alt. Member Leslie Smith, and Land Use Administrator Annette Andreozzi. Seven members of the public were present.

PB Chairman Jean appointed Alt. Member Nic Peterson to fill in as a full member in place of absent Member Gabriel Jerome.

Applications

ZBA Case #2019-11, Pensco Trust, owner, Annabelle Henry-Dean, applicant: requests a variance from ZBA decision #2016-00006, condition #9 to have ancillary business offices on the second floor over the Café. Property is .44 acres located at 518 Province Road, Map/Lot 127-37, in the Village Zone.

PB CASE #SPR2019-401: Pensco Trust, Annabelle Henry-Dean, Trustee, owner is requesting a Site Plan Review of her property located at 518 Province Road having a Map/Lot # 127-037. Ms. Henry-Dean is requesting a Change of Use to add two professional office spaces to the second floor of the building. The property was previously approved for 1 apartment, 1 café/store, and 1 office space. The first floor will remain as currently approved with a café/store and 1 apartment. The property is located in the Village Zone on 0.44 acres.

Mrs. Dean would like it noted on record that she is a small business owner and will be counting on rental income to live. At the time Mrs. Dean purchased the property, she was told the 2nd floor could not be used as an apartment, so she had received approval to use the space as an office space. Mrs. Dean will be renovating the original apartment and has been removing the kitchen to try to rent it as office space for small business with 9-5 hours. She does not have site plans currently, as she has hired a surveyor to indicate where the (boundary) lines are. There will be no change to the footprint and no expansion of the building. She envisions two office spaces each having its own small reception area. She knows parking may be an issue, however she feels there will be no more than two additional vehicles. Members of the ZBA discussed concerns with parking. Mrs. Dean feels the Café's consumers do not stay for extended periods,

as they are picking up orders to go. Mrs. Dean wouldn't be opposed to having one office upstairs. Additionally, she inquired to constructing a small deck to the left of the building for the outdoor seating. ZBA Chair Hackett stated the 35' setbacks would need to be met. ZBA Vice Chair Abbott felt no solid plans had been brought before the Boards. The parking is in question and furthermore, there is concern with the septic. Mrs. Dean stated she had purchased the property with the 2nd floor as an apartment. ZBA Admin. Andreozzi clarified the Town has no record of the space being used for an apartment. Admin. Daigneault added the most recent ZBA approval was for one office in the 2nd floor to be used by the Café only. ZBA members showed concern with the existing septic. Member Buttrick clarified the approval (of the Café) was for 3 employees. Member Currier stated the upstairs of the building had been used as an apartment for a long time and feels the use should be grandfathered. He feels Mrs. Dean has a hardship and she should be allowed to use the space as offices. Member Buttrick stated the septic design was for 500 gallons per day for 3 bedrooms, the 2-bedroom out back and the 1-bedroom upstairs. The septic was installed, however the State never inspected it. ZBA Member Onion does remember work being completed to the septic in the 1990's when he owned next door. Member Anderson added the Town may be receiving a corridor study by the Lakes Region Planning Commission and NHDOT. Rebecca Ronstadt, owner of the Café which rents the 1st floor commercial space of the building, commented DES guides the septic decisions. She has no objections to the applicant's proposal. Bob Ronstadt spoke positively on behalf of Mrs. Dean's character. Selectmen's Rep. Warren reiterated safety concerns may be addressed with the approval of from the NHDOT 10-year plan, further approval is needed through the legislature. ZBA Member Smith inquired of the applicant if the space is currently vacant and if the variance is denied, would it remain vacant space. Mrs. Dean confirmed the space is currently vacant and feels a denial would handicap her for future rentals. Abutter, Phil Eisenmann, purchased property at 413 State 140, to the south side of the property. He feels at the time they (Mrs. Dean) purchased the property, they had made some substantial changes from the property going from a general store to a restaurant, of which added public restrooms. Mr. Eisenmann's well and Mrs. Dean's septic do not meet current setbacks from each other, but are grandfathered. He feels concern with the hardship this may be causing Mrs. Dean, however, is concerned with how the added use will affect the septic and where the additional parking will be at a dangerous intersection. Additionally, he feels some of the original restrictions placed on the property have not been met. Member Currier stated it would be known if the septic fails based on the smell emitted. He feels some of the original restrictions placed on the property were strict and should be revisited, as he would hate to see a business close and building go vacant. ZBA Vice Chair Abbott felt as though Member Buttrick had additional information not brought to the Boards by the applicant and inquired if he was there on behalf of the applicant. Member Buttrick stated he was not advocating for the applicant and was present as a Planning Board member. Chair Jean asked Mrs. Dean if she had hired a surveyor and when does she feel this would be completed. He feels the Boards may wish to table the application to the next meeting on the premise the survey would be completed by then. Mrs. Dean confirmed a survey was in the process, however she did not know when it would be completed. Member Currier commented on the current property assessment. ZBA Chair Hackett spoke to the applicant, stating she feels both Boards are looking for more information from Mrs. Dean before making a decision. She feels a

continuance may be needed to allow time for a plan. ZBA Member Onion stated the Boards are not trying to nit-pick, however they do need to know where the boundary lines are and what the plan is. Member Buttrick mentioned there is a survey on file for the property. Member Buttrick continued to discuss a plan that was not submitted with the application. There is also a State plan that can be retrieved from District 5. Admin. Daigneault retrieved an unapproved site plan from the Planning Case file and inquired if this was the plan he was referring to. Member Buttrick stated this site plan was configured based on an approved survey. This site plan was shown to all Board members and members of the public.

Chair Michael Jean requested a motion for a continuance. Vice Chair Gary Anderson made the motion to continue this case to the June 13, 2019 meeting. The motion was seconded by Member Brett Currier. **Motion approved 7-0.**

ZBA Chair Hackett and PB Chair Jean requested a recess.

PB Chair Jean called the meeting back to order and opened with PB Case #CC2018-301

Continued from April 11, 2019-

PB Case #CC2018-301: Gary Anderson, agent for Bear Investments LLC, is requesting a discussion for the potential of developing vacant land with commercial buildings, an open space residential subdivision consisting of 40+/- residential units, and a stone quarry. The property is located at 313 NH Route 106, Map 412 Lot 022, in the business zone and consists of 42 acres. Chairman Michael Jean opened Planning Board case # CC2018-301.

Vice Chair Gary Anderson recused himself from the Board as he is the applicant.

Applicant Gary Anderson opened the discussion with the ZBA, as he is requesting a special exception for a stone quarry. PB Member Brett Currier inquired if the intention is to subdivide after blasting as this is contrary to the steep slope ordinance. Mr. Anderson stated his understanding of the steep slope ordinance is that area would not count as usable area for a subdivision. Member Roy Buttrick commented the State requires a reclamation plan in place prior to blasting which would need to be approved by the Planning Board. An abutter from Belmont, Ann Massingham, was present and expressed concern with the boundary line not being well mark. Mr. Anderson reviewed the plan and boundaries with Ms. Massingham. Ms. Massingham did not have any concerns with the property becoming a gravel site. Mr. Anderson reviewed the site plan and opened discussion with the Planning Board. Member Currier questioned where the well and septic would be placed given the ledge and wetlands on the lot. Mr. Anderson had shown interest in extending the water main from Route 106 in Belmont. Member Buttrick asked about the setbacks. Chair Jean suggested having Planner Mark Fougere review the site plan for his opinion.

Vice Chair Gary Anderson rejoined the board.

Other Business-

Minutes-

Member Nic Peterson made the motion to accept the minutes of April 11, 2019 as amended. The motion was seconded by Member Shane Bruneau. **Motion passed 7-0**

Adjournment

Member Nic Peterson made the motion to adjourn. Vice Chair Gary Anderson seconded the motion. **Motion passed 7-0**

***Respectfully Submitted,
Bre Daigneault, Planning Administrator***

Authorized by

Chairman Michael Jean

Date:

8-8-19



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ATTENDANCE SIGN-IN

Thursday, May 9, 2019

PRINT

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Bob Ronstadt

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Rebecca Ronstadt

506 Providence Rd.

Annabelle Henry-Dean

518 Province Rd.

Ann Watson Massingham

30 Watson Rd, Belmont

Krista Nielsen

516 Province Rd

Mike Teunessen

17 Dock Rd