MEMBERS PRESENT

Sarah Paratore, Chair                                 Nick Canzano
George Helwig, Alt                                      Katherine Dawson, Ex Officio

OTHERS PRESENT

Justin Burgess

AGENDA

6:30 p.m. Call to order
Minutes of April 8, 2008
Correspondence
Any other business

6:35 p.m. Continuation of Case #08-03 Site Plan Review for Justin Burgess. Applicant proposes to set-up a new business, Lakeview Cigars at 765 Laconia Rd, Tilton, NH 03276. There is no change to the existing structure. Tax Map R-9 Lot 23-A.

7:00 p.m. Workshop

MEETING

Meeting was called to order at 6:32 pm. Sarah asked George Helwig to sit a full member of the board for this meeting. We have a quorum.

Sarah asked the Board if they had a chance to review the minutes of the April 8, 2008 meeting. Katherine abstained but the other members had reviewed and no omission or changes were noted.

Sarah made a motion to accept the minutes to the April 8, 2008 meeting as written. Motion seconded by Nick Canzano. Motion passed to accept the minutes.

CORRESPONDENCE

1) Letter from DES dated 4-17-08 Alteration of Terrain Permit WPS-7112B for Lochmere Meadows Development concerning rail transportation.
2) Lakes Region Planning Commission Area Meeting scheduled for April 28, 2008.
Continuation of Case #08-03 Site Plan Review for Justin Burgess. Applicant proposes to set-up a new business, Lakeview Cigars at 765 Laconia Rd, Tilton, NH 03276. There is no change to the existing structure. Tax Map R-9 Lot 23-A.

Justin presented the Board with pictures, a sketch of where the building sits on the property, his parking area, the location of his sign, downcast lighting on the front of the building, and where the snow storage area will be.

There was also a question of how far it was from the street. The building is probably 20 feet from the road.

Is there no running water? Justin states that there is spigot that he could run a hose from during the spring and summer months. Members expressed concern about health and safety issues and no running water inside the building. No code exists that prohibit businesses operating without running water; commercial businesses are required by code to have a sewage disposal only.

Question was asked if there was a smoke detector in the building? Justin stated that there isn’t one but he will purchase one and have it installed.

Nick asked if the port-a-potty was going to stay in its present location. Justin replied that he will be moving the port-a-potty to be parallel with the building. Justin states that this will be accomplished on Wednesday.

Justin states that he does not have employees.

Nick suggests that Justin should go see Brad Ober at the Fire Department and ask whether they think he should have for a fire detector. The Fire Department may suggest that you have a fire extinguisher in the building.

Justin states that he already has an extinguisher in the building.

Katherine states that there is an outside faucet so you could attach a hose to and have the hose sitting by the front door just in case it is needed. Justin agreed that he could do this.

Sarah stated that Justin has answered all the Boards questions and if the Board has not more issues then Sarah is ready to make a motion.
Sarah made a motion to approve Site Plan for Case #08-03 for Lakeview Cigar at 765 Laconia Rd, Tilton, NH 03276 with the following conditions:

1) Contact the Fire Department and determine whether fire detectors are needed.
2) Compliance with all state, federal, and local permits.
3) Compliance with all state fire codes.

Motion seconded by Nick Canzano. Motion approved. Notice of decision will be sent to Justin Burgess.

7:00 p.m. Workshop

Sarah was trying to setup for a speaker but was unable to schedule.

Copies of an email received from the Conservation Commission were given to each of the board members. The email stated that they had discussed the planning boards request to have a member of CC attend our meeting to determine whether or not a plan would require review of CC. CC members were not receptive to attending additional meetings, but they did send a checklist to give to each submitted plan to the CC for their review. The board determined the following process:

1. Applicant comes in for information. If wetlands are an issue, the CC checklist, a schedule of the CC meetings, and the contact info for the CC will be provided.
2. When an application is received, the applicant must already have met with the CC or at least be on their agenda at an upcoming meeting.
3. Copies of all applications will be placed in the CC mailbox in town hall, and Eliza Conde will be added to the distribution list for the planning board agendas when they are emailed around.

Nick indicated that we have another building in the same situation as the Lakeview Cigar--the building at the intersection on Rte 3 near Fluffy’s. Nick feels that we should have some guidelines to deal with non-conforming buildings and types of business that can be opened in a non-conforming building. Maybe these non-conforming buildings should only be seasonal.

At this time Katherine asked if the Board would like to take this time to discuss Best Care Ambulance wanting to relocate to Daniels Artesian Wells property on Cedar Street. This street is located in the village resident district.
Katherine feels that putting this business in that location is a change of use. The well drilling business is not run on a 24-hour basis and the trucks are just housed there. The ambulance business would have vehicles going in and out during the day and night. This would cause more traffic to the area.

Would have to determine the number of vehicles and trips per day? Would they use flashing light and sirens?

The planning board members have come to an agreement that they would have to go the Zoning Board.

Sarah made a motion to inform Best Care Ambulance that the board feels that the ambulance business is different non-conforming use than what is currently there the Daniels Artesian Well Co. As such they would need to go to the Zoning Board to apply for a permit for change of one non-conforming use to another non-conforming use. The Planning Board does not have the authority to make that decision.

Motion seconded by George Helwig. Vote taken, motion passed.

Letter will be sent to Best Care Ambulance with this decision.

The next meeting will be held on May 13, 2008 and George Helwig will not be available.

Before the May 13, 2008 members of the board may want to review the parking lot and spaces that Riverfront Place has. It may be time for them to create the additional parking spaces that they proposed.

A resident emailed Sarah a question. His neighbor wants to get his daughter a horse and to build a barn with at least one stall. There is some confusion as to whether a permit is needed. This would be in the rural agricultural area which would permit horses. This could be done as long as it is within the setbacks. In this town you can put a non-permanent building, as long as it is not on a foundation, sitting on cinder blocks is a temporary building and a permit is not required.

Motion made by Sarah to adjourn the meeting, seconded by Nick. Vote taken, motion passed.

Meeting adjourned at 7:45 p.m.

Minutes prepared by Augusta Marsh

(These minutes are subject to the review and approval of the Planning Board.)