AGENDA

6:30 p.m. Call to Order
Correspondence
Other business: Lot Mergers to be signed

6:35 p.m. Lenard Birke – to discuss 496 Laconia Rd and the grandfathering of Lucky
Lenny’s Hardware & Stuff

7:00 p.m. Tilton-Northfield Water District – new pump station

Members Present: Sarah Paratore – Chair, Nick Canzano, Deana Cowan,
Robert Haberman and Katherine Dawson, Ex Officio

Others: Lenard Birke, Susan Hankin-Birke, Ariel Birke, Tommie Ryan, Scott
Davis, John Chase, and Renee LaBranche – Stantec Consulting

Meeting:

6:31 p.m. Meeting was called to order. The Chair acknowledges we have a
quorum.

Minutes:

The Chair made a motion to accept the minutes of Sept 22, 2009, 2nd by
Katherine Dawson. Vote was taken and approved. Dawson abstained from the
vote.

The Chair made a motion to accept the minutes of Oct 27, 2009, 2nd by Katherine
Dawson. Vote was taken and approved.

The Chair made a motion to accept the minutes of Nov 10, 2009, 2nd by Katherine
Dawson. Vote was taken and approved. Dawson abstained from the
vote.

The Chair made a motion to accept the minutes of Dec 8, 2009 2nd by Katherine
Dawson. Vote was taken and approved. Dawson abstained from the vote.

6:35 p.m. Lenard Birke – to discuss 496 Laconia Rd and the grandfathering of Lucky
Lenny’s Hardware & Stuff.

Mr. Birke’s first question is grandfathering and abandonment the same thing. I was told
that grandfathering no longer exists.

Dawson responded that we have non-conforming situations. The goal in zoning is to try
and get rid non-conforming situations but they exist.
Mr. Birke states that when he spoke to the Code Enforcement Officer he stated there is no grandfathering, it’s either abandon or not abandon.

The Chairman states that the term grandfathering is often used inaccurately. It would be more helpful for me and the board if you would be more specific as to what you are talking about.

Mr. Birke states that he has a business and has had a business and my understanding of grandfathering is if you continue that business with some sort of infrequency you are entitled to continue that business.

Mr. Haberman states if it doesn’t violate some other new existing law.

Nick states it’s not grandfathered it’s to be used as its being used.

Mr. Birke states his end result is going to be. I have a person interested in renting the building at 496 Laconia Rd. She is present, Tommie Ryan. There were some question came up as to whether she could open up her flea market.

Susan Hankin-Birke states the name of the business would change. It would no longer be Lucky Lenny’s it would some other name but basically it would be the same type of business.

The Chair notes that a flea market is different type of business from a hardware store.

Susan Hankin-Birke – This question of flea market came up and we have an article from the paper that referred to flea market type business when it opened. In paragraph 4 it states flea market items to be sold at this location.

Mr. Birke states that when ever the opportunity was there for me to purchase odd lot of items I did for sale at the store.

Mr. Birke - What am looking for from the Board is to state on the record for a fact the flea market does exist and that we can continue that use.

The Chair needs to know more about what the new use would be. When I hear the word flea market it is different from a hardware store that sells all kinds of different and unique items. Flea market means a lot of cars, parking and people which would not be part of a hardware/variety store.

Tommie Ryan, the person looking to rent the building for second hand handcrafted consignments type business explained people would be bringing items for consignment. I would be working with clean out companies to bring in items. The items would be seconded hand furniture. My plan is not to have booth rentals.

Chair asked Ryan if she had to choose an example of her store. She replied, “Like the ETC shop in Meredith. I would take everything from clothes, collectible, toys, furniture, dishes and glassware type items”.

The Chair notes that this would be more of a retail shop than a flea market.
Katherine Dawson - a flea market is numerous people selling items.

Ryan states this is strictly a consignment shop. There would be no outside tables.

The Chair asked the board what they think.

Nick feels that this is the same as what has been there all along as retail.

Katherine Dawson notes that DOT must be notify for updated driveway permit and asked if there had been any terrain changes. Would snow removal, lighting remain the same.

Mr. Birke noted that the only terrain changes made was to take out the steep hill to stay level to get to the back of the building. Snow storage will be the same. The only lighting we have had there is the lighting on the telephone pole which is a PSNH light.

Chair comments that this does not require a site plan, but you must adhere to the sign ordinance.

There is no non-conforming grandfathering of signs per Katherine Dawson. The signs must conform to the new zoning signage regulations. Your property/business is located in the Mixed Use District along Rte 3 & 111 which can have a sign of 40 sq. ft. and additional signage on 10% of the building façade.

Discussion continued concerning signage and the new signage ordinance.

Chairman confirms in MU District, any business that fronts along Rte 3 & 11 will meet the same standards set in the RG, RC & GC District. (Reference 2.3.10.1) This would allow 40 sq. ft. of signage.

The Chairman informed Ryan that if you do change the front panel it should conform to the size requirement so it shouldn’t exceed that specified size plus the 10% of the façade.

7:15 p.m. Tilton-Northfield Water District – new pump station.

Scott Davis – Water District Commissioner, John Chase, Superintendent, and Renee LaBranche, Stantec Engineer for the district.

Scott Davis explained that we are upgrading the pump station on Winter Street in front of Foster Peverly home. This is an underground bunker which DES decided the pump station was not longer good.

The commissioners decided to move forward to replace the bunker when the stimulus money became available.

Mr. LaBranche - they reviewed several locations along Winter Street and decision was made to locate at 29 Winter St. (Heber Feener property).

The project includes a small pump station. This will be a block structure with peaked roof with standing seam metal roofing and will have vinyl shacks to blend with Mr.
Feener house. There is a single driveway which will be shared with the Feener property. We have changed the grade of the driveway.

The building will not be serviced with sewer, no bathroom. We will be running natural gas from Winter Street for heat. In addition, most pump stations have emergency generators but this one won’t. We will have an outlet to plug into a portable generator if it is needed.

The pump station will have 2 small 2 horsepower pumps to maintain domestic water supply pressure and then a high volume pump in the case a fire hydrant is in use which will improve the amount of water that is available.

Mr. LaBranche notes that we are resolving a drainage problem that Mr. Feener had mentioned. We have included contour to create a swale to run to culvert to the basin.

This project will begin in the near future. The contractor would like to start late February early March.

The Chairman thanked them for coming tonight and giving this presentation to the board.

Other Business:

Katherine Dawson received a call from George Ryan asking if he could rent space in his building on Lowes Drive for person to repair automobiles. Mr. Ryan has continued using the building for the restoration of older autos, sale of cars and trucks. This is the land behind MB Tractor.

After some discussion the board agreed this is a continuation of use so he would not have to come in for site plan review.

Katherine Dawson was not at the meeting when the board discussed possible changes to the zoning.

Dwelling unit - we keep getting tied up in the definition like South Bay.

The Chair explained to Katherine that we couldn’t find anything to address that particular part of the ordinance. The reason I picked Holderness as they have these cottage colonies similar to what Tilton has. This would fit our needs; it gives us wiggle room but is specific in what can and can’t be done. It adheres to existing zoning.

Katherine Dawson the question we face at South Bay is what are they? They are not being used as seasonal dwelling; they are being used at year round dwelling.

If we go to our definition of dwelling unit which is any unit over 650 sq ft., all units at South Bay are less than 650 sq ft.

Sarah – maybe we should get rid of the definition for seasonal dwelling units. Definition for seasonal dwelling: Shall mean dwelling constructed as a secondary place of residence for seasonal vacations and recreational purposes and not as a principal residence of the owner or occupant there of.
Chairman asks should we have seasonal dwelling unit or not. It is either vacation or hotel/motel and none of these are dwelling units. The board agrees that seasonal dwelling unit should be removed from our definitions.

Katherine Dawson - we have a recreational area around the lake. We have old cabin colonies and the potential of new cabin colonies. These are a very good tax base if used correctly as they don’t impact the town’s tax base. There are no kids living there year round that would go to the schools. The part we need to control is the part that people are living in these units year round. By truly defining what they are and how they can be used so the Code Enforcement Officer has no doubt if a seasonal unit is being rented year round he can go there tell it’s not allowed and it has to stop.

We need to clearly look for definitions to define these areas. We also allow campgrounds but we don’t have definition for campground.

Chairman asked Augusta to contact Mike Izard at LRPC to find out what the next step now that the Impact Fee contract has been signed.

Chairman reviewed and signed the Lot Mergers for James Cropsey. Mr. Cropsey wants to merger Lot U06/1 & U06/2 to make Lot U06/1 and U05/29 & U05/28 to make U05/29.

The Chairman made a motion to adjourn, seconded by Nick Canzano. Vote was taken and approved.

8:30 p.m. Meeting adjourned.

Minutes prepared by Augusta Marsh, Land Use Assistant

(These minutes are the subject to review and approval by the Planning Board at the next scheduled meeting)