

September 24, 2008, 6:00 P.M  
Site Walk Notes  
9 Central Street, Halcyon Club parking lot  
Notes prepared by Elizabeth Robidoux

Present: George Sioras, Maureen Heard, John O'Connor, Ginny Roach, David Granese, Richard Tripp, Randy Chase, Ann Evans, Jan Choiniere (6:12 p.m.), John Wood, John Jackman, Steve Trefethen, Al Dimmock, Attorney Jaye Rancourt, and an identified gentleman.

The site walk began at 6:00 p.m. Mr. Wood advised that with the installation of the 11 foot buffer between 9 and 7 Central Street, he has lost more than three spaces. If the rear buffer is installed and a fence is brought out 20 feet into the parking lot, they will lose about 6 spaces. This will leave the lot with 5 spaces.

Mr. Trefethen pointed out his building to the rear (blue), and said there is no buffer on his side of the Halcyon Club. He questioned whether he should have a buffer there as well? Mrs. Roach advised the only issue before the Board at this time is the issue of the buffer to the rear of 9 Central Street and the Board can't discuss anything else.

Board members viewed the existing 6' stockade fence along the property line between Mr. Cournoyer's property and 9 Central Street. Several members looked over the fence. Of note, on the southwest end of the property and abutting the stockade fence is a large tree (approximately 20' in height) along with a row of Lilac bushes running parallel to the right of way.

Those present reviewed the sketch provided in the applicant's packet, indicating what has been installed and what is proposed for the 20 foot buffer. Attorney Rancourt advised that the LDCR requires a buffer be installed between a multi-family use and a non-residential use. The requirement is for a 20 foot buffer to the rear and the buffer cannot contain any structures. "Structure" includes pavement, and buildings, so technically, there can be no parking spaces in the buffer because parking spaces require pavement. The applicant would have to rip up the existing pavement, add a fence, green space or mulch, and trees. The applicant would like a waiver from that requirement and would like to leave it as it is. This issue came to the Board through the suit filed by Property Portfolio Group. The Supreme Court has said that a buffer had to be installed per the LDCR. They put in the side buffer between this property and the PPG lot (7 Central Street). This applies to every lot in the Central Business Overlay District.

Mr. Chase clarified that this buffer requirement would apply only when something changes on a lot. The town cannot go to each property in the CBOD and ask them to install a buffer between multifamily and nonresidential use. When something changes on a lot, the buffer would be installed by the person who made the change. In this case, the Halcyon Club removed a building and paved the parking lot. They made the change in 2000 and therefore have to install the buffer. Attorney Rancourt advised they have no changes proposed for this lot. They would like to leave it as is.

There were no further questions and the walk ended at 6:10 p.m. Mrs. Choiniere arrived after the site walk ended and Mr. Sioras reviewed the distance for the rear buffer with her.

Approved as amended October 1, 2008